

SFG2243



Islamic Republic of Afghanistan
Ministry of Finance
Afghan Customs Department
Project Implementation Unit

Environment and Social Management Framework (ESMF)

**PROJECT No:
SCRTFP-AF (D076-AF)**

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ENVIRONMENT AND SOCIAL Management FRAMEWORK (ESMF)

Background

Afghanistan is a country with a total population of approximately 30 million and with an estimated GDP growth rate of 3.4 percent in 2008/09 down from 12 percent in 2007. Since it reemerged onto the world stage after the fall of the Taliban in late 2001, the country has begun an enormous political, economic, and social transformation. However, despite the progress of the past few years, Afghanistan remains extremely poor and highly dependent on farming and foreign aid. Afghanistan is experiencing its worst drought in a decade and its food crisis is deepening as a result, with high commodity prices directly impacting its agricultural output. Given the heavy dependence on foreign aid, institutional and staff capacity constraints, an extremely low domestic revenue base, and the threat of large illicit opium activity and poverty, the government is faced with daunting challenges in carrying forward the reforms it has committed to. These challenges are further compounded by the security situation which often obstruct and distort trade. In the past few years insurgency has spread, security has deteriorated and the opium economy, representing 46 percent of non-opium GDP in 2008-09¹, has become more entrenched. Some of the most pressing needs include the rehabilitation of key economic and social infrastructure, the establishment of functional state institutions, including Afghanistan Custom Department (ACD), security and the rule of law throughout the country.

Project Objectives

The aim of the project is to capitalize on the reform momentum already built during the ongoing Customs project and support the ACD's reform agenda as elaborated in the recent FYP (2014-18). It will assist the ACD: in the construction/rehabilitation of physical infrastructure and purchase of equipment for customs and transit; the procurement and installation of all necessary ICT equipment including design, supervision, and project management; and, provide continued technical assistance for the ongoing ACD restructuring, automation, Customs policy and strategy development, Customs to Customs Cooperation, Customs legislation, ACD budget management, implementation of border and inland control (including assistance from regional Customs advisors), ACD's ICT project management, ACD assets management, overall project technical/content quality control and management, and other ad hoc advice (as required). The project will provide overall project implementation support to ACD/MOF.

The proposed Additional Financing grant would support the scaling up of project activities consistent with the existing Project Development Objective (PDO) of the Second Customs

Reform and Trade Facilitation Project (SCRTFP): *“To improve the release of legitimate goods in a fair and efficient manner”*.

The proposed additional financing would allow scaling up of the existing activities, by rollout of automation to the remaining border crossings and inland clearance depots (ICD); continue refurbishment, rehabilitation or new construction of selected Customs Infrastructure; technical assistance and capacity building in HR, valuation, post clearance audits, risk management etc.; cooperation with neighboring Customs including real time data exchange; further improvement and enhancement of real time monitoring of Customs performance through the use of Executive dashboard and alerts mechanism; initiate process to implement single window and trade information portal; and support to Customs training academy.

Project Description

The project will focus on providing technical assistance to improve the overall governance environment of the Afghan Customs Department (ACD) by addressing issues identified in the Governance and Accountability Action Plan (GAAP) matrix. The proposed grant for the project will help finance costs associated with construction of necessary physical infrastructure and equipment for the ACD, further roll out of the Automated System of Customs Data (ASYCUDA) to key remaining Customs stations, automation of management functions, installation of executive management systems, set up of trans border data exchange systems, provision of technical assistance to improve the regulatory framework through a comprehensive legislative review and setting up mechanisms of government level coordination for legislative reforms and monitoring progress on the Customs Five Year Plan.

PROPOSED ADDITIONAL FINANCING ACTIVITIES & RELATED CHANGES

The proposed AF makes no change to the SCRTFP PDO. All proposed additional activities would be covered under the existing PDO: *“To improve the release of legitimate goods in a fair and efficient manner”*. The results framework for the additional financing will be essentially the same, with changes to the end of project target values and related modifications to the intermediate indicators.

ACD has demonstrated its commitment through its successful implementation of the activities under current IDA financing totaling US\$51 million over the last four years. In

order to make sure the efficient and effective implementation of the project, ACD and World Bank have agreed to establish a Project Implementation Unit (PIU) within ACD for the execution of SCRTFP-Additional Financing. UNCTAD will act as technical partner for Automation and related activities. .

Financial Management.

A Finance Unit has been already established in PIU along with a new Designated Account in the Treasury department of MoF. The finance manual has been revised by PIU team and approved by the Bank. Currently there are four number of staff in the Finance section of PIU who will be dealing and managing all the finance issues through MoF. Quarterly IUFs will be submitted to the Bank from time to time.

Procurement: , A Procurement Unit has been established by ACD/WB in PIU in order to manage all the procurement issues. Currently there are three numbers of staff in the procurement section and an international Public Procurement Specialist will also be recruited under the project for smooth operations and capacity building of the national staff. The government procedure will be followed in the procurement and all contracts will be awarded in accordance with the World Bank's "Guidelines: Procurement under IBRD Loans and IDA Credits" dated May 2004, revised October 2006, "Guidelines: Selection and Employment of Consultants by World Bank Borrowers" dated May 2004, revised October 2006.

Environmental and Social Safeguards. The arrangements and ratings for environmental and social safeguards management will remain unchanged. The Project retains the original environmental category 'B'. No new safeguard policies are triggered. Activities under the proposed AF will continue to follow the existing agreed Environment and Social Safeguard Mitigation Framework (ESSMF).

The closing date of the Project. It is proposed to extend the current project closing date to October 31st, 2017.

Potential Environmental and Social Impacts

The majority of environmental and social impacts of SCRTFP are generally related to generation development and rehabilitation of ACD's Facilities. Because the project will mostly finance the rehabilitation and expansion of an existing scheme, implementation of the project components is not expected to involve any significant adverse environmental or social impacts.

Specifically:

- The rehabilitation and expansion of the project relates to construction/rehabilitation of physical infrastructure and purchase of equipment for customs and transit. While some disruptions in day-to-day activities during construction may be inevitable, these impacts will be temporary. Furthermore, no land or other assets are expected to be required.
- The rehabilitation of the existing facilities will involve procurement and installation of necessary ICT equipment including design, supervision, and project management; and, provide continued technical assistance for the ongoing ACD restructuring, automation in the mentioned site. This is not expected to have any impact on environmental and social aspects.

Most potential environmental impacts are related to siting of facilities (such as sub-stations), construction activities and the possible presence of mines. Assessment and mitigation of potential impacts will be addressed through the application of environmental codes of practices, mine risk and safety procedures (Attachment 5).

Potential social issues include:

- Land acquisition: No land acquisition is expected for the rehabilitation of existing ACD facilities, which all reportedly involve government land. The risk of involuntary resettlement or land acquisition is therefore considered to be extremely low. However, documentation is required that the land is free of encroachments, squatters or other encumbrances, and that the land has been transferred to the relevant authorities.
- Local employment: Employment benefits are expected from the ACD project works.

Mechanisms to ensure that local populations are the beneficiaries are to be defined as much as possible and in a realistic way, within the social and ethnic context of each component of the project.

While field reviews have shown that no direct impacts on archeological, burial or historical sites are to be expected, the project will institute “chance find” procedures to ensure protection of such sites if found when opening borrow pits and material sites.

Purpose of the ESMF

This Environmental and Social Management Framework (ESMF) provides general policies, guidelines, codes of practice and procedures to be integrated into the implementation of the proposed World Bank funded Second Customs Reform and Trade Facilitation Project (SCRTFP). Consistent with existing national legislation, the objective of this Framework is to help ensure that activities under the proposed reconstruction operation will:

- Protect human health;
- Prevent or compensate any loss of livelihood;
- Prevent environmental degradation as a result of either individual sub-project or their cumulative effects;
- Enhance positive environmental and social outcomes; and,
- Ensure compliance with World Bank safeguard policies.

