



ISLAMIC REPUBLIC OF AFGHANISTAN

Ministry of Public Works (MPW)

And

Ministry of Rural Rehabilitation and Development (MRRD)

National Rural Access Program (NRAP)

**Updated Environmental and Social Management Framework
(ESMF)**

For

**AFGHANISTAN RURAL ACCESS PROJECT ADDITIONAL FINANCING (ARAP
AF)**

July-2016

Table of Contents

ABBREVIATIONS AND ACRONYMS	C
EXECUTIVE SUMMARY	D
1. INTRODUCTION	1
1.1. PROJECT BACKGROUND	1
1.2. NEED FOR AN UPDATED ESMF	1
2. AF PROJECT DESCRIPTION.....	1
2.1. PROJECT OBJECTIVE AND COMPONENTS.....	1
2.2. PROJECT AREA	2
3. POLICY, LEGAL AND REGULATORY FRAMEWORK.....	3
3.1. KEY NATIONAL LAWS AND REGULATIONS	3
3.2. WB SAFEGUARDS POLICIES TRIGGERED BY THE AF ARAP	5
4. KEY SAFEGUARDS ISSUES AND MITIGATION MEASURES.....	7
4.1. POTENTIAL ENVIRONMENTAL AND SOCIAL IMPACTS AND MITIGATION MEASURES.....	7
4.1.1. <i>Potential Environmental Impacts</i>	7
4.1.2. <i>Potential Social Impacts</i>	7
4.1.3. <i>Mitigation Measures</i>	8
4.2. INCORPORATING LESSONS LEARNED IN SAFEGUARDS COMPLIANCE	8
5. ESMF OBJECTIVES AND PROCESS	9
5.1. OBJECTIVE AND SCOPE	9
5.2. CITIZEN ENGAGEMENT.....	9
5.2.1. STAKEHOLDER CONSULTATIONS AND PARTICIPATION	10
5.2.2. CONSULTATIONS ON TOR FOR CHMP	10
5.2.3. THIRD PARTY MONITORING.....	11
5.3. GENDER.....	11
5.3.1. <i>Participation of Women at NRAP Projects</i>	11
6. ESMF IMPLEMENTATION ARRANGEMENTS	13
6.1. INSTITUTIONAL RESPONSIBILITIES	13
6.2. ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN (ESMP) PREPARATION	13
6.3. CAPACITY BUILDING	13
7. MONITORING AND EVALUATION.....	14
7.1. INTERNAL MONITORING AND REPORTING	14
7.2. THIRD PARTY MONITORING (TPM) –EXTERNAL	15
8. INDICATIVE BUDGET FOR ENVIRONMENTAL AND SOCIAL SAFEGUARDS COMPLIANCE	16
9. DISCLOSURE, AND COMMUNICATION	16
ANNEX 1: SCREENING, CHECKLISTS, COMMUNICATIONS /PUBLIC AWARENESS FOR ARAP AF SUB PROJECTS17	
ATTACHMENT 1(A): EXCLUSION CRITERIA.....	18
ATTACHMENT 1 (D): PUBLIC ANNOUNCEMENT	24
ATTACHMENT 1(E): PUBLIC AWARENESS.....	26
ATTACHMENT 1 (F): OUTPUTS OF TRANSECT WALK.....	27
ANNEX 2: ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN.....	28
ATTACHMENT 2(A): ENVIRONMENTAL AND SOCIAL MANAGEMENT PLANS.....	28
ATTACHMENT 2(B): INDICATIVE ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN	30
ATTACHMENT 2(C): ENVIRONMENTAL MITIGATION APPROACHES AND THEIR COVERAGE.....	37
ATTACHMENT 2(D): ENVIRONMENT AND SOCIAL MONITORING PLAN TEMPLATE	39

ANNEX 3: PROCEDURES FOR MINE RISK MANAGEMENT IN WORLD BANK FUNDED PROJECTS IN AFGHANISTAN	40
ANNEX 4: DRAFT TOR FOR CULTURAL AND HISTORICAL ASSESSMENT AND MANAGEMENT PLAN	45
ANNEX 5: GRIEVANCE REDRESS MECHANISM	51
ATTACHMENT 5A: GRIEVANCE REDRESS PROCEDURES	52
ANNEX 5 B: SAMPLE GRIEVANCE REGISTRATION FORM	55
ATTACHMENT 5C: GRIEVANCE REDRESS COMMITTEE.....	56
ANNEX 6: SUMMARY OF CONSULTATIONS ON TOR FOR CHMP	57

Abbreviations and Acronyms

AC	Archaeological Committee
ARAP	Afghanistan Rural Access Project
Abb. RAP	Abbreviated Resettlement Action Plan
AF	Additional Finance
CPM	Community Participatory Monitoring
CPRs	Common Property Resources
CCM	Community Consultation Manual
CDC	Community Development Council
CHA	Cultural and Historical Assessment
CHMP	Cultural and Historical Management Plan
EIA	Environmental Impact Assessment
EMM	Environmental Mitigation Measures
ESMP	Environment and Social Management Plan
ESMF	Environment and Social Management Framework
ESMO	Environment & Social Management Officer
ESMA	Environment & Social Management Associate
ESMU	Environmental and Social Management Unit
GoIRA	Government of Islamic Republic of Afghanistan
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
GMG	Gender Mainstreaming Guideline
HCP	Historical and Culture Properties
IDA	International Development Association
IFC	International Finance Corporation
MACA	Mine Action Center of Afghanistan
MAPA	Mine Action Program for Afghanistan
MoU	Memorandum of Understanding
MoIC	Ministry of Information and Culture
MPW	Ministry of Public Works
MRRD	Ministry of Rural Rehabilitation and Development
MoUDA	Ministry of Urban Development Affairs
NEEP	National Emergency Employment Program
NEPA	National Environmental Protection Agency
NERAP	National Emergency Rural Access Project
NRAP	National Rural Access Program
OHS	Occupational Health and Safety
OP/BP	Operational Policy/Bank Policy
PAF	Project Affected Families
PAP	Project Affected Person
PCR	Physical Cultural Resources
PDO	Project Development Objective
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
ROW	Right of Way
R&R	Resettlement and Rehabilitation
TPM	Third Party Monitoring
UNESCO	United Nations Educational, Scientific and Cultural Organization
WB	World Bank

**Afghanistan Rural Access Project Additional Financing AF (ARAP)
Environment and Social Management Framework (ESMF)**

Executive Summary

The Project: The proposed Additional Finance for Afghanistan Rural Access Project (ARAP) will scale up the activities supported under parent project and will continue assist the client in secondary and tertiary road rehabilitation. Similar to parent project, the first two components of ARAP are improvements and maintenance of the secondary and tertiary rural road network as well as the rehabilitation and resurfacing of access roads to 7 culture heritage sites in Bamyan valley which have caused triggering of OP/BP 4.11 and consequently lead the restructuring of this AF.

Project Objective: The PDO of the proposed AF projects to enable rural communities to benefit from all-season road access to basic services and facilities.

Project Description: The project consists of 3 components: Component A - Improvement and maintenance of secondary roads (US\$ 186.0 million) which is implemented by Ministry of Public Works (MPW); Component B - Improvement and maintenance of tertiary roads (US\$ 128.0 million) which is implemented by Ministry of Rural Roads Development (MRRD) and Component C - Program Planning and Development, Institutional Strengthening and Program Coordination Support (US\$ 18.0 million) which is jointly implemented by MPW and MRRD, and coordinated by a National Coordination Unit.

Potential environmental and social impacts of the project components: Overall impact of the ARAP AF is expected to be positive generating benefits such as improved access to markets, reduction in travel times, improved access to health and education facilities, and employment creation through the start-up and expansion of businesses that will likely result due to the economic stimulus provided by the improved roads. The potential negative social impacts of the project investments are expected to be of a small scale and site-specific; and thus easily remediable. Any project-related social or economic displacement will be handled through the Abbreviated Resettlement Action Plans (if needed) and site –specific ESMPs.

Policy and Legal Regulatory Environment

World Bank Operation Policies triggered in the ARAP AF

Safeguard Policies Triggered by the Project	Yes	No	TBD
<u>Environmental Assessment (OP/BP 4.01)</u>	[X]	[]	[]
Natural Habitats (OP/BP 4.04)	[X]	[]	[]
Pest Management (OP 4.09)	[]	[X]	[]
Physical Cultural Resources (OP/BP 4.11)	[X]	[]	[]
Involuntary Resettlement (OP/BP 4.12)	[X]	[]	[]
Indigenous Peoples (OP/BP 4.10)	[]	[X]	[]
Forests (OP/BP 4.36)	[]	[X]	[]
Safety of Dams (OP/BP 4.37)	[]	[X]	[]
Projects in Disputed Areas (OP/BP 7.60)	[]	[X]	[]
Projects on International Waterways (OP/BP 7.50)	[]	[X]	[]

WB OP/BP 4.11, not triggered under the parent project, is triggered in the AF because of planned activities in Bamyan in line with the Bamyan culture protection master plan and urban planning of Bamyan City developed by Ministry of Culture, Ministry of Urban Development Affairs, and UNESCO.

The primary relevant national laws and legislations framing social and environmental issues

which need to be considered in relation to the ARAP-AF are:

- a. The Environment Law of Afghanistan (2007)
- b. The EIA regulations (2008)
- c. The Law on Managing Land Affairs (2008)
- d. The Law on Land Expropriation (2009)
- e. The Law on the Preservation of Afghanistan's Historical and Cultural Artefacts (2004)

The ARAP-AF sub projects will also be required to take account of the requirements of the National Environmental Protection Agency (NEPA)

The Environmental and Social Management Framework: The ESMF is updated to reflect the changes in the AF which will be brought about by the triggering of OP/BP 4.11 by construction work in Bamyan under component B and scaling up project activities in support of the Afghan Government's 'Jobs for Peace' program. Draft Terms of Reference to develop a Cultural Heritage Management Plan (CHMP) are included as annex 5 to this ESMF. The ESMF prescribes guidelines and procedures to ensure that the proposed AF avoids, minimizes, and/or mitigates adverse environmental and social impacts of the Project activities and interventions. The ESMF builds on gains in the original project and mainstreams environmental and social measures into all overall project planning, implementation, reporting and evaluation. The ESMF provides guidance for the preparation of Environmental and Social Management Plans (ESMPs) and Abbreviated Resettlements Action Plan (where needed).

Citizen Engagement: *Consultations:* Outreach to and consultations with different stakeholders at local level, especially vulnerable groups such as women and landless, will be further prioritised during the survey and implementation stages of road construction to ensure that these groups are fully aware of the proposed work and its potential impacts: *Grievance Redress Mechanism (GRM):* In order to promote feedback and ensure transparency and accountability with regard to project activities the existing GRM will be strengthened as part of the ESMF implementation. The PIUs' social safeguards staff will have an important role in ensuring that affected communities have a full understanding of the GRM, and ways to access it; *Third Party Monitoring:* will continue to elicit feedback from local people on how they perceive the project's activities.

Gender: A Gender Manual has been developed under the current project. The AF will continue to give priority to gender issues especially consultations with women. The PIUs in both Ministries are committed to placing Gender focal points in each of the 9 regions.

Institutional Arrangements: The project has been implemented through 2 PIUs, coordinated by National Coordination Unit and lead and directed by a steering committee (formed by MPW/MRRD/MOF). The PIUs in both the MRRD and MoPW have established safeguard units under the ongoing ARAP, which consist of Safeguards Managers, Safeguards Officers and Gender Officers at headquarters and safeguards Officer and Gender focal point at each of its nine regional offices. These Safeguards Units, in collaboration with their technical counterparts, will have overall responsibility for implementing, supervising and monitoring the safeguard requirements in compliance with the ESMF in the planning and implementation of the AF phase of ARAP subprojects.

Monitoring and Evaluation: Safeguards officers together with local communities and local government staff will be responsible for monitoring that mitigation measures in ESMPs are both adequate and implemented satisfactorily. Quarterly reports will be submitted to the PIUs management in both Ministries.

1. INTRODUCTION

1.1. Project Background

The ARAP was approved on June 26, 2012 and became effective on August 12, 2012. It is implemented jointly by the Ministry of Public Works (MPW) and the Ministry of Rural Rehabilitation and Development (MRRD). The original funding amount for the project is US\$ 332 million of which US\$ 125 million is IDA grant and US\$ 207 million ARTF grant. The AF will support the following:

- a. *Address a financing gap (US\$69 million)* which resulted from the difference between the original cost estimates at appraisal stage and the revised costs from the detailed design, and to
- b. *Scale up project activities (US\$81 million)* in support of the Afghan Government's "Jobs for Peace" program, by (i) expanding rural road construction and maintenance, and enhancing community involvements in those activities; (ii) expanding transport service supply chain to support rural Small and Mini Enterprises (SMEs), agriculture products and other rural sustainable development issues; and (iii) expanding capacity building activities under the project to support vocational education aimed to improve labor skills; and enhancing institutional capacities of the 2 line ministries.

1.2. Need for an updated ESMF

The ESMF is updated to reflect the changes in the AF which will be brought about by the triggering of OP4.11 by construction work in Bamyan under component B. Draft Terms of Reference to develop a Cultural Heritage Management Plan (CHMP) are included as annex 5 to this ESMF. This ESMF also takes account of implementation experience to date in the parent project and the activities expected to be carried out under the AF. The ESMF is a legally binding document to be included in the financial agreement of the AF ARAP.

2. AF PROJECT DESCRIPTION

2.1. Project Objective and Components

The objective of the AF remains unchanged from the parent project: to enable rural communities to benefit from all-season road access to basic services and facilities.

