ENIRONMENTAL AND SOCIAL SCREENING AND ASSESSMENT FRAMEWORK

I. Objectives

1. The Environmental and Social Screening and Assessment Framework (ESSAF) provides general policies, guidelines, codes of practice and procedures to be integrated into the implementation of the initial phase of World Bank-supported emergency reconstruction operations in Iraq. This Framework has been developed to ensure compliance with the World Bank’s safeguard policies under the current conditions in Iraq. The objective of the ESSAF is to ensure that activities under the proposed reconstruction operations will address the following issues:

- Protect human health;
- Prevent or compensate any loss of livelihood;
- Minimize environmental degradation as a result of either individual subprojects or their cumulative effects;
- Minimize impacts on cultural property; and
- Enhance positive environmental and social outcomes.

II. General Principles

2. Recognizing the emergency nature of the proposed relief and reconstruction operations and the related need for providing immediate assistance, while at the same time ensuring due diligence in managing potential environmental and social risks, the ESSAF is based on the following principles:

- The proposed operations will support multiple subprojects, the detailed designs of which may not be known at appraisal. To ensure effective application of the World Bank’s safeguard policies, the ESSAF provides guidance on the approach to be taken during implementation for the selection and design of subprojects and the planning of mitigation measures;

- Environmental category ‘A’ subprojects are not expected in the first year’s subprojects. If any do occur, EAs for specific subprojects will be prepared during implementation, instead of before appraisal. Corrective measures in the form of an Environmental Management Plan will be built into either the emergency project or a future lending operation. The above is in accordance with paragraph 13 of OP 4.01 and paragraph 5 of BP 4.01;

- No resettlement issues are expected in any of the FY04 operations for the first year’s subprojects. If any do occur, Resettlement Action Plans (RAPs), and/or Resettlement Policy Frameworks for specific subprojects will be prepared. However, these RAPs can be prepared during implementation, provided a waiver on the submission of RAPs prior to appraisal is given by the MD. The waiver would also specify a timetable for the preparation of the RAPs, in accordance with the requirements of OP 4.12, during implementation;

- The proposed emergency reconstruction operations will finance feasibility and detailed design studies for these subsequent investments, which will include environmental assessments and social studies as required by World Bank safeguard policies;
Project design and subproject selection will aim at maintaining regional balance and equity among ethnic religious groups, considering variations in population density. Employment opportunities within the projects will be available on an equal basis to all, on the basis of professional competence, irrespective of gender or ethnic or religious group. In all projects which require consultations with local communities or beneficiaries, consultations will be conducted to elicit the views of the male and female population; and

Consultation and disclosure requirements will be simplified to meet the special needs of these operations. This ESSAF will be disclosed in the sector ministries and other public places in Iraq and in the World Bank InfoShop.

III. Environmental and Social Screening and Assessment Framework (ESSAF)

3. This ESSAF has been developed specifically for these proposed operations to ensure due diligence, to avoid causing harm or exacerbating social tensions, and to ensure consistent treatment of social and environmental issues by all donors and the Governing Council of Iraq. The purpose of this Framework is also to assist the Project Implementing Agencies in screening all the subprojects for their likely social and environmental impacts, identifying documentation and preparation requirements and prioritizing the investments.

4. **P 4.01 Environmental Assessment.** Most of the proposed subprojects are likely to focus on the repair, rehabilitation, reconstruction and upgrading (where necessary) of damaged buildings, roads, railways, bridges and infrastructure of critical importance. This would include power generation and distribution, agricultural infrastructure, irrigation and drainage networks, and rehabilitation of primary and secondary schools. Support will also be provided for mitigation measures related to the rehabilitation/restoration of the Mesopotamian Marshes and Shatt El Arab. The work in these areas will be done under OP 4.01 and it is not anticipated that OP 4.04 on natural habitats will be triggered.

5. Considering the nature and magnitude of potential environmental impacts from relatively limited scale and magnitude of reconstruction works, the proposed operations are likely to be classified as category ‘B’. The requirement to carry out an Environmental Analysis as part of project preparation can be waived but, for subprojects with potential adverse impacts, a limited Environmental Analysis will be done during project implementation. At the same time, prior to appraisal the implementing agency will agree to apply the following minimum standards during implementation: inclusion of standard environmental codes of practice (ECOP) in the repair and reconstruction bid documents of all subprojects; review and oversight of any major reconstruction works by specialists; implementation of environmentally and socially sound options for disposal of debris; and provisions for adequate budget and satisfactory institutional arrangements for monitoring effective implementation.

6. **OP 4.12 Involuntary Resettlement.** The need for involuntary resettlement or land acquisition in specific subproject areas will only be known during project implementation, when site-specific plans are available. Therefore subprojects will be screened for applicability of the resettlement policy and any subprojects involving involuntary resettlement or land acquisition will only be approved after preparation of a resettlement plan acceptable to the Bank. Several issues will increase the complexity of land acquisition - the lack of reliable land record systems, and the inability of people loosing land to either document ownership or be physically present to make their claims for eligibility. The safeguards framework will therefore include procedures for identifying eligible project-affected people, calculating and delivering compensation, and mechanisms for land dispute grievance redress.

7. Although land disputes between private parties and refugees from war, or natural disasters are not covered by OP 4.12, the policy does cover those displaced by the project’s activities. Even for those not
covered by the policy, and to ensure effective poverty reduction, it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse social impacts, particularly on poor and vulnerable groups. Well documented consultation mechanisms will be required to establish eligibility for compensation. Absent refugees who later claim compensation will require clear legal remedies to resolve or adjudicate disputes.

