

## Enhancing Shared Prosperity through Equitable Services (ESPES)

### Additional Financing (AF)

#### Incremental Environment and Social Systems Assessment (ESSA)

##### *Executive Summary*

1. Ethiopia continues to have one of the most robust policy and legal frameworks for environmental and social management and assessment in Africa. The legislative commitment of Ethiopia to environmental and social management, and sustainable development objectives is highlighted by the inclusion of provisions in its Constitution; the Environmental Policy; the Conservation Strategy; and various proclamations, regulations and guidelines.

2. Although the necessary environmental and social management and assessment institutions and legal frameworks are largely in place, inadequate human resources and a frequent turnover of technical staff remain a challenge. Moreover, lack of coordination and integration between basic service sectors and oversight bodies, including the Ministry of Environment, Forest and Climate Change (MoEFCC) and the Ministry of Labour and Social Affairs (MoLSA) exacerbate the challenges for effective implementation of environmental and social management and assessment. These challenges are more prominent in the regions, particularly in the emerging regions. The last two JRISs further articulated these challenges as: (a) lack of capacity, particularly at woreda level; (b) inadequate qualified staff; (c) lack of budget; (d) inadequate public participation; and (e) lack of coordination at all levels (linkages between the oversight bodies and basic sectors is generally weak at all levels).

3. Going forward, federal and local level consultations, and regional reviews in the emerging regions recommended to (a) build local capacity in environmental and social management, including training (b) strengthen awareness creation and advocacy activities, (c) strengthen environmental and social oversight institutions at all levels, (d) strengthen vertical and horizontal linkages between environmental and social oversight institutions and basic sectors, (e) provide regional and woreda institutions with environmental policy, legal frameworks and necessary technical guidelines, (f) avail financial, material and technological resources, and (g) establish and strengthen information, communication and data management system.

##### **Background**

4. The Program Development Objective (PDO) of the ESPES PforR AF is to *improve equitable access to basic services and strengthen accountability systems at the decentralized level*. The program is anchored around four sets of key results: (a) ensuring equitable access to basic services; (b) enhancing citizens' engagement, environmental and social risk management capacity; (c) deepening fiduciary aspects of basic service delivery; and (d) ensuring quality data access and results. ESPES supports Ethiopia's woreda block grant system which provides funding to close to one thousand woredas all over the country which are responsible for delivering basic services in health, education, agriculture, water and rural roads.

5. This *Incremental ESSA* reviews progress since the original ESSA, and (a) identifies any changes or updates to the systems in place for environmental and social management against the Core Principles of OP/BP 9.00; (b) assesses the capacity to operate the systems and systems performance; and (c) suggests actions for any necessary improvements to bring the operation of the system to the standard required to meet the Core Principles to be included in the PAP.

## ***Updates: Policy and Legal Framework for Environmental and Social Management***

6. Ethiopia continues to have one of the most robust policy and legal frameworks for environmental and social management and assessment in Africa. The legislative commitment of Ethiopia to environmental and social management, and sustainable development objectives is highlighted by the inclusion of provisions in its Constitution; the Environmental Policy; the Conservation Strategy; and various proclamations, regulations and guidelines. In applying the commitment, Ethiopia has developed and adopted an extensive framework of environmental laws and regulations covering environment and social management and assessment. However, this framework is facing issues related to (a) harmonization and coordination among existing laws and regulations, and (b) the effective implementation and enforcement.

7. Since the original ESSA was completed in 2015, there have been only minor updates to Ethiopia's policy and legal framework for environmental and social management. Ethiopia's GTP II was released in May 2016 and in late 2016 a draft *Labour Safety and Health Promotion Policy* was released. As a signatory to multiple regional and international sustainable development agendas, the process of integrating the tenants and principles of these agendas into national plans, policies and strategies is underway.

8. **Labor Safety and Health Protection:** The Confederation of Ethiopian Trade Unions tabled a draft policy document concerning labor safety in work places in December 2016. The Union already finalized the policy entitled "Labour Safety & Health Protection" for final approval. The draft document indicates that reporting mechanisms in cases of accidents are poor. Moreover, even if there are lists of workplace health concerns, there is no means of controlling and inspecting vulnerabilities. Although there is a legal framework in place by the MoLSA that mandates companies to form health and safety committees, most organizations do not follow the law, according to the report. The proposed policy is expected to serve as a blueprint for the amendment of the existing policy as well as the introduction of new legislation. It will also provide a mandate to organizations to allocate budgets to ensure the health and safety of their employees and give directions on how to enforce the insurance guarantees for all vulnerable occupations.

