

Environmental and Social Management Framework

P152343: MONGOLIA - SECOND ENERGY SECTOR
PROJECT COMPONENT 2 (SOLAR)

NOVEMBER 2016

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1. INTRODUCTION

This Environmental and Social Management Framework (ESMF) is structured to guide the Project Management Office (PMO) under the Ministry for Energy and the implementing unit (PIU) Western Energy System (WES) to perform safeguard due diligence in accordance with World Bank environmental and social safeguard policies. The World Bank Second Energy Sector Project (the “Project”) is structured with investments fully identified prior to loan approval and investments that are to be identified subsequent to loan approval. This ESMF is designed to guide WES in performing their safeguard obligations for all Project investments under component 2 *identified subsequent to loan approval* (see section 2.2 below).

2. PROJECT DESCRIPTION

2.1 Objective

The development objective of the proposed project is to improve access to sustainable and reliable electricity services in selected regional distribution utilities and improve energy regulatory capacity in Mongolia. Key expected results from the proposed project are:

- (a) increased access to electricity supply;
- (b) reduced system interruption frequency due to distribution faults;
- (c) generation capacity of renewable energy constructed under the project;
- (d) estimated GHG emission reduction; and
- (e) tariff policy recommendations published.

2.2 Components

The Project will include three components as described below.

Component 1. “Rehabilitation of Distribution Networks”. The purpose of this component is to reduce system losses and improve reliability of and access to electricity services in selected parts of the distribution network through strengthening of power infrastructure. This component will have three sub-components: (1.1) Upgrade and Expansion of BSEDN, (1.2) Upgrade and Expansion of ESBDN; (1.3) Rehabilitation of switchgears in the National Power Transmission Grid (NPTG).

Component 2. “Solar Power Plant” will finance construction of a 10 MW solar PV power plant in the Western Energy System, as identified under Mongolia’s SREP Investment Plan. In addition, subsequent to loan approval and contingent upon available funds, additional solar PV power plants may be financed under this Project. Therefore, this ESMF is designed to provide guidance on additional safeguards procedures and documentation to meet the government and World Bank environmental and social regulations, policies and procedures.

Component 3. “Capacity Building” will cover project management, technical assistance and training including regulatory aspects. The purpose of this component is to strengthen the capacity of the project management office (PMO) under the Ministry of Energy and the implementing units (PIUs) of the regional distribution companies through provision of technical assistance, training and study tours. The component includes: (i) technical assistance for project implementation and special studies; (ii) training programs to improve the project management capabilities; and (iii) project management cost.

2.3 Target Area

No specific location has yet been designated. However, a decision made by MoE in agreement with World Bank that any solar facilities financed under this Project are to be located in the western region (especially Khovd and Uvs provinces) of Mongolia. Siting considerations would likely place any facilities, inter alia: (a) near access to connect to the Mongolian power grid, (b) on State owned land, and (c) near a readily available water source. The locations will not include Bayan Ulgii or the northern Huvsgul provinces populated by the Kazakh and Tsartan ethnic minorities.

2.4 Anticipated Subproject Types

The only subproject type to be considered under this Project component will be solar photovoltaic power production facilities.

The main elements of this ESMF will include the following aspects for safeguard evaluation of potential subprojects:

- Subproject Due Diligence
- Risk Screening and Categorization (Impact Assessment)
- Safeguard Documentation Preparation
 - Environment
 - Social
- Consultation
- Legal/Contractual Obligations (Conditionality)
- Review, Approval and Disclosure
- Implementation Arrangements and Responsibilities
 - Monitoring
 - Reporting
- Capacity Development
 - Training

3. WORLD BANK SAFEGUARD POLICIES TRIGGERED

- OP 4.01: Environmental Assessment¹

This OP 4.01 is triggered as the project may cause some minor adverse environmental and social construction impacts associated with the movement of men, machines and materials (e.g. dust, noise, engine exhausts etc.). Since large amounts of land and land clearing are likely to be involved, there may be some potential issues associated with vegetation removal and management as well as topsoil management.

- Forestry

This project will not lead to the destruction of forests or forest ecosystems. Siting criteria and due diligence would reject any candidate site within a forest or forest ecosystem.

¹For more details about WB guidelines and Policies, please visit Bank websites:

<http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTSAFEPOL/0,,menuPK:584441~pagePK:64168427~piPK:64168435~theSitePK:584435,00.html> and <http://www.ifc.org/ifcext/sustainability.nsf/Content/EHSGuidelines>

- Cultural Properties

The project is not expected to have negative impacts on cultural property, including movable or immovable objects, sites, structures, groups of structures or natural features or landscapes with archaeological, paleontological, historical, architectural, religious, aesthetic or other cultural significance. Siting criteria and due diligence would reject any site at or near any site/structure of cultural value. However, since land clearing and excavation is likely to be involved, there is the possibility of accidental or “chance find” events.

- Natural Habitats

This project will not support or lead to the conversion of natural habitats. Siting criteria and due diligence would reject any site at or near areas of high ecologic value or affect any wildlife migratory routes.

- OP/BP 4.10 Indigenous Peoples

Mongolia has an estimated 24 ethnic groups, which are either descendants of Mongolian nomadic tribes. The majority are the Khalkh who comprise over 90% of the population. Except for the Kazakh minority group residing in western Mongolia, all ethnic groups speak Mongolian dialects which are comprehensible to speakers of Khalkha and to each other. Only the Kazakhs rely upon a distinct spoken language. The majority of Mongolia’s ethnic minority groups share similar customs, traditions and systems of production as the Khalkh. With the exception of the predominantly Muslim and linguistically differentiated Kazakhs in western Mongolia, and traditionally nomadic reindeerherding Tsaatan peoples in the north, Mongolia’s ethnic groups are not considered to be economically, socially or legally marginalized or otherwise disadvantaged in a manner which would restrict their ability to participate in the project. The component will not include those areas populated by either the Kazakh (Bayan Ulgii) or Tsaatan (northern Khovsgul province) ethnic minorities and is therefore not expected to trigger OP/BP 4.10 on Indigenous Peoples.

- OP/BP 4.12 Involuntary Resettlement

It is expected that under this project no involuntary land acquisition, physical relocation of households or commercial entities due to construction work will occur. It is anticipated that any future sites will be on state land, that is not used formally or informally. However, sites may be identified after appraisal and have not yet been finalised a Resettlement Policy Framework (RPF) has been prepared and incorporated into this ESMF (see Annex C). The RPF discusses the steps to be taken in the event that land is involuntarily acquired, purchased under negotiated settlement or voluntarily donated for project activities.

4. POTENTIAL ENVIRONMENTAL AND SOCIAL IMPACTS

Given the exact nature and location of subprojects will not be known at the time of appraisal the specific potential impacts associated with Component 2 subprojects are unknown. Anticipated generic potential impacts that are likely to be of concern, based upon previous experiences, may include worker safety issues, hazardous waste management and non-hazardous waste disposal during subproject construction, generation of dust, noise, during construction, For the most part, the potential impacts are anticipated to be localized, of limited duration and reversible and can be readily managed through proper design and good management practices during project construction.

Anticipated social impacts will primarily be positive, associated with short term employment and local supply opportunities. Short term (temporary) negative impacts, associated with construction will occur such as noise/dust, as discussed relative to environmental impacts. No new connections are anticipated as part of the scope of the investment, nor is this anticipated to be induced as a result of future investments. Changes in consumer electricity prices, and potential improvements to reliability are not anticipated given the current consistent and reliable use of Russian electricity and given consumers are already connected (in urban centres).

A social assessment has been conducted in November 2016, to include future potential locations and describes the socio-economic profile of associated communities. Social impacts were evaluated to further understand positive and negative consequences for communities and recommend mitigation measures. Potential negative impacts of involuntary resettlement which could occur in the instance that state land is not available for future sites are discussed in the Resettlement Policy Framework, Annex C.

5. MEASURES TO MANAGE ENVIRONMENTAL AND SOCIAL IMPACTS

Most potential impacts on physical, biological and social environment could be mitigated through a set of general measures that are typically applied to most construction projects to minimize impacts such as noise dust, vibration, waste generation, traffic hindrance, public safety etc. In this context a generic environmental management plan (EMP) has been prepared for solar photovoltaic power facilities. This EMP is provided in Annex A.

The typical mitigating measures have been identified for the following aspects:

Construction

- Dust generation
- Engine exhaust emissions
- Noise and vibration
- Altered surface runoff
- Topsoil management
- Vegetative waste management
- Solid wastes (hazardous and non-hazardous)
- Wastewater management
- Worker safety
- Chance find procedures

Operation

- Visual disruption
- Panel washwater management
- Hazardous wastes
- Ecological protection

Decommissioning

- Waste disposal
- Land restoration

There may be site specific impacts that require measures during construction such as facilities near sensitive receptors (communities, hospitals, schools etc.), near surface waters (streams, bays, ponds, etc.). These specific measures are to be identified and follow relevant government technical regulations and incorporated into the EMP as additional measures.

No involuntary resettlement impacts, either physical or economic displacement are anticipated for Component 2. The chosen locations will prioritize the use of state land for any solar developments. However, in the event that the location affects households, such as the land use of nomadic heading families, these will be addressed as stated in the RPF (Annex C).

Relative to other social impacts, a social assessment is being prepared by the borrower, in collaboration with the Bank Task team for the project in Q4 of 2016. This will provide an overview of the beneficiary population profile

and contribute socioeconomic information for incorporation into planning for any future investments. Local consultants are conducting both primary and secondary data collection to determine local socio-economic and cultural issues that will inform the benefits, social impacts and risks of the project as well as any necessary mitigations. The social assessment will be prepared as a stand-alone document and be submitted to the World Bank for review and any necessary clearance.