8. **OD 4.20 Indigenous Peoples.** Ethnicity is only one of many factors determining vulnerability in the present Iraqi context. Local circumstances vary too greatly to make generalizations. However, initial discussions with anthropologists and sociologists familiar with the country found that the presence of the five defining characteristics normally used (OD 4.20 paragraph 5) are inconclusive in Iraqi’s context, where the ethnic group concept is analytically problematic. According to social scientists familiar with ground realities in Iraq, selecting a sub-section of the society for special attention in accordance with the requirements of OD 4.20 (e.g., separate plans for different groups) would be counterproductive and could even end up escalating the conflict within and between communities.

9. In light of the above situation, a potential vulnerability assessment of all affected groups is planned to ensure effective consultative and culturally appropriate benefits for each group, instead of focusing only on groups defined as “indigenous peoples”. As part of this analysis, subproject preparation will assess the vulnerability of different ethnic groups in particular project contexts (in terms of potential exclusion from project benefits, negative project impacts, and the need for specific culturally compatible mechanisms for participation), and will incorporate adequate measures to address such vulnerability in project design. While some specific cases may justify stand-alone Indigenous Peoples Development Plans (IPDP) such as in the case of the people in the Mesopotamian Marshlands, these cases can only be determined after social analysis of potential vulnerability and careful judgment as required by the OD 4.20.

10. **OPN 11.03 Cultural Property.** The FY04 operations may pose limited risks of damaging cultural property, assuming that they will not include large-scale excavations, movement of earth or demolition. Nevertheless, projects and subprojects will be reviewed for their potential impact on cultural property and clear procedures will be required for identification, protection of cultural property from theft, and treatment of discovered artifacts, and will be included in standard bidding documents. While not damaging cultural property, subproject preparation may later identify and include assistance for preservation of historic or archeological sites. If these opportunities occur, cultural property management plans would be prepared for those subprojects.

11. **OP 4.37 Safety of Dams.** There are about 50 dams over 15 meters high, which will trigger the policy if included in the operations. However, because of local site conditions, even restoring smaller, earthen dams and linked irrigation infrastructure (partly abandoned, damaged or destroyed by civil unrest and war) will require application of standard engineering safety codes, inspection and evaluation of their safety status, and preparation and implementation of operation and maintenance procedures. Decisions on dam safety requirements will be made with the concurrence of the Bank.

12. **OP 7.50 Projects on International Waterways.** The two major rivers in Iraq, the Tigris and Euphrates, are shared with neighboring countries. However, no water sharing agreements exist between Syria, Turkey, Iran and Iraq. Components affecting waters in riparian neighbors will trigger the policy and project components will be screened to identify riparian issues and to ensure adequate notification, as required under the policy. Decisions on actions and requirements will be made with the concurrence of the Bank.

IV. **Safeguard Screening and Mitigation**
13. The selection, design, contracting, monitoring and evaluation of subprojects will be consistent with the following guidelines, codes of practice and requirements. The Coalition Provisional Authority (CPA) will confirm that areas to be accessed during reconstruction and rehabilitation activities have been de-mined. The safeguard screening and mitigation process will include:

- A list of negative characteristics rendering a proposed subproject ineligible for support, Attachment 1;
- A proposed checklist of likely environment and social impacts to be filled out for each subproject or group of subprojects, Attachment 2;
- Guidelines for land and asset acquisition, entitlements and compensation, Attachment 3;
- Procedures for the protection of cultural property, including the chance discovery of archaeological artifacts, unrecorded graveyards and burial sites, Attachment 4;
- Relevant elements of the codes of practice for the prevention and mitigation of potential environmental impacts, Attachment 5; and

V. Responsibilities for Safeguard Screening and Mitigation

14. A number of Ministries will act as the implementing agencies for the proposed operations, including the Ministries of Environment, Transport, Housing and Construction, Electricity, Water Resources, Municipalities and Public Works, and the mayoralty of Baghdad. Each Ministry will be responsible for applying the safeguard screening and mitigation requirements to its own subprojects. Within each Ministry, a Safeguards Focal Point (SFP) will be identified with responsibility for overseeing the implementation of the Framework.

VI. Capacity-Building and Monitoring of Safeguard Framework Implementation

15. As part of the capacity-building to be provided for implementation of the proposed operations, the Safeguards Focal Points and relevant staff of the concerned Ministries will also receive training in ESSAF’s application.

16. To assist in this capacity-building, and to provide subsequent guidance and review of the ESSAF’s application, the World Bank and subsequently the Governing Council of Iraq (GCI) will contract specialist services for environmental and social safeguards. During supervision of these operations, the World Bank will assess the implementation of the ESSAF, and recommend additional strengthening, if required.

VII. Consultation and Disclosure

17. This ESSAF will be shared with the CPA, with the concerned nongovernmental organizations and development partners of Iraq’s reconstruction. It will be disclosed in Arabic and English by the Ministry of Planning and Development Cooperation on behalf of the GCI in Baghdad, Basrah, and Mosul, and it will also be made available at the World Bank’s InfoShop. Relevant subproject specific safeguard documents/mitigation plans prepared subsequently will also be disclosed.
18. The proposed operations will support a number of feasibility and detailed design studies for future infrastructure investments for which World Bank safeguard policies relating to consultation and disclosure will apply. In particular, for environmental Category A and B investments\(^1\) proposed for future operations, the implementing agency will consult project-affected groups and local nongovernmental organizations on the project’s environmental and social aspects, and will take their views into account. The implementing agency will initiate these consultations as early as possible, and for meaningful consultations, will provide relevant material in a timely manner prior to consultation, in a form and language(s) that are understandable and accessible to the groups being consulted.