9. *Sustainable Development Goals (SDGs):* The *Post-2015 SDGs*, the *Common African Position on Post-2015 Development Agenda*, *Agenda 2063 of Africa*, and the *Addis Ababa Action Agenda* have been embraced by the Government of Ethiopia. The principles and tenants of these international and regional agendas are currently being integrated and mainstreamed ('domesticating') into national plans, policies and strategies.

10. *Growth and Transformation Plan (GTP) II:* Ethiopia's *GTP* is a national five-year plan created by the Ethiopian Government to improve the country's economy by achieving a projected gross domestic product (GDP) growth of 11-15 percent per year from 2015/2016 to 2019/2020. It presents a number of plans and policy goals, including for environmental and social management.

- *Climate Resilient Green Economy (CRGE) Strategy:* The green economy agenda will be rigorously mainstreamed in macro and sector plans, programs and projects, and will be regularly monitored and evaluated to ensure accountability at all levels. The CRGE Strategy will be implemented in all sectors to increase socioeconomic and ecological benefits of forests through improved forestry development, conservation and utilization. The GTP II notes the creation of an organizational structure which helps to realize the stated goals of the sector.
- *Natural Resources Conservation and Utilization:* To undertake crop and horticulture development with adequate moisture, the on-going natural resources conservation work has to be transformed to the next higher level. To this effect, targets are set to improve natural resource conservation and utilization in three areas of activities: rural land administration, watershed management and expansion of small scale irrigation.

- *Rural Land Administration:* The GTP plans to (a) provide land use certificates for 7.2 million male and female headed households that secure land use rights by carrying out the second level of certification for 28.6 million farmlands in 359 woredas; (b) prepare national rural land use master plan; and (c) prepare land administration and utilization master plan for each regional state.
- *Biodiversity Conservation and Equitable Benefit to the Community:* The GTP II states that the country's access and benefits from the genetic resources will be protected, improved and its resources utilized for development through establishing legal licensing system on biodiversity. In general, guidelines and manuals that enable the community equitably benefit from the biodiversity and improve sustainable conservation of biodiversity will be prepared and effected. Capacity building and awareness creations will be given to communities and stakeholders to ensure access and equitable benefit sharing from the resources.
- *Ensuring Good Governance:* Good governance is a priority goal for the Government in GTP II, with plans to strengthen organized public participation and empowerment of the public in Government decision making and public service delivery. Government institutions will strengthen engagement with different sections of the public in their decision making processes in a sustainable, predictable and transparent manner.
- *Social Welfare and Security:* The GTP II sets out strategies for ensuring equal benefits of disabled and elderly people by conducting studies and research and through establishing social welfare system and expanding social security services to benefit vulnerable groups of society.
- *Gender:* The GTP II envisages strengthening the empowerment of women so as to ensure their active participation in the political, social and economic processes that are taking place in the country. All public development programs will be designed in such a way that they engage women and ensure their equity in the outcomes of such programs. During GTP II, the political empowerment of women will be effected by establishing mechanisms for women's equal participation and equitable representation at all levels of the political process and public life in society. A critical element in this endeavor is promoting women organizations that articulate and advance women's concerns, needs and priority agendas, and that influence public policies and actions.

### ***Updates: Capacity for Environment and Social Management***

11. Although the necessary environmental and social management and assessment institutions and legal frameworks are largely in place, inadequate human resources and a frequent turnover of technical staff remain a challenge. Moreover, lack of coordination and integration between basic service sectors and oversight bodies, including the MoEFCC exacerbate the challenges for effective implementation of environmental and social management and assessment.

12. International experience shows that effective implementation and enforcement of environmental laws, regulations and standards is based on four intertwined principles:<sup>1</sup>

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<sup>1</sup> Ethiopia Country Environmental Analysis, November 21, 2016, working draft subject to internal review and World Bank management approval

- Sound decision-making processes on environmental protection and natural resources management and conservation;
- Regular, effective and strong coordination among the institutions endowed with an environmental mandate;
- Reliable and open data and information management system; and
- Effective compliance monitoring and enforcement capacity.

13. These principles, along with strengthening the capacity of institutions that share a mandate for environmental and social management in the basic service sectors, should be implemented. Such strengthening will help tackle the issues connected to the weak implementation and enforcement of all environmental and social-related policies, laws regulations and standards.

