



Government of the Republic of Malawi

**MINISTRY OF EDUCATION, SCIENCE AND
TECHNOLOGY**

**MALAWI EDUCATION SECTOR IMPROVEMENT
PROJECT (MESIP)**

**ENVIRONMENTAL AND
SOCIAL MANAGEMENT
FRAMEWORK (ESMF)**

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ACRONYMS

DEM	District Education Manager
DESC	District Environmental Sub-Committee
EAD	Environmental Affairs Department
EDO	Environmental District Officer
ESIA	Environmental and Social Impacts Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESSF	Environmental and Social Screening Form
IEC	Information Education and Communication
LA	Local Authority
MESIP	Malawi Education Sector Improvement Project
MGDS	Malawi Growth & Development Strategy
MK	Malawi Kwacha
MoEST	Ministry of Education, Science and Technology
NEAP	The National Environmental Action Plan
NEP	National Environmental Policy – 2004
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework

CHAPTER ONE

DESCRIPTION OF THE MESIP PROJECT

1.1 Introduction

The Government of Malawi with funding from the Global Partnership on Education will be embarking on the implementation of the Malawi Education Sector Improvement Project (MESIP). The Project Development Objective (PDO) is to improve accountability and quality of education service delivery in primary schools. The Project will help to: (i) improve the learning environment and quality of primary education service delivery in early grade levels with an emphasis on improved accountability and functioning at the school level, and (ii) improve the efficacy of interventions for cost-effective improvement on learning outcomes. The achievement of the PDO will contribute to a higher level objective of improving learning in the primary education sub-sector in Malawi.

1.2 Project Components

The proposed project's primary focus is on improving learning outcomes, equity and efficiency in Malawi's primary education system. It will consist of four components to support improved student learning and strengthened education system management. A fifth component will support project implementation.

Component 1: Performance-Based School Improvement Grants for Improving Promotion and Retention

This component will be a pilot to increase learner promotion rates and to improve school performance through strengthened school management, accountability for results and incentivizing adherence to Ministry of Education, Science and Technology (MoEST) central policy directives. It will assist in implementation of the Malawi Government's Education Sector Implementation Plan II (ESIP II) reforms set out under Policy 3. The reforms seek to increase internal efficiency of primary education through reduction of repetition rates from the current 22% to a mandated cap of 10% per class, thereby improving on the promotion rates between standards 1 to 4. It builds on the previous two school grant programs initiated by development partners and implemented through projects of the World Bank.

Under this component a 'performance-based' element will be developed and introduced in addition to the funding formula for the school improvement grants program currently in use. The new funding formula will be piloted in some of the schools that are targeted under Component 3 of this program which seeks to change school level management and teacher behavior through a School Leadership Program.

The interventions to be provided under this component (in close coordination with relevant departments including Basic Education) will include (i) technical assistance on developing the guidelines, manuals and trainings on the performance-based school improvement grants; (ii) capacity building for performance-based school improvement planning with enhanced participation of the community stakeholders; (iii) enhanced financing linked to schools' provision of remedial education, adherence to a circular on lower repetition, and double-shifting and achievement of other management and accountability milestones; and (iv) monitoring of pilot results.

The objective is not to promote automatic promotion but to encourage schools to invest in quality enhancement strategies with the Primary School Improvement Program (PSIP) grant that they

receive from the Government of Malawi (GoM), 50% of which should be used for quality and relevance. It will also encourage schools to adopt other strategies aimed at reducing repetition, some of which have been specified in ESIP II. Some of those strategies include increasing teaching time; provisioning remedial education using the resources allocated from the PSIP; reducing class size and strengthening continuous assessment of learners in order to identify learner weaknesses and design appropriate interventions. For the whole school to benefit from the additional resources, reduced repetition and increasing promotion rates it requires the participation of all school level stakeholders. This component requires that the school head teachers, the teachers, the SMC, the PTA, the mother groups and the learners themselves focus on ensuring improved attendance by both learners and teachers. They therefore have a role to play in improving attendance, creating school environments that are conducive to learning and promote learning achievement for the learners in order to justify promotion from Std 1 to Std 4. The use of the resources allocated to the schools for achieving the set targets under the pilot will be at the discretion of the school.

Component 2: Improving Equity for the Most Disadvantaged, including Girls

The component will support ESIP II theme 6 (Education Access and Infrastructure) and reform theme 3 (Learner Retention) by helping reduce PCR ratios in the 8 most disadvantaged districts (Kasungu, Dedza, Lilongwe Rural West, Mzimba South, Thyolo, Mangochi, Machinga, and Chikwawa) and reducing teaching ‘under the sun’ thus improving the learning environment. It will also focus on improving the retention of teenage girls especially in standards 6-8 by improving availability to sanitary facilities an issue identified as a constraint for girls.

The component will support construction of 500 classrooms, 300 latrine blocks, focusing mainly to girl’s sanitation needs, and some 150 water points. All new school facilities will be constructed to ensure proper access for children with physical disabilities. An estimated 150 communities/local artisans will be trained and their skills upgraded related to classroom construction, building, and management. These classrooms will follow specific design standards currently under development by the MoEST and UNICEF (minimum package to include 2 classrooms, latrines with washing facilities, drinking water facility and furniture).

The Local Development Fund (LDF) approach on classroom construction will take place at existing school sites and the site location for new school facilities will be selected according to the following guidelines: (i) immediate need of classrooms according to student enrolment; (ii) readiness of Government to provide teachers to these classrooms; (iii) capacity at the school and community level to assist with day-to-day supervision of civil works; (iv) availability of land for expansion; and (v) whether the construction of classrooms will have significant environmental and/or social impacts.

To achieve this target in the available four years of project implementation, the Government will utilize the LDF modality through its large-scale implementation capacity but with enhancing some quality requirements in terms of execution by using small scale contractors, supervisors and designers. Also by empowering the communities to manage and procure services of contractors plus site supervisors. The LDF training manuals will also be strengthened to support quality construction works.

Component 3: Improving Learning Outcomes, Accountability, and Cost-Effectiveness at School Level

This component will pilot cost-effective interventions related to ESIP-II reform themes 1, 2 and 3 by building on existing experiences of other donors and CSO/NGOs like DAPP targeting teachers and headmasters at the school level on how to improve classroom management in a resource constrained environment, including allocation of teachers in the school; improving accountability of teachers and

pupils (empowering the school) by using information more effectively and in a new manner (building on successful UNICEF/CSO pilots); improving the retention of teenage girls in Standard 6-8 through communication/awareness programs targeting communities and mother groups. The component will support 3 activities: (a) School Leadership Program to change school level management and teacher behaviors; (b) school data collection and usage, and (c) improving community involvement in schools, especially targeting retention of teenage girls.

Component 4: Variable Part/Disbursement Linked Indicators (DLIs)

This component will focus on development, endorsement, and operationalization of the strategic policy frameworks (a) to improve the learning environment in early grades, (b) to improve retention of girls in upper primary and (c) to promote efficiency measures to reduce repetition in lower primary grades. The proposed DLIs aim at addressing core bottlenecks to improving learning outcomes, related to the key aspects that should make a school work efficiently and effectively, in particular, resources, capacity and incentives.

Component 5: Project Management and Coordination

This component will support a Project Management Unit (PMU) that will oversee coordination of the project. In particular this component will ensure that all funds flow outside of government structures, to the extent possible and that fiduciary management are handled through a separate entity responsible for project management and implementation. This component will finance the establishment and functioning of a PMU and capacity building of the MoEST's financial management, internal audit and procurement units. This sub-component will also include capacity building at the national, district and local (i.e. school, community) levels to support project implementation and development of a communications strategy and plan.

CHAPTER TWO

DESCRIPTION OF THE ENVIRONMENTAL AND SOCIAL IMPACTS AND MITIGATION

2.1 Description of Civil Works to Be Completed In Schools

The Malawi Education Sector Improvement Project (MESIP) will include a number of activities with potential environmental and social impacts, and will cover selected public primary schools in 8 districts in Malawi. This ESMF mainly addresses activities under Component 2 which relate to classroom construction in all the three regions of the country as identified by the Ministry of Education. A total of 500 classrooms, 300 pit latrine blocks and 150 water points will be constructed. At each school, a maximum of 2 classroom blocks, consisting of 4 classrooms will be built. No new schools will be constructed under this project but stand-alone classroom blocks may be necessary based on the site location. In addition, while the classrooms will be located at existing schools the acquisition of land parcels may be required.

The location of potential sites is yet to be determined however. An assessment exercise will be undertaken based on selection criteria to determine which schools will most benefit from classroom construction. The assessment will also involve preliminary environmental and social screening to gauge whether schools have land for expansion and whether they are found within environmentally fragile areas. Schools that are located in areas where the construction of classrooms will have significant environmental and/or social impacts will not be included in beneficiary lists. What is clear at this point however is that some of the schools under construction may be located in areas with high population densities. This has potential implications for involuntary resettlement as more land would be required for expansion of the existing facilities.

2.2 Environmental and Social Impacts and Mitigation Measures

The MESIP project is expected to generate some adverse impacts during the construction and operation of new classrooms. Since the actual site locations for the construction are not known at project preparation/appraisal, the Government of Malawi (GoM) has prepared this Environmental and Social Management Framework (ESMF) to provide a standard approach for addressing all potential impacts in construction activities. The ESMF spells out clear procedures and methodologies for environmental and social assessment, review, approval and implementation of civil works to be financed under the project. It also specifies appropriate roles and responsibilities and outlines the necessary reporting procedures, for managing, mitigating and monitoring environmental and social concerns related to the project.