General Principles

Recognizing the emergency nature of the Additional Financing- SCRTFP project, and the related need for providing assistance, while at the same time ensuring due diligence in managing potential environmental and social risks, this Framework is based on the following principles:

- (i) The proposed project will support multiple components – the detailed designs of which may not be known at appraisal. To ensure the effective application of the World Bank’s safeguard policies, the Framework provides guidance on the approach to be taken during implementation.
- (ii) All proposed components will be screened to ensure that the environmental and social risks can be adequately addressed through the application of standardized guidelines.
- (iii) Project design will aim to maintain regional balance, considering variations in population density. Employment opportunities within the projects will be available on an equal basis to all, on the basis of professional competence, irrespective of gender, or ethnic or religious group.
- (iv) Consultation and disclosure requirements will be simplified to meet the special needs of this project. Prior to approval by the World Bank Board, this Environmental and Social Management Framework will be disclosed in Afghanistan in Dari and Pashto, and in the World Bank Infoshop.

Safeguard Screening

The selection, design, contracting, monitoring and evaluation of sub-projects will be consistent with the following guidelines:

- A negative list of characteristics that would make a proposed sub-project ineligible for support, as indicated in Attachment 1;
- Guidelines for land and asset acquisition, entitlements and compensation,

presented in Attachment 2;

- Procedures for the protection of cultural property, including the chance discovery of archaeological artifacts, and unrecorded graveyards and burial sites, provided in Attachment 3;
- The requirement that confirmations are received through the Regional Mine Action Center that areas to be accessed during reconstruction and rehabilitation activities have been demined (see guidelines in Attachment 4).
- Generic codes of practices for environmental management at design, construction and operation stages, provided in Attachment 5.

Mitigation Measures – Design

1. **Environmental:** Sound design will, if not eliminate, at least diminish to the extent possible, most of the potential adverse impacts of project activities. Good engineering design will, in most cases, have a positive impact on the environmental conditions in the project area. A concern is adverse impacts on local ecology, especially where the current situation (improper/non-operation) has led to the creation of habitat for important flora/fauna species in the project area. These situations will have to be considered on a case-by-case basis. A pre-design walk-through of the design team, with specialist environmental input, through the project area will be a highly desirable exercise. Otherwise, local knowledge from other stakeholders and local residents may be tapped to ascertain that the project does not cause significant damage to any important species. One aspect which deserves attention is the drafting of the contract documents where environmental protection can be built into the project agreements.

In addition, the designers must take care of providing adequate attention to minimize dust and noise pollution as well as emphasize on proper waste management during construction.

Co-ordination with the line departments, other stakeholders such as NGOs must begin in the design phase itself. This will ensure that the project is ready for mitigating of various impacts such as resettlement and health service support, if required. The M&E Unit of the SCRTFP will have to be mobilized at this stage itself to ensure that the measures envisaged as part of this framework are implemented.

2. **Social:** No land acquisition is anticipated since the project involves rehabilitation of existing buildings or construction of new buildings within the compound of customs departments in selected provinces. In the event that any land would be needed for

rehabilitation of an existing scheme, such land could only be obtained from available government land or acquired from private land owners in accordance with the provisions of Afghanistan's Expropriation Land Law, amended in 2009, the Land Policy (2007) and Law on Managing Land Affairs (2008) and compliant with the World Bank OP/BP 4.12 on Involuntary Resettlement. All land acquisition issue would be documented as required by this Framework (Attachment 2 (ii)), as would compensation payments made by the community (Attachment 2 (i)). For Government land, documentation would be needed that the land is free of encroachments, squatters or other encumbrances, and has been transferred for the project by legal authorities.

For all custom project buildings the ramp and toilet facilities should be considered for handicaps during design phase with consideration of international accepted standards as well as the fire safety management should also be considered to ensure possible safety from accidental fire incidences.

Mitigation Measures in Construction Phase

The emphasis of the Environmental and Social Management Plan (ESMP) to avoid, reduce, mitigate and compensate the potential impacts during construction and operation phases of the project by managing the rehabilitated infrastructure in line with project design parameters. In order to minimize the potential adverse impacts of construction, standard bidding documents would have the following environmental precautionary clauses:

- The natural landscape should be preserved to the extent possible by conducting operations in a manner that will prevent unnecessary destruction or scarring of natural surroundings. Except where required for permanent works, quarries, borrow pits, staging and processing areas, dumps, and camps, all trees, saplings, and shrubbery should be protected from unnecessary damage by project related activities. After unavoidable damage, to restore quasi-original conditions where appropriate;
- Contractor's operations should be so performed as to prevent accidental spillage of contaminants, debris, or other pollutants, especially into streams or underground water resources. Such pollutants include untreated sewage and sanitary waste, tailings, petroleum products, chemical, and thermal pollution;
- Wastewater, including those from aggregate processing and concrete batching, must not enter streams without settling ponds or other process, so as not to impair water quality or harm aquatic life;
- The contractor should ensure proper disposal of waste materials and rubbish. If disposal by burial or fire, it should not cause negative impact to either the air, soil or ground water supplies;
- The contractor should minimize air and water pollution emissions. Dust from the sprinkling or other methods. Materials, bushes or trees should only be burned when the owner permits, under favorable weather conditions;

- The contractor's facilities, such as warehouse, labor camps, and storage areas, should be planned in advance to decide what the area will look like upon completion of construction. These facilities should be located so as to preserve the natural environment (such as trees and other vegetation) to the maximum extent possible;
- After project construction, camps and building should either serve as permanent residences and form future communities, if such use can be foreseen and approved, or be torn down and the area restore to its quasi-original condition in order to avoid deterioration into shanty towns; and
- Borrow pits should be landscaped and planted accordingly to an ecological design to provide some substitute area for lost natural landscapes and habitats.

Mitigation Measures during Operation Phase

- The infrastructure facilities would be designed and implemented to have proper facilities e.g., water and sanitation, exit doors, smoke detectors, fire extinguishers, ramps for disabled, male and female visitors and staff.
- The relevant department would have relevant trained workers to maintain the facilities adequately
- The rest area must be equipped with needed water and sanitation facilities to serve the visitor adequately
- The drainage of the parking lot must be designed and constructed properly to prevent stagnated water during raining season

Environmental and Social Management Plan (ESMP)

The subprojects relevant contractors with the help of the project Safeguards Focal Officer will prepare an Environmental and Social Management Plan (ESMP) which is also called and action plan. The ESMP then should be fully implemented, monitored and reported. The ESMP relevant provisions and clauses will be included in the contractor bidding documents as well.

Contents of the ESMP

Description of Adverse Impacts

Anticipated impacts are identified and summarized.

1. Description of Mitigation Measures

Each measure is described with reference to the effects it is intended to address. As needed, detailed plans, designs, equipment description, and operating procedures are included.

2. Description of Monitoring Program

Monitoring provides information on the occurrence of impacts. It helps identify how well

mitigation measures are working, and where better mitigation may be needed. The monitoring program should identify what information will be collected, how, where, and how often. It should also indicate what level of impact will trigger a need for further mitigation. How environmental impacts are monitored is discussed below.

3. Responsibilities

The people, groups, or organizations that will carry out the mitigation and monitoring activities are defined, as well as to whom they will report and be responsible. There may be a need to train people to carry out these responsibilities and to provide them with equipment and supplies.

5. Implementation Schedule

The timing, frequency, and duration of mitigation measures and monitoring are specified in an implementation schedule and linked to the overall subproject schedule.

6. Cost Estimates and Source of Funds

These are specified for the initial subproject investment and for the mitigation and monitoring activities as the subproject is implemented. Funds to implement the environmental and social plans will predominantly come from the developer, with possible assistance from the SCRTFP.