14. Despite the efforts made by the Government, it appears that little can be achieved to improve the overall environmental and social management and assessment without strong ties and effective cooperation between the various organizations involved at all levels of Government. To enhance coordination, some steps may involve:

- Implementing joint activities to monitor and enforce active compliance through local institutions, particularly woreda level;
- Collecting and sharing, relevant data and information and analysis on implementation, compliance and enforcement of environmental laws, regulations and standards; and
- Developing and implementing joint capacity enhancement programs, including training.

15. **Environmental and Social Impact Assessment (ESIA) Capacity Review:** ESIA capacity review for the basic service sectors at local level was undertaken in April and December 2015, covering all regions.<sup>2</sup> The main objective was to provide a review of the performance of ESIA at local Government level including identification of the challenges and opportunities and provide recommendations for improvements in the system. Document Review, Key Informant Interviews (KII), Focus Group Discussion (FGD), and Field Observations in sample woredas were the main methods employed for the assessment.

16. The findings of the ESIA Capacity Review included that in relation to *human resources*, regional Environmental Protection Case Teams, where existing, are understaffed both in terms of quality and quantity. There were significant numbers of vacant posts due to high staff turnover and lack of qualified experts in market. Many staff also have inadequate education in ESIA. In some Regions (Dire Dawa and Harari), there are no woreda Environmental Protection Case Teams or focal persons. In terms of *financial and material capacity*, there is a shortage of budget and logistic supplies. This has resulted ESIA being limited to a few investment projects only. Other findings include: low level of awareness by decision makers at all levels, inadequate public participation, poor quality ESIA reports, and conflict of interest due to organizational structure (for example, in some regions environmental and social regulatory function is organized under Bureau of Agriculture).

17. **Progress against Disbursement Linked Indicators (DLIs) and Program Action Plan (PAP):** There is good progress against the DLI *improved environmental and social management capacity at woreda*

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<sup>2</sup> ESIA Capacity of Local Government in Ethiopia, MoFEC/COPCD, December 2015.

level. The DLI includes three Disbursement Linked Results (DLRs). The status of these DLRs is outlined as follows:

- The Environmental and Social Management System (ESMS) Operational Manual (OM) completed (with some delay) in August 2016, and draft Training Modules have been developed.
- The *training of 200 woreda and regional officials on the ESMS OM* is expected to be completed by May 2017. Given that the Training Modules are already developed; the training should be delivered as planned.
- *Customization of the ESMS OM in at least 4 regions* is expected by May 2018.

18. Progress on the PAP related to environmental and social management is slow (see Table 1). Concerted efforts are needed to complete the actions in the remaining program period.

**Table 1. PAP Progress**

<i>Action</i>	<i>When</i>	<i>Responsible Body</i>	<i>Status<sup>3</sup></i>
Assign one environmental and social management specialist in the MoFEC as a focal person	Year 1	MoFEC	A focal person is assigned at Federal level.
Assign environmental and social management focal person in the BoFEDs and Woreda ESPEs-supported sectors	Year 1	BoFED/Woreda council	Draft ToR for the Regional and Woreda focal persons is prepared
Undertake annual performance assessment of environmental and social management specialists	Years 1, 2, and 3	BoFED/WoFED	To be done after focal persons are assigned and start their duty
Recognize better-performing Woredas with activities that demonstrate sound environmental and social management	Years 2 and 3	Regional Government	Performance evaluation manual to be developed; Agree on the manual with Sectors and Regions and evaluate based on the manual
Organize forums dedicated to reviewing the implementation of agreed actions on environmental and social management	Years 1, 2, and 3	BoFED/WoFED	To be done after the above activities are performed

19. **Bi-Annual Reviews of Safeguards and Risk Management Progress:** Bi-Annual Joint Review and Implementation Support (JRIS) missions are an opportunity to review the progress on safeguards and risk management, including reflections on common environmental and social risks in the basic sectors, key challenges and opportunities to address challenges. A review of Missions reflects slow progress on actions for safeguards and risk management with a number of actions being carried over. However, there has been some recent progress, including the ownership by the MoEFCC and Regional Environmental Protection Agencies with their participation in recent JRIS Missions. Indeed, the implementation of agreed actions require active participation by all the stakeholders, particularly woreda and regional environmental and social oversight institutions (Environmental Protection Agencies and Bureau of Labor and Social Affairs).