The social assessment methods include:

- Review and analysis of the most recent Census results at Aimag level and soum level (where known).
- Review and analysis of project documents pertaining to potential social impacts and risks.
- In-depth interviews with knowledgeable experts and local stakeholders, to gain information relative to potential social impacts (positive and negative) such as workforce numbers during construction, operations, job types, accommodation arrangements, service providers such as food, cleaning etc.
- Consultation meetings with key stakeholders and community groups (i.e. school parents, businesses, women's group, etc).

The output from the social assessment will be a report including:

- An outline of the solar component.
- Baseline data relative to the aimags and soums.
- Scoping of potential social impacts; analysis of potential social impacts (positive and negative); and
- Recommendations on mitigation or enhancement measures.
- Impact monitoring indicators and evaluation criteria.
- A summary of social risks (e.g. country risks, political economy risks, institutional risks, exogenous risks, and vulnerability risks).

6. PROCEDURES FOR PREPARATION, REVIEW, CLEARANCE AND IMPLEMENTATION OF SUBPROJECT SAFEGUARD INSTRUMENTS

During the project implementation the PMO is expected to arrange for staff responsible and qualified to monitor and manage all project related social and environmental safeguards requirements. Since most of the investments are relatively small, for the sake of efficiency a "subproject" shall be considered to be a number of investments assembled together as a single procurement package.

6.1 Subproject Due Diligence

Government Permits for Environment and Social Requirements

WES will complete the Table presented in Annex A along with copies of any accompanying documentation demonstrating the validity of the entries in the Table (e.g. copies of permits, licenses, letters of approval etc.). The completed Table and associated documentation will be included in the Project file.

The Table is to confirm that relevant Mongolian land use, environmental, social and occupational health and safety laws and regulations will be followed during the construction phase (EA approvals, permits, licenses etc. for trash etc. are/were secured).

Land Acquisition and Resettlement

The PMO will review the location of the proposed subproject and arrange for a due diligence review to determine the status of the land (i.e. state land/other); if anyone is living or using the land formally or

informally; and if there are any outstanding complaints with regards to the land. See Annex C, C15 Tool 8 for a checklist to be completed during due diligence review.

If any free market purchase of land is needed for the proposed subproject, World Bank will require proof (i.e. documentation) that the land acquisition transaction occurred on the free market between a willing buyer and a willing seller in accordance with Mongolian Law; and that there are no outstanding complaints/liabilities in regards to the land: *no resettlement action plan would be required.*

In the event that land must be involuntarily acquired, or will displace users from the land, a resettlement plan will be required. Section 6 outlines the steps to be undertaken.

6.2 Screening and Categorization (Impact Assessment)

The investment for a solar photovoltaic power station identified prior to project appraisal has, in accordance with World Bank Environmental Assessment policy (OP 4.01) already been assigned “Category B” (see below). Solar photovoltaic power station investments identified after Board approval, are most likely to be of a similar nature and therefore are also likely to be considered Category B. *However, should a new solar facility investment with special or unique characteristics be considered after Board approval, WES and the PMO should consult with the World Bank task team who will confer with the environmental and social safeguards specialists (World Bank - GSURR and GENR) regarding procedures to be followed and safeguard documentation required before proceeding with any such investment.*

The World Bank Screening/Categorization system classifies projects into one of three categories: A, B, or C, depending on the type, location, sensitivity and scale of the project and the nature and magnitude of its potential impacts. General characteristics of projects in the different screening categories under the World Bank system are as follows:

Category A: A proposed project is classified as Category A if it is likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented. These impacts may affect an area broader than the sites or facilities subject to physical works. A full EIA is needed in accordance with the specific requirements of the World Bank’s policy and procedures for Category A projects.

Category B: A proposed project is classified as Category B if it’s potential adverse environmental impacts on human populations or environmentally important areas-including wetlands, forests, grasslands, and other natural habitats-are less adverse than those of Category A projects. These impacts are site specific; few if any of them are irreversible; most have impacts that are primarily confined to the project site, and in most cases mitigation measures can be readily designed from standard procedures (e.g. ECOPs). The scope of the EA is much narrower than that of a Category A EA, usually an Environmental Management Plan (EMP) and/or ECOP would be sufficient.

Category C: A proposed project is classified as Category C if it is likely to have minimal or no adverse environmental impacts. Beyond screening, no further EA action or any environmental documentation is required.

6.3 Safeguard Document Preparation

The PMO is responsible for preparation of all environment related safeguard documentation and will prepare these together with WES. The PMO will be responsible for all social safeguard documentation and will work in collaboration with WES in the preparation of these documents.

Environment

For environment, only Category B investments will be supported under the World Bank project.

Since subproject environmental issues are modest, of limited range, and basically reversible after project completion the generic EMP presented in Annex A would be sufficient to meet World Bank requirements as environmental documentation for the subproject. WES should review the generic EMP presented in Annex A and delete/remove those issues/risks and associated mitigating measures that are not relevant to any specific proposed solar photovoltaic power facility. The revised specific EMP would represent the subproject EA document.

Where there might be potential site specific issues, such as proximity to residential complexes or other sensitive receptors (e.g. schools, hospitals, nursing homes etc.), need for a worker camp, construction of an access road etc., *additions to the EMP*, should be included.

Social

The PMO will include individuals charged with ensuring that screening for adverse impacts on land/livelihoods to assure the principles of the RPF (refer Annex C) are undertaken in concurrence with project planning processes.

For each sub-project, screening will be undertaken for land ownership and requirements for land and land-based asset acquisition requirements, to determine whether voluntary land donation may be possible (refer Annex C) or whether a Resettlement Plan (RP) or Abbreviated Resettlement Plan (ARP), based on the involuntary Resettlement Policy Framework is required. For brevity the term 'RP' will be used in this document to refer to whichever resettlement instrument is selected. The PMO will be responsible for preparing and implementing any necessary Resettlement Plans in collaboration with WES.

6.4 Consultation

During preparation of an EMP for a solar **photovoltaic** facility, at least one public consultation must be carried out by WES in a manner consistent with World Bank requirements in a form convenient to the local people (survey, meeting, signboard. etc.). Information on the main findings of the environmental impacts and proposed mitigating measures must be made available in the local language understandable for the majority of the affected people. Records of the public consultation should be attached to the final EMP and contain, as a minimum, the following information:

- Manner in which notification of the consultation was announced: media(s) used, date(s), description or copy of the announcement demonstrating an adequate period for prior notification of consultation event, disclosure of documentation and the opportunity to provide feedback.
- Date(s) consultation(s) was (were) held
- Location(s) consultation(s) was (were) held
- Who was invited
Name, Organization or Occupation, Telephone/Fax/e-mail number/address (home and/or office)
- Who attended
Name, Organization or Occupation, Telephone/Fax/e-mail number/address (home and/or office)
- Meeting Program/Schedule
- What is to be presented and by whom
- Summary Meeting Minutes (Comments, Questions and Response by Presenters)
- List of decisions reached, and any actions agreed upon with schedules and deadlines and responsibilities

Any major relevant issue identified at the public meeting should be included in the draft EMP. The final version of the EMP with any input from the public consultation should include a clear statement that environmental concerns and suggestions for environmental improvements made by the public have been incorporated in the EMP. The PMO should include the final draft EMP in the subproject file.

Specific requirements for consultation for any Resettlement Plans prepared for subprojects is contained in Annex AC 11.

6.5 Review, Approval and Disclosure

Review and Approval

The first subproject EMP should be sent to the World Bank Task Team, who will confer with GPSURR and GENS practice managers for verification and a “no objection”.

Resettlement of households is not expected as any future subprojects are expected to be located on state land. However, should a subproject require involuntary resettlement prior approval from the World Bank should be sought and a resettlement plan or an abbreviated resettlement plan prepared.

The PMO submits RPs for World Bank review and approval. The World Bank will review and clear all RPs for any future solar subprojects.

Disclosure

Before subproject implementation the PMO will send English language versions of the final approved EMP to the World Bank Office in Ulaanbaatar for disclosure in the Info shop. The PMO together with WES will also disclose a Mongolian language version of the final approved EMP at a public location (e.g. government building, school, library etc.) near the project sites and/or on their website.

For resettlement plans, the PMO, together with WES will disclose the draft and final versions to the affected persons and the general public in the project area both on its website, and in hard copy in a language and location accessible to them. In this and any future projects undertaken in collaboration with the Bank, disclosure of the draft RP will be undertaken at least one month prior to Bank review. Disclosure of the final RP will occur following Bank acceptance.

6.6 Legal/ Contractual Obligations (Conditionality)

The PMO should include the EMP in any bid documents prepared and any contract(s) subsequently awarded should include copies of the EMP as well as specific language requiring the Construction Contractor to follow requirements specified in the referenced EMP.

The PMO should ensure that all bidding documents and contracts for Works contain provisions that require contractors to comply with the measures and requirements relevant to the contractor set forth in any RP prepared for individual subprojects (to the extent they concern impacts on affected people² during construction).

Provisions should include requirements for the Construction Contractor to provide the PMO with a written notice of any unanticipated resettlement risks or impacts that arise during construction that were not considered in any RPs prepared for subprojects; and that the contractor must fully reinstate pathways, other

² Please refer Annex C, chapter AC.1 for a definition of Affected People.

local infrastructure, and agricultural land to at least their pre-project condition upon the completion of construction.