Project Phase	Potential Impact	Detailed Actions	Responsible Person / Entity	Monitoring Mechanisms	Indicator / Performance Criteria	Estimated Cost	Source of Funding
Pre-construction	General	A clause should be included in the Contractor's appointment contract stipulating that an ESMP will be compiled and will contain specific items indicated in this ESMP as the responsibility of the Contractor, e.g., method statements.	CONTRACTOR	Review by Project Team		-	N/A
Pre-construction	Damage to cultural and heritage resources as a result of poor construction techniques.	<p>Compile a late find procedure as part of the scope of work of work of the DAMA experts commissioned to undertake the detailed heritage survey.</p> <p>These procedures will be distributed to the contractor prior to the commencement of construction.</p> <p>These procedures will include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Information on archaeological artifacts that may be found; <input type="checkbox"/> Procedures to be undertaken in the event of a find i.e.in the event of a find, construction will stop, and the find barred off by at least 5 meters in order to safeguard it from further construction activities; <input type="checkbox"/> Contact details and procedures for notifying the Department of Archives, Museums and Antiquities of a find; and <input type="checkbox"/> Instructions that construction will not continue until authorized by DAMA. 	Project Team	Pre-construction audit and SFO audits during construction.	Chance/late find procedures, should be part of contractor contract. Evidence of archaeological training and procedure implementation during weekly SFO audits	X	Project
Pre-construction	Job creation	<p>Establish an employment policy that focuses on the employment of local people.</p> <p>A job seekers register will be established and preference given to local people for employment.</p> <p>A training program will be developed for providing skills to workers to "take away" from the project once completed.</p>	Project Manager, SFO, Contractor	Pre-construction audit.	Employment policy established. Job seekers register in place. Training program established.	?	World Bank/Government

Project Phase	Potential Impact	Detailed Actions	Responsible Person / Entity	Monitoring Mechanisms	Indicator / Performance Criteria	Estimated Cost	Source of Funding
Construction	Damage to cultural and heritage resources as a result of poor construction techniques.	The cultural heritage experts will also be commissioned to provide training to contractors in relation to chance find procedures.	Project	SFO audits during construction	Training provided to contractors	X	Project Team
Construction	Contamination of the environment including surface water due to spills of fuels and chemicals.	<p>The contractor will be responsible for establishing a register of all hazardous materials to be used during construction.</p> <p>The contractor will develop a method statement; responsibility for collection and treatment of used fuels will be assigned to either the contractor or fuel Supplier.</p> <p>The contractor will provide Materials Safety Data Sheets (MSDS) for all hazardous materials.</p> <p>The contractor will clearly display MSDS on all hazardous materials and will adhere to all the conditions of the MSDS.</p> <p>Chemicals and materials will be covered and stored in secured areas. Chemicals will be stored within a bund that has capacity of 110% of the largest container.</p> <p>Hazard warning signs will be provided for containers and storage areas.</p> <p>As part of training by the SFO, all workers will be informed re handling, storage, recognition of signs and dealing with incidents.</p> <p>A register of hazardous waste will be developed by the contractor and will develop a method statement for dealing with the waste.</p> <p>An emergency response plan will be developed by the contractor upon appointment. Construction Contamination due to improper fuel handling, usage and management. The contractor will develop a method.</p>	CONTRACTOR	SFO audits During construction.	for all hazardous materials available and clearly displayed and conditions adhered to.	N/A – these items will be included in the contract that is drawn up to appoint the Contractor.	N/A

Project Phase	Potential Impact	Detailed Actions	Responsible Person / Entity	Monitoring Mechanisms	Indicator / Performance Criteria	Estimated Cost	Source of Funding
Construction	Contamination due to improper fuel handling, usage and management.	<p>The contractor will develop a method statement for fuel storage, refueling and spills procedures. The method statement will outline:</p> <ul style="list-style-type: none"> Fuel storage requirement (i.e. if fuel storage is required within the construction area, fuel containers will be stored within bunded areas with at least 110% of the volume of the amount of fuel stored or in portable bunds); Refueling procedures (e.g. refueling over drip trays): and <p>Spills procedures for containing and cleaning up oil/fuel spills (i.e. provision of spill kits including absorbent materials etc)</p> <p>Any soil contaminated by e.g. oil will be treated as hazardous waste and disposed of accordingly. The method statement will be reviewed and approved by the SFO.</p>	CONTRACTOR	SFO audits During construction	Method statement in place and hazardous waste removed offsite for recycling or best practice disposal.	N/A	N/A
Construction	Contamination from equipment and vehicles used on site.	<p>The contractor will be responsible for the maintenance of construction vehicles and equipment to ensure noise and emissions are not exceeded.</p> <p>The SFO will inspect equipment and vehicles and instruct the contractor to make repairs should maintenance be required.</p>	CONTRACTOR	SFO audits During construction	All vehicles and equipment in good working condition.	N/A	Contract or
Construction	Contamination from contractor's ablutions and facilities.	<p>The contractor will provide adequate toilet facilities for construction workers.</p> <p>This should include: 1 portable chemical toilet for every 10 workers (within reasonable walking distance from where the workers are working).</p>	CONTRACTOR	SFO audits During construction	Chemical toilets provided for workers (1 for every 10).	X	Contract or

Construction	Waste collection and blockage of drainage channels.	<p>The contractor will establish a method statement for construction waste. This will include:</p> <ul style="list-style-type: none"> • An indication of the location of temporary waste storage points (These storage points should be accessible by waste removal trucks and these points should not be located in sensitive areas / areas of highly visible to neighboring properties / areas where the wind direction will carry bad odors across the properties of adjacent landowners); • Provision of cover and storage of waste (e.g. skips); • Procedures for waste collection and disposal (solid waste shall be disposed of in a manner approved by NEPA); • All solid waste must be removed and transported to a recognized waste disposal site on a weekly basis as a 	CONTRACTOR	SFO audits during construction	Method statement in place, waste storage points established and waste disposal appropriate.	N/A	N/A
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		<p>minimum;</p> <ul style="list-style-type: none"> The method statement should indicate that: No waste materials shall at any stage be disposed of in the open area of adjacent properties; The piling of any material that could rot and release unpleasant smells into the air will not be permitted; Burning of waste is not permitted; No littering or dumping of rubble shall be permitted in the canal and all potential blockages shall be removed immediately; Where necessary these construction areas should be clearly fenced off; and The method statement will be approved by the SFO prior to implementation. 					
Construction	Waste and blockage of drainage channels	The contractor will be responsible for ensuring that the construction area is cleared of any obstruction and should be kept tidy, to avoid any waste from entering the existing storm water systems.	CONTRACTOR	SFO audits during construction	Construction area clear on completion of works	Included in Contractor's contract	N/A
Construction	General Waste	<p>Containers must be supplied for general waste, at all working sites.</p> <p>Waste will be stored in designated areas and covered to prevent windblown litter and avoid attracting scavengers</p> <p>Any recyclable waste will be removed from the waste stream and removed by or taken to an appropriate contractor.</p>	CONTRACTOR	SFO audits during construction	Construction sites will remain clear of waste associated with the works	Included in Contractor's contract	N/A
Construction	Site maintenance and clearing	<p>The contractor will ensure that on completion of the works, all surplus material/ waste is cleared and the areas graded to restore the ground as near as possible to its original profile.</p> <p>Upon completion of works the site will be inspected by SFO and signed off as acceptable or it will be requested that further works are undertaken to rehabilitate the site.</p>	CONTRACTOR	SFO audits during construction	Construction area clear on completion of works	Included in Contractor's contract	N/A
Construction	Health and safety	The contractor will ensure that all personnel are issued with personal protection equipment (PPE) that is appropriate to task being undertaken e.g. dust masks, ear defenders and gloves. Training will be given to all workers prior to starting work so that there is full understanding of the importance and need for using PPE. The contractor will be responsible for supplying equipment and ensuring stocks are kept to replace worn and broken PPE.	CONTRACTOR	SFO audits during construction	All workers will use PPE and this will be monitored by the SFO and health and safety officer	Included in Contractor's contract	N/A