- **November 2015:** The Mission noted that there is no office at woreda level responsible for reviewing environmental and social impacts of projects in most of the regions. Additional challenges included: (a) lack of capacity, particularly at woreda level, (b) inadequate awareness, (c) inadequate public participation, and (d) lack of coordination at all levels. It was

<sup>3</sup> As reported by MOFEC/COPCD on December 28, 2016

also reported that private and public sector projects are vetted for their environmental and social impacts, and some follow up is made on the implementation of agreed mitigation measures. The Mission agreed on the need to build local capacity in environmental and social management, including (a) training (b) improve awareness on environmental and social issues, especially among decision makers (c) strengthen public participation, and (d) strengthen vertical and horizontal linkages between environmental and social oversight institutions and basic sectors. In addition, a Pre-JRIS visit to two regions (Amhara and Somali) recommended the establishment and strengthening of institutions at all levels with a mandate and capacity to review potential environmental and social impacts of projects/programs, and follow up on the implementation of mitigation measures, as appropriate.

- **May 2016:** The JRIS Mission recognized the participation of MoEFCC in the JRIS for the first time as a positive development. It was also noted that Channel One Programs Coordination Directorate (COPCD)/Ministry of Finance and Economic Cooperation (MoFEC) should proactively involve MoEFCC (as the regulatory body for environment) in the implementation of the safeguards and risk management activities of ESPES and PBS-3 to ensure ownership and sustainability. Challenges identified again included: (a) lack of capacity, particularly at woreda level; (b) inadequate qualified staff; (c) lack of budget; (d) inadequate public participation; and (e) lack of coordination at all levels (linkages between the oversight bodies and basic sectors is generally weak at all levels). The Mission agreed on the need to (a) build local capacity in environmental and social management, including training (b) undertake awareness promotion and advocacy activities, (c) strengthen environmental and social oversight institutions at all levels, (d) strengthen vertical and horizontal linkages between environmental and social oversight institutions and basic sectors, (e) provide regional and woreda institutions with environmental policy, legal frameworks and necessary technical guidelines, (f) avail financial, material and technological resources, and (g) establish and strengthen information, communication and data management system.
- **December 2016:** The Mission again benefited from the participation of MoEFCC in addition to Regional Environmental Protection Agencies. The Mission highlighted the need to coordinate with and use Citizens Engagement (CE) mechanisms, such as Grievance Redress Mechanism (GRM), to ensure effective implementation of safeguards standards. The Mission discussed the importance of strengthening coordination between oversight bodies and service delivery sectors to help mainstream environmental and social issues in service delivery, and manage potential risks and emphasized the need to finalize the ESMS OM by organizing a validation workshop with all stakeholders before the next JRIS. In addition, strengthening the capacity and commitment of actors to undertake a genuinely consultative, inclusive and responsive safeguards design and operationalization was agreed to be critical to mitigate negative impacts of development projects.

20. **Safeguards Technical Working Group:** A Safeguards Technical Working Group (STWG) is being established with the objective of providing coordinated technical support to the Government of Ethiopia, Development Partners supporting basic service delivery, and other relevant stakeholders to operationalize safeguards and risk management and promote socially and environmentally sustainable decentralized basic service delivery.

21. The major tasks of STWG include: (a) provide advice and support on the coordination of safeguards and risk management activities among the Government and DPs; (b) provide advice on building capacity on environmental and social management at local level, particularly in the basic sectors; (c) provide advice and support in monitoring the progress of the implementation of agreed actions for safeguards and risk

management; (d) support the institutionalization and mainstreaming of environmental and social issues in the basic sectors; (e) share lessons and best practices; and (f) share information and coordinate with other TWGs in the basic sectors, as appropriate.

22. The first meeting of the STWG on 01 February 2017 reviewed the draft Terms of Reference (ToR), and agreed on immediate actions including sharing the draft ToR with the basic sectors and oversight bodies, and convening the second meeting as soon as possible.

### *Findings from Rapid Assessment of Environmental and Social Management in Emerging Regions*

23. **Policy and Legal Framework for Environmental and Social Management (ESM):** The Environmental Protection, Mines, Forest and Energy Development Agency (EPMFEDA) is the oversight body for environmental and social management and assessment in Somali region. It has issued directive and guideline to support ESIA process. The directive (1/2007 E.C) categorizes projects as requiring full ESIA, preliminary/partial assessment and projects that do not require an assessment. In 2017, the Agency developed a guideline for the preparation and review of ESIA reports. This is expected to strengthen vetting processes. Somali region Bureau of Finance and Economic Development (BoFED) introduced, a practice made effective as of 2008 EC, an approval certificate from *Environmental Protection, Forest, Mining and Energy Development Agency*, as a requirement before the release of a project fund. Benishangul-Gumuz region has also adopted the Federal EIA/EMP, though application is limited to review of EIA documents prepared by private investments. In Afar, regional environmental and social assessment guideline was prepared in local languages, Afar and Amharic, in 2016 based on the federal EIA guidelines.

