**APPENDIX - A**

Template: Environment and Social Management Planning Framework

***Note 1:*** *This template serves only as a guide in preparing an ESMPF.* *An**Environmental and Social Management Planning Framework (ESMPF) is used where locations and relevant information about the project/sub project are not known prior to project appraisal. The purpose of ESMPF is to provide a framework to guide the environment and social screening and subsequent assessment of project/sub projects/activities to be identified, prepared and implemented during implementation. It will provide an overview of the types of subprojects to be assessed, the environmental and social screening criteria and the possible range of sub project-specific instruments that will be prepared once the project/sub project locations and other details are identified during implementation. Consultation mechanisms and environmental and social monitoring and reporting will also be addressed within this framework to ensure ongoing adherence to environmental and social safeguards.*

***Note 2:*** *The Tenderer should note that this template was prepared for projects where it is assumed that no information is available on sub-projects at the time of ESMPF preparation. For this ToR it is expected that the sub-projects* ***will*** *have been defined at the time of ESMPF preparation. Therefore, it is expected that the ESMPF includes the screening results, rather than defining the screening process (unless some aspects of the project remain to be defined).* ***With reference to ToR Section 3.3, the tenderer may streamline or combine the subproject screening and scoping processes for delivery of this ToR.*** *In addition, the ESMPF developed under this ToR must include all information described in ToR Section 3.3, and will also present and justify an approach to stakeholder engagement and grievance redress that reflects the nature, context and geographies of the selected projects / sub-projects.*

**Contents of an Environmental and Social Management Framework**

|  |
| --- |
| * Introduction
* Purpose and Scope of the ESMPF
* Descriptions of the Project, Components and Typology of Sub projects
* Potential Environment and Social Impacts
* Legal, Policy Framework and Regulatory Requirements
* Applicable Country Legislation and Regulations
* Asian Infrastructure Investment Bank Policies
* Gap Analysis
* Procedures to Address Environment and Social Safeguards Issues
* Environment and Social Screening of Sub projects
* Grievance Redress Mechanism
* Consultation and Disclosure
* Project Implementation Arrangements, Responsibilities and Capacity Building
* Annexes
* Screening Form for Potential Environment and Social Issues
* Resettlement Policy Framework for Land Acquisition and Involuntary Resettlement
* Indigenous Peoples Planning Framework
 |

**A. Introduction**

|  |
| --- |
| This section provides the rationale of the Asian Infrastructure Investment Bank support to the project, amount of Bank financing, co-financing from other sources, the nature of Bank support (i.e., whether the Bank supports investments, technical assistance, advisory services, capacity building, etc.) |

**B. Purpose and Scope of the Environment and Social Management Planning Framework**

|  |
| --- |
| The section provides the rationale and purpose of using a framework instead of sub-project specific plans such as Environmental Impact Assessment, Environmental Management Plan, Resettlement Action Plan or Indigenous Peoples Plan. |

* *Rationale of a framework* is that specific locations and detailed information about the sub projects will only be known during implementation.
* *Purpose of a framework* is to guide the Implementing Agency and the Sub project Proponents on the environment and social screening and subsequent assessment of sub projects during implementation, including the relevant sub project-specific plans that have to be developed in compliance with the Bank policies.
* *Scope of a typical framework* includes environmental and social screening to determine sub project category, potential environment and social issues and sub project-specific instrument (plans). It also includes the Land Acquisition and Resettlement Framework and the Indigenous Peoples Framework either as part of the main body of the ESMPF or as annexes.

**C.** **Project Description**

|  |
| --- |
| The section describes about the project or sub-project, including its development objective, major components, geographic area of coverage, project area of influence (including ancillary facilities and linked activities). |

This section describes:

* The development objective of the project.
* The proposed project; major components; any ancillary facility and potentially linked activities; and its geographic coverage.
* If the project involves multiple sub projects that will be identified during implementation, it also describes the types of eligible sub projects (e.g., in an Agricultural project, eligible sub projects could include access roads, rural water supply, communal irrigation system, livelihood activities, etc.).
* Where possible and available, a map showing geographical coverage of the project, project site and the project's area of influence should also be included in this section.