Construction	Health and safety risk due to deep excavations.	<p>A health and safety officer will be appointed by the contractor to ensure that construction workers are managed in strict accordance with the relevant health and safety law or regulations for the areas, or best practice Health and Safety standards in the absence thereof.</p> <p>For all deep excavations the contractor will be responsible for:</p> <ul style="list-style-type: none"> Barrier taping all deep excavations to ensure visibility of 	CONTRACTOR	SFO audits during construction	Health and Safety Officer Appointed and health and safety practices evident (i.e. provision of protective equipment, and incident reporting)	Included in Contractor's contract	N/A
		<p>these areas in compliance with the relevant Health and Safety law, or best practice standards in the absence of such law; and</p> <ul style="list-style-type: none"> Displaying clear sign boards at the entrance to the construction area to indicate that construction is being done and that certain safety precautions should be followed (hard hats, boots, etc). <p>The areas should be guarded and lighting should be provided overnight when excavations are left open.</p>					
Construction	Loss of access	The contractor will be responsible for informing the SFO of any foreseen disruption in services (electricity, water, sewage) at least 4 days prior to the disruption. The SFO must then inform the surrounding land owners.	CONTRACTOR and SFO	SFO audits during construction	Service disruptions advertised 48hrs prior to disruption.	N/A	N/A
Construction	Loss of access / Health and safety risk due to deep excavations	<p>The contractor will excavate, close and rehabilitate trenches in the shortest period of time possible to minimize disruption, etc;</p> <p>It was indicated this would be a period of 5 days for undertaking a manual excavation of approximately 5 m.</p> <p>This shortens the duration of impacts and improves the recovery of the vegetation, if any.</p> <p>This limitation includes the grubbing of the trench area.</p> <p>The contractor will ensure that trenching and excavations is properly backfilled and compacted.</p> <p>The backfill material must be more permeable than surrounding soil layers so as to prevent erosion of the sides of the trenches</p>	CONTRACTOR	SFO audits during construction	Trenches closed within 5 days of completion.	N/A	N/A

Construction	Nuisance	<p>The contractor will ensure that all vehicles are covered when transporting loose material that can be blown off (e.g. soil, general waste, etc).</p> <p>Speed limits of 20km/h must be adhered to when near houses, playgrounds, etc.</p> <p>Construction will be limited to normal working or daylight hours during the week, and possibly a half day at weekends.</p> <p>All work will be suspended on Fridays between 12 am and 2 pm for prayers.</p> <p>No work on Public Holidays, except in extreme emergencies and with the prior approval of the Project Director, and SFO; landowners will be notified.</p>	CONTRACTOR	SFO audits during construction		N/A	N/A
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Project Phase	Potential Impact	Detailed Actions	Responsible Person / Entity	Monitoring Mechanisms	Indicator / Performance Criteria	Estimated Cost	Source of Funding
Construction	Nuisance	ACD will establish a grievance procedure and complaints record so that complaints are registered e.g. dust and noise due to construction activities. The register will contain information regarding the identity of the complainant, the reason for the complaint, and the means in which the complaint was dealt with as well as any feedback given to the complainant.	CONTRACTOR	SFO audits during construction	Complaints register in place – grievances addressed within 1 week of complaint.	N/A	N/A
Construction	Nuisance	The contractor will be responsible for minimizing dust during construction. Dust reduction strategies will be practical, cost-effective and achievable e.g. wetting down surfaces, provision of dust nets.	CONTRACTOR	SFO audits during construction	Acceptable dust levels on site. No complaints from public regarding dust.	N/A	N/A
Construction	Traffic Disruption	Project will publish maps and schedules detailing construction areas in the local newspapers and distributing this information through taxi/transportation associations (if any) and other public places. Signage will be prominently displayed indicating streets that will be blocked due to construction.	SFO	SFO audits during construction	Information published in newspapers and poster in place.	X	Project
Construction	Visual disruption of key monuments.	The contractor will ensure that concrete slabs and/or skips are sited away from any landmark building or monuments, wherever practical.	CONTRACTOR	SFO audits during construction	No skips /concrete slabs in the vicinity of landmarks or monuments.	N/A	N/A
Construction	Visual disruption in residential areas and key monuments.	The solid waste slabs should be screened from view with a suitable screen wherever space and access allow. However, the screen must not hamper the operational requirements for waste collection etc.	CONTRACTOR	SFO audits during construction	Screens placed	N/A	N/A
Construction	Damage to houses and property.	A survey will be undertaken to identify houses / property that could be damaged during construction. Photographs should be taken prior to construction taking place and upon completion of works (refer to ARAP for other details)	Independent (structural engineer)			X	Project

Project Phase	Potential Impact	Detailed Actions	Responsible Person / Entity	Monitoring Mechanisms	Indicator / Performance Criteria	Estimated Cost	Source of Funding
Construction	Loss of soil, particularly in water courses leading to increased suspended sediment load.	<p>Stripping of vegetation should be kept to minimum area during site preparation – this will avoid erosion through wind and water erosion.</p> <p>Temporary stockpiles should be covered where possible, not be higher than 2 m (to preserve fertility).</p> <p>Where top- and subsoils occur, they should be stockpiled separately.</p> <p>N.B. Most soils are disturbed and there is no clear top and sub soil horizons.</p> <p>Rehabilitation and re-vegetation of areas should take place as soon as works are completed.</p> <p>Water along most of the drainage channels contain high amounts of suspended solids. However, this should be monitored and where it is apparent the load has increased due to works, additional erosion control measures must be put in place.</p>	CONTRACTOR	SFO audits during construction	Place protection around stockpile and down-slope of areas of exposed soil e.g straw bales.	N/A	N/A
Operation	Waste and sediment blocking drains.	All drains must be inspected on a regular basis (minimum of fortnightly) and following heavy rainfall.	Relevant Depart.	Part of operational procedures by the responsible department			ACD
Operation	Wind-blown litter from skips and slabs.	<p>Waste will be removed on a regular basis (weekly) and/or as necessary if skips are full (this will reduce the likelihood of waste spilling over the top of the skips).</p> <p>Screens that are placed to reduce visual impact will be placed with reference to prevailing winds as they will also function as letter traps.</p> <p>When skips are removed and replaced with empty ones, the surrounding areas must be cleared of waste, including broken glass (which currently presents a hazard to users of slab/container facilities).</p> <p>Wind-blown litter should be collected and, this could be a full-time job due to volume of waste that is currently found in suburbs (with efficient collection the amount should reduce with time).</p>	Relevant Depart.	Part of operational procedures by the responsible department			ACD
Operation	Improper or failure to use waste facilities. Damage and obstruction of drains.	<p>An awareness creation program should be put in place. This task should be on-going and undertaken in cooperation with local communities.</p>	Relevant Depart.	Program planning			ACD

Project Phase	Potential Impact	Detailed Actions	Responsible Person / Entity	Monitoring Mechanisms	Indicator / Performance Criteria	Estimated Cost	Source of Funding
Operation	Flooding occurs as a result of inadequate design or unintended consequences (of design) resulting in overtopping of the system and flooding in new areas.	The incidence and levels of flooding should be recorded together with rainfall records.	Relevant Depart.				ACD
Operation	Incidence of disease – possible reduction in frequency and extent.	It is recommended that the incidence of water-borne disease and malaria is recorded in the project area construction and during operation to gauge if there is a direct response as a result of improved drainage and flood control. The Dept should be able to demonstrate their responsibility.	Relevant Depart.	Set up a database to collect data and identify trends			ACD

Monitoring Evaluation and Reporting

A pre-construction audit will be undertaken to verify compliance with the actions outlined in the ESMP for the pre-construction phase of the project. If non-compliances are identified the pre-construction audit will make recommendations on what actions should be undertaken to comply with the ESMP for pre-construction.

- Engineering design amendments subsequent to the final design;
- A heritage surveys;
- Status of Project employment policy;
- monitoring and evaluation; and
- Status of the structural integrity report on potentially affected homes and buildings.