6.7 Implementation Arrangements & Responsibilities

Monitoring

WES are responsible for environmental monitoring of the EMP. In turn, during construction, the Construction Contractor would be responsible for the day-to-day monitoring of EMP implementation. The PMO (in collaboration with WES) will be responsible for monitoring the implementation of any RPs prepared under the project. Specific details for monitoring requirements for any RPs are contained in Annex C.

Reporting

During construction, the Construction Contractor should, as part of normal reporting procedures, provide written confirmation to WES that the EMP is being implemented in accordance with the schedules prescribed.

The PMO in their normal reporting to the World Bank, should include a “safeguards” section which summarizes all EMP implementation, identifies any safeguard issues that developed, and how they are/or will be managed.

In the event that any RPs are prepared for subprojects, each required RP will include detailed monitoring and progress reporting arrangements for the subproject (refer Annex C for further details).

7. CAPACITY DEVELOPMENT

In the preparatory stage, the PMO will appoint a Safeguards Officer reporting to the Project Manager in the PMO, who have the capacity and will be responsible for handling environmental and social requirements with equal diligence. This Officer will also undergo World Bank safeguard training, anticipated in the first half of 2017 so that they can implement their responsibilities as per the ESMF and RPF (as described above). Particular attention will be given during the early stages to training on environmental and social due diligence (refer chapter 6.1 on subproject due diligence) for individual subprojects.

Within WES, two Safeguards Officers (one environment and one social) will be appointed. The candidates for these two positions will be selected, based on their existing skills, interest and willingness to learn. They will receive capacity building training along with the PMO safeguard staff as mentioned in the above paragraph.

8. GRIEVANCE REDRESS MECHANISM

WES shall coordinate with local authorities (leaders of local communes, leader of villages) for agreed schedules of construction activities at areas near sensitive places (such as hospitals, schools, libraries, etc.) or at sensitive times (e.g. holidays, weekends, religious festival days etc.). WES will inform local residents about construction and work schedules, interruption of services, traffic detour routes and provisional bus routes, blasting and demolition, as appropriate.

Notification boards shall be erected at all construction sites providing information about the project, as well as contact information about the site managers, environmental staff, health and safety staff, telephone numbers and other contact information so that any affected people can have the channel to voice their concerns and suggestions. The Construction Contractor should not create nuisances and disturbances in or near communities.

Copies of the EMP and of other relevant environmental and social safeguard documents shall be made available to local communities and to workers at the site upon commencement of the project. WES will provide a

community relations contact from whom interested parties can receive information on site activities, project status and project implementation results.

Grievances could arise in relation to physical impacts, such as noise, dust generation or contract worker disturbance. Alternatively, these could possibly stem from environmental damage, disputes about land, assets or elements of livelihood, construction impacts or accidents. Irrespective of cause, the grievance mechanism will address affected people's concerns and complaints promptly, using a transparent process that is responsive, culturally appropriate, and readily accessible to all segments of the affected communities at no cost and without retribution.

The complaints process will offer remedies appropriate to the scale of the grievance. The process will be as follows:

- Complaints or feedback that can be resolved by contractors or WES staff during normal working operations will be undertaken immediately. The complaint will be recorded, including details of the complaint (what, when, date(s), time(s) of day, gender, other observations), contact details of complainant, remedy/remedies, and date of close out. Complaints can be lodged with WES by phone, post, email, or in person with a Soum representative who will forward the complaint to WES.
- Other project-related complaints that cannot be resolved immediately, or by contractors or WES staff, will in the first instance be notified to the PMO Safeguard Officers for mediation within a specified short time, preferably not more than fifteen working days. The PMO Safeguards Officers will facilitate mediation hearings with the relevant body related to the grievance and complainant in open forum close to the place of residence of the affected person(s) or affected group. The complainant will be encouraged to be accompanied by supporters during the process.
- If mediation is unsuccessful, or if the matter is substantive, at any time affected parties can file written or verbal grievances through the Mongolian Court system, in accordance with Mongolian laws and procedures.

At any time, if the project grievance redress mechanism is considered inadequate for addressing concerns then the World Bank Grievance Redress Service and the World Bank's Inspection Panel are avenues for appeal. Information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), can be found at <http://www.worldbank.org/GRS>. Information on how to submit complaints to the World Bank Inspection Panel, can be found at www.inspectionpanel.org.

All complaints received will be recorded and sent through to the Safeguards Officer at the PMO, where they will consolidate complaints into a matrix recording the complainant's details, date, cause of complaint, steps taken to resolve the issue, outcome and date, any further steps to be taken, date of ultimate resolution and number of days elapsed from first notification to final resolution. The matrix will be updated and included as part of regular reports to the Bank such that the World Bank Task team can monitor these on an ongoing basis. Analysis of causes of complaints will be undertaken to inform improvements in future sub-project design as appropriate.

Information about how to register a complaint will be given in all public communications (including notice boards) and consultations about the Project. Any RPs developed, will extend the above process to ensure affected households can lodge grievances specific to the resettlement process and that appropriate capacity for resettlement related grievances is available at the local level.

9. ESMF CONSULTATION AND DISCLOSURE

The PMO and WES consulted relevant stakeholders to discuss this draft ESMF, including the following:

- Meetings with government stakeholders, such as the Ministry of Environment, Green Development and Tourism, the Ministry of Education, Culture and Science, the Administration of Land Affairs, Construction, Geodesy and Cartography.
- Meetings with relevant NGOs such as World Wildlife Fund, Wildlife Science and Conservation Centre of Mongolia.
- Residents in Western Aimags, such as those potentially affected by group 1 subproject solar investments.

At consultation meetings, copies of this draft Mongolian language ESMF were made available for ready reference. Presentations were made in simple language, providing maps and photos of the relevant equipment and location. Attendees were advised of the legal framework under which the project will operate, their rights and how to make comments or register complaints about the project. Participant lists and a summary of the meeting minutes from consultations conducted on December 2nd 2016 are included in Annex D.

Based upon the results of the consultation, the PMO has finalized this ESMF to be included in the Project Operating Manual. Prior to appraisal, the PMO will disclose the Mongolian language ESMF on their website and send an English language version of the ESMF to the World Bank for public disclosure at the World Bank Office in Ulaanbaatar.

ANNEX A: ENVIRONMENTAL MANAGEMENT PLAN FOR A SOLAR PHOTOVOLTAIC POWER FACILITY

MITIGATION PLAN

Issue	Mitigating Measure	Cost of Mitigation (If Substantial)	Responsibility*
Construction			
<p><u>Air quality</u> Engine exhausts will produce emissions of carbon monoxide, nitrogen oxides and possibly dust and sulfur dioxide from poor quality diesel fuels.</p> <p>Fugitive dust emissions may be generated from the movement of men, improperly stored construction materials, or movement of vehicles and equipment</p>	<p>Vehicles and equipment must comply with acceptable level of emissions NS 5014: 2009 / diesel engine vehicle-acceptable maximum level and measurement method / and MNS 5013: 2009 / petrol engine vehicle-acceptable maximum level and measurement methods/, standards review; and if all of these requirements are met, the machinery will be permitted to operate on site.</p> <p>Choosing less windy days for construction works. Spray surfaces with water on dry windy days. Cover storage areas with dusty materials Cover trucks transporting dusty materials</p>	<p>Minor</p> <p>Minor</p>	<p>Contractor</p>
<p><u>Noise</u> Construction activities can generate noise which can be disruptive to behavioral patterns of local inhabitants and wildlife.</p>	<p>Maintenance should be performed regularly on all equipments and machinery. All construction vehicles must have mufflers in good condition to avoid excessive noise emissions</p> <p>Equipment and devices must be turned/switched off when not in use.</p> <p>Construction activities should be limited to legally permissible times, or to between 7:00 AM and 6:00PM,</p>	<p>Minor</p>	<p>Contractor</p>

	whichever is stricter. If work must be done outside these time limits: (a) permission must be obtained from the appropriate authorities and (b) local residents be given sufficient advanced notification.		
<u>Alteration of runoff patterns</u> Land clearing and modification to land surface contours can alter runoff patterns and introduce localized flooding	Maintain minimal changes to land contours, channel runoff to avoid roads and migratory pathways	Minor	Contractor
<u>Topsoil removal</u> Land preparation may involve removal/storage of topsoil	Stripped topsoil for the construction should be covered to prevent erosion and used for rehabilitation of Vegetation coverage at the end of the construction.	Minor	Contractor
<u>Vegetative waste production</u> Land preparation may involve clearance and removal of existing vegetation	All land clearance should be implemented either manually and/or mechanically. No pesticides are to be used for land clearance.	Minor	Contractor
	Vegetative waste should not be burned, but collected and managed as non-hazardous solid waste.	Minor	
<u>Construction Related Solid Wastes</u> Hazardous: used oils, lubricants, excess paints and or coating materials, adhesives require special handling and treatment Non-Hazardous: wastes from packaging,	Toxic waste such as oil and lubricants, their plastic containers and used batteries should be categorized and sent to waste market.	Minor	Contractor
	Toxic-hazardous waste should be sorted into appropriate marked/labeled bags and containers for safe handling to disposal.	Minor	
	Garbage bins should be placed on each construction site. Packaging papers, foam, plastic, wood, metal and glass materials, clay, concrete, and paints should be categorized	Minor	