The proposed AF will be implemented through the following components:

Component A: Implementation and Maintenance of Secondary Roads (US\$186 million)

This component is implemented by the Ministry of Public Works (MPW). It includes the construction works for about 392 kilometers of gravel road and 92 kilometers of asphalt pavement upgrading. **The roads have been identified in the parent project, but extend and location of resettlement impacts have yet to be known.** Operation & Maintenance (O&M) support to MPW are focused to improve the capacity of 4 selected provincial departments (Bamyan, Baghlan, Parwan and Kabul) and headquarter departments to improve the efficiency and lower down market barriers to involve mini and small rural enterprises and local communities in O&M. This subcomponent includes, procurement and installation of emulsified and modified asphalt plants in selected maintenance camps of the 4 selected provinces; and technical assistance of transplanting and mainstreaming road asset management system to existing government system, traffic counting and road condition data collection and evaluation and setting up community based and output based maintenance

mechanism.

Component B: Improvement and Maintenance of Tertiary Roads (US\$128 million)

This component is implemented by the Ministry of Rural Road Development (MRRD). Activities to be funded under this component include pilot job creation measures, which are mainly related to tertiary road construction and upgrading. It aims to leverage job opportunities and to improve accessibilities to the 4 selected areas that with characteristic products or resources. The selected agriculture products and development areas, including Jalalabad Province fruit products, Bamyan Valley accessibility improvements and Kabul Province porcelain products, are sensitive to transport services. The network improvement activities include about 160 km of pavement or new road construction. Relevant works, e.g. loading/unloading area and storage places, are also included with the road works. The beneficiary rural enterprises will be assigned with the responsibility of operation and maintenance. CDC and local provincial departments of rural development will monitor and evaluate the O&M performance. O&M activities will be focused on the above provinces and will provide technical assistance for provincial departments to set up tertiary road inventory system and supervise CDCs and beneficiary enterprises on O&M.

Component C: Program Planning and Development, Institutional Strengthening and Program Coordination Support (US\$18 million)

This component is jointly implemented by the MRRD and MPW and coordinated by a National Coordination Unit (NCU) and comprises vocational training and technical support. Vocational Training will include the expansion of internship programs to graduated professionals, and skill training to staff of contractors, employees of private consulting firms and local communities. MPW and MRRD will be sponsored to use their own fixed assets, e.g. classrooms, and hire experienced engineers and qualified teachers through the Ministry of Education and Ministry of Labour. Technical support will include studies on commercializing implementation service delivery. analysis of feasible measures to enhance the client functions of project planning, quality assurance and fiduciary (procurement, financial management and contract management) management; and support the line ministry's efforts to commercialize design and site supervision in order to introduce competition and eventually involve private sector.

2.2. Project Area

The project will be implemented in rural areas throughout the country by the PIUs of MRRD and MPW's headquarters in Kabul together with nine regional offices located at North (Mazar-e-Sharif), North East (Kunduz), Badakhshan, Kabul, East (Jalalabad), South (Kandahar), West (Herat), South East (Gardez) and Central High Land (Bamyan).

More specifically, the AF activities will support Bamyan Valley accessibility improvements, namely an area wide traffic calming measures to divert motor traffic out of 7 World Heritage sites and the resurfacing of the old access roads to the sites with local traditional materials to avoid vision intrusion. The entire engineering measures will make thorough improvements of culture heritage overall universal value (OUV).

3. POLICY, LEGAL AND REGULATORY FRAMEWORK

3.1. Key National Laws and Regulations

The primary relevant laws and legislations framing social and environmental issues of the ARAP-AF project are: the Environment Law of Afghanistan (2007); the EIA regulations (2008); the Constitution of Afghanistan (2004), Afghan Land Policy (2007), the Law on Managing Land Affairs (2008); the Law on Land Expropriation (2009); the Law on the Preservation of Afghanistan's Historical and Cultural Artefacts (2004), Key provisions of these laws/regulations are highlighted as follows:

- *The Environmental Law (2007)*: The law was developed based on international standards taken into account the environmental condition in the country and is considered comprehensive. It stipulates for sustainable use, rehabilitation and conservation of biological diversity, forests, land, and other natural resources as well as for prevention and control of pollution, conservation and rehabilitation of the environment quality, active involvement of local communities in decision-making processes including stated that the affected persons must be given the opportunity to participate in each phase of the project. The law requires the proponent of any development project, plan, policy or activity to apply for an environmental permit (called the Certificate of Compliance or CoC) before implementation of the project by submitting an initial environmental impact assessment to the National Environmental Protection Agency (NEPA) to determine the associated potential adverse effects and possible impacts. The law also establishes a Board of Experts that reviews, assesses and considers the applications and documents before NEPA could issue or not issue the permit. The EIA Board is appointed by the General Director of the NEPA and is composed of not more than 8 members. The EIA Board of Expert's decision can be appealed.
- *The EIA regulations (2008)*: This was established as the Administrative Guidelines for the Preparation of Environmental Impact Assessment (EIA). It provides a list of project expected to create adverse impacts (category 1) and those that may create significant negative impacts (category 2) and describes specific process/procedures and the required documents for each category (see Table 3.1 below). Once the application form and other relevant documents are submitted to NEPA according to the requirements, NEPA would: (i) issue a CoC, with or without conditions, (ii) advice the applicant in writing to review the technical reports and address the concern of NEPA, or (ii) refuse the CoC with written reasons. Once permission is granted the proponent needs to implement the project within three years otherwise, the permit expires. Implementation constraints include (i) effective application of EIA procedures by private and public proponents; (ii) monitoring of the implementation of the ESMP; (iii) the expertise and means for quality analysis necessary to determine compliance reports; (iv) the ownership of the EIA process by line ministries; (v) limited knowledge, experience, and capacity of staff; and (vi) the coordination, monitoring, and harmonization of various requirements by international agencies involved in technical and financial supports.

It is important to note that most of the sub-projects constituting the ARAP AF are rehabilitation of Afghanistan rural roads including districts and sub-national roads and do not involve construction/upgrading of major national roads category and hence NEPA's requirement of "certificate of compliance" is not required. However, in the event of

possible construction for new of community access roads, and/or rehabilitation of roads in environmentally sensitive areas would be defined by the authority during implementation stage, NEPA's provisions related to EIA regulation will be applicable.

- *The Constitution of Afghanistan* (2004) contains some articles that relate specifically to compensation and resettlement issues. These include Article 40 'No one's property shall be confiscated without the order of the law and decision of an authoritative court. Acquisition of private property shall be legally permitted only for the sake of public interests and in exchange for prior and just compensation.
- *An Afghan Land Policy* was approved by the cabinet in 2007 but is yet to be operationalized. Important relevant provisions include: *Land Tenure/Land Acquisition* (i) Land policy provides that compensation for the expropriation of ownership or of rights over land as enshrined in the Constitution be strictly enforced by law. Property rights may only be expropriated under defined legal procedures and for defined legal purposes; (ii) it also provides that no law may permit arbitrary deprivation of property rights. In the event that the government decides to implement a development project in the interest of the public, the value that the land had prior to the announcement of the expropriation will form the basis for the amount of monetary compensation to the owners of the property.
- *Protection of Property Rights* (i) It is a national policy that the national and provincial governments take measures to protect citizens including residents of informal settlements from arbitrary and forcible eviction. Eviction and relocation of unplanned settlement residents shall be undertaken with community involvement only for necessary spatial rearrangement that should take effect in accordance with the public's interest (ii) Compensation for expropriation of rights over land must be provided equitably in accordance with the law.
- *The Law on Managing Land Affairs* (2008) aims to create a legislated unified, reliable land management system. This Law also aims to provide a standard system for land titling, land segregation and registration; prevent illegal land acquisition and distribution; access to land to people; and conditions for appropriation of lands. The Law on Managing Land Affairs provides that, *inter alia*, the management of land ownership and related land management affairs is the responsibility of the Ministry of Agriculture, Irrigation, and Livestock (MAIL) (Article 4). However, in June 2013, the Afghan Independent Land Authority (Arazi) was established as a separate agency, and the mandate on land administration and management transferred from MAIL to Arazi. If no title deeds are possessed, a land settler may claim land ownership providing conditions are met, including that: there are signs of agricultural constructions; land owners bordering the said plot can confirm settlement of the land user for at least 35 years; the land is not under Government projects and is up to a maximum 100 Jeribs (Article 8). The Law is currently under revision with amendments being reviewed by Ministry of Justice. If approved amendments may have implications for compensation in terms of expanded recognizable claims.
- *The Law on Land Expropriation* (2009) provides the legal basis for land acquisition and compensation. The law is under amendment, which will address the major gaps to protect the right of the affected people.

- *The Law on the Preservation of Afghanistan’s Cultural and Historical Artefacts (2004)* states that an operation which causes destruction or harm to the recorded historical and cultural sites or artefacts is prohibited. The law further states that no one can build or perform construction on the recorded historical and cultural site unless approved or granted permission or agreement is issued from the Archaeology Institute (Article 7). If a construction project harms a historical or cultural artefact, the project will be stopped until proper measures are taken to preclude such harm (Article 11). Digging wells, ditches, rock blasting, driving over and any other operations which cause destructions of the recorded historical and cultural sites is prohibited without coordination and permission of Archaeology Institute (Article 16).

3.2 WB Safeguards Policies triggered by the AF ARAP

Safeguard policies

Safeguard Policies Triggered by the Project	Yes	No
<u>Environmental Assessment (OP/BP 4.01)</u>	[X]	[]
Natural Habitats (<u>OP/BP 4.04</u>)	[X]	[]
Pest Management (<u>OP/BP 4.09</u>)	[]	[X]
Physical Cultural Resources (<u>OP/BP 4.11</u>)	[X]	[]
Involuntary Resettlement (<u>OP/BP 4.12</u>)	[X]	[]
Indigenous Peoples (<u>OP/BP 4.10</u>)	[]	[X]
Forests (<u>OP/BP 4.36</u>)	[]	[X]
Safety of Dams (<u>OP/BP 4.37</u>)	[]	[X]
Projects in Disputed Areas (<u>OP/BP 7.60</u>)	[]	[X]
Projects on International Waterways (<u>OP/BP 7.50</u>)	[]	[X]

WB OP/BP 4.11, not triggered under the parent project, is triggered in the AF because of planned traffic management measures in Bamyan in line with the Bamyan culture protection master plan and urban planning of Bamyan City developed by Ministry of Information & Culture, Ministry of Urban Development affairs and Bamyan Municipality, and UNESCO. A Cultural Heritage Management Plan (CHMP) will be developed to ensure compliance with the policy and to protect the historic sites from any negative impacts from intervention. It is also triggered in the event of ‘chance finds’ during sub project implementation.

Table 1: World Bank Safeguard Policies applicable

S.N	World Bank Policy	Applicable due to	Addressed by ESMF
1.	Environmental Assessment OP/BP 4.01	Access road projects are likely to have impacts on environmental and social components as on water bodies, existing slopes in case of mountainous and hilly areas and on trees along the road	Implementation of Environmental & Social Mitigation Measures/Environmental & Social Management Plan (ESMP) to address the environmental and social issues
2	Natural Habitats OP/BO 4.04	Project entails a few alignment through natural water bodies	Preparation and Implementation of ESMP.

3.	Physical Cultural Resource OP/BP 4.11	The AF activities will fund Bamyán Valley Accessibility Improvement measures, which include resurfacing access roads to 7 culture heritage sites in the Bamyán Valley. In addition, the possible discovery of archaeological sites or random findings during the excavation and earthworks may occur, which will require measures to manage chance finds.	The PIU at MRRD (in collaboration with UNESCO and MoIC) will prepare site specific CHMP based on the cultural heritage studies, which have recently been conducted within the world heritage site in Bamyán Valley.
4	Involuntary Resettlement OP/BP 4.12	The AF activities are expected to require some small land acquisition due to minor re-adjustments in curves and or width.	A stand-alone Resettlement Policy Framework (RPF) has been prepared to guide preparation of Abbreviated RAP (where it is required). The Abbreviated RAP will be locally disclosed and discussed with affected people. In some road sub-projects, communities may agree to voluntarily provide land in exchange for desired community benefits. However, donation only permissible in case of limited impact (less than 10 percent of an individual's holdings).

Recent safeguard policies also require compliance with the WB group's environmental health and safety guideline (EHSg) while technical assistance program/activities will also be reviewed as part of safeguard and actions carried out according to the interim guideline for technical assistance support by WB¹.

Table: 2- Safeguards Management Approach Component by Component

Components (with summary description of civil works)	Activities to be financed by the Project	Safeguards Documents	Timing for Preparation and Implementation of Safeguards Documents
Overall Project level	Components 1-3	ESMF	ESMF prepared during project preparation, implemented in project.
Component 1 Improvement and maintenance of secondary	TA services and Civil Works	ESMPs Abbreviated RAP	ESMPs and Abbreviated RAPs (where needed) prepared and implemented during the

¹ *Interim Guidelines on the Application of Safeguard Policies to Technical Assistance*

roads		(where needed)	project.
Component 2 Improvement and maintenance of tertiary roads	TA services and Civil works	CHMP ESMPs Abbreviated RAPs (where needed)	CHMP prepared during preparation of sub project in Bamyan region ESMPs prepared and implemented during the project.
Component 3 Institutional Strengthening of MPW & MRRD	TA services	None	N/A

4. KEY SAFEGUARDS ISSUES AND MITIGATION MEASURES

4.1. Potential Environmental and Social Impacts and Mitigation Measures

4.1.1 Potential Environmental Impacts

No significant adverse environmental impacts are anticipated as the proposed works only involve improvement of existing rural roads and related access infrastructure. The project is not expected to bring about adverse social impacts, but on the contrary significant positive social impacts regarding improved livelihoods. The project is national in scope with a focus on vulnerable districts, and this will enable different ethnic groups to benefit from the project. The project involves improvement of existing roads, but it will not negatively impact on known historical or cultural heritage including artifacts, since the updated ESMF triggers OP/BP 4.11 heads to prepare a CHMP for the subproject to be carried out in Buddha sites. The project implementation manual will be updated accordingly which will include project screening, planning and appraisal formats, which will record the environmental and social impacts and related mitigation measures for specific sub-projects. Monitoring will include reporting on CHMP compliances and archaeological chance finds. The project implementation manual will also be based on the Environmental and Social Management Framework granted between the client and the World Bank.