19. For Category A projects, the implementing agency will consult these groups at least twice: (a) shortly after the environmental screening and prior to finalization of the terms of reference for the Environmental Impact Assessment (EIA); and (b) once a draft EIA report is prepared. For the initial consultation, the implementing agency will provide a summary of the proposed project’s objectives, description, and potential impacts. For both Category A and B projects, the implementing agency will provide these groups with a summary of the EIA report’s conclusions. In addition, the implementing agency will make the draft reports publicly available to project-affected groups and local nongovernmental organizations.

---

\(^{1}\) As defined in World Bank Operational Policy 4.01, Environmental Assessment.
Subprojects with any of the attributes listed below will be ineligible for support under the proposed emergency reconstruction operations.

### Attributes of Ineligible Subprojects

#### GENERAL CHARACTERISTICS

Concerning significant conversion or degradation of critical natural habitats. Including, but not limited to, any activity within:
- Mesopotamian Marshlands;
- Shatt El Arab Wetlands;
- Wildlife Reserves; and
- Parks and Sanctuaries.

Damages cultural property, including but not limited to, any activities that affect the following sites:
- Archaeological and historical sites; and
- Religious monuments, structures and cemeteries.

Requiring pesticides that fall in WHO classes IA, IB, or II.

Affecting waters of riparian neighbors.

### Drinking Water Supply

New or expanded of piped water schemes to serve 10,000 or more households.

### Sanitation

New wastewater treatment plants to serve 10,000 or more households.

### Solid Waste

New disposal site or significant expansion of an existing disposal site.

### Roads

New primary roads and highways.

### Irrigation

New irrigation and drainage schemes.

### Dams

Construction of dams more than 5 meters high. Rehabilitation of dams more than 15 meters high.

### Power

New power generating capacity of more than 10 MW.

### Oil and Gas

New exploration, production or distribution. Rehabilitation of production or distribution systems.
<table>
<thead>
<tr>
<th>Attributes of Ineligible Subprojects</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Income Generating Activities</strong></td>
</tr>
<tr>
<td>Activities involving the use of fuelwood, including trees and bush.</td>
</tr>
<tr>
<td>Activities involving the use of hazardous substances.</td>
</tr>
</tbody>
</table>
Checklist of Likely Environmental and Social Impacts of Subprojects

This Form is to be used by the Safeguard Focal Point (SFP) or Project Implementation Unit (PIU) in Screening Subproject Applications.

Note: One copy of this form and accompanying documentation to be kept in the PIU office and one copy to be sent to the task team leader of the World Bank.

Name of Subproject:

Number of Subproject:

Proposing Agency:

Subproject Location:

Subproject Objective:

Infrastructure to be Rehabilitated:

Estimated Cost:

Proposed Date of Commencement of Work:

Technical Drawing/Specifications Reviewed (circle answer): Yes __ No __

I. Subproject Related Issues

<table>
<thead>
<tr>
<th>S No</th>
<th>ISSUES</th>
<th>No</th>
<th>Small</th>
<th>Medium</th>
<th>Large</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Zoning and Land Use Planning</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Will the subproject affect land use zoning and planning or conflict with prevalent land use patterns?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Will the subproject involve significant land disturbance or site clearance?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Will the subproject land be subject to potential encroachment by urban or industrial use or located in an area intended for urban or industrial development?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
B. Utilities and Facilities

4. Will the subproject require the setting up of ancillary production facilities?

5. Will the subproject make significant demands on utilities and services?

6. Will the subproject require significant levels of accommodation or service amenities to support the workforce during construction (e.g., contractor will need more than 20 workers)?

C. Water and Soil Contamination

7. Will the subproject require large amounts of raw materials or construction materials?

8. Will the subproject generate large amounts of residual wastes, construction material waste or cause soil erosion?

9. Will the subproject result in potential soil or water contamination (e.g., from oil, grease and fuel from equipment yards)?

10. Will the subproject lead to contamination of ground and surface waters by herbicides for vegetation control and chemicals (e.g., calcium chloride) for dust control?

11. Will the subproject lead to an increase in suspended sediments in streams affected by road cut erosion, decline in water quality and increased sedimentation downstream?

12. Will the subproject involve the use of chemicals or solvents?

13. Will the subproject lead to the destruction of vegetation and soil in the right-of-way, borrow pits, waste dumps, and equipment yards?

14. Will the subproject lead to the creation of stagnant water bodies in borrow pits, quarries, etc., encouraging for mosquito breeding and other disease vectors?

D. Noise and Air Pollution Hazardous Substances

15. Will the subproject increase the levels of harmful air emissions?

16. Will the subproject increase ambient noise levels?

17. Will the subproject involve the storage, handling or transport of hazardous substances?

E. Fauna and Flora

18. Will the subproject involve the disturbance or modification of existing drainage channels (rivers, canals) or surface water bodies (wetlands, marshes)?

19. Will the subproject lead to the destruction or damage of terrestrial or aquatic ecosystems or endangered species directly or by induced development?