**D. Potential Environment and Social Impacts**

|  |
| --- |
| This section describes in general terms the potential environment and social impacts of the types of/eligible subprojects that will be supported by the Project during pre-construction, construction and operation and maintenance.  |

The environmental and social impacts of the sub project will generally depend on the type and the extent of civil works, studies, technical advisory etc. In new infrastructure projects such as hydro, site selection is one of the major tools which can be used to eliminate or minimize project’s environmental and social impacts.

Category B subprojects will likely involve renovation or maintenance of existing infrastructure, some construction of new projects on existing land, and equipment replacement/installation that will not involve any new construction. Therefore, many of the issues for the project components are similar.

* As a guide (For civil works and construction activities), the general issues are:
* Materials Supply (Gravel, Concrete, Asphalt, etc.) -environmental compliance of in controlling dust and material spillage/loss during transport, delivery and storage, sustainability of the source of natural materials, licensed sources of aggregates.
* Noise
* Dust
* Chance Find of Physical Cultural Resources
* Management of Solid Wastes (hazardous and Non-Hazardous) -collection, transport, and disposal of any debris
* Emissions from Construction Equipment
* Fuel and Oil Spills From Construction Vehicles
* Worker and Public Health and Safety
* Management of Oil and Fuel for Construction Equipment
* Traffic Management
* Land acquisition
* Displacement of people
* For equipment replacement and installation, the main issues are:
* Disposal of Packaging Wastes
* Worker Safety During Installation
* For operation and maintenance, the primary issues are:
* Solid waste management
* Maintenance of drains and storm water facilities
* Noise from new equipment (pumps etc.)
* Management of fuel, oil, hazardous materials, etc.
* Emergency procedures in case of fuel, oil, hazardous materials spill
* Use of fertilizers, herbicides and pesticides

**E. Legal, Policy Framework and Regulatory Requirements**

|  |
| --- |
| This section describes the applicable/relevant Asian Infrastructure Investment Bank safeguard policies (ESF) and country specific policy, legal and administrative frameworks and applicable rules and regulations relevant to the project during its preparation and execution and results of the gap analysis between Bank policies and country systems that will be filled up in the ESMPF.The descriptions of country-specific policies, administrative and institutional frameworks will be based on the stocktaking of policies and institutions done by the Asian Infrastructure Investment Bank Team. |

* *Asian Infrastructure Investment Bank Safeguard Policies* Environmental and Social Framework ESF. This guidance should be used to identify the relevant policies applicable to the project and how they will be addressed.

- *Country specific policy, legal and administrative framework and applicable rules and regulations* relevant to the project will include social and environmental requirements and the relevant approval, permitting and licensing obligations to process and execute the project. It will also identify relevant international environmental agreements to which the country is a party.

**F. Procedures to Address Environmental and Social Issues**

|  |
| --- |
| This section describes the screening process to determine (i) the potential environmental and social issues of a sub project; (ii) sub project environment category based on the environment and social issues; and, (iii) the sub project-specific action plan/s that has/have to be prepared as part of the sub project preparation but prior to its approval. |

 **Sub project Environmental and Social Screening**

Subproject environment and social screening form is shown in Attachment 1. This should be used henceforth for screening sub projects.

***Category A*** sub projects are those that have potential significant adverse environmental and social impacts that are (i) sensitive (i.e., a potential impact is considered sensitive if it may be irreversible - e.g., lead to loss of a major natural habitat, Natural Habitats; when a project includes the manufacture, use, or disposal of environmentally significant quantities of pest control products); (ii) diverse, or unprecedented; and/or, (iii) affecting an area broader than the sites or facilities subject to physical works (e.g., a dam that may affect downstream communities, or roads construction that may have induced impacts on nearby forests and natural habitats).