	<p>Relevant authorities would be in charge of protecting and preserving the site before deciding on subsequent procedures.</p> <p>Decisions on how to proceed shall be taken by the responsible authorities.</p> <p>If the cultural sites and/or relics are of high value and site preservation is recommended by professionals and required by the cultural relics authority, the project sponsor will make necessary design changes to accommodate the request and preserve the site;</p> <p>Decisions concerning the management of the finding shall be communicated in writing by relevant authorities;</p> <p>Construction works could resume only after written permission is granted from the responsible authorities concerning safeguard of the heritage</p> <p>Any worker removing such artifacts for personal use or gain, shall be dismissed and subjected to legal action.</p>		
<p><u>Worker safety</u> Construction activities will expose workers to hazardous conditions and materials that may affect their safety and health</p>	<p>Mongolia's requirements for worker health and safety will be followed. (Refer to Mongolian Labour Law, (Part VII- Labour conditions, Health and Safety, Section 83-To provide the labour health and safety condition, Section 84-To ensure the occupational safety and hygiene requirements, 85- To compensate the damages caused by employees due to industrial accidents, poisoning and occupational diseases). In addition, worker health and safety will be followed in</p>	<p>Minor</p>	<p>Contractor</p>

	<p>accordance with any project sponsor protocols).</p> <p>The Construction Contractor shall provide safety measures such as installation of fences, barriers warning signs, lighting systems to prevent traffic accidents as well as other risk to people and sensitive areas. Alcohol use by workers during work hours is strictly prohibited.</p> <p>The employer shall provide instructions to workers for labour safety and health requirements every day before commencement of work. Use of personal protective equipment (PPE) by workers will be strictly enforced.</p>		
Operation			
<p><u>Visual disruption</u> Reflection of sunlight off solar modules can affect drivers' visions and disrupt migratory bird flight patterns</p>	<p>Glaze solar panel and frame with anti-reflective coating, the glint and glare reflections to reduce safety hazard to drivers, use anti-reflective coated solar PV module.</p>	Minor	WES
<p><u>Groundwater availability</u> Significant drawdown of ground waters for panel washing could lower the groundwater table affecting water availability to other users</p>	<p>All necessary permits, approvals etc. for water withdrawal and use must be obtained prior to plant operation.</p>	Minor	WES
<p><u>Panel washing wastewaters</u> Wastewaters from panel washing may contain pollutants and contaminate receiving waters</p>	<p>It is expected that water cleansing will only be necessary to remove dust deposits on the panels. Therefore, no cleansing agents (soap, detergents, special cleansing agents) will be added to wash waters.</p> <p>Wash water will be discharged untreated. However, land will be set aside for treatment facilities if wastewater quality analysis after the first two</p>	Minor	

	washings indicate treatment is needed.		
<u>Hazardous wastes</u> Oil leaks from circuit breakers, inverters, and transformers during maintenance can contaminate soils	No PCBs are to be used in any electrical equipment. Any contaminated soil is to be excavated, removed and collected by contractors licensed to handle these wastes.	Minor	WES
<u>Ecology</u> Selected site for both the solar photovoltaic panels and the route of the transmission line may interfere with migratory routes of birds, migration patterns of land based wildlife or grazing areas for domesticated livestock.	The entire solar voltaic facility is to be fenced, to prevent livestock grazing or migration of wildlife. Overhead transmission lines are to be equipped with aviary diverters.	To be confirmed Minor	WES with advise from avian specialists
Decommissioning			
<u>Waste Disposal</u>	Recyclable materials are to be collected separated and either reused at existing solar photovoltaic facilities or sold as scrap to companies licensed to manage these wastes Non-recyclable materials must be deposited at government approved disposal sites.	Minor Minor	WES
<u>Land surface restoration</u>	Land should be restored as closely as possible to the original contours and revegetated with native species similar or equivalent to species originally existing in the area.	Minor	WES

MONITORING PLAN

Issue	What parameter is to be monitored	Where is the parameter to be monitored	How is the parameter to be monitored/ type of monitoring equipment	When is the parameter to be monitored- frequency of measurement or continuous	Cost What is the cost of equipment or contractor charges to perform monitoring	Responsibility
Construction						
<u>Air Quality</u> Engine exhausts	Compliance Certificate	Prior to site entry	Visual	First time prior to site entry	Minor	WES
Fugitive dust emissions	Ambient dust	Construction site	Visual	Daily during dry windy conditions	Minor	WES
<u>Noise</u>	Sound levels	Construction site fenceline Nearest population center	dB meter	Weekly or if there are complaints	Minor	WES
<u>Alteration of runoff patterns</u>	Site surface contours	Construction site	Visual	Weekly, during site preparation activities	Minor	WES
<u>Topsoil removal</u>	Topsoil storage covering	Topsoil storage site	Visual	Weekly, during site preparation activities	Minor	WES
<u>Vegetative waste production</u>	No pesticide use? Disposal of waste (no burning)?	Construction site Vegetative storage site	Visual Visual	 Weekly, during site preparation activities	Minor Minor	WES WES
<u>Construction Related Solid Wastes</u>						
Hazardous	Sent to waste market or properly disposed?	Construction site	Visual Visual	Weekly Weekly	Minor Minor	WES WES
Non- hazardous	Garbage bins provided or waste market and/or sent to central disposal site?	Construction site				

<u>Wastewater</u>	Regular machinery maintenance?	Construction site	Visual	Weekly	Minor	WES
	Dedicated repair location?	Construction site	Visual	Start of construction	Minor	WES
	Domestic wastewater to municipal sewage or septic system?	Sewage disposal site	Visual	Start of construction	Minor	WES
<u>Cultural resources</u>	Chance find procedures followed?	Discovery site	Visual and discussions	When discovery is made	Minor	WES
<u>Worker safety</u>	Mongolia's requirements for worker health and safety followed?	Construction site	Visual and discussions	Weekly	Minor	WES
Operation						
<u>Visual disruption</u>	Solar panel and frame glazed with anti-reflective coating?	Delivery location	Visual	Upon delivery of panels	Minor	WES
<u>Groundwater availability</u>	Permits in order?	Plant site	Visual	Prior to start of operation	Minor	WES
<u>Panel washing wastewaters</u>	Only water (no soap or detergents used)	Water supply site	Visual	Prior to start of operation	Minor	WES
<u>Hazardous wastes</u>	All electrical equipment free of PCB	Check bid document	Visual	Upon delivery of equipment	Minor	WES
	Contaminated soil managed by licensed contractors?	A site of contamination	Visual	At time of treatment	Depends on extent of contamination	WES
<u>Ecology</u>	Plant site fenced properly?	Along plant fence line	Visual	Upon construction completion, prior to operation	Minor	WES
	Fence properly maintained?	Along plant fence line	Visual	Semiannually	Minor	WES
	Overhead	Along entire	Visual	Upon	Minor	WES

	transmission lines equipped with diverters?	length of transmission line		construction completion, prior to energizing, then annually		
Decommissioning						
<u>Waste Disposal</u>	Recyclable materials properly managed?	At collection point	Visual	During and until decommissioning is complete	Minor	WES
	Non-recyclable materials disposed at government approved site?	Disposal site	Visual	During and until decommissioning is complete	Minor	WES
<u>Land surface restoration</u>	Plant site should be restored as closely as possible to the original contours	At plant site	Visual	After solar plant equipment and facilities have been removed	[to be confirmed]	WES
	Plant site revegetated with native species similar or equivalent to species originally existing in the area	At plant site	Visual	After plant site land surface contours, have been reestablished	[To be confirmed]	Recommend using a local botanist expert

ANNEX B: SAFEGUARD DUE DILLIGENCE TABLE

Issue	Approval Type (Permit, License, Letter etc.) and Approving Authority	Approval Date		Documentation Attached
		Received	Expected	
Land ownership by the State	Request letter by PMO and Soum Governors documentation regarding land transfer/ lease arrangement			
Environmental Assessment	MEGDT Monitoring and Evaluation Department			
Water Supply	Water use permit			
Natural Habitats ³	MEGDT Department of Environment and Natural Resources Management			
Forestry ³	MEGDT Department of Forest Policy and Coordination			
Wastewater discharge permit				
Waste Disposal-Non Hazardous (paper, packaging, wood, plastics etc.)				
Waste Disposal-Hazardous (spent solvents, used oil, glues, etc.)				
Hazardous Materials Storage and Use (paints, solvents, fuels, other combustibles etc.)				
Worker Health and Safety				
Cultural Resources	Department of Cultural Properties Management			
If land acquisition and/or resettlement is involved	Aimag/ Soum Governors Office. Administration of Land Affairs, Construction, Geodesy and Cartography.			

ANNEX C RESETTLEMENT POLICY FRAMEWORK

AC 1. Introduction

The exact location and nature of the investments, detailed design of the engineering works and precise siting of infrastructure works for any sub projects under component 2 has not been determined. Locations will be decided taking in to account the land status (i.e. state land/ other), engineering and other needs, as well as feedback from initial consultations with stakeholders and any Affected Persons (APs)⁴. A Resettlement Policy Framework (RPF) has therefore been selected as the appropriate social safeguard instrument to address an eventuality where involuntary resettlement is needed.

As this project is Category B for safeguards, it is not anticipated that there will be substantial resettlement requirements, and no physical displacement is envisaged.

This RPF describes (i) the protocol for voluntary donation where impacts are small, do not affect livelihoods and no compensation is required; and (ii) the policies and procedures regarding involuntary impacts which lead to development of a Resettlement Plan (RP)/or Abbreviated Resettlement Plan (ARP), to be completed in the detailed planning stages of the sub-projects, prior to implementation of the civil works.