20. Will the subproject lead to the disruption/destruction of wildlife through interruption of migratory routes, disturbance of wildlife habitats, and noise-related problems?
### F. Destruction/Disruption of Land and Vegetation

<table>
<thead>
<tr>
<th>S.No</th>
<th>Issues</th>
<th>YES</th>
<th>NO</th>
<th>DO NOT KNOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>21.</td>
<td>Will the subproject lead to unplanned use of the infrastructure developed?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22.</td>
<td>Will the subproject lead to long-term or semi-permanent destruction of soils in cleared areas not suited for agriculture?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23.</td>
<td>Will the subproject lead to the interruption of subsoil and overland drainage patterns (in areas of cuts and fills)?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24.</td>
<td>Will the subproject lead to landslides, slumps, slips and other mass movements in road cuts?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25.</td>
<td>Will the subproject lead to erosion of lands below the roadbed receiving concentrated outflow carried by covered or open drains?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26.</td>
<td>Will the subproject lead to long-term or semi-permanent destruction of soils in cleared areas not suited for agriculture?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27.</td>
<td>Will the subproject lead to health hazards and interference of plant growth adjacent to roads by dust raised and blown by vehicles?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### G. Cultural Property

<table>
<thead>
<tr>
<th>S.No</th>
<th>Issues</th>
<th>YES</th>
<th>NO</th>
<th>DO NOT KNOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>28.</td>
<td>Will the subproject have an impact on archaeological or historical sites, including historic urban areas?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29.</td>
<td>Will the subproject have an impact on religious monuments, structures and/or cemeteries?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30.</td>
<td>Have Chance Finds procedures been prepared for use in the subproject?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### H. Expropriation and Social Disturbance

<table>
<thead>
<tr>
<th>S.No</th>
<th>Issues</th>
<th>YES</th>
<th>NO</th>
<th>DO NOT KNOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>31.</td>
<td>Will the subproject involve land expropriation or demolition of existing structures?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32.</td>
<td>Will the subproject lead to induced settlements by workers and others causing social and economic disruption?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33.</td>
<td>Will the subproject lead to environmental and social disturbance by construction camps?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### II. Site Related Issues

<table>
<thead>
<tr>
<th>S.No</th>
<th>Issues</th>
<th>YES</th>
<th>NO</th>
<th>DO NOT KNOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Is the subproject located in an area with designated natural reserves?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Is the subproject located in an area with unique natural features?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Is the subproject located in an area with endangered or conservation-worthy ecosystems, fauna or flora?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Is the subproject located in an area falling within 500 meters of national forests, protected areas, wilderness areas, wetlands.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>-----</td>
<td>----</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located in an area which would create a barrier for the movement of conservation-worthy wildlife or livestock?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located close to groundwater sources, surface water bodies, water courses or wetlands?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located in an area with designated cultural properties such as archaeological, historical and/or religious sites?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject in an area with religious monuments, structures and/or cemeteries?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject in a polluted or contaminated area?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located in an area of high visual and landscape quality?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located in an area susceptible to landslides or erosion?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located in an area of seismic faults?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located in a densely populated area?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located on prime agricultural land?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located in an area of tourist importance?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located near a waste dump?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the subproject have access to potable water?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located far (1-2 kms) from accessible roads?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located in an area with a wastewater network?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located in the urban plan of the city?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the subproject located outside the land use plan?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signed by Environment Specialist: Name: _______________________________
Title:   _______________________________
Date:   _______________________________

Signed by Project Manager:  Name: _______________________________
Title:   _______________________________
Date:   _______________________________
Attachment 3

Guidelines for Land and Asset Acquisition, Entitlements and Compensation

I. Objectives

1. Resettlement and land acquisition will be kept to a minimum, and will be carried out in accordance with these guidelines. Subproject proposals that would require demolishing houses or acquiring productive land should be carefully reviewed to minimize or avoid their impacts through alternative alignments. Proposals that require more than minor expansion along rights of way should be carefully reviewed. No land or asset acquisition may take place outside of these guidelines. A format for a Land Acquisition Assessment Data Sheet is attached as Attachment 3(i).

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

II. Categorization

3. Based on the number of persons that may be affected by the project, Project Affected People (PAPs) and the magnitude of impacts, projects will be categorized as follows:

   (a) Projects that will affect more than 200 PAPs due to land acquisition and/or physical relocation and where a full Resettlement Action Plan (RAP) must be produced. If the RAP cannot be prepared prior to project appraisal, a waiver can be provided by the World Bank Managing Director (MD) in consultation with the Resettlement Committee. In such cases, the TT should agree with the Borrower on a timetable for preparation of the RAP.

   (b) Projects that will affect less than 200 persons require the following documentation: (i) a land acquisition assessment, (ii) the minutes or record of consultations which assess the compensation claimed and agreement reached, and (iii) a record of the receipt of the compensation, or voluntary donation, by those affected (see below).

   (c) Projects that are not expected to have any land acquisition or any other significant adverse social impacts; on the contrary, significant positive social impact and improved livelihoods are expected from such interventions.

III. Eligibility

4. PAPs are identified as persons whose livelihood is directly affected by the project due to acquisition of the land owned or used by them. PAPs deemed eligible for compensation are:

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

   (b) those who do not have such formal legal rights but have a claim to usufruct rights rooted in customary law; and
(c) those whose claim to land and water resources or building/structures do not fall within (a) and (b) above, are eligible to resettlement assistance to restore their livelihood.