The appropriate level of environmental and social work could range from the application of simple mitigation measures (using the environmental and social checklist); to the preparation of an ESMP; to no environmental and social instruments being required. The environmental and social screening process is consistent with Malawi's environmental policies and laws as discussed in this Framework, as well as with the Bank's OP/BP 4.01 Environmental Assessment.

2.3 Potential Impacts at Pre-Constructional Phase

Site Selection

Sitting of project components within a community poses a range of problems which can impact a project's success and sustainability. Some of the key issues are:

- Conflict with existing or proposed land use which could create problems of incompatibility
- Conflict with nearby communities leading to tension in the use of the facility
- Sitting facilities on land where the ownership is disputed
- Sufficient land area for facility installation and future expansion
- Ecologically sensitive sites such as plains that are liable to flooding; aquifer recharge zones which may be lost; steep terrain prone to erosion and threat to fragile habitat and endangered species.

Land Acquisition

It is envisaged that the beneficiary communities may donate land for the projects, which will be expected to meet the selection criteria outlined above. Thus, these could be prime lands that could be used for agriculture or some other activity. In some cases, such lands may be occupied by some local farmers. Acquiring such lands would be at some costs to the beneficiary communities.

Mitigation

As per the screening checklist, priority will be given to unencumbered land. However, wherever people are inevitably affected, procedures of the World Bank OP 4.12 on Involuntary Resettlement will be applied. This will ensure that all project-affected persons are appropriately compensated and resettled prior to the commencement of the project.

Community Sensitization, Involvement and Ownership

Not involving communities in projects that are benefited by them, usually leads to serious setbacks. If community involvement issues are not handled properly, they could create suspicion, tension and misunderstanding; eventually leading to beneficiaries not fully identifying with the project or in rare cases rejection. The issues to consider with regards to major obstacles to effective project implementation and sustainability are the sitting, timing of construction work, and extent and level of involvement of beneficiary communities.

Site Preparation and Leveling

Preliminary site preparation involving clearing the site of its top vegetation and removal of top soil, to facilitate the setting out of the layout plan, usually provokes erosion particularly in areas of heavy rainfall and poor drainage, and could potentially reduce rain water percolation into the ground. Site leveling could interfere with the natural drainage pattern of the area. Storm water run-off could increase. This potential increase in runoffs could enhance erosion, which could cause silting of the natural drainage channel. This in turn could adversely affect the hydrological properties of the area and receiving streams, and could lead to flooding. The work of the surveyors could have effects on farms. They usually slash and clear their paths in carrying out their work. The selection of the site for the school facility could also be on a farm of member(s) of the community.

Site Clearing

Lands at the project sites will need to be cleared of all vegetation to allow for the construction of the buildings. This would result in the loss of vegetative cover at the project area, and may expose the land to the elements of the weather.

Mitigation

Vegetation clearing should be staggered so that only sites where construction work is ready to begin are exposed. This will limit the overexposure of the soil surface to erosion and other factors.

2.4 Potential Construction Phase Impacts

Construction phase impacts will comprise the following:

- Air quality impacts (Dust and Exhaust emissions)
- Noise generation
- Traffic Impacts
- Occupational Health and Safety
- Public Health and Safety
- Solid Waste management

These are briefly described below:

Air Quality Impacts

Dust generation from excavation and construction activities could compromise air quality in the project area, especially during the dry season.

Noise generation

Construction activity could generate noise from machinery and equipment.

Traffic Impacts

Haulage trucks delivering building materials to site could generate traffic impacts by adding to vehicular traffic on roads serving the project area.

Occupational Health and Safety

Construction site workers will be exposed to risks of accidental collisions with moving vehicles, strains from repeated movements or from lifting and heaving of heavy objects, slips and falls. Accidental cuts from tools and machines are also safety risks. Wet cement as a building material is corrosive on contact to with human skin. Construction projects vary in their scope and potential for exposing workers to lead and other hazards.

Public Safety

Excavations, pits and heaps of unconsolidated material will be left overnight at the end of a working day at the construction site. These would make the construction site dangerous to stray animals and vagrants who might walk across the site at night.

Solid Waste Generation

Construction activity will generate considerable amount of solid waste, include earth material, wood cut-offs, wood shavings, plastic cut-offs, empty cement sacks, paint cans etc. These would need to be appropriately disposed of.

Table 1 below summarizes these, and other, identified environmental and social impacts and their proposed mitigation measures.

2.5 Potential Occupancy and Maintenance Phase Impacts

Occupancy and Maintenance phase impacts would include:

- Solid Waste generation
- Liquid Waste generation
- Run-off management
- Ground water depletion
- Employment opportunities

These are briefly described below.

Solid Waste Generation

Paper wastes, food packaging and residues will comprise the bulk of solid wastes to be generated from the school.

Liquid Waste Generation

Liquid waste will increase with new washroom construction.

Run-off management

The development of the school project will ensure that additional soil surface will be covered by materials impermeable to rain water. Roofs of the facilities will reduce percolation and increase run-off within the project area. This could increase the risk of flooding in the project area.

Groundwater depletion/Aquifer Recharge

Sinking of wells and boreholes to draw water depletes groundwater aquifers, which are recharged naturally. Where abstraction rate exceeds the aquifer recharge rate, the aquifers could dry up. Withdrawal of large amounts of ground water causes porous formations to collapse resulting in subsidence. In such instances, changes in the topography could result in flooding.

Employment Opportunities

The project is expected to create employment for local artisans and manual laborers in the districts, where the facilities would be rehabilitated or built. The project will be expected to boost trade in construction materials such as cement, metal sheets, lumber, etc.

Table 1: Outline of Potential of Negative Environmental and Social Impacts, their Sources and Potential Risks			
Potential negative impacts	Potential sources/ causes of predicted impacts	Effects in the project impact area (without mitigation measures)	Mitigation Measures
a) Potential negative impacts during construction phase.			b)
1) Increase in soil erosion from site.	Top soil stripping on the site, increase in runoff during rainy season	<ul style="list-style-type: none"> • Increase in soil erosion would lead to land degradation. 	<ul style="list-style-type: none"> • Installation of rain gutters to harvest rain water and reuse the water
2) Increase in suspended solids and sediments delivery in surface water.	The increase in runoff on debris, silts from site clearance	<ul style="list-style-type: none"> • The impact could change physical composition of surface water and increase in water contamination in water resources in short term 	<ul style="list-style-type: none"> • Remove the debris and dump it in designated places
3) Increase in brick making and sand mining within the area	Anticipation of demand of the burnt bricks for construction works	<ul style="list-style-type: none"> • The borrow pits would increase incidences of pools of stagnant water and enhance in multiplication of mosquitoes in the project area. Mosquitoes spread of malaria to workers and local people. • Cutting down of trees to fuel process of baking bricks. 	<ul style="list-style-type: none"> • Contractor to use sand and cement blocks for construction of classrooms
4) Opening and utilizing unlicensed quarry sites.	Increased demand for low-cost construction materials.	<ul style="list-style-type: none"> • Disturbance to land drainage, overload and erosion of watercourses; • Destruction of natural landscapes; • Soil erosion and slope instability. • Health and safety of workers and the general public; • Direct impacts include land clearance and excavation causing destruction of flora and fauna and loss of habitats; 	<ul style="list-style-type: none"> • The Contractor will identify materials from existing licensed quarries with the suitable materials for construction. • The quarry operations will be undertaken within the rules and regulations in force. • Procurement of construction material only from permitted sites and licensed / authorized quarries.
5) Improper Storage and Waste Disposal	Indiscriminate disposal or storage of solid waste, including earth material, wood cut-offs, wood shavings, plastic cut-offs, empty cement sacks, paint cans etc.	<ul style="list-style-type: none"> • Increased risk of accidents and injuries to public • Environmental pollution from dumping of solid waste. 	<ul style="list-style-type: none"> • Create waste management plan to identify sufficient locations for storage, reuse and recycling of materials before disposal • Designate disposal sites in the contract and cost unit disposal rates accordingly.
6) Impacts related to health and safety of workers, and	Poor planning and low prioritization of health and	<ul style="list-style-type: none"> • Increased risk of accidents or injuries during clearing, excavation works and construction. 	<ul style="list-style-type: none"> • Use of safety signs in places, fencing of active work places/construction sites

students/staff	safety for workers and the community		<ul style="list-style-type: none"> • Provision of PPE to workers • Proper site sanitation and housekeeping
7) Issues related to disturbance/cutting of trees	Cutting down of trees due to site location and for use as fuel for baking bricks	<ul style="list-style-type: none"> • Loss of vegetation and small wildlife habitat. 	<ul style="list-style-type: none"> • Compensatory planting of trees/shrubs/ornamental plants (at a rate of 3:1) in line with best international practice. • Contractor to use sand and cement blocks for construction of classrooms. • Involvement of community in compensatory plantations
8) Increase in crime and spread of STDs, including HIV/AIDS	Influx of migrant workers into the sub-project areas.	<ul style="list-style-type: none"> • The impact may occur if the workers and the local population are not sensitized on causes of HIV/AIDS. 	<ul style="list-style-type: none"> • Contractor to sensitize both the migrant workers and community members • Contractor to Provide condoms at construction sites
9) Increase in pollution of surface and ground water resources in the environs	Spillage of petroleum products (diesels, oils)	<ul style="list-style-type: none"> • The impact would probably occur and degrade water resources with bad smell and disease causing germs in the project area and beyond 	<ul style="list-style-type: none"> • Contractor to construct toilets on construction sites before commencement of construction works
10) Generation of noise pollution to general public and workers	Use of heavy equipment such as graders, caterpillars, concrete mixers on project site.	<ul style="list-style-type: none"> • The impact would certainly occur and noise would possibly cause problems to eardrums of workers and local people due to vibrations and high pitch. 	<ul style="list-style-type: none"> • Restriction of construction to day time only • Contractor to provide ear buds to workers • Small contractors will be engaged hence no use of heavy machinery
11) Generations of reparable dust emissions	From earth works, dusty stockpiles of soils, construction vehicles	<ul style="list-style-type: none"> • The impact would certainly occur and emissions would cause breathing problems to people due to inhaling and, also soak in clothes for workers and local people 	<ul style="list-style-type: none"> • Cordoning off the construction sites • Use of dust masks by workers
12) Displacement of people, restriction of access to resources and traffic Management	Construction activities that may require land acquisition. Temporary or permanent restriction of access due to construction activities	<ul style="list-style-type: none"> • Negative effects on people's livelihoods due to the project. • Lack of compensation to project affected people 	<ul style="list-style-type: none"> • Classrooms to be constructed in existing schools only and on land already mapped for schools • Adequate traffic signs, warning signs, and scheduling of transport operator in off hours to avoid traffic congestion and inconvenience to student/staff • Scheduling of work in off hours of college and in weekend