RPs will be developed in conformance with World Bank Operational Policy 4.12, Involuntary Resettlement, Annex A paragraphs 1-21. If resettlement affects fewer than 200 people, and impacts are minor, an ARP will be developed as per Operational Policy 4.12, Annex A paragraph 22. The RP or ARP will form part of the agreement between the Borrower and the World Bank. For brevity the term 'RP' will be used in this document to refer to whichever resettlement instrument is selected.

The Project Management Office (PMO) the Ministry of Energy will include an individual charged with due diligence for adverse impacts on land or livelihoods and response according to the principles of this RPF will be undertaken in concurrence with project planning processes (see ESMF Chapter 6.2 Screening & Categorization and Annex C 15 for a screening tool) and in collaboration with the Project Implementation Unit (PIU) Western Energy System (WES).

AC 2. Objectives and Key Principles

This RPF incorporates the requirements of Mongolian law and the World Bank's Operational Policy 4.12, Involuntary Resettlement. The guiding principles for the RPF are that involuntary resettlement is to be avoided or minimised throughout the Project. Where avoidance is not possible, the policy objective is to minimise impacts. Ultimately, APs should be better off, or at least as well off, as before the project. All persons affected by the project are to be consulted throughout the project, have the opportunity to participate in planning, and to share in project benefits. The project should contribute to sustainable development.

These principles require a process of early identification of stakeholders, and in particular of APs; effective public disclosure of any known impacts; consultation and participation with all sectors of the community to avoid or mitigate negative impacts identified, and to ensure that no person or impact is overlooked; fair, transparent and timely intervention to support APs during implementation, resettlement and restoration of livelihoods; and commitment where possible to improve upon the status quo, particularly for those who may be vulnerable by reason of poverty, ethnicity, gender, age, disability, or social status.

If there is loss of land, and land-based assets, the aim will be to replace like for like, and if this is not possible, to

⁴World Bank Operational Policy 4.12 uses the terminology 'displaced' to mean social and/or economic as well as physical displacement of an affected person. In this document, to avoid confusion, the word 'affected' will be used to mean a person suffering any adverse impact.

compensate for lost land, assets and income, and meet the costs of relocation and restoration of livelihoods. Restoration includes not only physical assets, but also social and cultural assets. If there is a risk of disruption of these values, which are often disproportionately encountered by women, the APs will contribute to selection of mitigation and resettlement options to ensure policy objectives are met.

AC 3. Key Principles of Resettlement Planning

The following key principles are to be followed during resettlement planning and implementation:

- Land acquisition should be avoided or minimized as far as possible. If unavoidable, sub-project design and RPs should be conceived as development opportunities, so that displaced persons may benefit from the services and facilities created for, or by, project activities.
- All displaced persons are entitled to compensation for project related loss of income, land and attached assets, or to alternative but equivalent forms of assistance in lieu of compensation. Lack of legal rights to the assets lost will not bar displaced persons from entitlement to such compensation or alternative forms of assistance.
- Compensation rates as established in an RP refer to amounts to be paid in full to the eligible owner or user of the lost asset, without depreciation or deduction for any purpose.
- When cultivated land is acquired, the project proponent/Bank borrower should seek to arrange land-for-land replacement if that is the preference of the displaced person.
- Compensation for land, unharvested crops and attached assets should be paid prior to the time of impact.
- Land donation is acceptable only when it is documented and fully consistent with the guidance on Voluntary Donation (see Chapter AC 5)
- Displaced persons should be consulted during the process of RP preparation, so that their preferences regarding land acquisition and compensation arrangements are solicited and considered.
- Information about the project, and the draft and final RPs are publicly disclosed in a manner accessible to displaced persons. They will be available on the Government's and the Bank's websites, and also available in hard copy from the relevant Government agency and the Utility.
- The previous level of community services and access to resources will be maintained or improved after land acquisition. If individuals or a community has to be relocated, the same level of services as they formerly enjoyed should be restored or improved for both themselves and any new hosts.
- The project proponent/Bank borrower is responsible for meeting costs associated with land acquisition and compensation. Any RPs prepared will include an estimated budget for all costs associated with land acquisition, including contingency arrangements.
- Methods by which displaced persons can register complaints and pursue grievances will be established as necessary, and information regarding these grievance procedures will be provided to displaced persons and members of the public who may experience some inconvenience.
- Open-market purchase of land must be voluntary, documented and free of rival claims or encumbrances.

AC 4. Legal and Regulatory Framework

All provisions of this RPF are in accordance with the applicable Mongolian Laws (as listed below) and the World Bank's Operational Policy 4.12, Involuntary Resettlement. The relevant stipulations of national law and World Bank policy are summarized in this section along with measures to bridge any gaps between the requirements.

The basic legislative framework for land acquisition and resettlement under the existing legal framework consists of the following:

- The Constitution (1992)
- The Land Law (2006)

- The Law on Allocation of Land to Mongolian Citizens for Ownership (2003)
- The Civil Code of Mongolia (2002)
- Government land valuation tariff (Cabinet Resolution 103, 2003)
- Law on State Registration of Property Allocation Rights and Other Related Rights (2003)

The Constitution of Mongolia states, inter alia, that “The State shall have the right to hold landowners responsible in connection with the manner the land is used, to exchange or take it over with compensation on the grounds of special public need, or confiscate the land if it is used in a manner adverse to the health of the population, the interests of environmental protection and national security” and “If the State and its bodies appropriate private property on the grounds of exclusive public need, they shall do so with due compensation and payment” respectively.

The Land Law regulates how to acquire land when possession titles expire. Non-titled occupants of land are considered illegal land users and can be evicted on the basis of Article 27.4 of the Land Law, which states that “possessing land without a valid license is prohibited”. The Law on Allocation of Land to Mongolian Citizens for Ownership contains provisions respecting expropriation of land under private ownership. Article 35 of the Law on Allocation of Land to Mongolian Citizens for Ownership stipulates the confiscation of land owned by a citizen when the Article 28 of the same law is infringed. The Government land valuation tariff (Cabinet Resolution 103) determines land valuation tariffs.

The Project may exchange or take over land owned by a citizen with compensation on the grounds of public need under Article 32 of the Law on Allocation of Land to Mongolian Citizens for Ownership which includes “to build roads, lines and networks and other objects of national scale” (32.1.3). A comparison of Mongolian Law and World Bank requirements, along with gaps between the two requirements is contained in Table C01 below.

Table C01: Comparison of Mongolian Law and World Bank Involuntary Resettlement Requirements

Topic	Provisions of Mongolian Law	World Bank Requirements
Involuntary Resettlement	Invoking eminent domain is legally recognized when taking over land owned by a private citizen with compensation on the grounds of special needs when building a structure (Law on Allocation of Land to Private Citizens, Articles 32 and 37; Land Law, Articles 42 and 43). This law applies to the Project.	Eminent domain is generally recognized and subject to policy provisions aiming at avoiding and minimizing land acquisition and replacement of lost assets and rehabilitation of livelihoods. Affected entities to be at least as well-off as without project.
Negotiated Settlement / Open Market Purchase	The Civil Code of Mongolia is the legal basis for contractual agreements on the transfer of land from affected entities to the government (Chapter 15, Articles 1, 6, 7, 8, 109 and 112, among others).	Recognition of open-market purchase, where there is a willing buyer and a willing seller. If the seller has no option, than the requirements of OP 4.12 apply.
Eligible Affected Entities	Licensed owners, possessors and users of land can transfer their titles to other legal persons recognized under the Land Law (Articles 35 and 38) and the Law on Allocation of Land to Private Citizens (Article 27). Non-titled occupants of land as illegal possessors are not eligible to transfer the land occupied or receive compensation (Land Law, Article 27.4). The Civil Code recognizes the right of a long term non-owner occupant of ownerless immovable property (incl. land) to own it after 15 years, if registered in the State register (104.2).	Titled affected entities are entitled to compensation and rehabilitation for affected land and non-land assets at replacement cost. Those without legal title to affected land may be compensated for their structures and may qualify for other resettlement and rehabilitation assistance.
Compensation for land	Compensation is a contractually agreed payment for land transferred to the government. Local practice	OP 4.12 specifies either direct replacement of land or provision of full