IV. Acquisition of Productive Assets and Compensation

5. PAPs are eligible for replacement costs for lost assets as described below:

(a) Voluntary contributions. Individuals may elect to voluntarily contribute land or assets provided the persons making such contributions do so willingly and are informed that they have the right to refuse such contributions; and

(b) Contributions against compensation. A contributor/asset loser considered "affected" will be eligible for compensation and other necessary assistance.

6. Voluntary contribution should be clearly documented to confirm the voluntary nature of the transition. The documentation should specify that the land is free of any squatters, encroachers or other claims. A format is shown in Attachment 3(i), which includes a Schedule for assessing any compensation claimed and the agreement reached.

V. Compensation Principles

7. The project implementation agencies will ensure timely provision of the following means of compensation to affected peoples:

(a) Project affected peoples losing access to a portion of their land or other productive assets with the remaining assets being economically viable are entitled to compensation at a replacement cost for that portion of land or assets lost to them. Compensation for the lost assets will be made according to the following principles:

(i) replacement land with an equally productive plot, cash or other equivalent productive assets;
(ii) materials and assistance to fully replace solid structures that will be demolished;
(iii) replacement of damaged or lost crops and trees, at market value;
(iv) other acceptable in-kind compensation;
(v) in case of cash compensation, the delivery of compensation should be made in public, i.e., at the Community Meeting; and
(vi) in case of physical relocation, provision of civic infrastructure at the resettlement sites.

(b) Project affected peoples losing access to a portion of their land or other economic assets rendering the remainder economically non-viable will have the options of compensation for the entire asset by provision of alternative land, cash or equivalent productive asset, according to the principles in (a) i-iv above.

VI. Consultation Process

8. The implementing agencies will ensure that all occupants of land and owners of assets located in a proposed subproject area are consulted. Community meetings will be held in each affected district and
village to inform the local population of their rights to compensation and options available in accordance with these Guidelines. The Minutes of the community meetings shall reflect the discussions held, agreements reached, and include details of the agreement, based on the format provided in Attachment 3(ii).

9. The implementing agency shall provide a copy of the Minutes to affected people and confirm in discussions with each of them, their requests and preferences for compensation, agreements reached, and any eventual complaint. Copies will be recorded in the posted project documentation and be available for inspection during supervision.

**Subproject Approval**

10. In the event that a subproject involves acquisition against compensation, the implementing agency shall:

   (a) not approve the subproject unless satisfactory compensation has been agreed between the affected person and the local community; and

   (b) not allow works to start until the compensation has been delivered in a satisfactory manner to the affected persons.

**Complaints and Grievances**

11. Initially, all complaints should be negotiated to reach an agreement at the local community/village/district level. If this fails, complaints and grievances on these Guidelines, implementation of the agreements recorded in the Community Meeting Minutes or any alleged irregularity in carrying out the project can also be addressed by the affected peoples or their representative at the municipal or district level. If this also fails, the complaint may be submitted to the relevant implementing agency for consideration.

**Verification**

12. The Community Meeting Minutes, including agreements of compensation and evidence of compensation made shall be provided to the Municipality/district, to the supervising engineers, who will maintain a record hereof, and to auditors and socio-economic monitors when they undertake reviews and post-project assessment. This process shall be specified in all relevant project documents, including details of the relevant authority for complaints at the municipal/district or implementing agency level.
Land Acquisition Assessment Data Sheet
(To be used to record information on all land to be acquired)

1. Quantities of land/structures/other assets required:

2. Date to be acquired:

3. Locations:

4. Owners:

5. Current uses:

6. Users:
   - Number of Customary Claimants:
   - Number of Squatters:
   - Number of Encroachers:
   - Number of Owners:
   - Number of Tenants:
   - Others (specify): ______________________ Number: ____________

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

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

9. Describe grievance mechanisms available:
Attachment 3(ii)

Format to Document Contribution of Assets

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

1. That the Owner holds the transferable right of .............................................. donum of

land/structure/asset in........................................................................................................

2. That the Owner testifies that the land/structure is free of squatters or encroachers and not subject
to other claims.

3. That the Owner hereby grants to the Recipient this asset for the construction and development of
............................................for the benefit of the villagers and the public at large.

(Either, in case of donation:)

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

(Or, in case of compensation:)

4. That the Owner will receive compensation against the grant of this asset as per the attached
Schedule.

5. That the Recipient agrees to accept this grant of asset for the purposes mentioned.

6. That the Recipient shall construct and develop the..............................and take all possible
precautions to avoid damage to adjacent land/structure/other assets.

7. That both the parties agree that the..............................so constructed/developed shall be public
premises.

8. That the provisions of this agreement will come into force from the date of signing of this deed.

___________________________________  _____________________________________
Signature of the Owner                Signature of the Recipient

Witnesses:

1. _____________________________

2. ______________________________

(Signature, name and address)
<table>
<thead>
<tr>
<th>Summary of Affected Unit/Item</th>
<th>Units to be Compensated</th>
<th>Agreed Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Urban/agricultural land ($m^2$):</td>
<td>_____________________</td>
<td>___________________</td>
</tr>
<tr>
<td>b. Houses/structures to be demolished (units/$m^2$):</td>
<td>_____________________</td>
<td>___________________</td>
</tr>
<tr>
<td>c. Type of structure to be demolished (e.g. mud, brick, cement block, etc.,)</td>
<td>_____________________</td>
<td>Not Applicable.</td>
</tr>
<tr>
<td>d. Trees or crops affected:</td>
<td>_____________________</td>
<td>___________________</td>
</tr>
<tr>
<td>e. Water sources affected:</td>
<td>_____________________</td>
<td>___________________</td>
</tr>
</tbody>
</table>

Signatures of local community representatives, Sheikh/Head of Tribe:

Include record of any complaints raised by affected persons:

Map attached (showing affected areas and replacement areas):
Protection of Cultural Property

1. Cultural property include monuments, structures, works of art, or sites of significance points of view, and are defined as sites and structures having archaeological, historical, architectural, or religious significance, and natural sites with cultural values. This includes cemeteries, graveyards and graves.