|  |
| --- |
| **Category A Screening Examples****How can a sub project affecting natural habitats be categorized as A?**The project is categorized as A if the screening indicates the potential for significant conversion or degradation of critical or other natural habitats. *Significant conversion* is the elimination or severe diminution of the integrity of a critical or other natural habitats caused by a major, long-term change in land use or water use. Significant conversion may include, for example, land clearing; replacement of natural vegetation; permanent flooding; drainage, dredging, filling, or channelization of wetlands; or surface mining. Conversion can result directly from the action of a project or through an indirect mechanism (e.g., through induced settlement along a road). *Degradation* is modification of a critical or other natural habitat that substantially reduces the habitat’s ability to maintain viable population of native species. **How can a sub project affecting forests be categorized as A?**A project with the potential for significant conversion or degradation of natural forests is classified as Category A. Natural forests are forest lands and associated waterways where the ecosystem’s biological communities are formed largely by native plant and animal species and where human activity has not essentially modified the area’s primary ecological functions.**How can a sub project affecting physical cultural resources be categorized as A?**Physical Cultural Resources, are movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. A project that will likely have significant adverse impacts on PCR is categorized as A.**How can a sub project that triggers pest management policy be categorized as A?**Projects that include the manufacture, use, or disposal of environmentally significant quantities of pest control products are classified as Category A. Environmental significance takes into account the impacts, including benefits, on human health. **When is a sub project involving Involuntary Resettlement likely to be categorized as A?**The Bank does not provide specific categorization criteria, Involuntary Resettlement. Generally, projects with significant resettlement-related impacts should be categorized as A. Application of judgment is necessary in assessing the potential significance of resettlement-related impacts, which vary in scope and scale from project to project. Projects that would require physical relocation of residents or businesses, as well as projects that would cause any individuals to lose more than 10 percent of their productive land area, often are categorized as A. Scale may also be a factor, even when the significance of impacts is relatively minor. Projects affecting whole communities or relatively large numbers of persons (for example, more than 1,000 in total) may warrant categorization as A, especially for projects in which implementation capacity is likely to be weak.**When is a sub project involving Indigenous Peoples likely to be categorized as A?**The Bank does not provide specific categorization criteria, Indigenous Peoples. Though the policy applies whenever a group meeting the Bank’s definition of Indigenous Peoples is present in the project area, categorization typically reflects the potential significance of any adverse impacts upon such groups. Projects that would require relocation of Indigenous Peoples, that would restrict their access to traditional lands or resources, or that would seek to impose changes to Indigenous Peoples’ traditional institutions, are always likely to be categorized as A. |

***Category B*** sub projects are those sub projects that have potential adverse environment and social impacts that are less adverse, site-specific; and few if any of the impacts are irreversible.

***Category C*** sub projects are those sub projects that have minimal or no adverse environmental and social impacts.

**Safeguard Instrument Options**

***Limited Environment and Social Impact Assessment (ESIA)*.** A limited ESIA is undertaken for Category B sub projects that will require additional sub project-specific data/information and further analysis to determine the full extent of environment and social impacts, which cannot be supplied by an Environment and Social Management Plan (ESMP) and/or an Environmental Code of Practice (ECOP).

***Exceptions***. All Category A projects will apply a full ESIA, while Category C projects do not require any safeguard instrument beyond screening.

**Environmental and Social Management Plan (ESMP).** For sub projects that do not require additional data and analysis, an ESMP may be prepared to address construction-related and site-specific environment and social issues.

 **Environmental Code of Practice (ECOP).**  For construction-related impacts, an **ECOP** should be sufficient to address environment and social issues.

**Resettlement Action Plan (RAP)**, either an abbreviated RAP or a full RAP will need to be prepared by the sub project depending on the number of project affected persons. If more than 200 are affected, a full RAP has to be prepared; if less than 200 an Abbreviated RAP is prepared.

**Social Assessment (SA)**

Projects triggering ESS 3 are required to undertake a social assessment and free, prior and informed consultations. The social assessment may be undertaken as a separate exercise or may be included as part of a broader ESIA. Assessment results may be presented as a stand-alone social assessment document, or may be incorporated into the broader ESIA.

**Indigenous Peoples Plan (IPP)**. If Indigenous Peoples are present in, or have collective attachment to, the sub project area, an IPP is required for the sub project.

**Incorporating elements of an IPP in sub project design**. In sub project settings where the sole or overwhelming majority of direct beneficiaries are Indigenous Peoples, the elements of the IPP may be incorporated into the overall sub project design. A separate IPP is not required.

**G. Grievance Redress Mechanism**

|  |
| --- |
| The section describes the mechanism to receive and facilitate resolution of affected peoples’ concerns, complaints, and grievances about the project’s performance, including concerning environmental and social impacts and issues. |

The grievance mechanism should address affected people's concerns and complaints promptly, using a transparent process that is responsive, culturally appropriate, and readily accessible to all segments of the affected people at no costs and without retribution. The mechanism should not impede access to the country’s judicial or administrative remedies. The redress mechanism should be communicated to the communities and included in relevant project documents (e.g. Operational Manual).