### *Updates to Capacity for Environment and Social Management*

24. **Basic sectors and BoFED:** In all the emerging regions, BoFED plays a significant role in coordinating basic sector service providers in the planning and implementation of projects. A unit responsible for gender development is available in all the regions' organizational structure, where as a unit responsible for environment is yet to be established (Somali region is revising its organizational structure to include a unit). However, awareness on the importance of environmental and social management, including gender and vulnerable groups varies between the regions. In Somali, it is relatively strong whereas in Gambella, though there are gender and vulnerable group specialists assigned in sector offices, awareness on ESM in sectors other than health and agriculture is limited. In all the emerging regions, coordination and networking between basic service sectors on ESM is also very low. BoFED is responsible for facilitating the implementation of FTA and SA: pre-budget and budget review discussions are attended by representatives from elders, religious leaders, kebele administration, youth and women.

### *Oversight bodies*

25. These include:

26. **Environmental and social management.** The organizational arrangement of these bodies varies in the regions. In Somali region, EPMFEDA is an agency mandated with the responsibility to enforce laws and regulations on environmental and social management and assessment. In Gambella, environment protection and land use is a core process under the Bureau of Agriculture. In Afar the environment protection, land use and administration is organized as an agency. As a result, the agency officials feel that they are not given equal attention and power as the other bureaus. In Benishangul-Gumuz, Environment, Forest, Land Use and Administration is organized a bureau, and it is a member of the regional cabinet.

27. In all regions there is an awareness on the need to strengthen environmental and social management and assessment practices by the regulatory institutions. However, in practice, the Somali and Benishangul-

Gumuz regions are in a better position because they have established units to review and approve ESIA reports and carry out environmental audit on projects. In Somali, the agency has revised its organizational structure to transform the agency to 'bureau' and devolve power and responsibility to woreda level. Currently, at woreda level, the duties and responsibilities of the agency is delegated to agriculture office.

28. **GRM.** Grievance and Compliance Redress Commission is a structure unique for Somali region and it has been active since 2013 and is organized around four core processes: compliance lodging, compliance/grievance redressing process for vulnerable and unreserved groups (including women, elderly, disabled, and children), and awareness and training. A grievance redress committee, composed of representatives from the local administration, education, health, women and child affairs, and the community (reflected at every level), is active at woreda level. (at kebele/village level the members are drawn from kebele administration, teachers, DAs, HEWs, and the community).

29. In Gambella, most of the public grievances are presented to the higher officials of the different sectors, the Woreda or zonal administration or to the court. To look into cases that are not satisfactorily handled by the lower administrative bodies, the president office has established an appeal and petition issues investigation and decision making core process. The core process was established in 2015 based on the experience of the Southern Nations, Nationalities and Peoples Regional state. The office does not directly interfere with the routine implementation of the grievance handling mechanism followed by woredas or zones but attempts to review the grievance handling process of the appeals.

30. Grievance redress task in Afar is organized as one core process in the regional administration. The core process was created in 2005 EC. However, as there was frequent staff turnover, there was limited activity.

31. In Benishangul-Gumuz, *Good Governance, Complaint and Grievance office* is one of four offices within the President's office. The office is structured at regional, zonal and woreda levels. Equipped with mid-level professionals, the role of the office is limited to examining grievances and recommendation of possible solution. Responses at each level could be appealed to higher level but first it has to be looked at by an administrator of same level (kebele, woreda, zone and the president). Complaints that reach the president's office are debated upon by the president's advisors. The existing system does not include representatives from other actors or community. Most cases are related to boundary conflicts on land between investors and small land holders, compensation (valuation and delay on payments) and on use of grazing land. Grievance as a consequence of poor service delivery by basic service providers is directly addressed by the responsible sector though none of the sectors have a set system to entertain complaints.

32. **Bureau of Woman and Child Affairs:** In all regions, the bureau is organized around three core processes: gender development, empowerment and child protection. At woreda level, though similar structures exist, most positions are vacant (due to shortage of qualified personnel). There are good practices in some regions. For example, in Benishagul-Gumuz, the bureau has signed MOU with all sectors to include women and child affairs in their plan. Even though there is overall improvement in integration, inadequate understanding by leadership in sector offices compounded with irregular monitoring and follow up has limited its effectiveness.