<p>13) Use of lead-based products.</p>	<p>Lead is commonly absorbed into the body by inhalation from use of and/or scrapping of lead-based products. When workers breathe in lead as a dust, fume, or mist, their lungs and upper respiratory tract absorb it into the body. They can also absorb lead through the digestive system if it enters the mouth and is ingested.</p>	<ul style="list-style-type: none"> • Lead passes through the lungs into the blood where it can harm many of the body's organ systems. • Workers may develop a variety of ailments, such as neurological effects, gastrointestinal effects, anemia, and kidney disease. 	<ul style="list-style-type: none"> • The Contractor shall ensure that no paint containing lead or lead products is used. He shall provide facemasks for use to the workers when paint is applied in the form of spray or a surface having lead paint is rubbed and scraped.
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CHAPTER THREE

THE LEGAL FRAMEWORK

3.1 Malawi Legislation Relevant to MESIP Funded Sub-Projects Implementation

Over the years, Malawi has taken considerable strides in integration of environmental policies through environmental impact assessment in development programmes with the aim of promoting and consolidating sustainable socio-economic development in the country. In Malawi, National Environmental Action Plan and National Environmental Policy (2004) provide an overview of justification for mainstreaming environmental and social considerations in some projects such as the proposed MESIP Project.

A number of legislations, policies and instruments are available to support environmental management in Malawi. The National Environmental Policy and the Environment Management Act are the key instruments that cover environmental management in all the sectors of development. The Environmental Impact Assessment Guidelines prescribe the process, procedures and practices for conducting site-specific ESMPs based on the level and amplitude of impacts involved. In addition to these instruments, there are sector specific policies and legislations that prescribe the conduct for managing the environment. Summarized below are some of the policies and legislation that are directly relevant to the implementation of projects to be funded under MESIP.

The National Environmental Action Plan (2004)

The Government of Malawi signed the Rio Declaration on Environment and Development in 1992 and committed herself to putting in place tools and mechanisms that ensure sustainable utilization of her resources. One of the outcomes of the Rio Conference was the Agenda 21 which is an action plan for sustainable development in the 21st Century. The Agenda 21 required that the Government prepare a National Environmental Action Plan (NEAP). The NEAP, developed in 1994, provides the framework for integrating environmental protection and management in all country development programs, with the view to achieving sustainable socio-economic development.

The National Environmental Action Plan (NEAP) was reviewed in 2004 to strengthen it as a framework for integrating the environmental planning into the overall socio-economic development of the country through broad public participation. National Environmental Action Plan (NEAP) highlights key environmental issues that need to be addressed which include soil erosion; deforestation; water resources degradation and depletion; threat to fish resources; threat to biodiversity; human habitat degradation; high population growth among others. NEAP also provides guideline actions to be taken by stakeholders such as local communities, government, agencies, non-governmental organizations and donors in environmental planning and management.

National Environmental Policy (2004)

National Environmental Policy, 2004 is based on the principles of National Environmental Action Plan, and provides broad policy framework on environmental planning in development programmes including undertaking environmental impact assessments for prescribed projects. The overall goal of National Environmental Policy is the promotion of sustainable social and economic development through the sound management of the environment in Malawi. The policy seeks to meet the following goals:

- Secure for all persons resident in Malawi now and in the future, an environment suitable for their health and well-being;
- Promote efficient utilization and management of the country's natural resources and encourage, where appropriate, long-term self-sufficiency in food, fuel wood and other energy requirements;
- Facilitate the restoration, maintenance and enhancement of the ecosystems and ecological processes essential for the functioning of the biosphere and prudent use of renewable resources;

The NEP highlights the areas of priority including efficient utilization and management of natural resources. It accommodates the private sector, CBOs, NGOs and the community to participate in the initiation and mobilization of resources, to achieve sustainable environmental management. It also provides for the involvement of local communities in environmental planning. The policy empowers the communities to protect, conserve and sustainably utilize the nation's natural resources. It advocates enhancement of public awareness and promotion of public participation. It also prescribes cooperation with other governments and relevant international/regional organizations in the management and protection of the environment. The NEP objectives set a foundation for addressing a broad range of environmental problems facing Malawi.

Environment Management Act (1996)

The Environment Management Act enacted in 1996, outlines the EIA process to be followed in Malawi and requires that all project developers in both the public and private sectors comply with the process. The act sets out the powers, functions and duties of the Director of Environmental Affairs (DEA) and Environmental Affairs Department (EAD) in implementing the EIA process. The Act does not provide for an environmental and social screening process for those projects whose location and extent are not yet known at the inception and planning stage. However the EIA Guidelines of 1997 prescribe the types and sizes of projects, which should be subject to an EIA. The sub projects that are going to be implemented under MESIP are small in nature and do not fall under the list of prescribed projects. Hence, no EIA studies will need to be conducted before implementation of the project activities. These sub projects will only need to be screened for potential environmental impacts and develop ESMPs for mitigating the potential impacts.

The Malawi Growth and Development Strategy (MGDS II) (2012-2016)

The Malawi Growth and Development Strategy (MGDS) is the principal government medium term development framework and is designed to attain the nation's vision 2020. The strategy emphasises the need to generate a conducive environment for private sector investment to stimulate economic growth and subsequent expansion in production of goods and services. The strategy advocates infrastructure development and industrial development as catalyst for poverty reduction in the country. The Malawi Growth and Development Strategy has nine priority areas and these are: agriculture and food security, and water development, environment and climate change, transport infrastructure development, youth development, energy generation and supply, integrated rural development, prevention and management of nutrition disorders, HIV and Aids. The strategy outlines specific activities in efforts to meet targets in these nine priority areas

In the MGDS II government has committed itself to promote the improvement of education quality, equity, relevance, access and efficiency in the education system. To this end, Government seeks to pursue a number of key strategies including accelerating the rehabilitation of existing learning institutions, construction of additional school infrastructure, training and recruitment of additional teaching staff, strengthening of the provision of technical and vocational training, scaling up of school health nutrition programmes, and HIV/AIDS programme and promotion of private sector participation in the sector. One of the cornerstones for improving equitable access to education at all levels is the

accelerated construction of school infrastructure including classrooms, teachers' houses and administration blocks at the primary level. At primary level, the critical minimum school infrastructure includes Classrooms, Teachers' houses, administration block and toilets for both males and females.

National Forest Policy (1996) and Forestry Act 1997

The goal of National Forestry Policy is to sustain the contribution of the national forest resources to enhance quality of life in the country by conserving the resources for the benefit of the nation. There are three general objectives for the policy and these are:

- Promoting regulated and monitored access to forest resources and products.
- Contributing towards improving the quality of life in rural communities and providing a stable local economy in order to reduce the degenerative impact on the environment that often accompanies poverty.
- Promoting incentives for community based forest conservation and sustainable utilization in order to alleviate poverty. This includes social forestry and allowing all communities to grow trees on their gardens and farms.

The Department of Forestry has identified all catchment areas, hill slopes and other environmentally fragile areas for permanent forest cover and protection. The department also works on improvement on control, protection and management of woodlands on customary land, forest reserves and protected hill slopes. In addition, the Department of Forestry works with local communities and non-governmental organization on various afforestation programmes covering bare area, fragile areas in the country.

The Forestry Act (1997) deals with the management of indigenous forests on customary and private land; forest reserves and protected forest areas; woodlots and plantation forests; and it also deals with cross-cutting issues including law enforcement and fire management. The Act underlines the need for EIA studies for projects in the forest reserves or forest-protected areas. The Forestry Act gives the Forestry Management Board the responsibility to approve EIA reports for proposed projects within forest reserves and protected forest areas.

The Forestry Act (60:01) affirms the role of Department of Forestry on control, protection and management of forest reserves and protected forest areas. In addition the act recognizes the need to promote participatory social forestry and empowerment of communities for conservation and management of trees within the country. In this regard the act encourages community involvement woodlot establishment and in management of forest reserves through co-management approaches.

Government of Malawi has put in place an Environmental Management Manual (Forest Management and Conservation) to guide communities, community extension workers in participatory social forestry in Malawi. The manual provides step by step procedures in planning, implementation, monitoring and evaluation of community based forest management activities in rural and peri-urban areas. The system allows effective participation of communities at all stages.