Compensation for structures	<p>applies the government land valuation tariff (Cabinet Resolution 103, 2003), but negotiates with affected entities as well. Replacement land can be provided if an affected entity's entire land or large part thereof is acquired. Contractually agreed payment for transfer of structures located on land acquired. The value of structures is determined at market rates, with depreciation deducted from gross value of the structure.</p>	<p>replacement cost, along with rehabilitation measures, in order to restore livelihoods. Compensation should be paid prior to the time of impact. For houses and other structures, compensation is at replacement cost. Which is the market cost of the materials to build a replacement structure with an area and quality similar or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. Joint signatures are encouraged.</p>
Joint property ownership	<p>The Civil Code recognizes common property ownership and family property rights (Articles 108, and 125-128). Common property ownership requires permission of other owners to dispose of part of the property (108.4). Family property includes 'other properties accrued since the marriage, notwithstanding in which name of spouses or family members the property is registered' (126.2.4). Disposal of immovable (incl. land) family property requires mutual agreement (128.1) and certified written permission from an adult family member (128.2).</p>	
Easement (property servitude)	<p>Legal provision for easements, allowing the use of another person's property is implemented under Article 33 of the Law on Allocation of Land to Mongolian Citizens for Ownership.</p>	<p>No conflict with World Bank requirements.</p>
Rental of land or house	<p>The Civil Code, Chapter 25 regulates the lease of property, including land and houses. If ownership is transferred the new owner incurs all rights and obligations of a lessor (Article 297). No provisions for lessee rights in case of land acquisition for a project, except that termination of a lease requires a 3 month notice (Article 294.3)</p>	<p>Temporary access can be obtained voluntarily through renting or leasing. Any involuntary temporary acquisition must be minimized and project plans must provide compensation for any involuntary temporary acquisition. Those people involuntarily bearing costs of temporary acquisition directly attributable to Bank projects are to be considered DPs.</p>
Community and public resource losses	<p>Affected community and public assets can be transferred through contractual agreement under the Civil Code. The cost of moving affected infrastructure is included in cost of civil works under the Project.</p>	<p>Common property resources or public structures and infrastructure affected by land acquisition are eligible for compensation.</p>
Income and livelihood rehabilitation	<p>No provisions in contractual agreements for transfer of property.</p>	<p>Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p>
Relocation and transaction costs	<p>The Mongolian Law on State Registration of Property Allocation Rights and Other Related Rights requires payment of registration duties and service fees for</p>	<p>Any administrative charges, title fees, or other legal transaction costs must be paid by the project or waived. The cost of any</p>

	<p>the registration of immovable property with the State Administrative Authority in charge of state registration of property rights (Article 9). All registration and other fees, as well as cost of relocation, are responsibility of parties to a contract and can be included in a contract.</p>	<p>registration and transfer taxes,” whether for land in rural or urban areas or for houses or other structures, is included in the calculation of replacement cost. If impacts include physical relocation, then assistance is provided (such as moving allowances) during relocation.</p>
Grievance procedure	<p>The Land Law refers disputes over land to the governors of administrative units and eventually the courts (Article 60). The Civil Code and Law on Allocation of Land to Private Citizens refers various types of disputes to the courts.</p>	<p>An appropriate and accessible grievance mechanism is established for displaced persons and their communities.</p>
Resettlement Plan information disclosure and public consultation	<p>No provision for public consultation and information disclosure. In practice, all cases involve a period of negotiation.</p>	<p>The draft resettlement instrument conforming to OP 4.12 is made available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.</p>
Cut-off date	<p>Not applicable</p>	<p>Normally, this cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.</p>
Notification period for vacating property and commencement of civil works	<p>Time period for vacating a property may be defined in contract. Civil works commence in parallel with acquisition of property, but without defined waiting period.</p>	<p>Cash compensation is normally paid before displacement or the initiation of civil works.</p>

As presented in Table C01, there are several policy gaps between the Mongolian legal framework and the World Bank Operational Policy. To bridge these gaps, this RPF provides entitlement provisions (see Chapter C15 Entitlements Matrix), which integrates both, while World Bank policy requirements prevail in cases of discrepancies. Any RPs prepared for this Project, will update the Entitlement Matrix, to be specific to sub-project impacts. In addition, to bridge process related gaps (i.e. preparation of RPs, grievance redress, consultation and cut-off dates) the key principles of resettlement planning as outlined in Chapter AC 3, will also apply to this project.

AC 5. Voluntary Land Donation Arrangements and Documentation

Whilst not anticipated, there may be instances where the project seeks voluntary donation of land or purchases land through the open market. Voluntary land donation refers to a process by which an individual or communal owner agrees to provide land or property for project-related activities. In general, voluntary land contribution is undertaken without compensation. Voluntary contribution is an act of informed consent, made with the prior knowledge of other options available and their consequences, including the right not to contribute or transfer the land.

To meet World Bank safeguard policies, any donation of land or lease rights for the Project will be consistent with the following principles:

- The donation would be made for a specified purpose and term. If the land is not donated in perpetuity, the donation agreement would specify what will happen to the land at term.
- The potential donor will be made aware that refusal is an option, and the right of refusal will be specified in the donation document the donor will sign.
- The act of donation will be undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities.
- The donor may negotiate for compensation (in full or in part) or alternative forms of benefits as a condition for donation.
- The proportion of land that may be donated cannot exceed 10 percent of the potential donor's land area.
- Donation of land cannot occur if it were to necessitate any involuntary household relocation.
- For community or collective land, donation can only occur with the consent of all individuals using or occupying the land, or recognized in custom to have some claim.
- The PMO will confirm that the land to be donated is free of encumbrances or encroachment prior to commencement of any work on the land.
- Any donated land that is not used for its agreed purpose by the project will be returned to the donor.

The intention of these conditions is that the new owner or tenant should be able to undertake any lawful transaction with respect to the land in question without legal impediment or delay. The responsible project implementation and land registration agencies will maintain a documented record of each instance of land donation, will make the documentation available for review in any grievances that may arise, and will make documentation available to the World Bank upon request for any project involving voluntary land donation undertaken in collaboration with the Bank. In addition, a template for voluntary consent is included in Chapter C15.

AC 6. Preparing and Approving Resettlement Plans

Preparation of RP/s will begin once it is determined that land acquisition is essential to complete any project activities, and screening processes (refer Chapter 6.2 of the EMSF on Screening and Categorization) establish the land area to be acquired. The PMO will prepare and implement the RP as follows:

- Immediate consultations with relevant senior officials in government stakeholder Ministries and agencies to ensure a whole-of-government approach to the project.
- Preparation of Project Information Bulletins (PIB) in Mongolian and English (see Chapter C15. Tool 7 for required content) describing the project parameters, anticipated impacts, resettlement assistance criteria, and cut-off date for entitlements.
- Public disclosure about the project through release of the PIB in known impact areas.
- Socioeconomic survey and census of affected persons and assets (See Chapter C15. Tool 2 Content of Census Surveys and Asset Inventories, Tool 3 Summary Census of Affected Persons Template, Tool 4 Summary Inventory of Affected Assets Template in Annex, Tool 5 Summary Schedule of Affected Land Template).
- Ascertaining the severity of impact and whether compensation is required, preparation of voluntary land agreements where owners/users are willing, (see Protocol in Chapter AC 5 and Sample Consent Template in AC 15 Tool 1).
- Preparation of an AP profile, asset inventory, a draft entitlement matrix (refined to specific sub-project impacts and consistent with the entitlement matrix in this RPF as presented in Chapter C15 – Tool 6) and budget for the RP covering involuntary impacts.
- The Draft RP is prepared in conformance with World Bank Operational Policy 4.12, Involuntary Resettlement, Annex A paragraphs 1-21.
- Disclosure of the Draft RP information and an updated PIB.

- Finalization of the RP; borrower and World Bank Approval of the RP.
- Posting of the RP on the borrower and World Bank websites.
- Preparation of individual compensation and entitlement forms for each AP, specifying amounts, times and places of payment.
- Restoration of any borrowed land; transfer of entitlements and acquittal by APs.
- Recording and periodic reporting to donors and financiers.
- Monitoring, with AP and community participation and publication of outcomes.

If any unforeseen impact is identified after approval, updates to the RP will be prepared, consulted and disclosed. Additional subcomponents of the Project may be covered if appropriate by an ARP informed by the same principles and process as this RPF.

The World Bank will review and clear all resettlement plans for the first year subprojects. Upon assessment of performance and quality of the preparation of resettlement plans, the Bank may resort to reviewing a sample of resettlement plans prepared during the second year of implementation.

AC 7. Estimated Population Displacement

It is not anticipated that there will be any physical displacement or severe negative impacts resulting from any of the sub-projects. Unused state land will be prioritised for any future solar investments, to avoid impacts on households. There may be temporary impacts from noise, dust and traffic disruption during these minor civil works which are addressed in the ESMF Annex B.

Initially state or leased land will be sought for any future solar investments. In these instances, the PMO will confirm that land is indeed owned/leased by Government, the land is free of formal or informal settlements and that there are no outstanding complaints on the land. If Government land is unavailable, alternative sites will be selected which minimise impacts on livelihoods or social amenity.

AC 8. Eligibility Criteria

The foreseeable categories of displaced persons relative to the project include:

- Owners or users of any land and any land-based assets required that are not under Government ownership or lease.
- Neighbors who may suffer temporary construction impacts.

Eligibility criteria apply to both affected persons and affected assets. Resettlement planning will ensure that affected persons have sufficient opportunity to replace assets they will lose, and to improve or at least restore their incomes and living standards. Furthermore, planning will ensure that there will be no discrimination against any affected person due to sex, social status, language or other criteria. To achieve these objectives, the PMO will ensure that all affected persons are identified, and that all affected persons are deemed eligible for appropriate mitigation measures in the RP.

Eligibility of an individual for resettlement action will relate to their involuntary:

- Loss of land, whether an owner, lessee or informal occupant.
- Loss of trees or other plants, whether on owned, leased or informally accessed land.
- Loss of land-based improvements – houses, shelters, business buildings, also irrespective of the ownership status of the land.
- Loss of access to commons and reserves, e.g. road reserves, whether or not legally encroached, and restricted areas.

Note: (1) The loss may be temporary or permanent; (2) the term resettlement assistance does not refer to compensation paid for loss of land to land owners, structures or crops etc. Resettlement assistance may include

relocation expenses, or meeting costs of starting up new livelihood activities like preparing land in the new resettlement sites, etc.

Loss of non-land assets, whether temporary or permanent, will be recognized for project-induced impacts on:

- An individual's business or income
- Any other assets or elements of livelihoods recognized in Mongolian law and in WB Operational Policy that may be discovered during disclosure and consultation.