33. **Bureau of Labor and Social Affairs:** In Somali, the bureau focuses on creating awareness to the public and investors on the rights and responsibilities of workers and employers through mass media. The federal civil service and labor law proclamations are employed at regional level to ensure basic safety of workers. However, the system in place is only responsive to demand for reconciliation between conflicting parties. At woreda/district level, Labor and Social affairs is merged with Capacity Building office.

34. In Gambella the regional office is organized at agency level, and at woreda level, it is represented by one person in the woreda administration office. However, in terms of coordination with other sectors, the agency has some joint activities with nutrition cluster offices (labor and social affairs, health, women and children, and agriculture). These include reviewing the activities carried out by the responsible sectors related to breast feeding and nutritional food for pregnant women. In all regions, there is a very limited experience of working with the basic sectors, and monitoring and supervision on workers' safety issues is irregular and inadequate largely due to shortage of human resources and logistics.

35. **Regional Level human, physical and other capacities (Basic Sector Bureaus):** The capacity at the region level is characterized by shortage of skilled human resource, high turnover, and shortage of vehicles/transport facilities. Absence of career development opportunities and incentives are the main reasons for high staff turnover in all sectors. The environmental and social management arrangement and practices in the basic sectors at region level are summarized below:

- **Health:** In all regions, a sub-unit in the bureau is responsible for hygiene and sanitation. In Somali, there is an environmental health expert who is responsible for environmental and social management and assessment issues within the sector, but in the other regions, there is no such an expert in the unit. In all regions gender experts are responsible for gender and vulnerable groups.
- **Education:** There is no environmental and social development expert assigned at regional level. Education supervisors are usually responsible for ESIA including gender and vulnerable groups. The situation is similar in all regions
- **Water Resource Development:** In all regions, where One WASH program is available, Safeguards specialists, responsible for environment and social management, are assigned. This activity is relatively better organized in Somali region because water supply (drinking as well as irrigation) is given priority by the regional government.
- **Agriculture and Natural Resource Development:** As the livelihoods in the regions are different; the structure of the bureaus have slight difference. In Somali and Afar regions the bureau is split into agriculture and natural resources and pastoralist and livestock development. In Somali, the bureau is revising its organizational structure to introduce an independent unit responsible for ESM. Currently, natural resource development experts are responsible for ESIA in all regions. There are no social development expert/focal persons in the bureau in all regions.
- **Rural Roads Authority:** In all regions, ESIA is prepared for all road development projects constructed by the federal Ethiopian Roads Authority (ERA), based on the Ethiopian Government Environmental Impact Assessment (EIA) guideline. However, the regions do not have independent unit responsible for ESIA. In the case of Somali region, the authority uses resettlement policy framework prepared by ERA where only 'legal' owners are eligible for compensation. Most road projects are supported by detailed resettlement action plan.

36. In general, the assignment of gender focal persons in all sectors is a positive development, and with some capacity building, these staff may handle other ESM issues in collaboration with the oversight bodies.

### ***Approach to Public Participation/Consultation***

37. In all the emerging regions, it was reported that basic service providers including Health, Education and Water carry out community consultation at project level, using sectoral guidelines. At woreda or kebele level, community initiates demand for a specific service. The kind of service required, the location and possible beneficiaries are discussed by community before official request is made to respective service provider. Experts at basic sector level technically assess the appropriateness of the proposed site against the design capacity. There are also cases where woreda sectoral offices make the plans and consult the community representatives on the relevance of the project and identification of construction sites.

38. In Somali region, EIA and One WASH guidelines are used by regional bureaus for bigger projects within their jurisdiction. For roads, they use a guideline developed by ERA. Learning from the Financial Transparency and Accountability (FTA – SA practices, and supported by agricultural/environment desk, the visited woredas have strengthened their community engagement processes. Community Mobilization Guideline is being revised by the Regional Agricultural and Natural Resources Development Bureau.

39. In Gambella, as there is a perception that land is not a scarce resource in the region, community consultation on land acquisition is taken lightly. Most of the times it refers to identifying preferred site by the community. However, when consultations are made the participation of women is reasonably good. For example, as observed from the site visits, kebele executive committees have five women and six men members.

40. Though there are improvements in public participation and consultation, there are reports where inadequate consultation as well as coordination are causing some problems. For example, in Gulealu woreda of Afar, a school and teachers' residence were constructed far apart. This has created inconvenience to the teachers because they have to walk long distances in extreme weather.