In general, road projects bring about changes in natural environment and therefore, are considered environmentally sensitive. The Continuation of ARAP will reduce environmental problems arising from such intervention to the extent possible. The overall impact is not expected to be of significant in nature; therefore, ARAP project is placed in Environmental Category “B”.

4.1.2. Potential Social Impacts

The ARAP-AF road rehabilitation works are not expected to result in any major adverse social impact, as the rehabilitation works will take place in the existing right of way (ROW). Systematic involvement of local people throughout the planning and implementation of sub projects will underpin the identification and implementation of any mitigation measures. Such engagement, it is anticipated, will help increase responsiveness, accountability and transparency on the part of project management and increase cooperation between affected communities and government partners.

The road improvements are expected to have positive social impacts in the form of improved

access to social services, markets, and jobs for communities of the areas, and therefore contribute to improving living standards in the project area. The road improvements are also expected to result in improvement in the incomes in the Zone of Influence (ZOI). Based on the project's preliminary survey of ARAP AF activities may involve some minor land acquisition which will be managed in accordance with a stand-alone Resettlement Policy Framework (RPF).

The Accessibility Improvements in Bamyan Valley, to be carried out under component B, involving diverting motor traffic out of culture heritage sites and improving the access road surfaces with local traditional materials are not expected to cause significant irreversible long term impact. To avoid and/or mitigate any potential impacts a Cultural Heritage Management Plan (CHMP) will be developed prior to the start of works. The plan will be developed in close cooperation with the Ministry of Culture and UNESCO. Draft ToR for the CHMP is currently under review by the Ministry of Culture and UNESCO and is attached as annex4.

4.1.3. Mitigation Measures

Mitigation measures include avoiding or minimizing negative impacts by changing road alignment or design and/or reducing the level of intervention at a site, while at the same time ensuring due diligence in managing potential environmental, cultural heritage and social risks including strictly following up the guidelines to ensure safeguards issue have been fully complied. This Framework is based on the following principles:

- I. All proposed roads will be screened to ensure that the environmental, cultural heritage and social risks can be identified and adequately addressed through the application of standardized guidelines.
- II. Regardless of the outcome of environmental screening, each subproject will have its site-specific ESMP for the construction package prepared during the detail engineering design process.
- III. An abbreviated resettlement action plan (Abbreviated RAP) will also be prepared, if any of the sub-project require land acquisition affecting less than 200 PAPs, and the Resettlement Policy Framework (RPF) comprises guidelines for land and asset acquisition, compensation and documentation.

Options to address the various environmental and social issues identified have been worked out based on environmental and social screening surveys and requirement of compliance with the legal provisions. The analysis of options will enable the identification of mitigation measures to address the environmental and social issues. The measures will be finalized through stakeholder consultations, wherein inputs from the stakeholders including the executing agencies, line agencies, National Environment Protection Agency (NEPA) and Ministry of Information and Culture (MoIC) will enable the finalization of the suitable measures. The measures envisaged under the ESMF will be implemented by the both ministries of MRRD and MPW.

4.2 Incorporating Lessons Learned in Safeguards Compliance

For more than a decade, the PIUs at MoPW and MRRD have financed a huge number of rural rehabilitation and basic access road and bridges through previous phase NERAP and parent project ARAP. Particular attentions have been paid to environmental and social safeguards measures during implementation phases of project. Safeguards rating of the project remain satisfactory during last year. The PIUs effectively implemented the ESMF, while every sub-

project carries a standalone ESMPs and an Abbreviated RAP, where needed. Ample arrangements including site supervision monitoring and reporting mechanism are in place.

Key lessons learned include:

- (i) There is a need to share the draft design with local communities for their input and feedback before it is finalized. PIUs in both Ministries will ensure that this step is included in development of all sub projects under the ongoing and AF projects.
- (ii) Grievance Redress Mechanism (GRM): Under the current project both PIUs have continuously conducted public awareness programs among the affected communities and project beneficiaries on how to use GRM services (GRM posters were developed and placed at public locations, such as Masjids, Schools, Clinics, Bazaar and etc...). In order to promote feedback and ensure transparency and accountability with regard to project activities the existing GRM will be further improved and strengthened as part of the AF ESMF implementation. Safeguards staff will have an important role in ensuring that affected communities have a full understanding of the GRM, and ways to access it.
- (iii) Consultations: Consultations have been conducted under the parent project with groups and CDCs for each subproject. The more positive impacts have been from individual consultations carried out with each PAP (Men & Women).
- (iv) Gender Staff: Following the Panjshir case, where the relevant male CDC members donated private land belonging to a widow without her agreement. The PIUs have deployed female focal points to study the case. A separate meeting was held with the PAP (widow), and after several discussions the CDC consented to compensate the widow with suitable land. Thus the female focal point has a significant role where there are female PAPs in a subproject. Under the AF increased priority will be given to gender issues with the number of female focal points increased at local level.
- (v) The process of compensating communities and individual PAPs for community properties and individual incomes destroyed by project activities s will be further improved and strengthened in line with the abbreviated RAP during the ARAP AF.

5. ESMF OBJECTIVES AND PROCESS

5.1 Objective and Scope

The main purpose of the ESMF is to ensure that the investments and activities (technical assistance) to be financed under the ARAP-AF project will not create adverse impacts on the local environment and local communities and the residual and/or unavoidable impacts will be adequately mitigated in line with the WB's safeguard policies. The ESMF prescribes policies, guidelines, procedures, and codes of practice to be considered during the project implementation including a list of attributes that cannot be affected by eligible investments and annexes

5.2. Citizen Engagement

Involving the public Citizen engagement emphasizes the sharing of power, information, and a mutual respect between government and citizens. Under the AF ARAP drawing out

peoples' views, values, knowledge and experience will be further systematized in order to offer fresh perspectives on issues and be the source of new information and ideas resulting in better designed and better implemented subprojects. Key elements of citizen engagement integral to the effective implementation of this ESMF include, stakeholder consultations and participation, the effective implementation of a Grievance Redress Mechanism, systematic Third Party Monitoring and sharing draft design with communities for feedback.

5.2.1. Stakeholder consultations and participation

The Afghan Rural Access Program proactively promotes consultation with, and participation of both men and women and uses their views in survey, design and implementation of the projects. Under the AF renewed attention will be given to sharing the draft design with local communities to get their feedback prior to finalizing the design.

The program will mainstream gender in all activities of the project to the extent possible; from consultation to implementation as well as monitoring and supervision. Examples of potential areas for engaging women in the project are consultation with female community members through female CDCs or other relevant local bodies. This will be particularly beneficial for female headed families in general but more specifically the PAF/individuals. Similarly this platform can be used for informing women on the project GRM. The ESM focal points will ensure that such consultation will happen either with their intervention or other armaments including temporary hired female staff/interns, local female teachers, social organizers from other organizations present in those places, etc. To the extent possible, women will be encouraged to take part in Transect walks. Separate similar arrangements will be made by female community members to ensure the local females including PAF/individuals are kept informed from the intervention and likelihood of subproject impacts. It would also provide a great opportunity to raise their awareness and build their capacity on issues which they are directly involved but have never been recognized as primary stakeholders in these issues. At central, regional and provincial levels efforts will be made to build the capacity of female professionals through capacity building/internship and or training activities of the project.

Consultation with indirect stakeholders will be conducted in parallel to those with communities. These will include meetings with representatives from relevant government departments/programs and agencies including District Governors, National Environment Protection Agency (NEPA), the National Solidarity Program (NSP). Meetings will also be held with NGOs working in sub project localities inform them about the project and explore opportunities for cooperation to lever the impact of the AF activities.

A dynamic participatory approach that seeks to involve the various stakeholders in decision making about social and cultural issues and environmental management will be encouraged throughout the course of a sub project. Stakeholder representatives will be consulted throughout project implementation and will participate in workshops at the middle and end of the project to review and evaluate progress. The participatory approach will also be kept under continuous review by the PIU teams in both ministries.

5.2.2. Consultations on TOR for CHMP

CHMP TOR's consultations were conducted in Kabul on 01-06-2016 in order to receive comments and recommendations on draft TOR. The key agencies attended this meeting were MoIC, UNESCO and MoUDA. The purpose of this consultation was to inform stakeholder agencies about Bamyán accessibility improvement measures and seek their feedback on the

TOR for CHMP, which has been drafted for the proposed access road to cultural heritage sites in Bamyan valley. Summary of consultations on TOR for CHMP is included in annex-4.

5.2.3. Third Party Monitoring

During the last three years, the third party monitoring agency's monthly monitoring reports have covered safeguards compliance at field level using site specific ESMPs and Abbreviated RAP. The agency's reports are informed by field observation visits and discussions with community representatives and various members of the project team. Recently responsibility for Third Party monitoring has been transferred to a new organisation (MSI) which will be responsible for monitoring safeguards compliance under the AF. The role of the Third Party Monitor is increasingly important as security considerations prevent World Bank staff from visiting most sub projects. Safeguards staff from both Ministries plan to meet regularly with MSI to review their safeguards findings and recommendations.

5.3. Gender

The Gender Mainstreaming Guidelines were prepared and developed by the PIUs in both MoPW and MRRD and implemented in ARAP parent project. Based on these guidelines the gender focal points are responsible to mainstream gender aspects in subprojects through implementation and monitoring of environmental and social safeguards. They are in constant touch with Environmental & Social Management Associates (ESMAs) for organizing capacity building workshops for the women CDCs, regional staff on gender awareness, women empowerment and social inclusion.

5.3.1. Participation of Women at NRAP Projects

National Rural Access Program proactively promotes consultation with both men and women and uses their views in survey, design and implementation of the projects. The program will mainstream gender in all activities of the project to the extent possible; from consultation to implementation as well as monitoring and supervision. Examples of potential areas for engaging women in the project are consultation with female community members through female CDCs or other relevant local bodies. This will be particularly beneficial for female headed families in general but more specifically the PAF/individuals. Similarly this platform can be used for informing women on the project GRM. The ESM focal points will ensure that such consultation will happen either with their intervention or other armaments including temporary hired female staff/interns, local female teachers, social organizers from other organizations present in those places, etc. To extend possible, women will be encouraged to take part in Transect walks. Separate similar arrangements will be made by female community members to ensure the local females including PAF/individuals are kept informed from the intervention and likelihood of subproject impacts. It would also provide a great opportunity to raise their awareness and build their capacity on issues which they are directly involved but have never been recognized as primary stakeholders in these issues. At central, regional and provincial levels efforts will be made to build the capacity of female professionals through capacity building/internship and or training activities of the project.

6. ESMF IMPLEMENTATION ARRANGEMENTS

6.1. Institutional Responsibilities

The PIUs in the Ministry of Rural Rehabilitation and Development (MRRD) and the Ministry of Public Works (MPW) have established safeguard units under the ongoing ARAP, which consist of Safeguards Managers, Safeguards Officers and Gender Officers at headquarters and safeguards Officer and Gender focal point at each of its nine regional offices. These Safeguards Units in collaboration with their technical counterparts will continue to have overall responsibility for implementing, supervising and monitoring the safeguard requirements and compliance with the ESMF in the planning and implementation of the AF phase of ARAP subprojects. Both Ministries are committed to filling regional female gender positions which are currently vacant. This is important in order to ensure that there is effective outreach to women at community level.

Each Ministry will be responsible for ensuring compliance with the ESMF guidelines and applying the safeguard screening and mitigation requirements to its own subprojects.

6.2. Environmental and Social Management Plan (ESMP) Preparation

Guidelines on the scope and content of ESMPs are set out in annex 2.

6.3. Capacity Building

Under the parent project there has been periodic training for staff and contractors on safeguards management. The overall objective of the capacity building strategy in the AF is to build and strengthen the institutional capacity of MoPW and MRRD to better support the development and integration of social and environmental measures within the ARAP AF. An assessment will be carried out by the PIUs in both the MoPW and MRRD to identify training and other capacity building needs of safeguards staff working at national and regional levels, contractors and other relevant project staff.

A capacity building strategy is expected to ensure that all NRAP staff are familiar with and can implement the requirements of the ESMF. The strategy will give priority to ensuring that safeguards and technical staff are equipped to carry out effective outreach and consultations on project activities with all stakeholders, especially with affected communities. Key trainings are set out in the table below.

Key trainings for PIUs' safeguards team and other staff		
Selected Environmental and Social Topics		Key elements
1	Citizen Engagement	
1.1	Conducting consultations with, and providing feedback, to local communities and other stakeholder groups	Identifying all stakeholder groups (including vulnerable groups), outreach to different groups especially women, developing relevant communication strategy to meet the specific needs of each group.
1.2	Grievance Redress Mechanism	Procedures and structure: including role of committees at each level, ensuring communities are aware of mechanism structure and means of accessing it,

		making and recording of complaints, providing feedback on complaints resolution
1.3	Conducting a Transect Walk	Purpose of Transect Walk. Types of issues to be raised,
2.	Abbreviated RAP & a strip plan	Developing Abbreviated RAPs and strip plans. Principles and Procedures, compensation criteria, potential impacts, communications with local communities
2.	Development and Implementation of Environmental and Social Management Plans (ESMPs)	Consultation with/ feedback to local communities on potential problems and their impacts – short term and cumulative, identification of appropriate mitigation measures. Identification of appropriate indicators, incorporating ESMPs into project document.
4.	Monitoring and Evaluation	Identification of relevant environmental and social indicators. Monitoring responsibilities. Preparing monitoring reports
5.	Policy and Regulatory Environment	Relevant Afghan laws and regulations and World Bank safeguard policies and their application to the ARAP AF. The role of NEPA in ensuring safeguards compliance

ARAP AF safeguard officers will work through local CDCs and other relevant forums to organize practical training to build the knowledge and awareness of local government officials and local communities, including women, on social and environmental issues related to proposed project activities. Training will also seek to build the skills of local people to participate actively in identifying appropriate mitigation measures to avoid or reduce potential negative impacts of project activities. It will also include training on basic technical concepts as well as principles of fair and equitable social organization.