Local Government Act (1998)

Local Government Act provides legal mandate for local assemblies in land administration, local environmental planning, infrastructure planning, chiefs' administration and implementation of various issues and development programmes in their respective geographical districts. One main function of the councils is that of local environmental planning and management. Some of the environmental management functions are provided in Section 2 of the second schedule of functions of the council

outlined in Local Government Act. These include land administration, local afforestation programmes, control of soil erosion, appropriate management of solid and liquid wastes. District councils and Department of Forestry have in place *Manuals for Decentralised Environmental Management Guidelines (2012)* and *Community Environmental Management: Forest and Conservation Manual (2005)*, prepared with support of Ministry of Environment and Climate Change Management. These documents are useful and require revision as soon as possible to incorporate recent policy changes such as climate change and adaptation at local level, gender and HIV/Aids issues in forestry sector, catchment protection among others.

Decentralization Policy (1998)

The Decentralization Policy, developed in 1998 devolves administration and political authority to district level, in order to promote popular participation. The Decentralization Policy assigns certain responsibilities to the District Council. One of the key responsibilities is to assist the government in the management and preservation of the environment and natural resources. In light of this devolution, the District Council will play a very important role in the implementation of the environmental management process for MESIP funded sub-projects.

Malawi National Land Policy (2002)

The Malawi National Land Policy is the principal policy that guides land management and administration in Malawi. The policy introduces major reforms intended for land planning, use, management and tenure. It provides clear definitions of land ownership categories. The policy categorizes land into five categories: customary land, leasehold land, registered land, freehold land, Government land and public land. Issues of compensation payment for land will relate to leasehold land and registered land. The policy has provisions for environmental management, urban management of solid and liquid wastes, protection of sensitive areas, agricultural resource conservation and land use, community forests and woodland management. Of particular importance to MESIP funded sub-projects are the requirements in Section 9.8.1 (b) of the policy, that environmental impact assessment studies shall be mandatory before any major land development project is carried out; and in Section 9.8.1 (c) that development activities in fragile ecosystems such as wetlands, game reserves, forest reserves and critical habitats will only be permitted after the appropriate authority has conducted an environmental impact assessment study. The school facilities that are going to be constructed under MESIP are small in nature and do not fall under the list of prescribed projects for an EIA. Schools that are located within environmentally fragile areas where an addition of more classrooms will have significant environmental and/or social impacts will not be included on beneficiary lists.

Water Resources Act (1969)

The Water Resources Act (1969) deals with control, conservation, apportionment and use of water resources of Malawi. Of relevance to MESIP funded sub-projects is Section 16 of the Act which states that it is an offence for any person to interfere with, alter the flow of, or pollute, or foul any public water. This means that MESIP must take this into account when developing new school facilities or improving the existing ones. MESIP will also ensure that wastewater from water supply points does not pollute the environment.

The National Water Policy (2005)

The National Water Policy addresses all aspects of water including resource management, development and service delivery. The policy covers areas of water quality and pollution control, water utilization, disaster management, institutional roles and linkages which will have to be taken into consideration.

The National Land Resources Management Policy and Strategies (2000)

The National Land Resources Management Policy and Strategies is an instrument for the conservation of land for agriculture and other uses. The Policy also indicates land use and management measures that will balance and regulate competing land use for various activities such as human settlements and forest reserves that will have to be taken into consideration. The Technical Field manual on Rain Water Harvesting, 2008 operationalizes some of the provisions of the Policy for use in land resource conservation sub projects.

CHAPTER FOUR

WORLD BANK SAFEGUARD POLICIES TRIGGERED

The activities of the Malawi Education Sector Improvement project have triggered two of the World Bank's safeguard policies, namely, Operational Policy (OP 4.01) Environmental Assessment and (OP 4.12) Involuntary Resettlement.

While the Environmental and Social Screening Process has been prepared according to the requirements of OP 4.01, the process links to OP 4.12 by including relevant questions that will indicate whether or not the provisions of the Resettlement Policy Framework (RPF) are adhered to as well.

4.1 Environmental Assessment (OP/BP 4.01)

The objective of OP4.01 is to ensure that Bank-financed projects are environmentally sound and sustainable, and that decision-making is improved through appropriate analysis of actions and mitigation of their likely environmental impacts. This policy is triggered if a project is likely to have potential adverse environmental and social impacts in its area of influence. The construction activities under MESIP are likely to have some adverse environmental and social impacts, which will require mitigation. In order to comply with this safeguard policy, Safeguards Consultants recruited by the LDF and district councils will carry out three activities in all construction sites. These are:

- (a) Environmental and social screening using a screening form attached as Annex 1. The screening process will be done to appraise environmental and social risks and identify potential mitigation measures in advance. (Consultants)
- (b) Preparation of Environmental and Social Management Plan (ESMP) for individual sites. ESMP will guide the implementation of mitigation measures where need be. (Consultants)
- (c) Monitor implementation of safeguard activities and submit reports on implementation progress of the safeguard activities (District Councils)

Most MESIP funded activities will not have significant adverse environmental and social impacts on human populations or environmentally and/or socially important areas - including wetlands, forests, grasslands, and other natural habitats. These impacts will mostly be site-specific; few if any of them are irreversible. For most activities, ESMPs will be prepared, consulted upon, and disclosed during implementation. All activities that require land acquisition, impacts assets, cause a loss of livelihood, and/or restrict access to natural resources will require the preparation of a RAP.

4.2 Involuntary Resettlement (OP/BP.4.12)

The objective of World Bank Operational Policy (OP/BP 4.12) is to avoid or minimize involuntary resettlement where feasible, exploring all viable alternative project designs. Furthermore, it intends to assist displaced persons in improving their former living standards; it encourages community participation in planning and implementing resettlement and in providing assistance to affected people, regardless of the legality of title of land. This policy is triggered not only if physical relocation occurs, but also by any loss of land resulting in: relocation or loss of shelter; loss of assets or access to assets; loss of income sources or means of livelihood, whether or not the affected people must move to another location.

A separate document, the Resettlement Policy Framework (RPF) has been prepared. The RPF outlines the principles and procedures to be applied in the event that any works involve land

acquisition and thus require the mitigation of potential adverse social impacts. Where there is land acquisition, impact on assets, and/or loss of livelihood, the RPF guidelines must be followed and a RAP completed prior to sub-project implementation. Where there are differences between Malawi's legislation and the Bank's operational policy, the latter prevails for the duration of project implementation.

CHAPTER FIVE

ENVIRONMENTAL AND SOCIAL SCREENING PROCESS FOR MESIP ACTIVITIES

6.1 Environmental and Social Screening Framework in Malawi

The Malawi Environment Management Act (1996) and the Malawi EIA guidelines (1997) prescribe that small scale sub projects do not require to undergo Environmental Impact Assessments. Instead, the small scale sub projects should be subjected to screening process to identify the potential social and environmental impacts. However, these instruments do not contain guidelines regarding the screening, identification, assessment and mitigation of potential localized impacts of small-scale investments, where the project details and specific project sites are not known.

Environmental and Social Screening Process outlines procedures for meeting the environmental and social management requirements. The Environmental and Social Screening Process also meets the requirements of the World Bank's OP 4.01 Environmental Assessment. It provides a mechanism for ensuring that potential adverse environmental and social impacts of MESIP funded activities are identified, assessed and mitigated as appropriate, through an environmental and social screening process.

6.2 Coordination of Environmental and Social Management:

A consultant will be hired under this project to undertake using the Environmental and Social Screening Form (ESSF – Annex 1), and based on the screening results, the appropriate level of environmental and social work will be determined and carried out by the contractors. The screening process has been developed because the locations of MESIP funded construction activities are not known at this time, and therefore potential adverse localized environmental and social impacts cannot be precisely identified in advance. Furthermore, Malawi's environmental legislation does not provide for the environmental and social screening of small-scale projects, whereas the Bank's OP 4.01 Environmental Assessment requires that all projects be screened for potential adverse environmental and social impacts to determine the appropriate mitigation measures.

The Implementation of the ESMF will follow a semi- decentralized system where consultants hired by the LDF will undertake screening activities and the preparation of Environmental and Social Management Plans (ESMPs). Selected construction contractors, using community laborers, will then implement mitigation measures set forth in the ESMPs. The ESMF is a living document that will be subject to periodic review to address specific concerns raised by stakeholders, and emerging policy requirements. It compliments District level guidelines provided for operationalization of provisions of the Environmental Management Act of 1996.

District Commissioners and Chief Executives, supported by Environmental District Officers (EDOs), will take overall responsibility for monitoring the implementation of mitigation measures that will be identified through the screening process. These will be supported by the Safeguards Specialist that will be hired under the project.

Based on screening results, an Environmental and Social Management Plan (ESMP) will be developed for each site. The implementation of these plans will be monitored by EDOs and technical oversight will be provided by the Ministry of Environment and Climate Change, the LDF and the Project Management Unit within the Ministry of Education, Science and Technology (MoEST). ESMF implementation forms part of the school selection process, since ESMF screening will determine the approval or non-approval of the schools that benefit from the Project.

The LDF has already recruited a dedicated Social and Environmental safeguards officer who will help with coordination of this work. MESIP will also promote adoption of environmentally friendly technologies for use in the implementation of projects that include use of soil-stabilized bricks (SSBs) and cement blocks as opposed to standard baked bricks. The Project will also recruit a dedicated social and environmental safeguards officer to follow up on implementation. The LDF has already bought and deployed over 240 SSB and Sand and Cement making molds to all local authorities in Malawi and has already issued a ban on use of red/burnt bricks in all construction activities funded through the LDF. However, additional Sand and Cement molds will be procured for each sub projects to speed up implementation.