2. The initial phase of the proposed emergency reconstruction operations pose limited risks of damaging cultural property since subprojects will largely consist of small investments in community infrastructure and income generating activities, reconstruction of existing structures, and minor public works. Further, the list of negative subproject attributes, which would make a subproject ineligible for support (Attachment 1), includes any activity that would adversely impact cultural property. Nevertheless, the following procedures for identification, protection from theft, and treatment of discovered artifacts should be followed and included in standard bidding documents as provided in Attachment 6.

Chance Find Procedures

3. Chance find procedures will be used as follows:

(a) Stop the construction activities in the area of the chance find;
(b) Delineate the discovered site or area;
(c) Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be present until the responsible local authorities and the Ministry of Culture take over;
(d) Notify the supervisory Engineer who in turn will notify the responsible local authorities and the Ministry of Culture immediately (within 24 hours or less);
(e) Responsible local authorities and the Ministry of Culture would be in charge of protecting and preserving the site before deciding on subsequent appropriate procedures. This would require a preliminary evaluation of the findings to be performed by the archeologists of the Ministry of Culture (within 72 hours). The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage; those include the aesthetic, historic, scientific or research, social and economic values;
(f) Decisions on how to handle the finding shall be taken by the responsible authorities and the Ministry of Culture. This could include changes in the layout (such as when finding an irremovable remain of cultural or archeological importance) conservation, preservation, restoration and salvage;
(g) Implementation for the authority decision concerning the management of the finding shall be communicated in writing by the Ministry of Culture; and
(h) Construction work could resume only after permission is given from the responsible local authorities and the Ministry of Culture concerning safeguard of the heritage.

4. These procedures must be referred to as standard provisions in construction contracts, when applicable, and as proposed in section 1.5 of Attachment 6. During project supervision, the Site Engineer shall monitor the above regulations relating to the treatment of any chance find encountered are observed.

5. Relevant findings will be recorded in World Bank Project Supervision Reports (PSRs), and Implementation Completion Reports (ICRs) will assess the overall effectiveness of the project’s cultural property mitigation, management, and activities, as appropriate.
### Codes of Practice for Prevention and Mitigation of Environmental Impacts

<table>
<thead>
<tr>
<th>Potential Impacts</th>
<th>Prevention and Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Water Supply</strong></td>
<td></td>
</tr>
<tr>
<td>• Installation or rehabilitation of tubewells or dug wells.</td>
<td></td>
</tr>
</tbody>
</table>

#### Disease caused by poor water quality:
- contamination by seepage from latrines.
- creation of stagnant pools of water.

#### Social Risks:
- Lack of clear division of rights/responsibilities may result in maintenance problems of wells/pumps.
- Access to water may be captured by interest groups.
- Use of foreign equipment/materials may hinder maintenance of pumps/wells.

- Redesign to prevent contamination if adjacent comparable sources are found to be contaminated.
- Subsequent monitoring of installed or rehabilitated sources.
- Appropriate location, apron and drainage around tubewells and dug wells to prevent formation of stagnant pools.
- Provision of cover and hand-pump to prevent contamination of dug wells.
- Where pit latrines are used they should be located more than 10m from any water source. The base should be sealed and separated by at least 2m of sand or loamy soil from the groundwater table.
- Where nightsoil latrines or septic tanks are built they should be sealed. Outflows should drain either to a soak away located at least 10m from any water source or be connected to a working drain.