7. Monitoring and Evaluation

7.1. Internal monitoring and reporting

At regional level, ARAP AF safeguards officers together with local government and local communities will continue to be responsible for monitoring the implementation of mitigation measures, set out in Environment and Social Management Plans (ESMPs). Relevant practical indicators to enable effective monitoring will continue to be identified by safeguards staff in close liaison with community representatives during consultations on possible impacts of sub project activities and the preparation of ESMPs.

The reviews of reporting and monitoring under the current project indicates better capacity in terms of skills and resources to: (a) screen projects to identify potential environmental and social impacts, and proposed adequate mitigation measures, alternative analysis, and monitor

implementation of such measures, and (b) implement mitigation measures at sub-project level. The project Monitoring and Evaluation Units within both Ministries periodically monitor the project implementation including safeguard compliances on subproject level, this monitoring covers all safeguard required indicators developed for subproject ESMPs; in order to promote feedback and ensure transparency and accountability with regard to environmental and social activities, the existing M&E will be further improved and strengthened as part of the ESMF implementation. M&E staff will have an important role in ensuring that communities have a full understanding of the environment and social activities and GRM awareness.

Monitoring information together with other information collected from various stakeholders (e.g. representatives of men and women's CDCs, farmers, shopkeepers, local government officials in sub project districts, local NGOs and contractors) together with observations of project activities will be reported monthly to the safeguards units in the PIU headquarters in Kabul using standard reporting forms.

Monthly monitoring reports from regional safeguards staff will be expanded to include:

- a. List of consultations held, including locations and dates, name of participants and occupations
- b. Main points arising from consultations including any agreements reached
- c. A record of grievance applications and grievance redress dealt with
- d. Monitoring data on environmental and social measures detailed in ESMPs.
- e. Number of trainings of community groups in environmental and social issues

National safeguards officers will prepare consolidated quarterly monitoring reports for the PIU management teams which in addition to the above data will include:

- f. Number of national, regional and provincial staff and contractors trained on ESMF compliance
- g. Number of ESMPs prepared and cleared

These reports will be filed to permit easy retrieval and indicators will be incorporated into the AF project M & E system.

7.2. Third Party Monitoring (TPM) –External

MSI has been responsible to conduct third party monitoring (TMP) of Afghanistan Reconstruction Trust Fund (ARTF) projects (ARAP, IRDP, OFWMP, EQUIP II, and NSP for the World Bank.

TPM program provides data on nationwide project sites, including asset verification and quality assurance, where World Bank staff are not always able to systematically visit the sites of geographically widely disbursed projects.

The TPM program provides additional evidence that World Bank-funded programs are being implemented correctly, provides assurance to donors, focusing on infrastructure quality assurance and social and environmental safeguards, gender issues and select financial/fiduciary aspects.

The Supervisor Agent (SA) provides GoA line ministries with project monitoring and data collection support and shows how such practices could improve GoA project performance

and results. This also helps strengthen GoA line ministries' own monitoring programs. The SA reports directly to the World Bank, but also works closely with GoA line ministries responsible for project implementation at local and central levels.

The MSI reports provide specific information on overall safeguards issues, such as information on affected land/assets, functionality of grievance handling, gender issues and etc. The latest reports show, there have been project level GRCs established for all sub-projects monitored during January-April, 2016.

8. Indicative Budget for Environmental and Social Safeguards Compliance

Table 3 presents an indicative budget to ensure effective implementation of ESMF over the lifetime of the project. Detailed activities would be specified in the investment-specific ESMPs and Abbreviated RAPs, and all the environmental and social safeguards related costs will be financed by the project.

Table -3 Summary of Budget related to implementation of the ESMF

No.	Activities	Cost US\$
	(a) Supervision, monitoring, training	
1	Translation of ESMF into Dari and Pashto	2,000
2	Modification of safeguard training manuals, including GRM training and translation into Dari and Pashto (as needed)	5,000
3	Preparation and Publication of Communications materials in Dari and Pashto	10,000
4	National/regional training for ARAP-AF safeguards staff on safeguards compliance, grievance handling/citizen engagement (CE) and social inclusion.	20,000
6	Training for community and local government representatives on ESMF and other environmental and social issues (gender and social inclusion included). It will also cover public awareness among project beneficiaries to use grievance service.	20,000
Total in USD		57,000

9. Disclosure, and Communication

The ESMF for the original parent project has already been disclosed by MRRD and MoPW in Afghanistan in both Pashto and Dari in relevant places in the country.

The draft ESMF and draft RPF were disclosed in-county on both MoPW and MRRD websites on July 17, 2016.

After finalization of the ESMF and RPF and approval by the World Bank, the following disclosure plan will be followed:

Provision of the ESMF and the stand- alone RPF in local languages and English to all nine regional PIU offices.

Provision of the ESMF and the Resettlement Policy Framework (RPF) in local languages and English to PIUs staff in Kabul.

Posting of ESMF and the RPF on MRRD and MoPW website. The English version of the

updated ESMF will be disclosed at the World Bank's InfoShop.

Annex 1: Screening, Checklists, Communications /Public Awareness for ARAP AF Sub projects

This Annex 1 comprises 7 Attachments 1 (a-f) and they will be applied to *all civil works investment schemes* to be implemented under Components A and B of the ARAP AF. Attachment (a) provides a list of exclusion criteria which would prevent sub projects being funded under the ARAP AF and Attachment (b) sets out procedures for Chance Finds. Attachments 1(c), (d), (e) and (f) provide the screening forms and communication guidelines prior to developing an ESMP.

Attachment 1(a): Exclusion Criteria

The exclusion criteria have been worked out to identify activities that would result in serious environmental/social impacts and hence will not be considered for the ARAP AF project.

Such subprojects shall include:

- Projects involving significant conversion or degradation of critical natural habitats. Including, but not limited to, any activity within:
 - Ab-i-Estada Waterfowl Sanctuary;
 - Ajar Valley (Proposed) Wildlife Reserve;
 - Dashte-Nawar Waterfowl Sanctuary;
 - Pamir-Buzurg (Proposed) Wildlife Sanctuary;
 - Bande Amir National Park;
 - Kole Hashmat Khan (Proposed) Waterfowl Sanctuary
- Road passing through designated protected areas, as Reserved forests, Protected forest
- Project requiring involuntary acquisition of land, or the resettlement or compensation of more than 200 people and or land acquisition above 10% of total land holdings.
- Roads types other than “province to province/district/district to village roads”
- Subprojects where voluntary agreement on adequate compensation for significant social impacts cannot be reached between community and PAPs.

Attachment 1 (b): Chance Find Procedures

1. Chance find procedures are defined in the law on Law on the Preservation of Afghanistan's Historical and Cultural Heritages and Artifacts (Official Gazette, April 16, 2004), specifying the authorities and responsibilities of cultural heritage agencies if sites or materials are discovered in the course of project implementation. This law establishes that all moveable and immovable historical and cultural artifacts are state property, and further:
2. The Archaeology Institute and the Historical Artifacts Preservation and Repair Department are both responsible to survey, evaluate, determine and record all cultural and historical sites and collect and organize all historical documents related to each specific site. No one can build or perform construction on the recorded historical and cultural site unless approved or granted permission or agreement is issued from the Archaeology Institute. (Art. 7)
3. All moveable and Immoveable historical and cultural artifacts and heritage items that are discovered or remain buried and not discovered/excavated in Afghanistan are the property of the Islamic Republic of Afghanistan and any kind of trafficking of such items is considered theft and is illegal.(Art. 8)
4. Whenever municipalities, construction, irrigation or other companies (whether they are governmental or private) find or discover valuable historical and cultural artifacts during the conduct of their projects, they are responsible to stop their project and report any findings to the Archaeology Institute about the discovery. (Art. 10)
5. Any finder or discoverer of historical and cultural sites is obligated to report a find or discovery to the Archaeology Institute immediately but not later than one week if it is in the city and not later than 2 weeks if it is in a province. All discovered artifacts are considered public properties and the Government of Afghanistan will pay for all lands and sites which are considered to be of historical or cultural value. (Art. 19, 1)
6. Whenever there is an immovable historical and cultural site discovered which includes some movable historical and cultural artifacts, all such movable artifacts are considered public property and the owner of that property will be rewarded according to Article thirteen (13) of this Decree.(Art. 19, 2).
7. A person who finds or discovers a movable historical and cultural artifact is obligated to report the discovery to the Archaeology Department no later than seven (7) days if he/she lives in the capital city of Kabul, and in the provinces they should report the discovery to the Historical and Cultural Artifacts Preservation Department or Information and Culture Department or to the nearest governmental Department no later than fourteen (14) days.
8. Mentioned Departments in this article are responsible to report the issue to the Archaeology Department as soon as possible and the discoverer of the artifact will be rewarded according to Article 13 of this Decree. (Art. 26)
9. Whenever individuals who discover historical and cultural artifacts do not report such discoveries to the related Departments within the specified period according to Articles 19 and 26 of this Decree, they will be incarcerated for a minimum of one (1) month but not more than a maximum of three (3) months. (Art. 75)

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

Attachment 1(c): Environmental & Social Checklist for Screening of Subprojects

چک لیست بررسی محیط زیستی و اجتماعی برای پروژه های سرک و پل

Project ID/title:		Village:				
Type of project:		District:				
Involved CDC name:		Province:				
Population:		Male:	Female:	Total:		
Start date of project:		End date of project:				
Nature of Subprojects		Does the project fall in the below category این پروژه در کدام یک از کتگوری های ذیل شامل میگردد				Remarks ملاحظات
No	Environnemental Consequences مسائل محیط زیستی	N & P Impact (1)	Low impact (2)	Medium Impact (3)	High Impact (4)	
1	Is the activity cause for Air pollution? آیا فعالیت های این پروژه سبب آلودگی هوا میگردد؟					
2	Is the activity cause for sound pollution? آیا فعالیت های پروژه سبب آلودگی صوتی میگردد؟					
3	Is the activity cause the cutting of hill slope and earth removal from borrow areas caused for soil erosion? آیا لغزش زمین، فروریزتن، فرسایش و سایر حرکات ساحات سرآشیب در نتیجه قطع کاری سرک وجود دارد؟					
4	Will the activity create solid or liquid wastes that cause potential contamination of surface water and ground water supplies? آیا فعالیت های این پروژه سبب تولید زباله های مایع و جامد میشود که بعداً سبب آلوده شدن منابع آب های سطحی و زیر زمینی گردد؟					
5	Is the project cause for substantial changes to water quality and quantity? آیا این پروژه سبب تغییر کمیت و کیفیت آب میگردد؟					
6	Does the activity cause the alteration of water flow? آیا فعالیت های این پروژه سبب تغییر مسیر آب میگردد؟					
7	Are there environmentally					

	sensitive areas (protect area, forests, national parks or wetlands)? آیا ساحات حساس محیط زیستی مانند ساحات حفاظت شده، جنگلات، پارک های ملی و باطلاق ها نزدیک پروژه موجود است؟					
8	Is the project cause vegetation and tree removing? آیا فعالیت های این پروژه سبب از بین رفتن گیاهان و درختان میگردد؟					
9	Is the activity threat the endangered and threatened species or hunting or the collection? آیا فعالیت های این پروژه سبب تهدید، شکار، و یا از بین رفتن انواع در حال انقراض حیوانات، پرندگان و نباتات میگردد؟					
10	Is the activity cause livestock reduction? آیا فعالیت های این پروژه سبب کاهش مواشی در منطقه میگردد؟					
11	Will the excavation and quarry operation effect the environment? آیا استفاده از منابع سنگ و مواد ساختمانی محیط زیست محل را متاثر می سازد؟					
Social Consequences مسائل اجتماعی						
12	Does the activity have human health and safety risks, during construction or later? آیا فعالیت های این پروژه سبب به خطر انداختن صحت مردم در جریان کار ساختمانی و یا بعد از تکمیل کار میگردد؟					
13	Will the activity create the conflict among the people? آیا فعالیت های این پروژه سبب ایجاد اختلافات میان مردم میگردد؟					
14	Will the activity cause loss of livelihood? آیا فعالیت های این پروژه سبب از دست دادن معیشت مردم میگردد؟					
15	Are there unexploded mines are in the area? آیا در ساحه پروژه، مواد منفجرناشده موجود است؟					

16	Are there any Important cultural or archeological nearby? آیا ساحات مهم تاریخی و باستانی نزدیک پروژه واقع شده است؟					
17	Will the project require the acquisition of land (public or private, temporarily or permanently) for its development? آیا این پروژه به اکتساب زمین اضافی از مالکیت عامه یا شخصی، به شکل موقتی و یا دایمی ضرورت دارد؟					
18	Will anyone be prevented from using economic resources (e.g. pasture, fishing locations, forests) to which they have had regular access? آیا مردم جهت استفاده از منابع اقتصادی مانند استفاده از ساحات ماهی گیری، استفاده مواشی از چراگاه ممانعت خواهد گردید؟					
19	Will the project result in the involuntary resettlement of individuals or families? آیا این پروژه سبب بیجا شدن اجباری مردم به شکل انفرادی و یا فامیلی میگردد؟					
20	Might the project adversely affect communities or vulnerable people living in the area? آیا این پروژه تاثیر جدی بالای اجتماعات و یا زندگی مردم آسیب پذیر خواهد گذاشت؟					
21	Will the project negatively affect more than 200 PAPs? آیا این پروژه باعث افزایش افراد متاثر شده بالاتر از 200 نفر میگردد؟					
22	Are there members of community/PAPs located along/ close to project who could benefit from this project? آیا افراد متضرر شده از فواید پروژه مستفید میگردند؟					

Note:

یکی از جوابات ذیل را مطابق ارزیابی چک لست نشانی کنید

A1. If all answers to the checklist questions are "No" and significant impacts were not

identified then there is no need for further action. If Yes to question 21, then the subproject will be rejected

A2. For any issues indicated by “Yes” and significant adverse impacts were identified then there is need for adequate mitigation measures through developing Environment and Social Management Plan ESMP and should be part of project design. No further planning action is required. Implementation of the mitigation measures will require supervision by the applicant and the appropriate local authority.