### **Conclusions**

41. While the efforts made by the Government of Ethiopia to develop environmental and social policies and create regulatory institutions at various levels are commendable, the enforcement and application of these policies and regulations remains limited. MoEFCC, being responsible for the enforcement and application of the policies and regulations, should cooperate closely with basic service ministries to take the necessary actions for their implementation. MoEFCC should collaborate with the MoLSA and Ministry of Women's Affairs, particularly on social issues and vulnerable groups.

42. Going forward, MoEFCC has to develop a Capacity Building Plan for improved environmental and social management in the basic sectors in a participatory manner involving all stakeholders. The Plan should be informed by the ESIA capacity assessment and the ESMS OM, which were prepared under the PBS and ESPES. The Plan may include the following:

- Defining resources and activities to enhance existing capacities within MoEFCC, basic sectors and agencies endowed with an environmental and social mandate to implement a set of environmental and social management activities;
- Developing local capacity, particularly at woreda level, for environmental and social management;
- Strengthening environmental and social oversight institutions at all levels;
- Strengthening vertical and horizontal linkages between environmental and social oversight institutions and basic sectors; and
- Establishing and strengthening information, communication and data management system.

43. The DLI, *improved environmental and social management capacity at woreda level*, remains relevant because improvement in ESMC at local level is still a key indicator for enhanced environmental and social safeguards.

44. **DLRs:** The following two additional targets are included for the AF:
- (a) *10 percent of Woredas undertake environmental and social impact assessment (ESIA) using the ESMS Operational Manual – by November 2019;*
  - (b) *25 percent of Woredas, cumulative, undertake environmental and social impact assessment (ESIA) using the ESMS Operational Manual – by November 2020.*

45. **Program Action Plan (PAP)**

The following actions are agreed:

Table 2: Program Action plan

<b>Action Description</b>	<b>Due Date</b>	<b>Responsible Party</b>
1. Strengthen coordination between basic service sectors and oversight bodies on environmental and social management: <ul style="list-style-type: none"> <li>• Bi-annual technical meetings to review progress at regional level</li> <li>• Annual forums dedicated to reviewing the implementation of agreed actions at federal level with participation from regions</li> </ul>	AF Year 1, 2 and 3	BoFED/Regional environmental protection agencies
2. Assign environmental and social management focal person in the BoFEDs	Original ESPES Year 1	BoFED/Woreda council
3. Customize the ESMS Operational Manual in five regions (Amhara, Oromia, SNNP, Tigray and Harari) and the two city administrations (Addis Ababa and Dire Dawa)	AF Year 1 and 2	BoFED/Regional environmental protection agencies

46. **Consultation**

47. The Incremental ESSA consultation workshop aimed at reviewing regional findings and enriching the draft report was held for half day in Addis Ababa, Ethiopia on 29 May, 2017. The draft report was prepared based on field level assessments in the four emerging regions, desk review of relevant documents and related studies and consultation with relevant federal and regional sector bureaus. The key findings and conclusions of the report were presented during the workshop with a view to solicit comments and inputs from the participants.
48. Participants were drawn from the four emerging regions (two from regional Environmental Protection Agency and one from regional Finance and Economic Development Bureau), federal basic sector ministries, and the Ministry of Environment, Forest and Climate Change. both federal and regional levels. All regions were represented including the five basic sectors.
49. The participants commended the efforts made to assess the environmental and social management capacity in the four emerging regions, and the level of consultation. They agreed with the findings, main conclusions and recommendations of the Incremental ESSA. Comments were provided, particularly on the proposed ESSA actions to be included in the ESPES AF Program Action Plan. After deliberations and agreement on the suggested changes to the proposed actions in the PAP, the workshop endorsed the Incremental ESSA.

Table 3. Summary of key findings from the field assessment in the emerging regions (Afar, Benshangul-Gumuz, Ethiopia Somali and Gambella regional states) and areas for strengthening system in relation to OP/BP 9.00 Core Principles