6.3 Application of the Screening processes

Since the specific details and locations of the MESIP funded activities are not known at this time, the environmental and social screening process is necessary for the review and approval of activities for the development of new school facilities and infrastructure. The objectives of the screening process is to:

- a) Determine the level of environmental work required (i.e. whether an ESMP is required or not; whether the application of simple mitigation measures will suffice; or whether no additional environmental work is required);
- b) Determine appropriate mitigation measures for addressing adverse impacts;
- c) Incorporate mitigation measures into the development plans;
- d) Determine which construction activities are likely to have potential negative environmental and social impacts;
- e) Determine if there will be land acquisition, impact on assets, loss of livelihood, and/ or restricted access to natural resources.
- f) Indicate the need for a Resettlement Action Plan (RAP), which would be prepared in line with the Resettlement Policy Framework (RPF)
- g) Facilitate the review and approval of the screening results regarding construction proposals; and
- h) Provide guidelines for monitoring environmental and social parameters during the construction and other related project activities.

6.4 The Screening Process

The Local Development Fund in conjunction with the Ministry of Education, Science and Technology, particularly the Education Infrastructure Management Unit (EIMU) will undertake preliminary screening of the potential sites. This screening will help to identify the final list of schools that will benefit in the 8 beneficiary districts. Once the schools have been confirmed, three individual consultants will be engaged to undertake detailed screening and preparation of the ESMPs and RAPs. These will be consolidated and submitted for appropriate approvals by the District Environmental Sub-Committee (DESC), Director of Environmental Affairs and the Project Steering Committee. The World Bank will be served with copies of the ESMPs and RAPs as appropriate. Copies of the ESMPs and RAPs will be submitted to the Local Authorities where the sub projects are located to facilitate monitoring by the DESC.

The extent of environmental work that might be required, prior to the commencement of the MESIP funded construction will depend on the outcome of the screening process described below.

Step 1: Screening Of Sub-Project Activities and Sites

Prior to going to the field, a desk appraisal of the construction plans, will be carried out by the consultant in consultation with the District Environmental Sub-Committee (DESC) at the district level.

Subsequently, the consultant with assistance from the DESC, will carry out the initial screening in the field, through the use of the Environmental and Social Screening Form (Annex 1).

The screening form, when correctly completed, will facilitate the identification of potential environmental and social impacts, the determination of their significance, the assignment of the appropriate environmental category (consistent with OP/BP 4.01), the determination of appropriate environmental and social mitigation measures, and the need to develop ESMPs and/or RAPs.

Step 2: Assigning Appropriate Environmental and Social Categories

The environmental and social screening form, when completed, will provide information on the assignment of the appropriate environmental and social category to a particular activity for construction of the facilities.

The DESC will be responsible for assigning the appropriate environmental category to the proposed MESIP funded activity consistent with the requirements of OP/BP 4.01.

In the event that RAPs will have to be prepared for MESIP funded activities, these would be reviewed and approved by the Commissioner for Lands, consistent with the Resettlement Policy Framework as well as the World Bank, prior to initiating compensation and commencement of project activities.

Each Local Authority (LA) will ensure that members of the DESC should receive appropriate environmental and social training so that they can perform this function effectively. The Environmental District Officer is the secretariat to the DESC and will therefore take a leading role in capacity building issues of the DESC.

Step 3: Carrying Out Environmental and Social Work

After reviewing the information provided in the environmental and social screening form, and having determined the appropriate environmental category, the DESC will determine whether (a) the application of simple mitigation measures outlined in the Environmental and Social Checklist will suffice; (b) a comprehensive ESMP will need developed or (c) no additional environmental and/or social work will be required.

Step 4: Review and Approval of the Screening Activities

Review: Under the guidance of the DESC, the relevant sector committees at the district level will review (i) the results and recommendations presented in the environmental and social screening forms; and (ii) the proposed mitigation measures presented in the environmental and social checklists.

Where an ESMP has been developed, review and formal clearance of the reports by the DESC is necessary to ensure that all environmental and social impacts have been identified and that effective mitigation measures have been proposed. Subsequent revisions to an ESMP during implementation of the sub-project will require further review and clearance from the DESC and the PMU.

Where a RAP has been carried out, the Ministry of Education, Science and Technology will review the action plans to ensure individuals have been properly identified, meaningfully consulted, participated in the planning, and appropriately compensated

6.5 Recommendation for Approval/Disapproval

Based on the results of the above review process, and discussions with the relevant stakeholders and potentially affected persons, the DESC will make recommendations to the District Executive Committee (DEC) for approval/disapproval of the screening results and proposed mitigation measures. RAPs will be approved by the Ministry responsible for Lands Affairs.

The District Executive Committee will then forward its recommendations to the District/Urban Council for approval if appropriate. RAPs will be reviewed by the Ministry responsible for Lands.

The project cycle provide in Figure1 will be followed during environmental and social screening processes at each stage of the sub-project. The process utilizes existing structures within communities, local authorities and the District development Planning Systems, with a presentation of environment and social issues at each stage.

Consultants recruited through the LDF will assess the environmental and social effects of projects and propose mitigation measures that will be listed in site specific Environmental and Social Management Plans (ESMPs), which will then be embedded in the selected building contractors' contracts. LA staff evaluates the enforcement strategies executed by contractors utilizing community labor, report to relevant Government agencies and makes recommendations to LDF and the PMU.

In situations where the screening process identifies the need for land acquisition, impacts assets, causes a loss of livelihood, and/or restricts access to natural resources, a RAP shall be prepared consistent with the standards and guidelines set forth in the Resettlement Policy Framework and World Bank policy 4.12. The DESC must confirm that any land donation was truly voluntary and free of community pressure or coercion. Where community land was donated, the DESC must confirm the land was vacant and not being utilized by any individual.

Standard designs of classrooms will be used. However, the contractor, in consultation with the Ministry of Education, District Lands Assessment Team will assess impacts on the chosen land site and the community; and modify the designs to include appropriate mitigation measures.

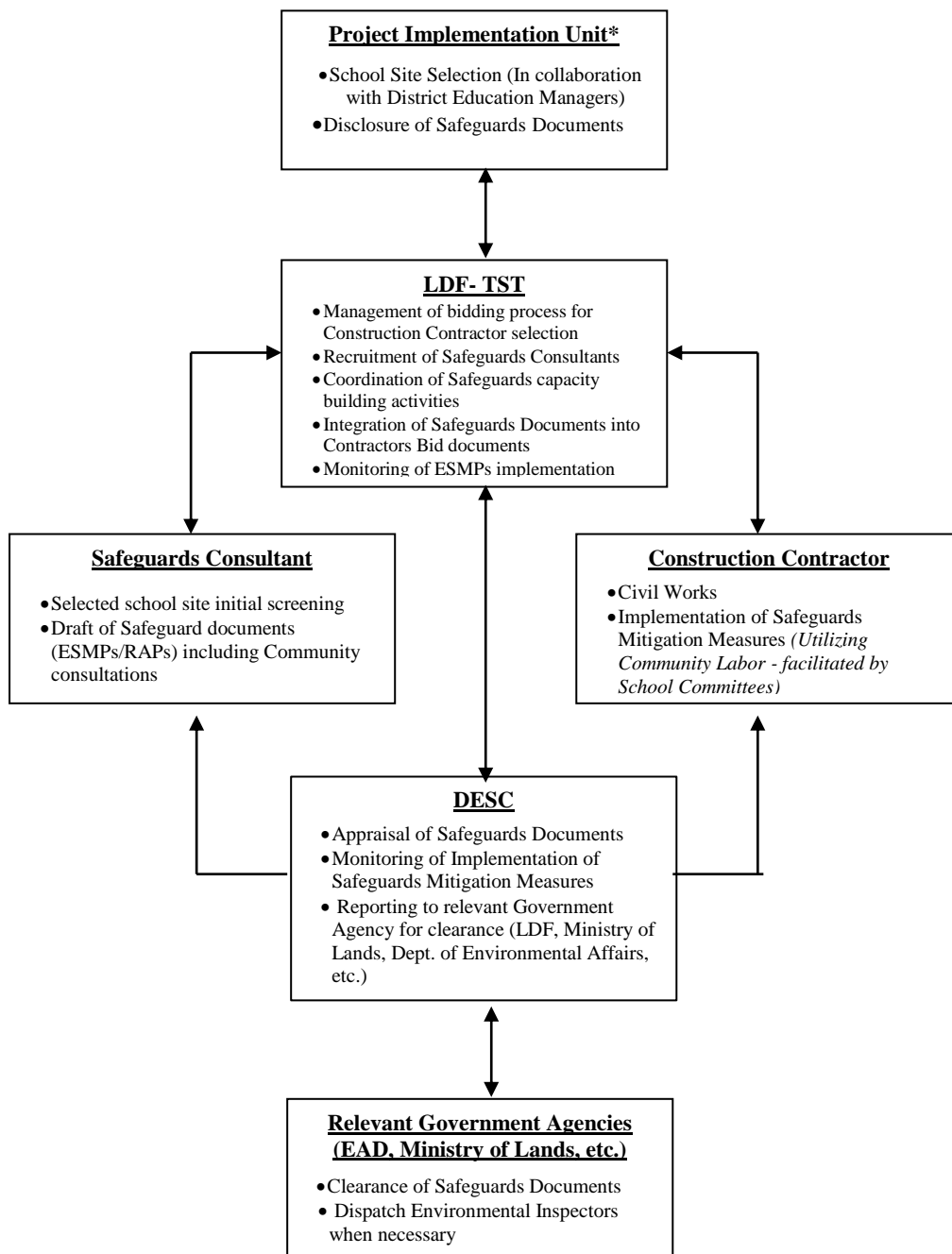
Step 5: Preparation of Environmental and Social Management Plans

The assessment process will identify and assess the potential environmental and social impacts of the proposed construction activities, evaluate alternatives, as well as design and implement appropriate mitigation, management and monitoring measures. These measures will be captured in an Environmental and Social Management Plan (ESMP), which may be required for the assessment for each activity. Details to be included in ESMPs, and format are attached in Annex 2.