Establishing Extent of Loss:

Extent of loss shall be determined primarily in terms of the portion of the land and / or structure coming within the road project. In order to establish extent of loss, the following category of losses will be considered:

Minor impacts: Less than 10% of the total area

Adverse impacts: Between 10 to 25% of the total area

Severe impacts: More than 25% of the total area

(1) N and P impacts: Mark (N) for No impacts and (P) for positive impacts

(2) Low Impacts: Mark (X) for Low impact. Low impact refers to activities with manageable impact to environment by the community/contractors.

(3) Medium Impacts: Mark (X) for medium impacts. Medium impacts refer to activities that involve additional support and planning, implementation and monitoring of mitigation measures and ESMP in order to decrease the potential impact.

(4) High Impacts: Mark (X) for High impact. The significant adverse impacts that refer to activities that involves additional support and planning, full EIA, implementation and monitoring of mitigation measures. NEPA approval.

Checklist Filled Out by the Regional ESMO and verified by Regional Sr. Engineer:

Environment and Social Management Officer..... Signature:
Date:

Regional Sr. Engineer/ Manager Signature:
Date:

Attachment 1 (d): Public Announcement

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

.....
.....
.....
.....
.....
.....
.....
.....
.....

Regional ESMO:

Signature:

Date:

Verified by CDC and community members:

Signatures:

Date:

Signatures:

Date:

Attachment 1(e): Public Awareness
(Prior to finalization of alignment/transect Walk)

اعلانات یا آگاهی عامه
قبل از ختم کارصف بندی مسیر سرک و بازدید ابتدایی

Project ID:	Village:
Type of Project:	District:
Name and signature of surveyor:	Province:

What is the Project and its salient features پروژه چیست و خصوصیات برجسته آن چه میباشند	پروژه متذکره بخاطر احیاء سرک و ساختمان پل ها و معبر ها ایجاد شده است که تا مردم به وسیله این سرک به مراکز صحتی، بازارها و موسسات تعلیمی و تحصیلی دست یابند و شاید هم تطبیق این پروژه موقتاً تأثیرات منفی بالای محیط زیست و یا هم ضرورت به زمین اضافی « جهت عریض ساختن سرک یا مسیر آن» داشته باشد که در جریان بازدید تعیین خط و سیر آن تشخیص خواهد شد.
Benefits مزایا / فواید	این پروژه موقتاً زمینه کاریابی را برای مردم محل ایجاد میکند، و بعداز تکمیل، قریه..... را در موسم زمستان به مرکز ولسوالی..... و سایر ولسوالی ها وصل خواهد کرد و بدین گونه میتوان به مراکز صحتی، مراکز تجارتی، بازارها و موسسات تعلیمی و تحصیلی دست یافت. همچنان باعث کاهش قیمت ترانسپورت و جلوگیری از اتلاف وقت میشود
Which Agencies are involved کدام ادارات در آن ذیدخل هستند	وزارت احیاء و انکشاف دهات و فواید عامه تطبیق کننده پروژه و تمویل کننده آن بانک جهانی میباشد.
What if resentment from community اگر از طرف اجتماع خشم و نارضایتی پدید آید چه اقداماتی اتخاذ میگردد	در جریان تطبیق پروژه ممکن است موقتاً یک سلسله سروصدا ها و یا گرد و غبار بوجود آید که باعث رنجش مردم خواهد شد. ولی با ایجاد کمیته اجتماعی سمع شکایات این مشکل حل خواهد گردید.
Need for additional land ضرورت به زمین اضافی بوسیله اهداء زمین به گونه داوطلبانه	
Likely Impacts and Entitlements تأثیرات احتمالی و استحقاق (جبران خساره)	شناسایی تأثیرات احتمالی استملاک زمین/دارایی و در صورت ضرورت پرداخت جبران خساره برای متضررین از طرف اهالی.
Establishment of GRC and Complaints registration. ایجاد کمیته حل شکایات و ثبت شکایات	کمیته حل شکایات با تفاهم مردم محل ایجاد شده که در جریان پروژه شکایت کننده (زن و مرد) میتواند شکایات خویش را به کمیته متذکره تسلیم و ثبت نماید.
Date of Transect Walk تاریخ سروی و بازدید ابتدایی مسیر سرک	00/00/00
Alignment Details on strip plan جزئیات مسیر «سرک» همراه با نقشه مسیر نشان داده شده	ضمیمه گردد.

Note: List of participants and the above points to be discussed and minute of meeting will be prepared accordingly.

Attachment 1 (f): Outputs of Transect Walk
 (After finalization of alignment/transect walk)
 بعد از ختم کارصف بندی مسیر سرک و بازدید ابتدایی

Project ID:	District:
Village	Province
Start date:	End date:
Identification of Environmental & Social sensitive location (شناسایی ساحات حساس محیط زیستی و اجتماعی)	
Likely location for additional land requirement (موقعیت احتمالی زمین اضافی مورد نیاز (بهتر است زمین مورد نیاز بروی سترب پلان شناسایی گردد.)	
Any Issues identified including whether land in question is subject to dispute (تشخیص پیامدها - شناسایی زمین ها ی مورد منازعه)	
PAPs Identified including estimate of likely livelihood impact on individual PAPs (تشخیص متضررین بشمول شناسایی تأثیرات PAPs (ناگوار) احتمالی بالای معیشت افراد متضرر شده)	
Suggestion from community (پیشنهاد مردم)	

Modifications (if any) to minimize land width accretion and incorporating community suggestions through alterations/modifications on alignment

(در صورت ضرورت به زمین اضافی بخاطر وسعت بخشیدن عرض سرک، لازم است موضوع با اتفاق نظر و پیشنهادات مردم حل شود، در صورت ممکن مسیر سرک تبدیل گردد)

.....

Regional ESMO:

Signature:

Date:

Annex 2: Environmental and Social Management Plan

This Annex 2 comprises 4 Attachments 1 (a-d) related to the ESMP: Attachment 2a (ESMP-Scope, Content and Supervision), Attachment 2b (Indicative ESMP), Attachment 2c (Environmental Mitigation approaches and their coverage) and Attachment 2d (Environment and Social Monitoring Plan Template)

Attachment 2(a): Environmental and Social Management Plans

(A) Suggested scope of the ESMP

Subproject Activity	Potential Environmental and Social Impacts	Proposed Mitigation Measure(s)	Institutional Responsibilities	Cost Estimates	Comments (e.g. secondary impacts)
Pre-Construction Phase (Design)					
Construction Phase					
Operation and Maintenance Phase					

(B) Contents of an ESMP

- A description of the possible adverse effects that the ESMP is intended to address;
- Identification of project design alternatives that would meet similar objectives, and a description of why these projects are not viable, especially if they have a lesser environmental or social impact;
- A description of planned mitigation measures, and how and when they will be implemented;
- A program for monitoring the environmental and social impacts of the project, both positive and negative;
- A description of who will be responsible for implementing the ESMP; and
- A cost estimate and source of funds.

(C) Supervision of ESMP

-Supervision of the ESMP, along with other aspects of the project, covers monitoring, evaluative review and reporting and is designed to:

- determine whether the project is being carried out in conformity with environmental and social safeguards and legal agreements;
- identify problems as they arise during implementation and recommend means to resolve them;
- recommend changes in project concept/design, as appropriate, as the project evolves or circumstances change; and
- Identify the key risks to project sustainability and recommend appropriate risk management strategies to the Proponent.

It is vital that an appropriate supervision plan is developed with clear objectives to ensure the successful implementation of an ESMP

Attachment 2(b): Indicative Environmental and Social Management Plan

The Environmental and Social Mitigation Plan clarifies the project activities, potential impacts, mitigation measures, objective, implementation method and its period, responsible authority and mitigation cost. Based on environmental and social screening, the negative impacts will be identified and the required mitigation measures will be proposed.

Project Activity	Negative Impacts	Mitigation Measure	Objective	Period of implementation	Authority Responsible	Mitigation Cost
Rehabilitation of road (Land considerations)	Impact on local people's livelihoods	<ul style="list-style-type: none"> The acquisition of land and properties (Govt. /private) will be carried out in accordance with the ESMF and required annexes (see the attached annexes) 	<ul style="list-style-type: none"> To ensure that people donate their lands voluntarily to the government's project To ensure that PAPs are not more than 200 	<ul style="list-style-type: none"> Pre-operation phase 	Community/PIU	0.Afs
Rehabilitation of road (Cutting of trees)	Loss of environmental benefits from vegetation, disturbance in ecological function (dust and noise absorbance, aesthetic value etc.)	<ul style="list-style-type: none"> Minimize cutting of tree and vegetation, compensatory plantation of trees Replant the same trees in adaptation and salubrious with the local environment during seasonal time Road side tree plantation shall be maintained. 	<ul style="list-style-type: none"> To ensure that the trees have been planted and are growing up Cost to be included in Provisional sum of the Contract 	<ul style="list-style-type: none"> Operation phases 	Community/PIU/Contractor	0.Afs
Relocation of Community Utilities and Common Property Resources	Impacts on community Utilities and Common property resources	<ul style="list-style-type: none"> All CPRs (common property resources) such as stand posts, bore wells, graves, ponds, water supply lines, sewage lines, drainage systems and telephone cables together with electric power 	<ul style="list-style-type: none"> The aim of such precondition is to reduce stress to the local population and to prevent unnecessary loss of 	<ul style="list-style-type: none"> Operation phases 	Community/PIU/Contractor	0.Afs

		<p>supply lines shall have to be removed and relocated outside the corridor before commencement of the road improvement activity.</p> <ul style="list-style-type: none"> • The relocation sites for CPRs shall be done in consultation with the local administrative authorities and people. 	<p>man-days along with law and other situations, accidents, and pollution and traffic problem.</p> <ul style="list-style-type: none"> • Cost to be included under provisional sum of the contract 			
Establishment of Camp Location and contractor facilities	<p>Inappropriate location such as proximity to local community drinking water source, shrines Environmentally unsound use of community resources such as forestry products by workers</p>	<ul style="list-style-type: none"> • Selection of camp setting must be done with the consultation of local authority and local people. • Local people with the necessary skill shall be employed by the project. • Location of construction camps at least 500m away from community areas, and away from drinking water sources 	<ul style="list-style-type: none"> • To ensure camp sitting is considered at the design phase and community are consulted well in advance • To ensure camp is sited 500.m away from community area. • To keep the water sources uncontaminated. • The cost will be borne by the contractor. 	<ul style="list-style-type: none"> • Design Phase • Operation Phase 	Community/PIU/Contractor	<p>0.Afs The cost will be borne by the contractor</p>
Rehabilitation of road (blasting)	<p>Explosion hazard loss of private as well as public properties and possible damage to vegetation, crops, and water resources</p>	<ul style="list-style-type: none"> • People of the vicinity area will be informed about the blasting time and its possible hazard. • Each public organization and individuals having structure in proximity to the site of the work will be notified in advance (with 	<ul style="list-style-type: none"> • Make sure that the blasting do not put significant impacts on local people • The cost will be included in the relevant BOQ item. 	<ul style="list-style-type: none"> • Design Phase • Operation Phase 	Community/PIU/Contractor	<p>0.Afs</p>

		<p>sufficient time) for using the explosives so that the organization and individuals could take necessary step.</p> <ul style="list-style-type: none"> • Danger zone will be created and ensured that all personnel, vehicles and livestock are cleared from the zone before and during the blast. In the settlement area, necessary steps (it might be evacuation in the area) will be taken to avoid damage to the property from the flying rock. • Danger red flag will be displayed prominently in all direction during the blasting. The flag will be kept 200m far from the blasting site in radial direction. • Not more than 10 charges will be prepared and fired at a time. The site in charge will blow a siren for cautioning the local people. • Provide adequate compensation to land and property damaged by the blasting • Permission shall be obtained from the Chief of police/District Governor in order to use of explosive material, storage, application and transportation of explosives. • The blasting site shall be restored after the completion of blasting, and 				
--	--	---	--	--	--	--

		left in stable condition without steep slopes.				
Road Rehabilitation (Cutting and Excavation)	Cutting of hill slope and earth removal from borrow areas caused for soil erosion and landslides	<ul style="list-style-type: none"> • Disposal of debris at proper sites or reuse material for construction • Proper restoration of borrow areas excavated soil and construction debris to avoid impacts 	<ul style="list-style-type: none"> • To ensure that construction material will not remain in the site. • The cost of safe disposal and restoration of borrow areas is the obligation of the contractor • The cost is included in the relevant BOQ item 	<ul style="list-style-type: none"> • Design Phase • Operation Phase 	Community/PIU/Contractor	0.Afs
Operation, excavation and transportation activities	Air pollution which may increase inspiration diseases among the local people	<ul style="list-style-type: none"> • Minimize the working area. • Use water spray to wet down and dampen soil. • Dispose or reuse the excavated soil in construction debris. 	<ul style="list-style-type: none"> • Make sure that project's activities do not produce air pollution which may increase respiratory diseases among the local people 	<ul style="list-style-type: none"> • Design Phase • Operation Phase 	Community/PIU/Contractor	0..Afs The cost will be borne by the Contractor
Rehabilitation activities and transportation operations	Impacts on Flora and Fauna (Impacts on Wildlife including birds due to Loss of Habitat and Hunting)	<ul style="list-style-type: none"> • Work only in day time, do not disturb wildlife and aware workers • Minimum site clearance, discouraging workers for collecting fuel wood from forest or hunting/harassing faunas • Refer to the list of endangered species of Afghanistan and notify NEPA for approval 	<ul style="list-style-type: none"> • Make sure that the project activities do not threaten the endangered species of Afghanistan 	Operation phase	Community/PIU/Contractor	0.Afs