Persons demonstrating that they will suffer involuntary losses from any of these causes as at the cut-off date for entitlements will be regarded as eligible for resettlement. Losses from encroachments or activities commenced after the cut-off date for the respective projects will not be eligible.

AC 9. Valuation Methodology

Assets and values affected will be fully identified during public consultations, for incorporation in the RPs. The principles of replacing like for like, replacement cost for lost assets and income, and full restoration of livelihoods will be used in the RPs.

All affected assets will be compensated at replacement cost based on market value for comparable assets estimated by a valuation team. The valuation team will include such persons as: a resettlement specialist; property valuation specialists of the Property Relations Agency and Land Relations, Construction and Urban Development Department (LRCUDD) of the Aimag/ Soum⁵; and a representative of affected entities, and agreed with affected persons. The PMO will be responsible for follow-up and facilitation of the processes for estimation of the replacement values for land and non-land assets and losses. In the case of disagreements over the compensation rates during the negotiation process with APs, the PMO will be able to engage an independent private valuation specialist and re-assess the compensation rates offered to the APs and disclose the results to the APs.

AC 10. Implementation Process

To ensure fairness, a time-bound implementation schedule of all activities relating to land acquisition and payment of compensation will be included in any RPs prepared for subprojects. Payment of compensation should be completed at least one month prior to land acquisition to give the affected person time to adjust and prior to any civil works commencing. If there is a delay of one year or more between land or asset valuation and payment of compensation, compensation rates will be reviewed and adjusted if necessary for inflation or other cost factors. If the transaction is agreed but there is a justifiable delay in settlement, for example because it is difficult to locate an owner, the compensation amount may be held in a Government escrow account for disbursement as soon as practicable. Any interest accrued on the sum will be paid to, or apportioned amongst the legitimate claimants. This permits project work to proceed without disadvantage to the owner(s).

AC 11. Involuntary Resettlement Consultation & Disclosure Arrangements

Consultation and participation on all aspects of the project is presented in Chapter 6 of the ESMF, this section discusses consultation/disclosure at it relates specifically to involuntary resettlement. During the resettlement planning stage key consultation actions include: meetings with key institutional and commercial informants; development and dissemination of the PIB; identification and socio-economic survey of APs; setting up an involuntary resettlement grievance mechanism; and disclosure of the draft RP with information about how to participate and seek redress. Any affected persons will be consulted directly regarding proposed land acquisition and other arrangements.

⁵Mongolia is divided into 21 provinces, known as Almag. Each Aimag is then divided into several districts, known as Soums which are a second level of administrative subdivision.

The main output of the planning stage is the agreed RP which will summarize the activities undertaken and the results of consultation, along with any future planned consultation activities to be undertaken. Other outputs include signed registers of attendance at public consultations, and summaries of discussions and decisions at all consultations.

The PMO, together with WES will disclose the RP in draft and final stages to the affected persons and the general public in the project area both on its website, and in hard copy in a language and location accessible to them. In this and any future projects undertaken in collaboration with the Bank, disclosure of the draft RP will be undertaken at least one month prior to Bank review. Disclosure of the final RP will occur following Bank acceptance.

AC 12. Grievance Procedures relating to Land Acquisition

Grievance procedures that will apply to the overall project are described in the ESMF Chapter 8 Grievance Redress Mechanism. Sub-projects will be designed to minimize needs for private land so that major grievances are not anticipated. However, to ensure that affected persons have avenues for raising complaints relating to land acquisition, compensation payment, construction-related damages, or other aspects of project implementation, a multi-step grievance procedure will be established in the RP/s through a process of negotiation and mediation, with procedure to review and appeal if necessary.

AC 13. Funding Arrangements

The project proponent/Bank borrower will bear responsibility for meeting the costs associated with land acquisition. Any RPs prepared in accordance with this RPF require a budget with estimated costs for all aspects of RP implementation. While the process of making an inventory of affected land and assets should identify all affected persons, if there has been a mistake or an omission, persons who had a rightful claim at the time of commencement of the census survey but who are identified after resettlement planning are entitled to compensation even if insufficient mitigation funds have initially been allocated. To meet this and any other unanticipated costs that may arise, the RP budget will include a contingency provision of 10 percent of estimated total costs. Compensation rates included in the RP will provide the basis for calculating compensation amounts due. Compensation will be paid in full to the affected person or persons losing land or other assets or income prior to any civil works taking place.

Resettlement Plan budget items will include the following:

Administration costs:

- Safeguards Officers' salary costs/consultancy fees if an external NGO/consultant is appointed.
- Office administration, use of equipment and supplies.
- Travel.
- Advertising and publications.

Resettlement costs:

- Cost of AP consultation meetings (Travel/ Mediation).

Compensation costs:

- Affected items including:
 - Land.
 - Affected assets and livelihoods.
 - Relocation and reestablishment assistance.
- Transaction costs (notary fees, cadastral map survey, service fees including property registration).
- Contingency for vulnerability and unforeseen costs at an additional ten per cent of the sum of above.

- Costs of scrutineer for entitlements disbursements.

No deductions from compensation will occur for any reason. The RP will put in place transparent procedures for the flow of compensation funds, from MoE to the affected persons, and for witnessing and recording of the transactions. Joint signatures of both husband and wife from each household are encouraged.

AC 14 Monitoring Involuntary Resettlement

Complete monitoring requirements for the ESMF are outlined in Chapter 6, this section relates to monitoring requirements to be included with RPs. Monitoring is the responsibility of the borrower and can be divided into internal (or project administration) and external (or independent) monitoring. Monitoring of conformance with the RPs during implementation will be carried out by the PMO, as well as by an external monitoring agency which may be a local consulting firm or NGO, or a qualified individual. Each RP will include indicators for both internal and external monitoring.

The PMO, in collaboration with WES will prepare periodic progress reports on the RP against any indicators specified in the borrower agreement with the World Bank, including for the period under review:

- Any issues that have arisen necessitating change to the RP to meet policy objectives.
- Publicity about the resettlement process, including PIBs and any media coverage.
- Schedule of consultations with APs.
- Signed roster of attendance at RP consultative meetings, photographs and any other evidence of participation.
- Summary minutes of RP discussions and decisions.
- Record of grievances notified under the RP, process and outcomes.
- Copies of official records of any project-related changes to land use or transfer of land titles.
- Update of the Entitlements Matrix showing progress of recording voluntary land donations or transfers and payments against entitlements under the RP.
- Financial summary of disbursements against entitlements.

AC 15. Involuntary Resettlement Toolkit

Tool 1: Sample Consent Form (Voluntary Donation)

Date: _____

I/We: _____ male household head _____ female household head.

Resident/s of _____ Soum in _____ Aimag,

Declare that I/We/the group is voluntarily donating the use of (specify land, assets, location, size, type etc)

For the purpose of: (specify activity)

For the duration of: (specify commencement date and duration)

Of My/Our own free will, I/We are waiving My/Our right to compensation of any kind for the specified duration of the activity.

Signed:

Male household head _____ Female household head _____

Witnessed:

Local Official

Tool 2: Content of Census Surveys and Asset Inventories

The tables in the following sections provide models that can be followed or adapted to summarize results from census surveys of Affected Persons and consultations with key informants to determine affected assets. The census survey that provides inputs will be designed for the specific project circumstances. For both an ARAP and a full RAP it will typically include such data as:

- Name of Head of Household
- Name of Spouse of Head of Household
- Location and contact details for household
- Occupation of Head of Household
- Occupation of Spouse of Head of Household
- Number of normally resident household members
- Language most commonly used in the household
- Media accessed by the household – radio, press, TV, internet
- Approximate annual household income (confidential, and used only to assess vulnerability)
- Number of household members that are aged or have some disability
- Area of land owned or controlled by the household
- Area of project affected land
- Legal description or status of project affected land owned or controlled by the household
- Current use of project affected land
- Land-based project-affected assets
- Other sources of livelihood affected by the project.

Additional data that may be required for a full RAP could include such information as:

- Area and style of house or other structure – permanent materials, semi-permanent, non-permanent.
- Water and sanitation facilities
- Distance of the house from nearest: Elementary school, Secondary school, Health facility, Public transport, Market.
- Social organizations to which household members belong (church, youth group, women’s group, sports group etc.).

Household or census surveys should be kept brief and confidential; as a guideline they should not take more than 15 minutes to administer. The data gathered should be relevant to the project, gathered only for project purposes. Respondents will be informed of the purpose and use of the information they give, and assured of confidentiality.

Tool 3: Summary Census of Affected Persons (Template)

Aimag/ Soum	Land Acquisition		Significantly Affected by Land Acquisition		Housing Affected		Business Affected		Vulnerable Persons	Other
	Owners	Users	Owners	Users	Partially Affected	Require Relocation	Owners	Workers		
Name	HH:	HH:	HH:	HH:	Owner	Owner			Category	
	People:	People:	People:	People:	HH:	HH:				
					People:	People:				
					Tennant	Tennant				
					HH	HH				
					People:	People:				
					:	:				

Tool 4: Summary Inventory of Affected Assets (Template)

Category	Subcategory	Volume/ Unit	Unit Cost	Local Currency	USD	
Land	Private Land - Residential					
	Private Land Agricultural					
	Private Land – Other					
	Community Land					
	Crop (specify)					
	Tree (specify)					
	Other productive assets					
	Residential Structures	Private housing				
	Compensation	Water facilities				
		Ancillary structures				
Walls, fences, gates						
Business structures compensation	Other					
	Shops, food services					
	Other services					
	Other businesses					

Tool 5: Summary Schedule of Affected Land (Template)

Aimags, Soums	Total Land Acquisition (hectares)	Private Land Acquisition	Number of Plots Affected	Other Land Acquisition	Number of Plots Affected
Name		Residential		(Specify purpose)	
		Agricultural		(Specify purpose)	
		Commercial			
		Other			
		Total			

Tool 6: Entitlement Matrix

To bridge the gap between Mongolian Law and World Bank policy, this RPF provides entitlement provisions, which integrates both, while World Bank policy requirements prevail in cases of discrepancies. Any RPs prepared for this Project, will update the Entitlement Matrix provided below, to be specific to sub-project impacts.