Construction Auditing/Inspections

During the construction phase of the project the SFO will be responsible for undertaking audits and inspections to verify compliance with the ESMP, and any conditions of the environmental approval. These audits will be undertaken on a regular basis (daily), and also *ad hoc* and any non-compliance will be recorded.

Weekly tracking records of compliance will be produced and discussed during weekly EHS toolbox talks which will occur between the contractor and the SFO. An independent environmental audit will be undertaken on a quarterly basis during construction.

Methods Statements

Methods statements from the contractor will be required for specific sensitive actions on request of the authorities or SFO. All method statements will form part of the ESMP documentation and are subject to all terms and conditions contained within the ESMP document. For each instance wherein it is requested that the contractor submit a method statement to the satisfaction of SFO, the format should clearly indicate the following:

- What – a brief description of the work to be undertaken;
- How – a detailed description of the process of work, methods and materials;
- Where – a description / sketch map of the locality of work; and
- When – the sequencing (phases) of actions with commencement date and completion date estimates.

The contractor must submit the method statement before any particular construction activity is due to start. Work may not commence until the method statement has been approved by the SFO.

The ESMP currently indicates that method statements are required from the contractor for the following:

- Hazardous waste (used oil) management;

- Storage of fuel and re-fuelling procedures; and
- Construction waste storage, collection and disposal

Record Keeping

All records related to the implementation of this management plan (e.g. site instruction book, SFO diary, methods statements, etc.) must be kept together in an office where it is safe. Records should be kept for two years and at any time are available for scrutiny by any relevant authority.

NON-COMPLIANCE PROCEDURES

Non-Compliances are occurrences when management actions, discharges or emissions do not conform to the objectives of the ESMP. The procedures relating to Non-Compliance are as follows:

- Identification of Non-Compliance, through environmental and social monitoring or internal or external auditing of the ESMP;
- Investigation into the root cause of the non-compliance;
- Communication (verbally and in writing) with responsible person;
- Implementation of measures to regain compliance;
- Documenting the incident (if significant) on site log; and
- Future monitoring of the non-compliance by the SFO.

EMERGENCY PREPAREDNESS AND RESPONSE PLAN

During the construction phase the key emergency situations are anticipated to be fire and site accidents. Prior to the construction phase the SFO will develop a construction phase Emergency Preparedness and Response Plan (EPRP) which will define:

The key risks;

- Emergency Areas – such as muster (emergency meeting) points and medical aid posts;
- Roles and responsibilities in relation to emergency response;
- Communication Systems - i.e. Alarms and lines of communication to alert employees, the wider community and government agencies (hospitals, emergency services necessary);
- Emergency Response Procedures – defining the procedures to be implemented in the event of an Emergency;
- Emergency Resources – defining the what systems and equipment will be in place at the construction sites (i.e. fire extinguishers, first aid kits, etc); and
- The training program for all employees to ensure that employees are aware of emergency procedures (i.e. through specific emergency equipment training, safety inductions and drills).

Implementation Schedule and Costs

ESMP fits into the overall planning process of the project and should be implemented by Project as soon as the authorities have approved the document. A copy of the ESMP should always be available on site; all contractors and sub-contractors are to be familiar with the ESMP and its contents.

The purpose of the ESMP is to guide the planning and design, construction and operational phases of the development. This is done to eliminate or mitigate the various possible risks to the environment and its surrounding inhabitants during the planning and pre-construction phase. In addition, this practice will subsequently ensure that minimal damage will occur to the study area during the construction, operational and decommissioning phases of a project.

This ESMP must be used during the pre-construction, construction, operational and decommissioning phases of the proposed project.

Planning or Design Phase

It is essential that possible problematic situations be eliminated or mitigated during the planning phase, to ensure that contingency plans are prepared for any possible accidental situation that may arise during the construction phase. By having these contingency plans in order before construction starts it will limit any further potentially detrimental impacts to the environment and its surrounding inhabitants. The preconstruction audit will assist in identifying whether the ESMP actions have been undertaken.

Construction Phase

The majority of possible impacts on a site would occur during the construction phase, and most of them will have immediate effect (e.g. dust pollution, fuel spillage). It is therefore vital that the site is monitored on a continual basis during this phase, as it would be possible to identify and correct these impacts as they occur, thus minimizing their possible impact.

Operational Phase

By being pro-active during the design and construction phases, potentially negative impacts in the operational phase will be minimized or eliminated. The operational phase will largely involve the maintenance of infrastructure as the lighting and storm-water drains will be passive, whilst the waste collection system will require active management.

Finalizing the ESMP

The initial ESMP, compiled in is directed at the base case planning and design. The Project and its engineers should be continuing to develop and refine the design; this will continue whilst awaiting a record of decision from the relevant Department of Environment (NEPA).

It is likely that the layout will change during the course of the detailed

design/construction phase, partly for technical reasons and logistical reasons on site including minor adjustments to drain alignments to avoid damage to property.

Thus, the ESMP will have to be updated to determine that project standards will be met, to reflect the following:

- Conditions of approval specified by NEPA/WB, should the project obtain environmental approval.
- Approval of the Final ESMP, inclusive of changes made during the review of the design, shall need to be obtained from NEPA/WB before project construction begins.

Responsibilities for Safeguard Screening and Mitigation

The overall responsibility of project implementation rests with the Ministry of Finance (MoF) and Afghanistan Custom Department (ACD). A Safeguards Focal Officer should be identified with responsibility for overseeing the implementation of the Environmental and Social Safeguards Framework. The Focal Officer will be assisted by the Program Implementation Unit (PIU). The safeguards framework will be included in all works contracts and its proper implementation will be the responsibility of the Contractor(s) with oversight from MoF/ACD.

Capacity Building

The capacity building activity will be implemented under a separate Technical Assistance program for Social and Environmental management. As part of the social and environmental capacity building that will be provided for implementation of IDA-financed operations in Afghanistan, the Safeguards Focal Officer and relevant staff of ACD and implementing agencies/Consultants will receive training in the application of the Safeguard Framework. During supervision of the project, the World Bank will assess the implementation of the Framework, and if required, will recommend additional strengthening.

Grievance Redress Mechanism (GRM)

The main objective of SCRTFP AF's GRM is to provide a mechanism to address concerns and grievances, mediate conflict and cut down on lengthy litigation, which often delays such infrastructural projects such as SCRTFP. It provides people who might have objections, grievances or concerns, a venue for raising their grievances and concerns, as well as a mechanism for timely and adequate solution or mitigation of these grievances.

The implementing agency has established Grievance Redress Mechanisms (GRMs) for the ongoing parent project. The same mechanism will be adopted for AF activities. The current mechanism includes; (i) Grievance Redress Committees (GRCs) at project level and (ii) GRC at HQ level. The implementing agency's safeguards team will have an important role in ensuring that affected communities have a full understanding of the GRM, ways to access it and (ii) ensuring environmental and social mitigation measures in

the ESMP's are implemented as planned.

Consultation and Disclosure

This Environmental and Social Safeguards Framework was developed on the basis of an overall Framework for World Bank-funded reconstruction operations which was prepared in consultation with the principal NGOs and development partners participating in reconstruction activities in Afghanistan. Prior to approval of the original project by the World Bank Board, it was disclosed by MoF in Afghanistan in both Dari and Pashto in relevant places in the country. The revised ESMF is re-disclosed on 01/June/2016 in local languages (Dari and Pashto) and English on MoF/ACD website and at the World Bank's Infoshop.

Attachment 1

Negative List of Subproject Attributes

Subprojects with any of the attributes listed below will be ineligible for support under the proposed emergency reconstruction operations.