**H.** **Public Consultation and Information Disclosure**

|  |
| --- |
| This section describes the consultation process and how project specific information would be disclosed. |

It should articulate how two-way communication between the Implementing Agency and the affected communities and stakeholders would be achieved throughout the project cycle. It should describe how stakeholders’ input would be sought at all stages of the project development, and how comments received during project preparation would be considered in designing the project. Where appropriate, mechanism for ongoing consultation may be necessary throughout the life of the project, to disclose information and seek feedback. This may include information on the effectiveness of mitigation measures, and affected communities’ ongoing interests and concerns about the project.

The consultation process and its results should be documented in the ESMPF. It should: (i) cover country laws and regulations relevant to the consultation and disclosure process; (ii) include methods (newspapers, pamphlets, community papers, interviews, community meetings and consultations, participatory tools) and means (radio broadcast, local TV, internet) used to inform and involve the affected people and other stakeholders in the environmental and social process; (iii) summarize response and highlight issues raised by various stakeholders; (iv) include mechanism for future consultations; and (v) document public meetings and interviews, including dates, names, gender, topics, details of discussion, and important outcomes. If ESS 3 is triggered the IPPF (whether stand alone or integrated into the ESMPF) will describe the particular arrangements for free, prior and informed consultations during sub-project preparation and implementation.

**I. Institutional Arrangements, Responsibilities and Capacity Building**

|  |
| --- |
| The section describes the institutional arrangements to implement the ESMPF from the screening of sub projects for environment and social issues, preparation of sub project instruments, review and clearance of sub projects to monitoring the implementation of the ESMP, RAP, IPP, etc. A clear delineation of responsibilities has to be spelled out under this section. |

To ensure that the ESMPF is effectively implemented, the IA should be assessed for its capacity to manage environmental and social impacts and risks and to implement national laws and the Asian Infrastructure Investment Bank’s requirements. This may require the IA to either delegate the responsibility to supervise the project to either the supervision consultants or to develop in-house capacity to manage the day-to-day supervision of the implementation of the ESMPF. Mechanisms and measures for capacity building should be developed and integrated in project design and documented in the ESMPF.

More attention may need to be paid to monitoring and supervising of subprojects to avoid the risk of noncompliance with safeguard policies.

Institutional capability and capacity to monitor and enforce safeguard instruments and country laws and regulations is low. A capacity building program with budget to strengthen the IA’s environmental and social safeguard capacity should be included in the project.

**J. Attachments**

Attachment 1: Screening Form for Potential Environment and Social Issues

**Attachment 1**

Screening Form for Potential Environmental & Social Safeguards Issues

This form is to be used by the Implementing Agency for to screen potential environmental and social safeguards issues of a sub project, determine Bank policies triggered and the instrument to be prepared for the sub project