<b>Core principle 1: General principles of Environmental and Social Management</b>	
Current System	Area for Strengthening system
<ul style="list-style-type: none"> <li>• Awareness on environmental and social management has improved, but knowledge has yet to devolve to woreda level;</li> <li>• ESM practices vary from sector to sector and region to region - Somali is region performing better by strengthening EIA/ESM tools; introduced a system where EIA clearance is required before release of project fund/budget;</li> <li>• In Benishangul–Gumuz EIA practice is limited, the focus is more on land administration</li> </ul>	<ul style="list-style-type: none"> <li>• Strengthen skill and knowledge of experts and the leadership; enhance capacity of woreda by hiring more professionals; consider incentives (remuneration, housing, professional development) to abate high staff turnover;</li> <li>• Build a system to increase cross sectoral collaboration and support.</li> </ul>
<b>Core principle 2: Natural Habitats and Physical and Cultural Resources</b>	
Current system	Area for Strengthening system
<ul style="list-style-type: none"> <li>• All the emerging regions do not have adequate information on natural resources: accessibility is a challenge due to size of the regions and inadequate road network</li> <li>• Limited awareness on the need to integrate cultural resources into EIA, mainly due to limited knowledge on cultural resources.</li> </ul>	<ul style="list-style-type: none"> <li>• Awareness creation at all levels of regional governments</li> <li>• Development of laws and regulation to preserve natural habitats and cultural resources</li> <li>• Skill and knowledge building on identifying/ inventory of natural habitat and cultural resources including pastoralist cultures.</li> <li>• Information database and early warning system to protect natural resources</li> </ul>
<b>Core principle 3: Public and Worker Safety</b>	
Current system	Area for Strengthening system
<ul style="list-style-type: none"> <li>• Positive developments in adapting federal rules and regulations,</li> <li>• Regional Bureau of Labor and Social Affairs (BoLSA)/ Woreda Office of Labor and Social Affairs (OLSA) activities largely limited to awareness creation and conflict resolution;</li> <li>• Federal laws and regulations are used (does not reflect regional differences) <ul style="list-style-type: none"> <li>○ Basic service sectors are governed by the Federal Civil Servants Proclamation 515/2007,</li> <li>○ Labor law proclamation 377/2003</li> <li>○</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Awareness creation should refocus on the public and leadership and include all sectors; <ul style="list-style-type: none"> <li>○ Skill and knowledge development to proactively guide practices;</li> <li>○ Rights and responsibilities of employee and employers;</li> </ul> </li> <li>• Review and adoption of existing law/regulation to regions</li> </ul>
<b>Core principle 4: Land Acquisition</b>	
Current system	Area for Strengthening system
<ul style="list-style-type: none"> <li>• Issues related to land acquisition are limited due two reasons: (1) land is not a scarce resource in these regions, (2) communal lands are used for construction of basic service facilities.</li> <li>• ERA’s practice is replicated for land expropriation purposes, which only compensates ‘persons with legal right’.</li> <li>• Large scale farming and quarrying are increasing land conflict in Benishagul-Gumuz region</li> </ul>	<ul style="list-style-type: none"> <li>• Develop /adopt regional compensation laws reflecting regional realities.</li> <li>• Strengthen GRM to extend its coverage into issues related to land</li> </ul>

<b>Core principle 5: Vulnerable Groups</b>	
Current system	Area for Strengthening system
<ul style="list-style-type: none"> <li>• Awareness to engage vulnerable groups (including women, children, elderly &amp; PWD) has improved; examples include: <ul style="list-style-type: none"> <li>○ Female members are included in committees at kebele levels</li> <li>○ Female participation has increased in Budget Literacy Training (BLT)</li> </ul> </li> <li>• FTA- SA practice has opened opportunities for dialogue/discussion with marginalized groups, disabled and elderly at district and kebele levels;</li> <li>• Some actions taken by basic service sectors: <ul style="list-style-type: none"> <li>○ Health –significant number of HEW are female (in Somali region) Education –Separate toilets for girls and boys; modification of buildings to create access to PWD</li> <li>○ Agriculture - Focus on female households in land registration practices (Benishangul Gumuz)</li> </ul> </li> <li>• Organizing elders and PWDs and supporting them through income generating activities.</li> </ul>	<ul style="list-style-type: none"> <li>• Strengthen FTA- SA practice to cover more districts and kebeles;</li> <li>• Universal access to all should be practiced not only in schools but in other basic sectors;</li> <li>• Strengthen awareness on the benefit of women’s involvement in development</li> <li>• Support women’s empowerment through skill and knowledge development</li> </ul>
<b>Core Principle 6: Social Conflict</b>	
Current system	Area for Strengthening system
<ul style="list-style-type: none"> <li>• Intermittently conflicts flare between ethnic groups, mainly in Gambella</li> </ul>	<ul style="list-style-type: none"> <li>• Create opportunities for ethnic groups to communicate and reduce tensions</li> <li>• Complement the formal conflict resolution by reviving traditional institutions.</li> </ul>