Attributes of Ineligible Subprojects
Involves the significant conversion or degradation of critical natural habitats. Including, but not limited to, any activity within: <ul style="list-style-type: none">• Ab-i-Estada Waterfowl Sanctuary;• Ajar Valley (Proposed) Wildlife Reserve;• Dashte-Nawar Waterfowl Sanctuary;• Pamir-Buzurg (Proposed) Wildlife Sanctuary;• Bande Amir National Park;• Kole Hashmat Khan (Proposed) Waterfowl Sanctuary.
Will significantly damage non-replicable cultural property, including but not limited to any activities that affect the following sites: <ul style="list-style-type: none">• Monuments of Herat (including the Friday Mosque, ceramic tile workshop, Musallah complex, Fifth Minaret, Gawhar Shah mausoleum, mausoleum of Ali Sher Navaii, and the Shah Zadehah mausoleum complex);• Monuments of Bamiyan Valley (including Fuladi, Kakrak, Shar-I Ghulghular and Shahr-i Zuhak);• Archaeological site of Ai Khanum;• Site and monuments of Ghazni;• Minaret of Jam;• Mosque of Haji Piyada/Nu Gunbad, Balkh province;• Stupa and monastery of Guldarra;• Site and monuments of Lashkar-i Bazar, Bost;• Archaeological site of Surkh Kotal.
Requires pesticides that fall in WHO classes IA, IB, or II.
Requires involuntary acquisition of land, or the resettlement or compensation of more than 200 people.

Attachment 2

Guidelines for Land and Asset Acquisition, Entitlements and Compensation

I. Objectives

Land acquisition and involuntary resettlement is not anticipated under this proposed emergency project since it mainly involves rehabilitation of existing facilities which are located on governmental owned land already available and in-use for similar activities (tax offices, truck parks, customs house, check-post, warehouse, transit facilities. Proposals that require more than:

Minor expansion, along rights of way, should be reviewed carefully. No land or asset acquisition may take place outside of these guidelines. A format for Land Acquisition Assessment is attached as Attachment 2(i)

These guidelines provide principles and instructions to compensate affected persons to ensure that all such persons negatively affected, regardless of their land tenure/tenancy status, will be assisted to improve, or at least to restore, their living standards, income earning or production capacity to pre-project levels.

II. Eligibility

PAPs are identified as persons whose livelihood is directly or indirectly affected by the project. PAPs deemed eligible for compensation are:

Those who have formal legal rights to land, water resources or structures/buildings, including recognized customary and traditional rights;

Those who do not have such formal legal rights but have a claim to usufruct rights rooted in customary law;

Those whose claim to land and water resources or building/structures do not fall within (1) and (2) above, are eligible to assistance to restore their livelihood;

Consultation Process

The implementing agencies will ensure that all occupants of land and owners of assets located in a proposed subproject area are consulted. There will be gender-separate community meetings for each affected *area* or village (other projects) to inform the local population about their rights to compensation and options available in accordance with these Guidelines. The Minutes of the community meetings shall reflect the discussions held; agreements reached, and include details of the agreement, based on the format provided in Attachment 2(ii).

The implementing agency shall provide a copy of the Minutes to affected persons and confirm in discussions with each of them their requests and preferences for compensation, agreements reached, and any eventual complaint. Copies will be

recorded in the posted project documentation and be available for inspection during supervision.

Subproject Approval

In the event that a subproject involves land acquisition, the implementing agency shall:

- a) not approve the subproject unless a satisfactory compensation has been agreed between the affected person and the community;
- b) Not allow works to start until the compensation has been delivered in a satisfactory manner to the affected persons;

Complaints and Grievances

All complaints should first be negotiated to reach an agreement at the local community/village level. If this fails, complaints and grievances about these Guidelines, implementation of the agreements recorded in the Community Meeting Minutes or any alleged irregularity in carrying out the project can also be addressed by the affected persons or their representative at the NHLP Grievance Redress Mechanism. If this also fails, the complaint may be submitted to the relevant implementing agency for a decision.

Verification

The Community Meeting Minutes, including agreements of compensation and evidence of compensation having been made shall be provided to the Municipality/district, to the supervising engineers, who will maintain a record hereof, and to auditors and socio-economic monitors when they undertake reviews and post-project assessment. This process shall be specified in all relevant project documents, including details of the relevant authority for complaints at municipal/district or implementing agency level.

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Attachment2(i)

Land Acquisition Assessment Data Sheet

(To be used to rSFOrd information on all land to be acquired)

1. Quantities of land/structures/other assets required:
2. Date to be acquired:
3. Locations:
4. Owners:
5. Current uses:
6. Users:

Number of Customary claimants:

Number of Squatters:

Number of Encroacher:

Number of Owners:

Number of Tenants:

Others (specify): Number:

7. How land/structures/other assets will be acquired (identify one):

Donation

Purchase

8. Transfer of title:

Ensure these lands/structures/other assets free of claims or encumbrances. Written proof must be obtained (notarized or witnessed statements) of the voluntary donation, or acceptance of the prices paid, from those affected, together with proof of title being vested in the community, or guarantee of public access, by the title-holder.

9. Describe grievance mechanisms available:

Attachment 2(ii)

Format to Document Contribution of Assets

The following agreement has been made on..... day of....., between.....resident of(the Owner) and(the Recipient).

1. That the Owner holds the transferable right ofjerib of land/structure/asset in.....
2. That the Owner testifies that the land/structure is free of squatters or encroachers and not subject to other claims.
3. That the Owner hereby grants to the Recipient this asset for the construction and development offor the benefit of the villagers and the public at large.

(Either, in case of donation:)

4. That the Owner will not claim any compensation against the grant of this asset.

(Or, in case of compensation:)

4. That the Owner will receive compensation against the grant of this asset as per the attached Schedule.
5. That the Recipient agrees to accept this grant of asset for the purposes mentioned.
6. That the Recipient shall construct and develop the.....and take all possible precautions to avoid damage to adjacent land/structure/other assets.
7. That both the parties agree that the.....so constructed/developed shall be public premises.
8. That the provisions of this agreement will come into force from the date of signing of this deed.

Signature of the Owner:

Signature of the Recipient:

Witnesses:

1. _____

2. _____

(Signature, name and address)

Schedule of Compensation of Asset Requisition

Summary of Compensation Affected unit/item	Units to be Compensated	Agreed
a. Urban/agricultural land (m ²):	_____	_____
b. Houses/structures to be demolished (units/m ²):	_____	_____
c. Type of structure to be demolished (e.g. mud, brick, etc.)	_____	Not Applicable.
d. Trees or crops affected:	_____	_____
e. Water sources affected:	_____	_____

Signatures of local community representatives, shura head:

Include rSFOrd of any complaints raised by affected persons:

Map attached (showing affected areas and replacement areas):

Attachment 3

Protection of Cultural Property

Physical culture includes monuments, structures, works of art, or sites of "outstanding universal value" from the historical, aesthetic, scientific, ethnological, or anthropological point of view, including unexcavated graveyards and burial sites. Within this broader definition, cultural property is defined as sites and structures having archaeological, paleontological, historical, architectural, or religious significance, and natural sites with cultural values.

The proposed project is unlikely to pose a risk of damaging cultural property, as the subprojects will consist of small investments for rehabilitating existing ACD's facilities. Further, the negative list of attributes, which would make a sub-project ineligible for support (Attachment 1), includes any activity that would significantly damage non-replicable cultural property. Nevertheless, the following procedures for identification, protection from theft, and treatment of chance finds should be followed and included in standard bid documents.

Chance Find Procedures

Chance find procedures are defined in the law on Maintenance of Historical and Cultural Monuments (Official Gazette, December 21, 1980), specifying the authorities and responsibilities of cultural heritage agencies if sites or materials are discovered in the course of project implementation. This law establishes that all moveable and immovable historical and cultural artifacts are state property, and further:

The responsibility for preservation, maintenance and assessment of historical and cultural monuments rests with the Archaeological Committee under the Ministry of Information and Culture, which has representation at provincial level.

Whenever chance finds of cultural or historical artifacts (moveable and immovable) are made, the Archaeological Committee should be informed. Should the continuation of work endanger the historical and cultural artifacts, the project work should be suspended until a solution is found for the preservation of these artifacts.