|  |  |
| --- | --- |
| Subproject Name |  |
| Subproject Location |  |
| Subproject Proponent |  |
| Subproject Type/Sector |  |
| Estimated Investment |  |
| Start/Completion Date  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Questions** | **Answer** | **If Yes** **AIIB Policy triggered** | **Documents requirement if Yes** |
| yes | no |
| Are the subproject impacts likely to have significant adverse environmental impacts that are sensitive[[1]](#footnote-1), diverse or unprecedented?[[2]](#footnote-2) Please provide brief description: |  |  | *Environmental Assessment*Category A  | Environmental and Social Impact Assessment (ESIA) |
| Do the impacts affect an area broader than the sites or facilities subject to physical works and are the significant adverse environmental impacts irreversible? Please provide brief description: |  |  | *Environmental Assessment*Category A  | ESIA |
| Is the proposed project likely to have minimal or no adverse environmental impacts?[[3]](#footnote-3) Please provide brief justification: |  |  | *Environmental Assessment*Category C  | No action needed beyond screening |
| Is the project neither a Category A nor Category C as defined above?[[4]](#footnote-4) Please provide brief justification: |  |  | *Environmental Assessment*Category B  | Limited ESIA or ESMP |
| Are the project impacts likely to have significant adverse social impacts that are sensitive, diverse or unprecedented[[5]](#footnote-5)? Please provide brief description: |  |  | *Environmental Assessment*Category A | ESIA |
| Will the project adversely impact physical cultural resources?[[6]](#footnote-6) Please provide brief justification: |  |  | *Physical Cultural Resources*  | Addressed in ESIA (ESIA with PCR Management Plan and/or Chance Find Procedures) |
| Will the project involve the conversion or degradation of non-critical natural habitats? Please provide brief justification: |  |  | *Habitats* | Addressed in ESIA  |
| Will the project involve the significant conversion or degradation of critical natural habitats[[7]](#footnote-7)?  |  |  | *Habitats* | Not eligible |
| Does the sub-project construct a new dam or rely on the performance of an existing dam or a dam under construction?  |  |  | *Dam Safety* | Dam Safety Plan |
| Does the project procure pesticides (either directly through the project, or indirectly through on-lending, co-financing, or government counterpart funding), or may affect pest management in a way that harm could be done, even though the project is not envisaged to procure pesticides? |  |  | *Pest Management* | Addressed in ESIA(Pest Management Plan) |
| Does the sub-project involve involuntary land acquisition, loss of assets or access to assets, or loss of income sources or means of livelihood? Please provide brief justification: |  |  | *Involuntary Resettlement* | Resettlement Action Plan |
| Are there any ethnic minority communities present in the sub project area and are likely to be affected by the proposed sub-project negatively or positively? Please provide brief justification:  |  |  | *Indigenous People* | Ethnic Minority Development Plan/Indigenous Peoples Plan |
| Will the project have the potential to have impacts on the health and quality of forests or the rights and welfare of people and their level of dependence upon or interaction with forests; or aims to bring about changes in the management, protection or utilization of natural forests or plantations? Please provide brief justification: |  |  | *Forestry* | Addressed in ESIA |
| Will the project have the potential to have significant impacts or significant conversion or degradation of critical natural forests or other natural habitats?  |  |  | *Forestry* | No eligible |

**Conclusion and Safeguards Instruments Required:**

The sub project is classified as a Category \_\_\_\_\_\_\_\_ project as per Asian Infrastructure Investment Bank ESF, and the following safeguards instruments will be prepared:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
5. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Sensitive (i.e., a potential impact is considered sensitive if it may be irreversible - e.g., lead to loss of a major natural habitat, or raise issues when a project includes the manufacture, use, or disposal of environmentally significant quantities of pest control products); [↑](#footnote-ref-1)
2. Examples of projects where the impacts are likely to have significant adverse environmental impacts that are sensitive, diverse or unprecedented are large scale infrastructure such as construction of new roads, railways, power plants, major urban development, water treatment, waste water treatment plants and solid waste collection and disposal etc. [↑](#footnote-ref-2)
3. Examples of projects likely to have minimal or no adverse environmental impacts are supply of goods and services, technical assistance, simple repair of damaged structures etc., [↑](#footnote-ref-3)
4. Projects that do not fall either within as a Category A or Category C can be considered as Category B. Examples of category B sub-projects include small scale *in-situ* reconstruction of infrastructure projects such as road rehabilitation and rural water supply and sanitation, small schools, rural health clinics etc. [↑](#footnote-ref-4)
5. Generally, sub projects with significant resettlement-related impacts should be categorized as A. Application of judgment is necessary in assessing the potential significance of resettlement-related impacts, which vary in scope and scale from sub project to sub project. Subprojects that would require physical relocation of residents or businesses, as well as sub projects that would cause any individuals to lose more than 10 percent of their productive land area, often are categorized as A. Scale may also be a factor, even when the significance of impacts is relatively minor. Sub projects affecting whole communities or relatively large numbers of persons (for example, more than 1,000 in total) may warrant categorization as A, especially for projects in which implementation capacity is likely to be weak. Sub projects that would require relocation of Indigenous Peoples, that would restrict their access to traditional lands or resources, or that would seek to impose changes to Indigenous Peoples’ traditional institutions, are always likely to be categorized as A. [↑](#footnote-ref-5)
6. Examples of physical cultural resources are archaeological or historical sites, including historic urban areas, religious monuments, structures and/or cemeteries particularly sites recognized by the government. [↑](#footnote-ref-6)
7. Subprojects that significantly convert or degrade critical natural habitats such as legally protected, officially proposed for protection, identified by authoritative sources for their high conservation value, or recognized as protected by traditional local communities, are ineligible for Bank financing. [↑](#footnote-ref-7)