Rehabilitation activities near to environmental sensitive area	Location in unstable areas or in sensitive areas to be avoided. Location in unstable areas or on agricultural land. Location in dry river near to the bridge may increase risk of bridge damages by the flood.	<ul style="list-style-type: none"> • Only stable areas and existing or new government approved sites may be considered • Location in area with stable soil and away from agricultural land or near water resources and human settlements. 	<ul style="list-style-type: none"> • To avoid any possible conflict among community • To avoid from any possible risk to the bridge 	<ul style="list-style-type: none"> • Design phase • Operation Phase 	Community/PIU/Contractor	0.Afs
Water parameters						
Bridge improvement activity	The new bridge and its approach road in one side may increase risk of road traffic accidents to communities in bridge location	<ul style="list-style-type: none"> • Speed limit of 20Km per hour shall be observed in settled areas. • Railing post to be considered at both sides of the Bridge. 	<ul style="list-style-type: none"> • To avoid from any unexpected falling of vehicles 	<ul style="list-style-type: none"> • Design Phase • Operation Phase 	Community/PIU/Contractor	0.Afs
Rehabilitation activity around water bodies	The water canal will be damaged and disturbed by Bridge's approach Rd Alteration of water flow (Land and canal bank destruction due to flood surface)	<ul style="list-style-type: none"> • A stone pitching wall in both side of seasonal canal or displacement of canal. • The protection wall should be constructed in the both side of gully and the length of protection wall is parallel to the direction of water flow. 	<ul style="list-style-type: none"> • To avoid any possible disturbing for community's land and to keep safe the village seasonal canal. 	<ul style="list-style-type: none"> • Design Phase • Operation Phase 	Community/PIU/Contractor	0.Afs
Excavation of quarries and borrow pit location	Quarry operation and its potential effect on instability, landslide Water pollution, damage to farmland, disturbance in natural	<ul style="list-style-type: none"> • Quarry shall not be done near surface water sources. • Take soil/rock from approved borrow areas, barren areas, or vendors; store soil and debris to avoid erosion; dispose to existing 	<ul style="list-style-type: none"> • To avoid landslides and erosion • To keep water sources clean and stable 	<ul style="list-style-type: none"> • Design Phase • Operation Phase 	Community/PIU/Contractor	0.Afs

	drainage	<p>dumps or reuse excavated soil and construction debris.</p> <ul style="list-style-type: none"> • Proper selection and management of quarry sites, rehabilitation of quarry sites after completion of work. 				
reconstruction activities near to water bodies	<p>Soil erosion on bridge approach road where water velocity could increase.</p> <p>Erosion on bridge approach road in one side of the bridge closed to the wing walls</p>	<ul style="list-style-type: none"> • Soil erosion should be prevented especially in bridge approach road by construction of correctly designed retaining walls. • The Bridge wing wall's length should be extended in all 4 sides 	<ul style="list-style-type: none"> • To avoid any possible erosion and stabilize the approach road. • To keep widening of its approach road. • To protect people property from water velocity. • To prevent from any possible community conflict. 	<ul style="list-style-type: none"> • Design phase • Operation • Phase 	Community/PIU/Contractor	0.Afs
Bridge improvement activities	<p>The bridge or its approach road will be washed or damaged by water in one side.</p>	<ul style="list-style-type: none"> • A protection wall should be considered as a safety or defender for its approach road or might be constructed aside of the river closed to the wing wall or technically compatible. 	<ul style="list-style-type: none"> • To maintain the approach road unaffected. 	<ul style="list-style-type: none"> • Design phase • Operation • Phase 	Community/PIU/Contractor	0.Afs
Labourers and workers who involve in operation activities	<p>Damages and injuries will happen among the workers</p>	<ul style="list-style-type: none"> • Supplying the required safety equipments including Helmets, Gloves, Eyeglasses, Boots and Jackets • Availability of First Aid Box and 	<ul style="list-style-type: none"> • To safeguard the health and safety of workers. • To ensure that 	<ul style="list-style-type: none"> • Operation • Phase 	Community/PIU/Contractor	0.Afs

		other necessary safety equipments for the workers. • Development of safety procedures and operational manual.	people undertaking these tasks know exactly what is to be done.			
Total Cost						000,000.A fs

Attachment 2(c): Environmental Mitigation approaches and their coverage

Regional Manager:		Signature:	Date:
Activities generating Impacts	Key Issues Addressed		
Project Preparation (Planning & Design)	<ul style="list-style-type: none"> ▪ Incorporation of environmental concerns in project preparation to minimize impacts in construction and operation stages ▪ Avoidance of roads through sensitive (exclusion list) areas as reserved forests/sanctuaries/wetlands etc. ▪ Compliance with legal requirements. 		
Site Preparation	<ul style="list-style-type: none"> ▪ Relocation of utilities, common property resources ▪ Avoidance of effect on roadside vegetation 		
Construction Camps	<ul style="list-style-type: none"> ▪ Avoidance of sensitive areas for location of construction camps Arrangements and workshops and appropriate camp facilities for workers and construction equipment 		
Borrow Areas	<ul style="list-style-type: none"> ▪ Avoidance of agriculture lands as borrow areas ▪ Redevelopment of borrow areas 		
Topsoil Salvage, Storage & Replacement	<ul style="list-style-type: none"> ▪ Topsoil removal from areas temporarily/permanently used for construction ▪ Reuse of topsoil at areas to be re-vegetated and in agriculture lands 		
Quarry Management	<ul style="list-style-type: none"> ▪ Reinstate abandoned quarries as measure to avoid malaria breeding and fill for safety. 		
Water for Construction	<ul style="list-style-type: none"> ▪ Extraction of water in water scarce areas with consent of community ▪ Scheduling construction activities as per water availability 		
Slope Stability and Erosion Control	<ul style="list-style-type: none"> ▪ Slope stability along hill roads ▪ Protection of land on hill side from stability loss due to cutting ▪ Protection of lands on valley side from debris due to construction ▪ Adequacy of drainage for erosion control 		
Waste Management	<ul style="list-style-type: none"> ▪ Reuse of cut material in hill roads ▪ Safe disposal of wastes 		
Water Bodies	<ul style="list-style-type: none"> ▪ Minimize disruption to natural water courses ▪ Protection of embankment slopes in case of alignment on embankments ▪ Rehabilitation of water body 		
Drainage	<ul style="list-style-type: none"> ▪ Conduct of hydrological investigations during project preparation ▪ Provision of longitudinal and cross drainage as per requirements 		

	<ul style="list-style-type: none"> ▪ Proper location of drainage outfall
Construction Plants & Equipment Management	<ul style="list-style-type: none"> ▪ Maintenance of machinery and equipment to avoid pollution
Public and Worker's Health & Safety	<ul style="list-style-type: none"> ▪ Provision of Safety Officers ▪ Protective Equipment to workers ▪ Provision of basic necessities to workers ▪ Public safety while travel along construction sites ▪ Public safety during operation of the road
Cultural Properties	<ul style="list-style-type: none"> ▪ Avoidance of impacts due to project ▪ Protection of boundaries from impacts due to construction
Tree Plantation	<ul style="list-style-type: none"> ▪ Avoidance of impact on trees ▪ For every single felled tree , two trees of local species will be planted by the project authorities ▪ Encourage growing of trees on roadside
Natural Habitats	<ul style="list-style-type: none"> ▪ Identification of natural habitats ▪ Management measures for roads passing through natural habitats (ESMP) ▪ Structure of management plan
Health and Safety	<ul style="list-style-type: none"> ▪ Ensure worker personal protection equipment (PPE) and availability ▪ Availability of First Aid Kit and selection of proper site for workers camp and facilities availability including personal hygiene. ▪ Ensure training for worker to raise their awareness and provide them with the code of conduct to consider communities safety especially women, in terms of harassment, robbery, walking in women's laundry places, etc.

Attachment 2(d): Environment and Social Monitoring Plan Template

	Impact²	Description of Mitigation Measure³	Monitoring Methods⁴	Monitoring Frequency⁵	Monitoring Results⁶	Corrective Action Needed⁷	Responsible person⁸
1	EX: increased dust, burning of waste or using fossil fuels.	Minimize the working area. Use water spray to wet down and dampen soil. Dispose or reuse the excavated soil in construction debris.	Site report, photos and visual observation	Each two week	50% done	No	ESMO Mr. Fawad
2							
3							
4							
5							
6							
7							
ESM's specifications (<i>use this space if corrective actions needed</i>):							

² Take from Environmental Survey Checklist, example: low impact on reducing soil fertility.

³ Take from Environmental Survey Checklist

⁴ Example: visual inspection, site report, photos, etc.

⁵ Example: once per week, upon the milestone completion, etc.

⁶ Acceptable/Additional action needed

⁷ YES/NO

⁸ ESMO, Regional Engineers, Field officer, etc.

Annex 3: Procedures for Mine Risk Management in World Bank Funded projects in Afghanistan

Background:

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

- ***Community rehabilitation / construction works*** to be identified and implemented by the communities themselves (for small projects of up to \$100,000 each);
- ***Small and medium-size works*** to be identified by local authorities and implemented by local contractors (for projects up to \$5m each);
- ***Works to be implemented directly by Government departments/agencies***, without use of contractors;
- ***Large works*** to be implemented by contractors (for projects above \$5m);

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

Procedure for Community-Managed Works

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

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

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

Procedure:

Communities are required to submit a reply to a questionnaire regarding the suspected presence of mines in the area where Bank-funded community-managed projects will be implemented. This questionnaire should be formally endorsed by the Mine Action Program for Afghanistan (MAPA). It will be a mandatory attachment to the project submission by the communities and should be signed by community representatives and the external project facilitator. External project facilitators will receive training from MAPA. Financing agreements with the communities should make clear that communities are solely liable in case of a mine-related accident.

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

- If MACA's information is the same, the project can go ahead for selection. The community takes the full responsibility for the assessment, and external organizations cannot be made liable in case of an accident.
- If MACA's information is different, the project should not go ahead for selection as long as MACA's and community's statements have not been reconciled.

If the community suspects mine contamination in the area,

- If the community has included an assessment / clearance task in the project agreed to be implemented by MACA (or by a mine action organization accredited by MACA), the project can go ahead for selection.
- If the community has not included an assessment / clearance task in the project, the project should not go ahead for selection as long as this has not been corrected.
- Mine clearance tasks must be implemented by MACA or by a mine action organization accredited by MACA. Communities will be penalized (subsequent funding by World-Bank funded projects shall be reduced or cancelled) if they elect to clear mines on their own.

Procedure for Small and Medium-size Works Contracted Out

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

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

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

Procedure:

1. Prior to putting up a project for selection, a general survey should be carried out by MACA (or a mine action organization accredited by MACA) to assess mine-related risks in the area of the project (this should include checking information available in the MACA data base).
2. If MACA provides information suggesting a nil-to-low risk in the proposed project area, the project can go ahead for selection.
3. The contract between the responsible ministry and the contractor will include a clause stating that in case of an accident, legal liability would be fully and solely borne by the contractor.

4. If MACA assesses a potentially high risk in the area (whether due to the presence of mines or uncertainty),
 - If the project includes an assessment / clearance task agreed to be implemented by MACA (or by a mine action organization accredited by MACA), it can go ahead for selection based on agreed funding modalities (clearance may be funded either under a contract with a Bank-funded project or under existing donor agreements with the mine action organization);
 - If the project does not include an assessment / clearance task, it should not go ahead for selection as long as this has not been corrected.

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

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

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

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

Procedure:

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

Procedure for Large Works Using Contractors

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

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

Procedure:

1. As part of the preparation of the bidding documents, a general survey should be carried out by MACA (or a mine action organization accredited by MACA) on all the areas where contractors may have to work (broadly defined). This survey should provide detailed information on mine-related risks in the various areas allowing for an un-ambiguous identification of areas that have a nil-to-low risk of mine/UXO contamination and areas where the risk is either higher or unknown. The survey should be financed out of the preparation costs of the bidding documents.
2. All survey information should be communicated to the bidders (with sufficient legal caveats so that it does not entail any liability), as information for the planning of their activities (e.g., location of campsites, access roads to quarries).
3. Depending on the nature and location of the project and on the available risk assessment, two different options can be used.

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

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

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

- a. Specific, separately-awarded contracts are issued for further surveying and/or clearing of areas with a not-nil-to-low risk (under the supervision of the Engineer) by specialized contractors (or a mine action organization accredited by MACA). The definition of the areas to be further surveyed / cleared should be limited to those areas where any

contractor would have to work, and should not include areas such as camp sites and quarries/material sites which are to be identified by the Contractor during and after bidding of the works. As a result of these further surveys and possibly clearance works, mine-related risk in the entire contract area is downgraded to nil-to-low.