If a moveable or immovable historical or cultural artifact is found in the countryside of a province, the provincial governor (*wali*) or district-in-charge (*woluswal*) should be informed within two weeks, and they should inform the Archaeological Committee. In case the immovable historical or cultural artifact is found in a city, the provincial branch of the Department of Maintenance of Historical Values of the Ministry of Information and Culture should be informed within two weeks (art. 18). If the finding is made within

the center, the Archaeological Committee must be informed directly within one week (art. 25).

Failure to report a chance finding within the stipulated time limit will be punished with a fine or imprisonment for a period of one week or up to one month (art. 72).

If someone intentionally damages a historical or cultural artifact, the culprit shall pay compensation in accordance with the value of the artifact plus be imprisoned for a period of one month to ten years depending on the gravity of the crime (art. 71).

In case of a chance finding of moveable or immovable historical or cultural artifact, the implementing agency is responsible for securing the artifact from theft, pilferage and damage until the responsibility has been taken over by the relevant authorities as specified above.

These procedures must be referred to as standard provisions in construction contracts, when applicable. During project supervision, the Site Engineer shall monitor that the above regulations relating to the treatment of any chance findings encountered are observed.

Relevant findings will be reported in World Bank Project Supervision Reports (PSRs), and Implementation Completion Reports (ICRs) will assess the overall effectiveness of the project's cultural resources mitigation, management, and capacity building activities, as appropriate.

Attachment 4

Procedures for Mine Risk Management in World Bank-Funded Projects in Afghanistan

Background:

The following procedures are designed to respond to the risks caused by the presence of mines in Afghanistan, in the context of:

Community rehabilitation / construction works to be identified and implemented by the communities themselves (for small projects of up to \$100,000 each);

Small and medium-size works to be identified by local authorities and implemented by local contractors (for projects up to \$5m each);

Works to be implemented directly by Government departments/agencies, without use of contractors;

Large works to be implemented by contractors (for projects above \$5m);

General comments applying to all following procedures: All risk assessment and clearance tasks shall be implemented in coordination with the Mine Action Center for Afghanistan (MACA). These procedures may need to be amended in the future depending on evolving circumstances.

Procedure for Community-Managed Works

Applicability: This procedure applies to community rehabilitation / construction works to be identified and implemented by the communities themselves (for small projects of up to \$100,000 each).

Overall approach: The communities should be responsible for making sure that the projects they propose are not in mine-contaminated areas, or have been cleared by MACA (or a mine action organization accredited by MACA).

Rationale: Communities are best placed to know about mined areas in their vicinity, and have a strong incentive to report them accurately as they will carry out the works themselves.

Procedure:

1. Communities are required to submit a reply to a questionnaire regarding the suspected presence of mines in the area where Bank-funded community-managed projects will be implemented. This questionnaire should be formally endorsed by the Mine Action Program for Afghanistan (MAPA). It will be a mandatory

attachment to the project submission by the communities and should be signed by community representatives and the external project facilitator. External project facilitators will receive training from MAPA. Financing agreements with the communities should make clear that communities are solely liable in case of a mine-related accident.

2. If the community certifies that there is no *known* mine contamination in the area, the ministry responsible for the selection of projects should check with MACA whether any different observation is reported on MACA's data base.

If MACA's information is the same, the project can go ahead for selection. The community takes the full responsibility for the assessment, and external organizations cannot be made liable in case of an accident.

If MACA's information is different, the project should not go ahead for selection as long as MACA's and community's statements have not been reconciled.

3. If the community suspects mine contamination in the area;

If the community has included an assessment / clearance task in the project agreed to be implemented by MACA (or by a mine action organization accredited by MACA), the project can go ahead for selection.

If the community has not included an assessment / clearance task in the project, the project should not go ahead for selection as long as this has not been corrected.

Mine clearance tasks must be implemented by MACA or by a mine action organization accredited by MACA. Communities will be penalized (subsequent funding by World-Bank funded projects shall be reduced or cancelled) if they elect to clear mines on their own.

Procedure for Small and Medium-size Works Contracted Out

Applicability: This procedure applies to small- and medium-size works to be identified by local authorities and implemented by local contractors (for projects up to \$5m each).

Overall approach: MACA (or a mine action organization accredited by MACA) should provide detailed information on the mine-related risks (either based on previously done and updated general survey or on a new general survey) before projects are considered for selection. Only project sites assessed to have a nil-to-low risk would be eligible for selection, unless they have been de-mined by MACA or by a mine action organization accredited by MACA.

Rationale: Neither local authorities nor local contractors have the capacity to assess the mine-related risks in a systematic way, while they may have incentives to underestimate them.

Procedure:

Prior to putting up a project for selection, a general survey should be carried out by MACA (or a mine action organization accredited by MACA) to assess mine-related risks in the area of the project (this should include checking information available in the MACA data base).

If MACA provides information suggesting a nil-to-low risk in the proposed project area, the project can go ahead for selection.

The contract between the responsible ministry and the contractor will include a clause stating that in case of an accident, legal liability would be fully and solely borne by the contractor.

If MACA assesses a potentially high risk in the area (whether due to the presence of mines or uncertainty),

If the project includes an assessment/clearance task agreed to be implemented by MACA (or by a mine action organization accredited by MACA), it can go ahead for selection based on agreed funding modalities (clearance may be funded either under a contract with a Bank-funded project or under existing donor agreements with the mine action organization);

If the project does not include an assessment/clearance task, it should not go ahead for selection as long as this has not been corrected.

Procedure for Works to be implemented directly by Government Departments/Agencies, without use of contractors

Applicability: This procedure applies to works to be implemented directly by Government departments/agencies, without use of contractors.

Overall approach: MACA (or a mine action organization accredited by MACA) should provide detailed information on the mine-related risks (either based on previously done and updated general survey or on a new general survey) before works or installation of goods/materials are carried out in any given area. Work would only be allowed to proceed in areas assessed to have a nil-to-low risk, unless they have been de-mined by a mine action organization accredited by MACA .

Rationale: Government departments and agencies responsible for providing services currently do not have the capacity to assess the mine-related risks in a systematic way, and currently follow a process of consulting with MACA prior to carrying out activities.

Procedure:

1. Prior to carrying out work, the Government department/agency will consult with MACA to assess mine-related risks in the area (this should include checking information available in the MACA data base). If not already done, a general survey should be carried out by MACA (or by a mine action organization accredited by MACA) to assess mine-related risks in the area.
2. If MACA provides detailed information on mine-related risks which suggest a nil-to-low risk in the proposed area, the work can proceed. The Government would be solely liable in case of a mine-related accident.
3. If information provided by MACA cannot support the assessment of a nil-to-low risk in the proposed area (whether due to the presence of mines or uncertainty), works should not go ahead before MACA (or a mine action organization accredited by MACA) carries out the necessary further assessment and/or clearance for risks to be downgraded to nil-to-low, based on agreed funding modalities (clearance may be funded either under a contract with a Bank-funded project or under existing donor agreements with the mine action organization).

Procedure for Large Works Using Contractors

Applicability: This procedure applies to large works to be implemented by large contractors (projects above \$5m).

Overall approach: The main contractor should be responsible for dealing with mine-related risks, in coordination with the UN Mine Action Center.

Procedure:

As part of the preparation of the bidding documents, a general survey should be carried out by MACA (or a mine action organization accredited by MACA) on all the areas where contractors may have to work (broadly defined). This survey should provide detailed information on mine-related risks in the various areas allowing for an unambiguous identification of areas that have a nil-to-low risk of mine/UXO contamination and areas where the risk is either higher or unknown. The survey should be financed out of the preparation costs of the bidding documents.

All survey information should be communicated to the bidders (with sufficient legal caveats so that it does not entail any liability), as information for the planning of their activities (e.g., location of campsites, access roads to quarries).