Preparation of any ESMPs and/or RAPs will be carried out in consultation with the relevant sector Ministries including potentially affected persons. The LDF and the Ministry of Education, Science and Technology will be in close consultation with the DESC and the Project Management Team to (i) prepare ESMP terms of reference; (ii) recruit consultants to carry out the screening and preparation of the ESMPs (iii) undertake public consultations; and (iv) review and approve ESMPs through the national and/or district approval process.

Consultants, in close consultation with the DESC, will arrange for the preparation of the RAPs, following the provisions outlined in the RPF. The Ministry of Lands, Housing and Urban Development will bear overall responsibility for approving the RAPs.

Figure 1: MESIP Project Cycle



* The PIU will be housed in the Ministry of Education, Science and Technology)

CHAPTER SIX

IMPLEMENTATION ARRANGEMENTS FOR MONITORING AND CAPACITY BUILDING

8.1 Environmental and Social Monitoring

The objectives for environmental and social monitoring are twofold:

1. To alert project authorities and to provide timely information about the success or otherwise of the EA process outlined in this ESMF in such a manner that changes to the system can be made if required.
2. To make a final evaluation in order to determine whether the mitigation measures designed into the project activities have been successful in such a way that the pre-project environmental and social condition has been restored, improved upon or worsened.

Environmental and social monitoring will be carried out three different levels i.e. Community, District and National levels.

8.2 Roles and Responsibilities

The successful implementation and monitoring of the environmental and social management framework relies on collaboration of different stakeholders at the district level, national level with the LDF and the Project Management Team. This is necessary because the implementation of the activities require inputs, expertise and resources from all the concerned parties working together. The following sections outline some of the selected activities to be done by each stakeholder in the environmental activities.

(a) Community level

At community level, members of the project management committee will be responsible for monitoring most of the social and environmental mitigation measures with support from the Area Executive Committee. The specific area executive member to provide the support will depend on the mitigation measure and the sector in which the community is working. For example, communities implementing construction of school blocks will receive support from the Buildings Supervisors, forestry assistants and Community Development Assistants.

(b) District council level

Members of District Environmental Sub Committee (DESC) will be responsible for monitoring the implementation of recommended environmental mitigation measures within the sites for public works projects during construction, rehabilitation of existing facilities and during decommissioning phases of the programme.

(c) National level:

Director of Environmental Affairs will be responsible for monitoring the synchronizations of recommended environmental and social mitigation measures within the sites for MESIP construction. The LDF will also undertake quarterly follow-up with the councils to monitor

implementation of the ESMPs. The LDF will also facilitate monitoring visits by the Ministry of environment and climate change Management and other relevant interested stakeholders.

A number of indicators would be used in order to determine the status of affected people and their environment (land being used compared to before, number of schools in a district compared to before, level of participation in project activities compared to before, how many kids in school compared to before, health standards, how many clean water sources than before, how many people employed than before etc.). Therefore, the projects EA process will set three major socio-economic goals by which to evaluate its success:

- Affected individuals, households, and communities are able to maintain their pre-project standard of living, and even improve on it;
- Has the pre-project environmental state of natural resources, bio-diversity and flora and fauna, been maintained or improved upon, and
- The local communities remain supportive of the project.

8.3 Independent Environmental and Social Audit

An independent Environmental and Social Audit will be undertaken by an independent consultant on an annual basis to inform the project. The Audit will assess environmental and social performance. The Audit will also assess the implementation of screening, environmental and social plan preparation and implementation, etc. Some sample indicators include (but are not limited to) the following:

- % of sites satisfactorily screened
- Area of land conserved/reforested
- Number of accidents/near misses
- Number of persons affected that are compensated/relocated
- Number of resettlement complaints received/resolved

The TORs for this work will be developed during implementation.

8.4 Estimated Budget for Implementing the ESMF

To effectively implement the environmental and social management mitigation measures as part of the ESMF, necessary budgetary provisions have to be made for sub-projects. It is important to identify financial requirements even if indicative. This ensures upfront appreciation of the financial requirements and allows early planning and budgeting accordingly.

Tentative budget for the project includes the preparation of site specific safeguards instruments, environmental and social mitigation cost, sensitization and training cost and the cost of environmental monitoring and reporting. The table below shows an indicative budget breakdown and responsibility of the cost for implementing the due diligence in the project.

The total cost for implementing the ESMF is estimated at Two Hundred and Thirty Five Thousand USD. However, as at the time of finalizing this ESMF, potential projects are still undergoing identification and their environmental and social impacts largely remain unknown. Budgets for Environmental and Social Mitigation as proposed here are purely indicative and will be reviewed once ESMP and or RAP studies in respect of individual schemes get underway.

Table 2: Estimated Budget for Implementing the ESMF

Serial #	Item	Budget Estimates (in Malawi Kwacha)	*Budget (US\$)	Responsibility
1	Preparation of site specific safeguards instruments (ESMP, RAPS)	28,372,250	51,586	LDF/Consultants/Local Authorities
2	Mitigation	50,000,000	90,909	Consultants/Government of Malawi
3	Sensitization and Capacity Strengthening	24,205,500	44,010	LDF/Local Authorities (Environmental District Officer, the District Community Development Officer, the District Forestry Officer and the District Extension Methodology Officer)
4	Monitoring and Reporting	26,672,250	48,495	LDF/Consultants/Local Authorities/Government of Malawi
	Total	129,250,000	235,000	

*Based on August 2015 Exchange rate of 1US\$=MK550

CHAPTER SEVEN

PUBLIC CONSULTATION AND DISCLOSURE

7.1 Preparation and Use of this Framework

This ESMF has been prepared by the Ministry of Education, Science and Technology in collaboration with the LDF. The ESMF has been guided by the LDF's experience with implementing community demand driven micro projects through Local Authorities. Refinements have been provided by the Ministry of Environment and Climate Change Management and Ministry of Lands, Housing and Urban Development. Representatives of the Local Authorities were also involved in the preparation of the ESMF since they are key to its implementation. The Local Authorities were also fully consulted during preparation and updating of the ESMF. It should be understood that the ESMF provides a guide to be used within existing Government Policy regulations for environment and social processes.

The Environmental and Social Screening Process is to be used by key stakeholders involved in the planning, implementation, management and operation of MESIP funded construction activities. As a reference material, the process would be useful to the following MESIP key stakeholders:

- (a) Funding and cooperating partners;
- (b) Senior government officials responsible for policymaking and development Planning;
- (c) District Executive Committee members in all the districts.
- (c) Local and political leaders;
- (d) Government extension workers in the Local Authorities and
- (f) Non-governmental organizations involved in natural resource management.

7.2 Stakeholder Consultations and Participation in Preparing the Environmental and Social Management Framework (ESMF)

The preparation of this ESMF has followed an extensive consultation process with various stakeholders at local authority and National levels. Annex G of the Malawi Guidelines for EIA (1997) provides details concerning the public consultation methods in Malawi. Such methods include press conferences, information notices, brochures/fliers, interviews, questionnaires and polls, open houses, community meetings, advisory committees and public hearings.

The guidelines for public consultation include, among others, a requirement that major elements of the consultation program should be timed to coincide with significant planning and decision-making activities in the project cycle. In terms of Malawi's EIA process and World Bank policy standards, public consultation should be undertaken during (i) the preparation of the site specific ESMPs and RAPs terms of reference; (ii) the carrying out of an ESMPs and RAP; (iii) government review of an ESMP and RAP reports.

This ESMF has been disclosed in the following locations:

- Infoshop at the World Bank
- Office of the District Environmental Sub Committee (DESC) in each district.
- Office of the Local Development Fund (LDF).
- Ministry of Education Science and Technology
- The Department of Environmental Affairs

- Local Newspapers

During consultations with the Ministry of Environment and Climate Change Management, Ministry of Lands, Housing and Urban Development, Ministry of Education and the Local Authorities, some of the Key issues that were raised included:

- The need for front line staff (extension workers) to undergo training on environmental and social safeguards prior to project implementation. Front line staff training will help with project monitoring and reporting which was noted to be lacking in the implementation of environmental and social safeguards.
- Funds for environmental and social safeguards implementation should be set aside for each construction activity, because environmental and social issues are not prioritized in projects and get little or no money for implementation of the safeguards.
- The need for orientation of beneficiary School Management Committees at community level to improve their capacity to monitor implementation of safeguards at sub project level and enhance compliance of mitigation measures.

Further public consultations and participation will be undertaken during site screenings. Under the MESIP, consultations will be carried out by safeguards consultants as part of the environmental and social screening process of project's activities, and the results will be communicated in an understandable language to potentially affected persons and beneficiaries. Moreover, since this is not a one-stop process, but rather an interactive one, consultation will be done throughout project implementation, involving all key stakeholders, particularly women, the poor and most vulnerable groups of the beneficiary communities.