- b. The contract with the general Contractor specifies the extent of the portion of the construction site of which the Contractor is to be given possession from time to time, clearly indicating restrictions of access to areas where the mine risk is not nil-to-low. It also indicates the target dates at which these areas will be accessible. Following receipt of the notice to commence works from the Engineer, the Contractor can start work in all other areas.
- c. The general Contractor is invited to include in its bid an amount for mine-security, to cover any additional survey / clearance he may feel necessary to undertake the works.

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

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

Annex 4: Draft TOR for Cultural and Historical Assessment and Management Plan

Introduction

1.1 Description of the Project

The proposed additional finance and changes include the following:

Component A: secondary roads –Financial gaps for existing civil works: The sub component is to cover the financial gaps of US\$70 million for the construction works for about 392 kilometer gravel road and 92 kilometre asphalt pavement upgrading. The roads have been identified in the parent project but extend and location of resettlement impacts have yet to know.

Component B: Tertiary Road. Pilot job creation measures, which is mainly tertiary road construction and upgrading with aims to leverage job opportunities and to improve accessibilities to the 4 selected areas that with characteristic products or resources. The selected agriculture products and development areas, including Jalalabad Province fruit products, Bamyan Valley accessibility improvements and Kabul Province porcelain products, are sensitive to transport services. The network improvement activities include a total of 334km road, from which 200km is gravel and 134 km pavement or new road construction. Relevant works, e.g. loading/unloading area and storage places, are also included with the road works. The beneficiary rural enterprises will be assigned with the responsibility of operation and maintenance. CDC and local provincial departments of rural development will monitor and evaluate the O&M performance.

Component C: Institutional Strengthening- Vocational training: Having seen the shortage of skill labor and experienced engineers in the job market, the project will enhance its vocational training program for road professionals. The subcomponent includes expanding internship programs to graduated professionals, and skill training to staff of contractors, employees of private consulting firms and local communities. MPW and MRRD are to utilize their own resources, like experienced engineers and classrooms, and working with line ministries, Ministry of Education and Ministry of Labor, to hire proper teachers.

1.2 Bamyan Valley Accessibility Improvement Measures

The AF will fund Bamyan Valley Accessibility Improvement measures, which include resurfacing access roads to 7 culture heritage sites in the Bamyan Valley. The access improvement activities also support installation of pedestrian access facilities (strictly within right-of-way of existing roads), including small car parking facilities (located in government land and out of potential vision intrusion areas), and service ducts/pipes underneath roads, including water supply and drainage pipes and telecoms ducts.

The provision of pedestrian access and restrictions on vehicular crossing /access to the World Heritage Property are expected to make a significant contribution to both cultural heritage Outstanding Universal Value (OUV) and long term economic development in Bamyan.

Impacts envisaged may relate to the damages caused by construction machines and tools to roadside heritage properties when executing pavement works. However, due to the reasons of avoiding vision intrusions, only local traditional materials are allowed to use for pavements and large concrete or asphalt machineries will be rigorously restricted. Thereby, the risks from the damages are very low.

In addition, the possible discovery of archaeological sites or random findings during the excavation and earthworks may occur, which will require measures to manage chance finds; however, the pedestrian roads can be re aligned in such case and will not cause any PDO or output level failure.

The alignment of the proposed activities is not expected to finalize before appraisal. Thereby, the updated ESMF for the AF activities include a ToR to guide preparation of Cultural Heritage Management Plan.

There have also been a number of cultural heritage studies conducted within the world heritage site in Bamyan Valley, which will serve as a baseline for sub-project-specific CHMP.

ESMF's consultations were conducted locally in Bamyan on (12 December 2013 and 03 May 2015) and in Kabul 1st June 2016 in order to broadly share and discuss the updated framework. Especially to discuss the aspects of physical cultural resources.

The PIU at MRRD (in collaboration with UNESCO and MoIC) will hire a consulting firm to prepare site specific CHMP once specific alignments of all activities are finalized.

1.3 Cultural Landscape & Archaeological Remains of the Bamyan Valley

Listed as a World Heritage Property in 2003 and comprising eight individual elements, it is the Outstanding Universal Value (OUV) of these individual elements that ultimately underpins the international significance of the tangible and intangible cultural and natural heritage of the Bamyan Valley, and the importance of developing it appropriately in regard to current and future commercial and economic development in Afghanistan. This can be successfully undertaken by ensuring that any new interventions in or near the World Heritage Property receive appropriate levels of professional technical assistance, and are also subject to assessment and scrutiny from relevant national and international heritage bodies.

2. Objective of the CHMA & Plan

The objectives of the proposed study to

- (i) identify and describe the potential impacts of the sub project on existing heritage structures/ sites and cultural values and
- (ii) develop appropriate strategies and management regimes consistent with the provisions of relevant national ⁹legislation and WB policy on physical cultural resources (PCR) to avoid/mitigate potential impacts

Note that only the access roads to 7 culture heritage sites in the Bamyan Valley and the installation of pedestrian access facilities (strictly within right-of-way of existing roads), including small car parking facilities are to be covered.

3. Scope of the Assessment

The scope of work of the assignment is as follows:

3.1 Description of the location of the sub-project and extent of property and ownership(s)

- Include a description of the general location and geographical context.

⁹ Law on the Preservation of Afghanistan's Historical and Cultural Artefacts

- Identify the relevant communities and authority areas (e.g. district, CDCs).
- Give the area (in hectares and acres, for cross-reference with modern and historic documents) of the designated heritage property (and identify any other areas included in the CHMP on a voluntary basis).
- Explain the ownership(s).
- Include map of designated property, CHMP area and ownership(s) (in separate volume if preferred).

3.2 Map of the sub project area identifying significant features (buildings, roads, drainage systems etc)

This section identifies and explains the outstanding interest of those key aspects and features for which the property has been designated. It will include:

- A brief description of features/elements within exempt area – photographs or maps can be helpful; and
- An assessment of significance including statement of outstanding interest – explain why the property and each feature is significant, e.g. its association with a national figure.

For each key feature:

- provide a brief description;
- explain why it is significant in its own right;
- explain its contribution to the outstanding interest of the designated property;
- assess its potential vulnerability and state
- What is required to retain the heritage qualities (significance) for which the property was designated.

3.3 Summary description of the statutory designations, assessments and policy context

Include:

- landscape, historic environment or nature conservation designations;
- published landscape assessments;
- relevant planning policies;
- designated historically associated objects (cross-reference to inventory kept separate from CHMP for security);
- Existing public rights of way and permissive access including access to interiors of outstanding buildings and to historically associated objects and regular events.
- Cross-refer to:
- maps where helpful;

3.4 A detailed, but concise, description (written with accompanying photographs) of the cultural and heritage structures contained within and adjacent to the subproject area.

Cross-refer to:

- key features of historic significance (historic buildings, archaeology, designed landscapes, wider historic environment);
- maps where helpful

3.5 Impact of the proposed sub project activities on the cultural and heritage structures and values

Once the significance of cultural heritage in a project area has been evaluated, the next step is to assess the potential impacts of the project, including the extent and economic costs of any damage.

The assessment should rank potential impacts on heritage according to:

- the significance of the heritage
- the level of irreversibility of the impact; and
- The extent of potential damage.

This should include assessment of both the direct impacts and the indirect impacts. The example of direct and indirect impacts will include as follow:

Direct impacts: The examples of direct impact are: (i) impact upon sub-surface archaeology, (ii) the effect of the works on any extant historic buildings or landscapes and (iii) an extensive linear infra-structure project such as the re-surfacing of this road ultimately can also have a visual impact on the Property and its surrounding landscape.

Indirect impacts: local cultural deterioration, resource use conflicts and loss of local identity and values are some of the example of indirect impacts and the consulting firm will take these into further analysis during preparation of the CHMP.

The assessment should cover cultural heritage values of both major and minor significance as they may be subject to different types of impacts within the same project.

3.6 Alternatives and mitigation measures considered

The most important single strategy for heritage protection is site avoidance: redirecting activities so that they do not endanger a site. If the site cannot be avoided, the assessment should consider design and construction alternatives for the project facilities as well as alternative methods and approaches for protection and mitigation. The alternatives should be ranked according to effectiveness, cost, difficulty, length of time required, and monitoring needs. Decisions should be made by weighing these rankings against the cultural significance and economic value of the site. Furthermore alternative and mitigation measures will be consider in Project Site-Specific ESMP

3.7 Recommendations for project design and implementation

The key recommendations for project design and implementation are as follow:

- The Cultural Heritage Management Plan (CHMP) should include specific recommendations for design and construction team.
- These recommendations along with the draft CHMP and ESMP should be discussed/shared with technical team for consideration.
- The consulting firm should initiate a stakeholder's workshop and make sure all major stakeholders, namely local government, Ministry of Information and Culture (MoIC) and UNESCO, have also been consulted, and will proceed the same over the planning, design and construction stages.

In addition, UNESCO recommends the followings guidelines to be applied. ,

- Architectural surveys and documentation to be carried out before any physical work;
- Buildings to be restored and utilized without any damage to heritage value;
- Advice to be sought from the relevant authority

3.8 Development of stand-alone site-specific ESMP for cultural heritage accessibility project.

- The preliminary environmental and social screening survey was conducted on December 12 2013.
- A second environmental and social screening survey was conducted on May 03 2015.
- MRRD will launch a socio-economic baseline survey after the specific locations and design details of these facilities are finalized.
- The aforementioned information will establish as a basis for project-specific ESMP.

The Environmental and Social Management Plan (ESMP) shall have the following elements:

- Description of the project
- Description of the project location
- Legal framework
- Socio-economic baseline study of the area
- Potential impacts with mitigation measures
- Discussion of feasible Alternatives;
- Institutional responsibilities for implementation, monitoring and reporting
- Budget and Costs for ESMP and Abbreviated RAP implementation
- Grievance Redress Procedures

The consulting firm will also develop an abbreviated RAP, as part of the ESMP (if needed).

4. Stakeholder Workshop on Cultural Heritage Plan

The consulting firm will arrange a consultation workshop with stakeholder agencies, including communities to seek their input on draft CHMP report. Draft report (English and Dari or Pashtu versions) needs to be shared with all stakeholders at least two weeks prior to stakeholder workshop.

The proposed consultation with stakeholder agencies aims to receive input from stakeholder agencies, on their views of important cultural and historical issues. It will also help clarify values and the trade-offs associated with different alternatives for managing cultural heritage.

5. CHMP report structures and Contents

The following are contents of the proposed Cultural Heritage Management Plan (CHMP)

- Introduction & background
- Purpose of the CHMP
- The policy, legal and institutional framework
- Baseline data
 - Description of the location of the sub-project

- Map of the sub project area identifying significant features (building, roads, drainage systems etc).
- A detailed, but concise, description (written with accompanying photographs) of the cultural and heritage structures contained within and adjacent to the subproject area.
- Assessment of significance and current condition
- Impact of the proposed sub project activities on the cultural and heritage structures and values
- Analysis of alternatives and mitigation measures considered
- Recommendations for project design and implementation
- Management of identified places and values
- Environmental and social Management Plan (ESMP)- the consulting firm will have to develop a stand-alone site-specific ESMP for this sub-project).
- Monitoring and review of CHMP plan
- Appendices and maps
- Conclusions and Recommendation

6. Deliverables

The consultant firm will deliver the following:

- Inception report outlining incl. overview of methodology and work plan which should include a stakeholder engagement plan
- Preliminary CHMP Report, which describes any relevant issues on archaeological remains based on analysis of existing bibliographical and imagery data under (i-ii) above, and implications for detailed plan of field work;
- Conduct stakeholder workshop to discuss draft CHMP;
- Final ESMP Report, comprising a detailed description and interpretation of results obtained from the archeological survey, and indicating any further requirements to ensure archaeological sites, e.g. under future Environmental and Social Assessment

7. Timeframe

The assignment shall be concluded within [five] months upon agreed starting date.

8. Team composition and qualification

The consultant firm will include as a minimum the following expertise:

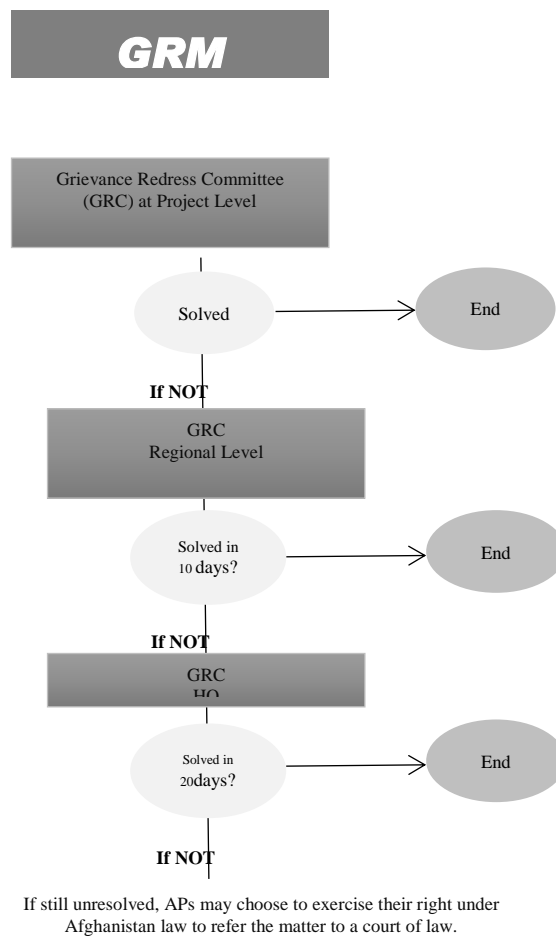
- Senior archaeologist, who has a graduate degree in archaeology or closely related field, and at least [ten] years of professional experience or equivalent in archaeological research or management;
- Archaeologist, who has at least [five] years of field and analytic experience in archaeology, and present professional ability to conduct research through related studies, articles, or other publications within the area of archaeology.