- Ensure sufficient community participation and organization for effective planning and management of infrastructure.
- Identify proper mechanism of rights and responsibilities over well/pump/reservoir usage through participatory village focus groups.
- Ensure that local accessible materials are used when developing/rehabilitating wells in order to provide maintenance.
<table>
<thead>
<tr>
<th>Potential Impacts</th>
<th>Prevention and Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Latrines, cesspits.</td>
<td><strong>Sanitation and Wastewater</strong></td>
</tr>
<tr>
<td>Contamination of water supplies:</td>
<td>• Where pit latrines are used they should be located more than 10m from any water source. The base should be sealed and separated vertically by not less than 2m of sand or loamy soil from the groundwater table.</td>
</tr>
<tr>
<td>• contamination of groundwater because of seepage.</td>
<td>• Where nightsoil latrines or septic tanks are built they should be sealed. Outflows should drain either to a soak away located at least 10m from any water source or be connected to a working drain.</td>
</tr>
<tr>
<td>• contamination of surface waters due to flooding or overflowing.</td>
<td>• Maintenance training to be delivered along with new latrines.</td>
</tr>
<tr>
<td>Disease caused by poor handling practices of nightsoil.</td>
<td>• Training and health education to be provided to nightsoil handlers where affected by interventions.</td>
</tr>
<tr>
<td></td>
<td>• Protective clothing and appropriate containers for nightsoil transportation to be provided.</td>
</tr>
<tr>
<td>Disease caused by inadequate excreta disposal or inappropriate use of latrines.</td>
<td>• Nightsoil should be handled using protective clothing to prevent any contamination of workers skin or clothes.</td>
</tr>
<tr>
<td></td>
<td>• Where nightsoil is collected for agricultural use it should be stored for a sufficient period to destroy pathogens through composting. At the minimum it should be stored in direct sunlight and turned regularly for a period of at least 6 weeks.</td>
</tr>
<tr>
<td></td>
<td>• Septic tanks should not be constructed nor septic waste collected unless primary and secondary treatment and safe disposal is available.</td>
</tr>
<tr>
<td></td>
<td>• Health and hygiene education to be provided for all users of latrines.</td>
</tr>
<tr>
<td></td>
<td>• Awareness campaign to maintain sanitary conditions.</td>
</tr>
<tr>
<td>Disease caused by inadequate collection and disposal, including health risks from:</td>
<td>• Sufficient frequency of collection from transfer stations.</td>
</tr>
<tr>
<td>• insects, rats.</td>
<td>• Containment of waste during collection and transfer.</td>
</tr>
<tr>
<td>• burning of waste.</td>
<td>• Promote separation at source to reduce spreading by rag-pickers during recycling.</td>
</tr>
<tr>
<td></td>
<td>• Minimize burning.</td>
</tr>
<tr>
<td></td>
<td>• Provide daily soil covering.</td>
</tr>
<tr>
<td>Potential Impacts</td>
<td>Prevention and Mitigation Measures</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td><strong>Rehabilitation of Schools and Classrooms</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Environmental Impacts:**

- Disease caused by inadequate provision of water and sanitation.
- Improper disposal of wastes.
- Sanitation problems.
- Some construction related problems but usually minor in nature.
- Spread of disease from incoming laborers.
- Damage to historical buildings.
- Injury and death from earthquakes

- Ensure designs include adequate sanitary latrines and access to safe water.
- Ensure inclusion of adequate sanitation facilities and maintenance.
- Ensure planning, design and maintenance of infrastructure is appropriate to local needs, traditions, culture and desires.
- Proper disposal of all solid wastes, containers, infectious wastes.
- Public health awareness.
- Priority given to rehabilitation of toilets in rehabilitation of schools.
- Ensure actions involving historical buildings are reviewed/designed by qualified specialists.
- Apply low cost seismic structural design

**Social Impacts:**

- The vulnerable groups (women, poor children, migrants, pastoralists and the poor) may not benefit from infrastructure construction and rehabilitation.
- Schools/health posts may become abandoned due to the lack of commitment.
- Building infrastructure system alone without needs assessment may not benefit the community.
- Infrastructure investments may be misappropriated by governments.

- Health checks (especially in regards to HIV/AIDS) for incoming laborers.
- Before the start of each infrastructure project, develop comprehensive organizational and maintenance plan, commitment from local government and public to maintain school supplies, medical supplies, etc.
Safeguards Procedures for Inclusion in the Technical Specifications of Contracts

I. General

1. The Contractor and his employees shall adhere to the mitigation measures set down and take all other measures required by the Engineer to prevent harm, and to minimize the impact of his operations on the environment.

2. The Contractor shall not be permitted to unnecessarily strip clear the right of way. The Contractor shall only clear the minimum width for construction and diversion roads should not be constructed alongside the existing road.

3. Remedial actions which cannot be effectively carried out during construction should be carried out on completion of each Section of the road (earthworks, pavement and drainage) and before issuance of the Taking Over Certificate:
   
   (a) these sections should be landscaped and any necessary remedial works should be undertaken without delay, including grassing and reforestation;

   (b) water courses should be cleared of debris and drains and culverts checked for clear flow paths; and

   (c) borrow pits should be dressed as fish ponds, or drained and made safe, as agreed with the land owner.

4. The Contractor shall limit construction works to between 6 am and 7 pm if it is to be carried out in or near residential areas.

5. The Contractor shall avoid the use of heavy or noisy equipment in specified areas at night, or in sensitive areas such as near a hospital.

6. To prevent dust pollution during dry periods, the Contractor shall carry out regular watering of earth and gravel haul roads and shall cover material haulage trucks with tarpaulins to prevent spillage.

II. Transport

7. The Contractor shall use selected routes to the project site, as agreed with the Engineer, and appropriately sized vehicles suitable to the class of road, and shall restrict loads to prevent damage to roads and bridges used for transportation purposes. The Contractor shall be held responsible for any damage caused to the roads and bridges due to the transportation of excessive loads, and shall be required to repair such damage to the approval of the Engineer.

8. The Contractor shall not use any vehicles, either on or off road with grossly excessive, exhaust or noise emissions. In any built up areas, noise mufflers shall be installed and maintained in good condition on all motorized equipment under the control of the Contractor.
9. Adequate traffic control measures shall be maintained by the Contractor throughout the duration of the Contract and such measures shall be subject to prior approval of the Engineer.

III. Workforce

10. The Contractor should whenever possible locally recruit the majority of the workforce and shall provide appropriate training as necessary.

11. The Contractor shall install and maintain a temporary septic tank system for any residential labor camp and without causing pollution of nearby watercourses.

12. The Contractor shall establish a method and system for storing and disposing of all solid wastes generated by the labor camp and/or base camp.