Depending on the nature and location of the project and on the available risk assessment, two different options can be used.

Option 1 – Mine-clearance activities are part of the general contract

- a) Based on the general survey results, a specific budget provision for mine action during construction is set aside as a separate provisional sum in the tender documents for the general contract.
- b) As a separately identified item in their bid, the bidders include a provision for a further detailed mine assessment and clearance during construction.
- c) On the instruction of the Supervision Engineer and drawing on the specific provisional sum for mine action in the contract, the contractor uses one of several nominated sub-contractors (or a mine action organization accredited by MACA) to be rapidly available on call, to carry out assessment prior to initiation of physical works in potentially contaminated areas, and to conduct clearance tasks as he finds may be needed. The Contractor may also hire an international specialist to assist him in preparing and supervising these tasks. The Contractor is free to choose which of the accredited sub-contractors to use, and he is fully responsible for the quality of the works and is solely liable in case of accident after an area has been demined.
- d) To avoid an “over-use” of the budget provision, the Contractor is required to inform the Supervision Engineer in writing (with a clear justification of the works to be carried out) well in advance of mobilizing the mine-clearing team. The Supervision Engineer has the capacity to object to such works.

Option 2 – Mine-clearance activities are carried out under a separate contract

- a) Specific, separately-awarded contracts are issued for further surveying and/or clearing of areas with a not-nil-to-low risk (under the supervision of the Engineer) by specialized contractors (or a mine action organization accredited by MACA). The definition of the areas to be further surveyed / cleared should be limited to those areas where any contractor would have to work, and should not include areas such as camp sites and quarries/material sites which are to be identified by the Contractor during and after bidding of the works. As a result of these further surveys and possibly clearance works, mine-related risk in the entire contract area is downgraded to nil-to-low.
- b) The contract with the general Contractor specifies the extent of the portion of the construction site of which the Contractor is to be given possession from time to time, clearly indicating restrictions of access to areas where the mine risk is not nil-to-low. It also indicates the target dates at which these areas will be accessible. Following receipt of the notice to commence works from the Engineer, the Contractor can start work in all other areas.
- c) The general Contractor is invited to include in its bid an amount for mine-security, to cover any additional survey / clearance he may feel necessary to undertake the

works.

d) In case of an accident, a Board of Inquiry is assembled by MACA to investigate on the causes of the accident and determine liabilities. Large penalties should be applied on the Contractor if the Board determines that the accident resulted from a breach of safety rules.

e) All parties involved in this process are required to closely coordinate with MACA and to provide the Government, local communities, MACA, as well as any interested party the full available information on mine-related risks that may reasonably be required (e.g., maps of identified minefields, assessments for specific areas).

Attachment -5

Applicable Codes of Practices for Prevention and mitigation of Environmental & Social impacts

Potential Impacts	Prevention and Mitigation Measures
Pollution of Water bodies	
<p>Impact on water quality:</p> <ul style="list-style-type: none"> • Contamination due to seepage from the septic tanks if they are not sealed properly. • Creation of stagnant pools of water. • Disposal/ Reaching of construction waste and domestic effluent from work camps may also contaminate the surroundings and also ground water. 	<ul style="list-style-type: none"> • Proper construction management including, training of operators and other workers to avoid pollution of water bodies by the operation of construction machinery and equipment. • Storage of lubricants, fuels and other hydrocarbons in self contained enclosures; • Disposal of water and waste products arising from the site via a suitably designed temporary drainage system in a manner that will not cause pollution problems or other nuisance; • Proper disposal of solid waste from construction activities and labors camps; • Cover the construction material and spoil stockpiles with a suitable material to reduce material loss and sedimentation; • Temporary construction facilities including structures and materials stockpiles shall be located at least 50m away from water bodies; • Avoid disposal of wash water, solid waste as discussed packing etc. waste from concrete agitator cleaning operations and excavated materials on water bodies and wetlands adjacent to or in the vicinity of the sites; • Vehicles and equipment shall be maintained in good operable condition, ensuring no leakage of oil or fuel • Hazardous materials such as oil and cement should be covered and protected from potential run-off

Potential Impacts	Prevention and Mitigation Measures
Air quality/dust	
<p>Increase air borne particulate matter released to the atmosphere and subsequent health risk:</p> <ul style="list-style-type: none"> • Emission from plants due to dust generation as result of movement of construction equipment, transportation, loading and unloading of earth material, earth work etc. 	<ul style="list-style-type: none"> • All heavy equipment and machinery shall be fitted in full compliance with the national and municipal regulations; • Stockpiled soil and sand shall be slightly wetted before loading, particularly in windy dry conditions; • Stockpiles of sand and aggregate greater than 20 m³ in volume shall be enclosed in walls extending above the pile and beyond its front face. • All vehicles, while parked on the site shall have their engines turned off; • Using efficient equipment, machinery and vehicles with regular checking to affect necessary corrections or repairs to ensure compliance with safety and air pollution requirements. • Soil, sand and other construction materials in storage and in transit shall be covered; • Effective water sprays shall be used during the delivery and handling of all sand and aggregate and other similar material when dust is likely to be created and to dampen them during dry, windy weather. • Spraying of bore areas and roads used for haulage of material with water. • Washing of tires and lower body of vehicles when moving out form the contraction site; • Selection of sites for material extraction away from residential area to reduce impact of dust.

Potential Impacts	Prevention and Mitigation Measures
Construction Camps	
<p>Pollution and nuisance to the community from:</p> <ul style="list-style-type: none"> • lack of latrines, bathrooms, potable water and medical equipment • Noise and vibration generation; • Damage to community infrastructure/ buildings and forest ; • Increased risk of damage to built environment; • uncontrolled dust generated from operation of Contractor camp 	<ul style="list-style-type: none"> • Identify location of work camps in consultation with the local governmental agencies and local communities/Business association; where possible camps shall not be located near settlement or near water supply intakes; • Cutting of trees shall be avoided and removal of vegetation shall be minimized; • Water and sanitary facilities shall be provided for employees including other appropriate facilities; • Solid waste and sewage shall be managed according to the national and municipal regulation. As a rule solid waste must not be dumped, buried or burned at or near the project site, but shall be disposed of at the nearest sanitary landfill or site having and complying with the necessary permits. • The contractor shall ensure that all liquid and solid hazardous and non -hazardous waste are separated, collected and disposed of according to NEPA and local municipality requirement and regulations; • At conclusion of the project, all debris and waste shall be removed. All temporary structure, including office building, shelter and toilets, shall also be removed off-site as rapidly as possible by the contractor, particularly for the safety of the public and of workers. • Exposed areas shall be planted with suitable vegetation; • The engineer shall inspect and report that the camp has been vacated in restored to pre-project conditions. • Where pit latrines are used for labors they should be located more than 10m from any water source. The base should be sealed and separated vertically by not less than 2m of sand or loamy soil from the ground water table.

Potential Impacts	Prevention and Mitigation Measures
Occupational health and safety	
<p>Increased risk of injuries for the project labors and increase public risk from</p> <ul style="list-style-type: none"> • Failure to conduct adequate safety and precaution for the workers; 	<ul style="list-style-type: none"> • Providing adequate warning signs; • Providing workers with PPEs; • The contractor shall instruct his workers in health and safety matters, and require the workers to use the provided safety equipment. • Establish all relevant safety measures as required by law and good engineering practices; • Training and briefing of workers on safety precaution, their responsibility for their safety and the safety of other; • Ensuring that vehicle and equipment operators are properly licensed and trained; • Arranging for provision of first aid facilities, rapid availability of trained paramedical personnel, and emergency transport to nearest hospital with accident and emergency facilities; • Allocation of responsibilities to ensure that these arrangements are in place; • Arranging for regular safety checks of vehicles and material, and allocation of responsibility for checking; • Ensuring that material extraction operations are supervised and carried out by trained and experienced staff; • All workers will be allowed public and important religious holidays and will be allowed time for daily religious observance (prayers).