7.3 Rationale for Consultation and Disclosure

According to Malawi's Guidelines for EIA (1997) and World Bank policies for resettlement and environmental assessment, public consultations are an integral component of the EIA and RAP requirements, and the guidelines identify the following principal elements:

- a. Developers are required to conduct public consultation during the preparation of sub project environmental and social assessment.
- b. The Director of Environmental Affairs may, on the advice of the Technical Committee on Environment (TCE), conduct his or her own public consultation to verify the works of a developer.
- c. Formal ESMP and RAP documents are made available for public review and comments. Documents to which the public has access include ESMP and RAP reports, and decisions of the appropriate authorities regarding project approval.
- d. Certificates approving projects will be published by the developer and displayed for public inspection. Public consultations are critical in preparing an effective proposal for construction activities. The first step is to hold public consultations with the local communities and all other interested/affected parties, during the screening process and in the course of preparing the ESMP and RAP.

These consultations should identify key issues and determine how the concerns of all parties will be addressed in response to the terms of reference for the ESMP and RAP which might be carried out for construction proposals.

ANNEX 1: ENVIRONMENTAL AND SOCIAL SCREENING FORM FOR THE SCREENING OF POTENTIAL ENVIRONMENTAL AND SOCIAL IMPACTS OF FUTURE MESIP ACTIVITIES

PART A: GENERAL INFORMATION

Project Name
Estimated Cost (MK)
Project Site
Funding Agency
Project Objectives
Proposed Main Project Activities:
Name of Evaluator/s
Date of Field Appraisal

PART B: BRIEF DESCRIPTION OF THE PROPOSED ACTIVITIES

Provide information on the type and scale of the construction activity (e.g. area, land required and approximate size of structures)

Provide information on the construction activities including support/ancillary structures and activities required to build them, e.g. need to quarry or excavate borrow materials, water source, access roads etc.

Describe how the construction activities will be carried out. Include description of support/activities and resources required for the construction/rehabilitation.

PART C: ENVIRONMENTAL AND SOCIAL BASELINE INFORMATION OF THE SITE BRIEF DESCRIPTION

Category of Baseline Information	Brief Description
<p>GEOGRAPHICAL LOCATION</p> <ul style="list-style-type: none"> * Name of the Area (Name of School, District, T/A, Village) * Proposed location of the project (Include a site map of at least 1:10,000 scale / or coordinates from GPS) 	
<p>LAND RESOURCES</p> <ul style="list-style-type: none"> * Topography and Geology of the area * Soils of the area * Main land uses and economic activities 	
<p>WATER RESOURCES</p> <ul style="list-style-type: none"> * Surface water resources (e.g. rivers, lakes, etc) quantity and quality * Ground water resources quantity and quality 	
<p>BIOLOGICAL RESOURCES</p> <ul style="list-style-type: none"> * Flora (include threatened/endangered/endemic species) * Fauna (include threatened/endangered/endemic species) * Sensitive habitats including protected areas e.g. national parks and forest reserves 	
<p>CLIMATE This is needed in flood-prone regions</p> <ul style="list-style-type: none"> * Temperature * Rainfall 	
<p>SOCIAL</p> <ul style="list-style-type: none"> * Number of people potentially impacted * Type and magnitude of impacts (ie. impact on land, structures, crops, standard of living) * Socio-economic overview of persons impacted 	

PART D: ENVIRONMENTAL AND SOCIAL SCREENING FORM

Areas of Impacts				Impacts Evaluation						Potential Mitigation Measures
Is this sub-project site/classroom within and/or will it affect the following environmentally sensitive areas?				Extent or coverage (on site, within 3-5km or beyond 5km)			Significance (Low, Medium, High)			
1.0		No	Yes	On Site	Within 3-5 km	Beyond 5 km	Low	Medium	High	
1.1	Sensitive habitats <ul style="list-style-type: none"> • National parks and game Reserve, • Wet-lands; • Areas with rare or endangered flora or fauna Areas with outstanding Scenery/tourist site									
1.2	Productive traditional agricultural /grazing lands									
1.3	Within steep slopes/mountains with potential for erosion									
1.4	Dry tropical forests such as Brachystegia species									
1.5	Along lakes, along beaches, riverine									
1.9	Near industrial activities									
1.10	Near human settlements									
1.11	Near cultural heritage sites									
2.0	Screening Criteria for Impacts during implementation and Operation									
	Will the implementation and operation of the activity within the selected site generate the following externalities/ costs/impacts?									
		No	Yes	On Site	Within 3-5 km	Beyond 5 km	Low	Medium	High	
2.1	Deforestation									
2.2	Soil erosion and siltation									
2.3	Siltation of watercourses									
2.4	Environmental degradation									

Areas of Impacts			Impacts Evaluation							Potential Mitigation Measures
	arising from obtaining construction materials									
2.5	Damage of wildlife species and habitat									
2.6	Hazardous wastes, Asbestos, PCB's, pollution from unspent PV batteries									
2.7	Nuisance - smell or noise									
2.8	Incidence of flooding									

3.0 Screening Criteria for Social and Economic Impacts

Will the construction of classrooms within the selected site generate the following socio-economic costs/impacts?		No	Yes	On Site	Within 3-5 km	Beyond 5km	Low	Medium	High	
3.1	Loss of land/land acquisition for human settlement, farming, grazing									
3.2	Loss of assets, property, houses,									
3.3	Loss of livelihood									
3.4	Require a RAP									
3.5	Loss of cultural sites, graveyards, monuments									
3.6	Loss of income generating Capacity									
3.7	Consultation (comments from Beneficiaries)									

PART E: OVERALL EVALUATION OF SCREENING EXERCISES

The results of the screening process of the proposed activity would be either exempted or subjected to further environmental and resettlement assessments. The basis of these options is listed in the table below:

Review of Environmental Screening (OP 4.01)	Tick	Review of Resettlement Screening (OP 4.12)	Tick
1. The project is cleared. No serious impacts. <i>(When all scores are “No” in form)</i>		1. The project is cleared. No serious social impact. <i>(Where scores are all “No”, “few” in form)</i>	
2. There is need for further assessment. <i>(when some score are “Yes, High” in form)</i>		2. There is need for resettlement/compensation. <i>(When some score are “Yes, High” in form)</i>	
Endorsement by Environmental District Officer		Endorsement by Director of Planning and Development	
Name		Name:	
Signature:	Date	Signature:	Date:

ANNEX 2: ENVIRONMENTAL AND SOCIAL MANAGEMENT PLANS

Purpose of the Environmental and Social Management Plan (ESMP)

The objective of the Environmental and Social Management Plan (ESMP) is to provide guidance during the implementation of the MESIP Project regarding the institutional responsibilities and cost estimates for effective environmental and social management. Specifically the ESMP will:

- Ensure that proper appraisals on the effects of sub-projects takes place and that proper measures are put in place to mitigate the effects;
- Set out the basis for compliance and enforcement of terms and conditions for approval;
- Design compliance strategies; and
- Monitor compliance and management of the environment during the construction and operational phase in order to measure the success of the mitigation measures.

Thus, the ESMP for the MESIP Project (i) describes the potential adverse environmental and social impacts of future activities; (ii) outlines proposed mitigation measures to be adopted and indicates parties responsible for implementing mitigation measures; (iii) identifies parties that will carry out the monitoring of the implementation of the mitigation measures through onsite construction supervision and periodic inspections of facilities post construction stage; (iv) outlines the time horizons for the various activities; and (v) details the associated costs.

Activities that relate to capacity building will be undertaken prior to civil works commencement as a sub set to sensitisation of stakeholders on the project. The total cost of physical mitigation measures have been estimated as part of the activities' costs based on experience from previous phases of LDF supported projects.

If the outcome of the screening shows that an Environmental and Social Management Plan should be prepared, the plans will be prepared for each site. The plans that will be developed will take the format below;

ENVIRONMENTAL & SOCIAL MANAGEMENT MONITORING PLAN

DISTRICT:

NAME OF SCHOOL:

EDUCATION ZONE:

NO. OF CLASSROOMS CONSTRUCTED:

REPORTING DATE:

NO	Project activity	Expected impacts	Proposed mitigations/ mitigation activities	Indicators	Target	Responsibility for Implementation	Estimated Cost

ANNEX 3: EXAMPLE OF ENVIRONMENTAL CONTRACTOR CONTRACT CLASUSES

These Environmental and Social Guidelines for Contractors are prepared for all the contractors to be engaged construction and rehabilitation activities of projects under MESIP. The guidelines include provisions for proper management of construction sites, safe storage of construction materials and safe disposal of wastes.

1.0 General Considerations.

- a) The contractor shall, in all his activities ensure maximum protection of the environment and the socio-economic wellbeing of the people affected by the project, whether within or outside the physical boundaries of the project area.
- b) Before any construction works begin, the contractor shall ensure that the relevant environmental and land acquisition certificates of authorization for the works have been obtained from the Director of Environmental Affairs and/or the Commissioner for Lands.
- c) In general, the contractor shall familiarize himself with the Environmental and Social Management Plans and Resettlement Action Plans. Specifically, the contractor shall make every effort to follow and implement the recommendations and mitigation measures of the ESMP to the satisfaction of client and all relevant agencies.
- d) The contractor shall work in cooperation and in coordination with the Project Management Team and/or any other authority appointed to perform or to ensure that the social and environmental work is performed according to the provisions of the Environmental and Social Screening and environmental management plans for sub-projects.
- e) The contractor shall always keep on site and make available to Environmental Inspectors or any authorized persons, copies of the ESMPs, RAPs and ARAPs for the monitoring and evaluation of environmental and social impacts and the level or progress of their mitigation.

2.0 Acquisition of Construction Materials.

- a) The contractor shall obtain appropriate licenses/permits from relevant authorities to operate quarries or borrow areas. The location of quarries and borrow areas shall be subject to review and approval by relevant local and national authorities.