13. The Contractor shall not allow the use of fuelwood for cooking or heating in any labor camp or base camp and provide alternate facilities using other fuels.

14. The Contractor shall ensure that site offices, depots, asphalt plants and workshops are located in appropriate areas as approved by the Engineer and not within 500 meters of existing residential settlements and not within 1,000 meters for asphalt plants.

15. The Contractor shall ensure that site offices, depots and particularly storage areas for diesel fuel and bitumen and asphalt plants are not located within 500 meters of watercourses, and are operated so that no pollutants enter watercourses, either overland or through groundwater seepage, especially during periods of rain. This will require lubricants to be recycled and a ditch to be constructed around the area with an approved settling pond/oil trap at the outlet.

16. The contractor shall not use fuelwood as a means of heating during the processing or preparation of any materials forming part of the Works.

IV. Quarries and Borrow Pits

17. Operation of a new borrow area, on land, in a river, or in an existing area, shall be subject to prior approval of the Engineer, and the operation shall cease if so instructed by the Engineer. Borrow pits shall be prohibited where they might interfere with the natural or designed drainage patterns. River locations shall be prohibited if they might undermine or damage the river banks, or carry too much fine material downstream.

18. The Contractor shall ensure that all borrow pits used are left in a trim and tidy condition with stable side slopes, and are drained ensuring that no stagnant water bodies are created which could breed mosquitoes.

19. Rock or gravel taken from a river shall be far enough removed to limit the depth of material removed to one-tenth of the width of the river at any one location, and not to disrupt the river flow, or damage or undermine the river banks.

20. The location of crushing plants shall be subject to the approval of the Engineer, and not be close to environmentally sensitive areas or to existing residential settlements, and shall be operated with approved fitted dust control devices.
V. Earthworks

21. Earthworks shall be properly controlled, especially during the rainy season.

22. The Contractor shall maintain stable cut and fill slopes at all times and cause the least possible disturbance to areas outside the prescribed limits of the work.

23. The Contractor shall complete cut and fill operations to final cross-sections at any one location as soon as possible and preferably in one continuous operation to avoid partially completed earthworks, especially during the rainy season.

24. In order to protect any cut or fill slopes from erosion, in accordance with the drawings, cut off drains and toe-drains shall be provided at the top and bottom of slopes and be planted with grass or other plant cover. Cut off drains should be provided above high cuts to minimize water runoff and slope erosion.

25. Any excavated cut or unsuitable material shall be disposed of in designated tipping areas as agreed to by the Engineer.

26. Tips should not be located where they can cause future slides, interfere with agricultural land or any other properties, or cause soil from the dump to be washed into any watercourse. Drains may need to be dug within and around the tips, as directed by the Engineer.

VI. Historical and Archeological Sites

27. If the Contractor discovers archeological sites, historical sites, remains and objects, including graveyards and/or individual graves during excavation or construction, the Contractor shall:

(a) Stop the construction activities in the area of the chance find.
(b) Delineate the discovered site or area.
(c) Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be present until the responsible local authorities and the Ministry of Culture take over.
(d) Notify the supervisory Engineer who in turn will notify the responsible local authorities and the Ministry of Culture immediately (less than 24 hours).
(e) Contact the responsible local authorities and the Ministry of Culture who would be in charge of protecting and preserving the site before deciding on the proper procedures to be carried out. This would require a preliminary evaluation of the findings to be performed by the archeologists of the Ministry of Culture (within 72 hours). The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage, including the aesthetic, historic, scientific or research, social and economic values.
(f) Ensure that decisions on how to handle the finding be taken by the responsible authorities and the Ministry of Culture. This could include changes in the layout (such as when the finding is an irremovable remain of cultural or archeological importance) conservation, preservation, restoration and salvage.
(g) Implementation for the authority decision concerning the management of the finding shall be communicated in writing by the Ministry of Culture; and
(h) Construction work will resume only after authorization is given by the responsible local authorities and the Ministry of Culture concerning the safeguard of the heritage.

VII. Disposal of Construction and Vehicle Waste

28. Debris generated due to the dismantling of the existing structures shall be suitably reused, to the extent feasible, in the proposed construction (e.g. as fill materials for embankments). The disposal of remaining debris shall be carried out only at sites identified and approved by the project engineer. The contractor should ensure that these sites (a) are not located within designated forest areas; (b) do not impact natural drainage courses; and (c) do not impact endangered/rare flora. Under no circumstances shall the contractor dispose of any material in environmentally sensitive areas.

29. In the event any debris or silt from the sites is deposited on adjacent land, the Contractor shall immediately remove such, debris or silt and restore the affected area to its original state to the satisfaction of the Supervisor/Engineer.

30. Bentonite slurry or similar debris generated from pile driving or other construction activities shall be disposed of to avoid overflow into the surface water bodies or form mud puddles in the area.

31. All arrangements for transportation during construction including provision, maintenance, dismantling and clearing debris, where necessary, will be considered incidental to the work and should be planned and implemented by the contractor as approved and directed by the Engineer.

32. Vehicle/machinery and equipment operations, maintenance and refueling shall be carried out to avoid spillage of fuels and lubricants and ground contamination. An 'oil interceptor' will be provided for wash down and refueling areas. Fuel storage shall be located in proper bunded areas.

33. All spills and collected petroleum products shall be disposed of in accordance with standard environmental procedures/guidelines. Fuel storage and refilling areas shall be located at least 300m from all cross drainage structures and important water bodies or as directed by the Engineer.