This may require the services of a landscape architect/GIS or site planner with experience in planning archaeological and historic sites;

Annex 5: Grievance Redress Mechanism

The main objective of ARAP AF's GRM is to provide a mechanism to address concerns and grievances, mediate conflict and cut down on lengthy litigation, which often delays such infrastructural projects such as ARAP. It provides people who might have objections, grievances or concerns, a venue for raising their grievances and concerns, as well as a mechanism for timely and adequate solution or mitigation of these grievances. Based on the recent reports from the ongoing ARAP, contractors' works related disputes, land/asset disputes and complaints related to project design are the largest categories of grievances.

The PIUs at MRRD and MoPW have established Grievance Redress Mechanisms (GRMs) for the ongoing parent project and this structure will continue under the AF. The current mechanism includes; (i) Grievance Redress Committees (GRCs) at project level for all sub-projects, (ii) GRCs at regional level and (iii) GRC at HQ level. The figure below presents grievance handling arrangements under ARAP, which will be adopted for ARAP AF.



The PIUs at both ministries have received a total of 562 complaints since beginning of the parent project. According to PIUs findings, 90 percent of the grievances were addressed by the project level GRCs. The remaining 10 percent were addressed by regional level and HQ level GRCs. Some of the grievances, particularly in relation to draft design have had value added results. For example, draft design for irrigation structures and other community structures were revised based on community complaints. The engineering team have also included community facilities, such as water points along access roads, to address community concerns.

According to MSI- third party monitoring reports, all sub-projects monitored during January-April, 2016 were found to have established project level GRCs. The PIUs have planned to conduct public information sessions among beneficiaries, particularly among the communities under additional finance activities to inform them about grievance services.

The PIUs' at both ministries will share draft design with the Social Inclusion Committees (SICs) and other communities for their feedbacks.

Experience of GRM implementation under the current project suggests that (a) the GRC at Project Level is broadly effective but more attention needs to be placed on enhancing public awareness among community on grievance service, provision of complaint-logbooks for each sub-project and ensuring copies of complaints are logged systematically (b) more training of GRC members at regional level is required. The GRC at HQ level is considered to be functioning well.

The PIU safeguards teams in both Ministries will continue to have an important role in ensuring that affected communities have a full understanding of the GRM, ways to access it and (i) the concept of just compensation for involuntary acquisition of land and/or assets and (ii) ensuring environmental and social mitigation measures in the ESMPs are implemented as planned.

Attachment 5a: Grievance Redress Procedures

Where an individual has a grievance with regard to a specific subproject she or he, should, in the first instance, be encouraged to make use of existing local-level structures (e.g. project level Grievance Redress Committee (GRC) to resolve quickly any concerns or grievances related to project development and implementation. If intermediation at project level is unsuccessful, the individual or Affected Person (AP) can take his or her complaint to a regional level Grievance Redress Committee (GRC) which will record the grievance in the grievance logbook and will try and resolve issues relating specifically to the implementation of the investment projects. Constitution of grievance committees at different levels is as follows:

1. Composition of Project level GRC:
 - Affected person/complainant or his/her representatives
 - Project Manager of the investment project
 - PIU's safeguards focal point /site Engineer
 - A representative from local community
 - A representative from local Government

2. Composition of Regional level GRC:
 - Regional Manager/ Regional Engineer
 - Safeguard Focal Point

- Representative of provincial governor
- PAPs or his/her representatives, and
- Contractor

3. Composition of HQ level GRC:

- Head/Deputy head of PIU
- Construction Manager
- Design Manager
- ESM Manager
- PAPs or his/her representative

Each committee has appointed/designated a record keeper to handle the processing of complaints as detailed below. This framework for the constitution of grievance committees has been adapted to suit particular region, especially where there are local committees that may be dealing with land and related issues and which are competent enough to handle disputes related to project issues including destruction of local properties and water canals, misused of agriculture land by contractor, delay in payment to the labourers by contractors etc.

Submission of Grievances

The GRCs receive the grievances/complaints of people who have been living along the road alignment through written, oral, telephone, CDC, District Governor, community elders and etc. The potential individuals and entities who might receive complaints should be trained and briefed on what details they should consider if they receive a complaint and whom to report. The collected grievances will be recorded and final decision will be shared with regional PIUs and grievances resolution will be add in each monthly report and shared with ESM HQ.

Grievance Redress Procedure:

a. Project Level GRC: Complaints may be submitted to any member of the project level committee which will be recorded / filed and discussed at an agreed date for possible resolution within 1-7 working days upon receipt of such complaints. All complaints are registered with as much details as possible; date, time, location, gender disaggregated data (if the complainer was male or female), etc. The GRC representatives meet at the community level, convened by the project committee to investigate and address issues and complainant informed of outcome of resolution. If complaint is not resolved then it is elevated to the regional level GRC.

b. The Regional Level GRC: The GRC in charge of environmental and social issues convenes a meeting with all representatives to address complaint or resolve the issue. At this level, it is recommended that representative of government working in the community and in good standing with them could be invited as an independent witness. Maximum time for resolution should not exceed 14 working days.

c. The HQ Level GRC: The GRC in charge of environmental and social issues convenes a meeting with all representatives to address complaint or resolve the issue. At this level, it is recommended that representative of government working in the community and in good standing with them could be invited as an independent witness. Maximum time for resolution should not exceed 21 working days. The committee will provide ample opportunity to redress complaints

informally, in addition to the existing formal administrative and legal procedures. However, the major grievances that might require mitigation include:

- PAPs not listed (it is possible that sometimes name of individual PAP due to absence is not recorded during transect walk and screening of the projects).
- Losses not identified correctly;
- Inadequate assistance;
- Dispute about ownership;
- Delay in disbursement of assistance and improper distribution of assistance
- Delay in labour's wage
- Disturbance to the community in subproject areas
- Work taking longer than promised
- Safety of workers in the community or vis versa,
- Quality of work, working hours and etc..

Annex 5 b: Sample Grievance Registration Form

This annex applies to all investment schemes to be financed by ARAP-AF.

(Refer to ESMF Section 6.4 for information relating to the components and functioning of the GRM)

Grievance Number: _____	
LOCATION : District: _____ Village: _____	
CDC Name: _____	
NAME OF COMPLAINANT: _____	Tazkira number: _____
ADDRESS: _____ Telephone #: _____	
DATE RECEIVED: _____	
Classification of the grievance (Check boxes)	
<input type="checkbox"/> Water Use	<input type="checkbox"/> Dispute with contractors
<input type="checkbox"/> CDC formation	<input type="checkbox"/> Inter-community dispute
<input type="checkbox"/> Land acquisition and Compensation	<input type="checkbox"/> Technical/operational coordination
<input type="checkbox"/> Financial	<input type="checkbox"/> Process delays
<input type="checkbox"/> Water Quality	<input type="checkbox"/> Noise
<input type="checkbox"/> Sanitation	<input type="checkbox"/> Water Use
<input type="checkbox"/> Other (specify) _____	
Brief description of the grievance:	
What is the perceived cause?	
Suggested action (by complainant) to address grievance:	

Attachment 5c: Grievance Redress Committee

Grievance Redress Committee کمیته حل منازعات

Project ID:	District:
Village:	Province:
Start date:	End date:

در نشست امروزی مورخ / / هجری شمسی مطابق / / میلادی که در محل (به اشتراک تعداد از نمایندگان، متنفذین و بزرگان محل تدویر گردیده بود روی تشکیل و ایجاد کمیته حل منازعات بحث و گفتگو صورت پذیرفت که در نتیجه اشخاص ذیل به تایید اکثر آرا مجلس، اعضای کمیته GRC تعیین گردید.

1. محترم ولد تلفون:

2. محترم ولد تلفون:

3. محترم ولد تلفون:

4. محترم ولد تلفون:

5. محترم ولد تلفون:

مابین اعضای کمیته اجتماعی فوق مسولیت داریم تا در اثنای شروع کار پروژه، کار را نظارت و در صورت بروز کدام مشکل اجتماعی (بشمول حل منازعات زمین مورد نیاز که جهت عریض سازی پروژه سرک ضرورت است) در قسمت حل و فصل آن اقدامات عندالموقع نموده و با مسولین پروژه جهت تطبیق بهتر کار پروژه همکاری همه جانبه نموده و همچنان بعد از تکمیل پروژه در قسمت حفظ و مراقبت آن توجه لازم نمایم.

وسلام

محترم امضاء..

محترم امضاء

محترم امضاء..

محترم امضاء

محترم امضاء.....

تاییدی شورای انکشافی

..... امضاء

مسوول محیط زیستی و اجتماعی:

Annex 6: Summary of Consultations on TOR for CHMP (Bamyan Valley accessibility Improvement Measures)

Venue: UNOSCO office

1st June, 2016

Background

The AF will fund Bamyan Valley Accessibility Improvement measures, which includes resurfacing access roads to 7 culture heritage sites in the Bamyan Valley. The access improvement activities also support installation of pedestrian access facilities, including small car parking facilities (located in government land and out of potential vision intrusion areas), and service ducts/pipes underneath roads, including water supply and drainage pipes and telecoms ducts.

Consultations were held with relevant stakeholders (UNESCO, MoIC and MODA) to seek their feedbacks on concept design, including TOR for Cultural Heritage Management Plan (CHMP) for Bamyan Valley accessibility Improvement Measures.

Summary of proceedings

Mr. Abbassi, Deputy Minister of MoIC, opened the meeting by stating that MoIC will fully support development and improvement of cultural heritage areas in Afghanistan.

He then requested the Culture Heritage Consulting Organization (ACHCO), Ministry of Urban Development and NRAP/MRRD to present their presentations regarding culture heritage area.

The following teams presented their projects:

- a. The Design proposal for Takht-e-Rustam, Samangan Province was presented by Culture Heritage Consulting Organization (ACHCO),
- b. The Progress of Darulamn Palace rehabilitation was presented by Mr. Hussaini, Advisor of the Minister of Urban Development Affairs
- c. The Road surfacing to Bamyan heritage sites- presentation was presented by Zabiullah, head of design section of NRAP/MRRD. MRRD also presented TOR for CHMP.

From MRRD, Mr. Zabiullah presented the draft design for resurfacing of access roads to 7 cultural heritage sites in Bamyan, including TOR for CHMP.

Main points/questions raised by participants regarding draft design & TOR for CHMP

MoIC- Mr. Abbassi: MoIC is agreed to develop the culture heritage area in light of the Law on the Preservation of Afghanistan's Cultural and Historical Artifacts. He added those engineer who are working in such project they should receive training on culture heritage development projects.

Regarding concept design, he stated that the access road works should be in consultation with the Municipality and Ministry of Urban Development Affairs (MoUDA). He also added that the space for installation of pedestrian access facilities, including small car parking facilities should be in consultation with local municipality and MoUDA.

Response: MRRD agreed to implement these projects as per consultation of MoIC in light of relative Law. MRRD will conduct training on culture heritage management. They will share design for Bamyan valley accessibility improvement measures with stakeholders, particularly with Bamyan municipality and MoUDA for their feedback.

UNESCO: Mr. Masanori NAGAOKA was not fully agreed to this design concept, because, he thought, this is a very sensitive area and more consultation should be done.

Mr. Fabrice van Teslaar said that it is better to have more discussion about these projects next week and will share our comments and opinion on the TOR for CHMP.

Response: MRRD fully agreed to conduct further consultation on project design and would fully incorporate any comments/feedback on TOR for CHMP.

Minister of Urban Development Affairs (MoUDA): Mr. Hussaini from MoUDA added, there has been a master plan for Bamyan, which was developed in 2013. He requested draft design for access the Bamyan valley accessibility improvement measures should be shared it with MUDA for feedback.

Response: MRRD fully agreed to share draft design with MoUDA for their review and feedback.

Conclusion of the discussion:

- UNESCO and MoIC will review and share their comment on draft ToR for CHMP soon (next week).
- MRRD will share project information and specification with World Heritage Committee for review to make sure these are (concept design for access road) in line with Cultural and Heritage master plan (2013)
- MRRD will regularly inform all stakeholders on progress related to this project.
- MRRD will conduct further consultation with stakeholder on draft design and CHMP for the project.

List of Participants

Mr. Abdul Abassi, Director, Historical Monuments Department, Ministry of Information and Culture (Chair)

Mr. Jolyon Leslie, Afghanistan Cultural Heritage Consulting Organization (ACHCO): PPT Presenter

Eng. Habib Noori, Afghanistan Cultural Heritage Consulting Organization (ACHCO)

Mr. Sayed Zia Hussaini – Ministry of Urban Development: PPT Presenter

Mr. Paul M. Jakulis, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)

Mr. Arash Boostani, Aga Khan Trust for Culture-Afghanistan
Mr. Zabiullah, Ministry of Rural Rehabilitation and Development: PPT Presenter
Mr. Hamidullah Sahil, NRAP, Ministry of Rural Rehabilitation and Development
Mr. Sharbat Khan Nikmal, NRAP, Ministry of Rural Rehabilitation and Development
Ms. Nancy H. Dupree, Executive Coordinator, ACKU
Dr. Masanori Nagaoka, Head of Culture, UNESCO
Ms. Sara Noshadi, Culture Project Manager, UNESCO
Mr. Fabrice James Van Teslaar, Contractor, UNESCO
Ms. Chunnoonsong-e Song, Communication Officer, UNESCO
Ms. Gulafroz Rezai, Programme Assistant, UNESCO
Mr. Mirwais Rahimi, Intern, UNESCO