3.0 Movement and Transportation of Construction Materials.

- a) The movement and transportation of construction materials to and within the construction sites shall be done in a manner that generates minimum impacts on the environment and on the community, as required by the ESMPs and the RAPs or ARAPs.
- b) Maintain all construction-related traffic at or below 15 mph on streets within 200 m of the site.
- c) Maintain all on-site vehicle speeds at or below 10 mph.
- d) Minimize production of dust and particulate materials at all times, to avoid impacts on surrounding families and businesses, and especially to vulnerable people (children, elders).

4.0 Storage of Construction Materials and Equipment.

Construction materials shall be stored in a manner to ensure that:

- a) There is no obstruction of service roads, passages, driveways and footpaths;
- b) There is no obstruction of drainage channels and natural water courses;

- c) There is no contamination of surface water, ground water or the ground;
- d) There is no access by public or unauthorized persons, to materials and equipment storage areas;
- e) There is no access by staff, without protective clothing, to materials and equipment storage areas;
- f) Access by staff, without the appropriate protective clothing, to hazardous, corrosive or poisonous substances including asbestos lagging, sludge, chemicals, solvents, oils or their receptacles such as boxes, drums, sacks and bags is prohibited.

5.0 Occupational and Community Health and Safety

- a) The contractor shall provide all necessary protective clothing for workers exposed to hazardous and dangers work activities.
- b) All workers shall be regularly sensitized on safety regulations on the site.
- c) The contractor shall be guided by and shall adhere to the relevant national safety cardinal rules on the site.
- d) The construction shall maintain on the site first aid kits for male and female workers.
- e) Workers shall be provided with clean potable water on the site and safety cooking places.
- f) Workers shall be provided with wash rooms and ventilated pit latrines.
- g) Carefully and clearly mark pedestrian safe access routes.
- h) If school children are in the vicinity, include traffic safety personnel to direct traffic during school hours.
- i) Maintain supply of supplies for traffic signs.
- j) The Contractor shall also ensure that no paint containing lead or lead products is used. He shall provide facemasks for use to the workers when paint is applied in the form of spray or a surface having lead paint is rubbed and scraped.

6.0 HIV/Aids Work Place Policy and Training on HIV/Aids for Workers

- a) The contractor shall arrange for HIV/AIDS sensitization programmes for the construction crews to ensure their understanding of the relevant issues. These will be budgeted elements within Bill of quantities for a construction project.
- b) Appropriate IEC materials shall be distributed to workers on the site.
- c) Both male and female condoms shall be distributed to workers on the site.

ANNEX 4: GENERIC ENVIRONMENTAL AND SOCIAL ASSESSMENT GUIDELINES

The following will be the guideline for assessment reports prepared by LAs

1. Provide a full description of the nature of the project with respect to the name of the proponent, the postal and physical address, the spatial location of the potential site for the project, the estimated cost of the project, and size of land for the project site, including water reticulation, waste disposal and access roads.
2. Provide a site-specific map of the area (Scale 1:50,000) showing the proposed project site and existing establishments in the area and surrounding areas. A site plan for the project should also be provided.
3. Examine the existing conditions of the proposed site identifying and analyzing:
 - * Geological and soil conditions of the area;
 - * The scope of vegetative resources of the area;
 - * Existing land uses within the area and within adjacent villages;
 - * Ecologically important or sensitive habitats and resources e.g. water resources, biodiversity elements; and
 - * Suitability of the site for the proposed development.
4. Describe the major activities to be undertaken for the construction and operation of infrastructure services. This should include the size and type of infrastructure, the type of equipment to be used, the method and duration of construction, nature and quantity of wastes to be generated, the facilities for appropriate disposal and management of waste, number of people to be employed.
5. State the reasons for selecting the proposed site, the consequences of not undertaking the project at the proposed site and any alternative sites considered.
6. Predict the major short and long-term environmental impacts of the project. Examine both the positive and negative impacts as well as impacts on the biophysical, social, economic and cultural components of the environment. The potential impacts must include those related to:
 - * Project location (e.g. resettlement of people, loss of assets, loss of forest land, loss of agricultural land, impact on flora and fauna);
 - * Construction works (e.g. soil erosion, disposal of construction spoils, drainage and access roads)
 - * Project operation (e.g. solid waste disposal, sewage disposal).
7. Prescribe measures to eliminate, reduce or mitigate the negative effects identified and the measures to enhance the positive effects in 6.
8. Propose an Environmental and Social Management Plan (ESMP) in tabular form by which all of the mitigation/enhancement measures prescribed will be carried out, specifying who will be responsible for implementing these measures and the schedule for implementation, cost of implementing the measures and the source of funding. An environmental monitoring plan should also be prepared including the indicators to be used for monitoring the impacts and responsible persons and institutions that will conduct the monitoring.

9. Undertake public consultations to ensure that all interested and affected parties are involved in the assessment process and incorporate their views into the reports. Evidence of consultation should be provided in the report.
10. Provide an account of all statutory and regulatory licenses and approvals obtained for the project to ensure that they are in line with sound environmental management practices and are in compliance with all relevant existing legislation. Reference should be made, but not limited to the Environment Management Act and other relevant and other relevant legislation.

ANNEX 5: SUMMARY OF COMMENTS FROM STAKEHOLDERS AT DISCLOSURE AND DURING PUBLIC CONSULTATIONS

The preparation of this ESMF has followed an extensive consultation process with various stakeholders at local authority and National levels. Consultations were done with the Ministry of Environment and Climate Change Management, Ministry of Lands, Housing and Urban Development, Ministry of Education and the Local Authorities.

Some of the Key issues that were raised during consultations included

- The need for front line staff (extension workers) to undergo training on environmental and social safeguards prior to project implementation. Front line staff training will help with project monitoring and reporting which was noted to be lacking in the implementation of environmental and social safeguards.
- Funds for environmental and social safeguards implementation should be set aside for each construction activity, because environmental and social issues are not prioritized in projects and get little or no money for implementation of the safeguards.
- The need for annual refresher courses to improve the skills of safeguards implementers both at district and community level in order to address the skills gaps and improve implementation and compliance of safeguard measures.

The subprojects to be funded under MESIP are not yet known. As such further public consultations and participation will be undertaken during subproject screening. Moreover, since this is not a one-stop process, but rather an interactive one, consultation will be done throughout project implementation, involving all key stakeholders, particularly women, the poor and most vulnerable groups of the beneficiary communities.

**Annex6: REPORT ON MESIP'S ESMF/RPF CONSULTATION MEETINGS
(24TH - 28TH AUGUST 2015 AT LINDE MOTEL MPONELA, DOWA,
MALAWI)**

1.0 Introduction

A meeting was called to discuss the draft Environmental and Social Management Framework and the draft Resettlement Policy Framework (RPF) for the Malawi Education Sector Improvement Project which the Government of Malawi was preparing with support from the Global Partnership on Education.

2.0 Members present

1. Mr. John Ng'ambi, Local Development Fund, Social Development Specialist
2. Mr. Ashan Kapulula, Ministry of Education, Deputy Director of Planning
3. Ms. Suzane Mkomwa, Chief Economist, Ministry of Education Science and Technology
4. Mr. Mark Pindani, Education Infrastructure management Unit, Quantity Surveyor
5. Mr. Micheal Makonombela, Assistant Director, Environmental Affairs Department
6. Mr. Davie Chilonga, Assistant Director, Ministry of Lands and Housing
7. Mr. Mayeso Undi, Local Development Fund, Engineer
8. Mr. Steven Sakhama, District Environmental Officer, Kasungu District
9. Mr. Bruno Kamanga, District Environmental Officer, Dedza district
10. Ms. Tryness Nkhoma Mankwazi, District Environmental Officer, Mangochi district
11. Mr. Suzgo Gondwe, District Environmental Officer, Mulanje District
12. Mrs. Lilian Chimphopo, District Environmental Officer, Mzimba District
13. Mr. Mulinda Ng'ambi, Projects Officer, Civil Society for Basic Education
14. Ms. Sylvia Ambali, District Environmental Officer, Zomba District
15. Mr. Davie Chogawana, District Environmental Officer, Salima district

3.0 Members Comments

3.1 Members Welcomed the Project

Members welcomed the government initiative to prepare the project with the aim of improving education outcomes in the country which the bemoaned to be poor. They looked forward the project would indeed contribute to the improvement of the education outcomes in the country particularly looking at its objectives of the project.

3.2 Comment of Attendance of the Meeting

Members welcome the idea of including members of the civil society to the meeting since most NGOs are the ones that work very closely to the Project Affected People (PAP). They requested that in future the meetings should involve members of the communities as well as more members from the civil society.

3.3 Review of the Framework Documents

Members went through the draft documents (RPF and ESMF) page by page and paragraph by paragraph and made editorials of the documents and paraphrasing some of the paragraphs in the document.

3.4 Need for Further consultations

Members noted that the process of selecting beneficiary districts and schools at the time of these consultations was still underway. Members also noted that the activities, especially under component two of the project were still not very clear at the time of consultations. It

was therefore recommended that further consultations should be undertaken during activity planning so that more targeted consultations and feedback at be obtained at district and beneficiary community level.

3.5 Need for Capacity Building

Members requested that more targeted capacity building should be done at Community level especially for frontline line to facilitate more effective monitoring on the potential impacts and mitigation measures both for environmental impacts and resettlement impacts and activities.

3.6 Review of Disclosure Documents

Members reviewed the disclosure documents and recommended that these should also be made available in a language that is more and easily understood by most members of the society so that they can make meaningful comments and give feedback.

3.7 Adoption of the RPF and ESMF

Members adopted the draft ESMF and RPF and authorized the Ministry of Education, Science and Technology to submit the draft documents to appropriate authorities for further approval processes to proceed.