Category of Impact	Subcategory of Impact/ Specification	Population/ affected entity	Compensation or Mitigation Principle
LAND (residential/ commercial/public/ community)	Full loss of plot (=>50%)	Owner, possessor	The AP may choose between the following alternatives: Land for land compensation through provision of replacement plot of comparable value and location as lost plot; Ownership license and State registration; OR Cash compensation at market rates or the government compensation tariff, whichever is higher, based on contractual agreement. All taxes, registration and transfer costs are waived or included in compensation price.
		Legalizable occupant of land	Land for land compensation through provision of replacement plot of comparable value and location as lost plot; Ownership license and State registration. All taxes, registration and transfer costs are waived or included in compensation price.
		User	Replacement plot with use license. OR, if feasible and desired: Ownership license and State registration; all taxes, registration and transfer costs are waived or included in compensation price.
		Lessee	The AP may choose between the following alternatives: Allocation of plot with ownership license and State registration; all taxes, registration and transfer costs are waived or included in compensation price. OR Cash refund at rental fee rate and proportionate to duration of remaining lease period.
	Partial loss of plot (<50%)	Owner, possessor	Cash compensation at market rates or the government compensation tariff, whichever is higher, based on contractual agreement. All taxes are waived or included in compensation price.
		Unlicensed occupant of land	Possession license and State registration for adjacent unlicensed land will be provided by government; all taxes, registration and transfer costs are waived.
User		Continuation of use license on remaining land.	
STRUCTURES (residential/ commercial /public/ community)	Full loss of structure and relocation	Lessee	Cash refund at rental fee rate and proportionate to duration of remaining lease period.
		Owner, possessor, legalizable owner of land	Cash compensation for replacement of lost structure at market rate determined through professional valuations by a certified valuer without deduction of depreciation, based on contractual agreement. No deduction for salvaged materials.
	Alternation to structure	Owner, possessor, legalizable occupant of land	Cash compensation for lost part of structure and reconstruction of remaining structure at market rate without deduction of depreciation, based on contractual agreement.
	Moving back of fences	Owner, possessor, legalizable occupant of land	The AP may choose between the following alternatives: Cash compensation for relocation of fence at market rate without deduction of depreciation, based on contractual

			agreement. OR Replacement/reconstruction of the fence by the Project owner/contract.
Temporary disturbance	Moving or relocation of ger	Owner, possessor, legalizable occupant of land, lesee	Cash compensation for cost of taking down and raising of ger and for transport, as applicable; to be included in contractual agreement.
	Removal of fence, civil works on land outside ROW, restoration of land and fences	Owner, possessor, legalizable occupant of land	Cash compensation fee negotiated with AP. All taxes, registration and transfer costs are waived or included in compensation price. Access to land and residences. Fences will be moved by civil works contractor. No deduction for salvaged materials.
Businesses	Any business loss due to land acquisition or construction activities by the project	All affected entities temporarily affected	Cash compensation equivalent to the loss, i.e. for the period of interruption of business based on tax receipts/other valid documents or, if these are not available, based on the average net income of typical local businesses in project areas.
		All affected entities permanently affected.	Cash compensation equivalent to the loss, i.e. for the period of interruption of business based on tax receipts/other valid documents or, if these are not available, based on the average net income of typical local businesses in project areas. AND Costs required for physical and financial reestablishment of business. If the business needs to be relocated, the following options will be provided to the DPs: (a) government will provide replacement land/shop space prior to relocation; or (b) if an acceptable plot of land/space cannot be agreed upon, net income loss of 1 year will be paid and, in consultation with the affected persons; the replacement land/shop space will be provided within 1 year of displacement.
Employment	Any employment loss due to land acquisition or construction activities	All permanently laid-off employees of affected businesses	Compensation for loss of employment income for the period of interruption of employment.
		All temporarily laid-off employees of affected businesses	Compensated with cash indemnity for 3 months wages for workers/employees that have been engaged for at least 1 year; otherwise entitlement is 1-month wage. AND Other labor benefits and retrenchment allowances according to the national labor law.
Relocation	Transport/transition costs	All APs to be relocated	Provision of allowances to cover transport costs on actual cost basis at current market rates; to be included in contractual agreement. Assistance to find an alternative plot or to find comparable house to rent, as applicable.
Vulnerable and/or severely affected APs ⁶	Permanent loss of livelihood	All vulnerable APs	Cash assistance up to a maximum of six months at guaranteed lowest living level and assistance in reconstitution of business or employment;
	Loss of land	All vulnerable and / or severely affected APs	Assistance with selecting a replacement plot and with preparation of contracts and administrative process of provisions of replacement plot.
	Loss of structure	All vulnerable and / or severely affected	Assistance with house relocation and other construction activities (new housing should meet minimum standard),

⁶Vulnerable groups are distinct groups of people (poor, elderly, disabled and female headed households) who may suffer disproportionately from resettlement. Severely affected APs include those whose remaining landholdings are no longer fit for original purpose.

		APs	registration of property titles, relocation expenses, minimum housing guarantee.
	Temporary disturbance	All vulnerable APs	Preferential treatment to avoid, minimize or mitigate disturbance as quickly as possible.
Unidentified Losses	Unanticipated impacts	All APs	To be identified during project component implementation; measures will be formulated as appropriate according to World Bank policy and reported to World Bank prior to implementation

Tool 7: Project information Bulletin Contents

A Project Information Bulletin (PIB) will be issued for each sub-project where involuntary resettlement will be undertaken to give initial project information in English and Mongolian. It will be simple, jargon-free language aimed at the general public. It will be updated at least (i) to disclose the draft RP, (ii) to publicize the finalized RP, and (iii) to convey the results of end-of-project monitoring.

Media bulletins will be released at other intervals as required to inform the public about progress of works, any restrictions to normal access and operation of roads and airport facilities during implementation.

Content of the PIB in the resettlement planning phase will include:

- A whole-of-project description, and of the sub-components to be covered in the RP.
- The project rationale and expected benefits.
- A description of anticipated environmental, social and economic impacts, positive and negative.
- Reassurance that negative impacts will be compensated for.
- Eligibility criteria – persons and impacts that will be recognized in resettlement.
- Cut-off date for entitlements.
- A description of the type of impacts that would be recognized.
- A description of the proposed consultation process.
- Information about how to register as a potentially Affected Person.
- Information about the planned focus group meetings.
- An indication of the proposed process thereafter.
- Description of the proposed grievance system.
- Maps and other visuals when appropriate.

Content of subsequent bulletins will be influenced by initial consultations and the final form of the RP, grievance and monitoring processes.

Tool 8: Resettlement and Compensation Checklist

Use the following checklist to determine if land⁷ or assets will be involuntarily impacted, and if so, which safeguard tool to use:

1	If land is required, is the location of the required land known?	No	Refer to the Resettlement Policy Framework
		Yes	Proceed to next screening question
2	Is the land required under Government ownership or lease?	Yes	Ascertain that there is no dispute or informal use of the land or land based assets, and proceed to next screening question. If there are disputes, proceed to next screening question.
		No	Proceed to next screening question
3	Is the required land under a registered title?	Yes	Ascertain that the title is not disputed; proceed through steps below.
		No	Identify all persons (men and women) with rights to occupy or use the land and any assets on it and proceed through steps below.
4	Will there be tree trimming, alternations to buildings (demolition or construction), removal of vegetation, etc. due to installation of project related components?	Yes	Note and go to question 5
		No	Go to question 5
5	Are the land owners/users willing to donate the land and/or assets voluntarily for the public good?	Yes	Follow voluntary donation procedures (refer Annex C. Chapter C5). Prepare voluntary land donation documents (refer Annex C, Chapter C15).
		No	Proceed to identify required form of resettlement plan (Questions 6 and 7).
6	Will physical displacement of affected persons ⁸ be required?	Yes	Prepare a Resettlement Plan in accordance with the RPF.
		No	Determine the scope and severity of impacts.
7	Will more than 200 people be affected, and/or will affected persons lose more than 10% of their livelihood assets?	Yes	Prepare a Resettlement Plan in accordance with the RPF.
		No	Prepare an Abbreviated Resettlement Plan in accordance with the RPF.

⁷ 'Land' includes the ground and any assets on it, such as structures, trees or crops.

⁸ An 'affected person' is anyone, irrespective of gender, titled, customary or informal land ownership or access status, who involuntarily loses land or any element of their livelihood, such as structures, trees, crops or income due to a project.

ANNEX D: ESMF CONSULTATION DETAILS

Table D.1 ESMF Consultation Participant List December 2nd, Hovd

#	Name	Organisation
1	Даваадорж,	Мянгад сумын Засаг дарга
2	Түмэнжаргал	ЭХЯ-ны СБТГ-ын сэргээгдэх эрчим хүч хариуцсан мэргэжилтэн
3	Д.Ганбаатар	ЭХЯ-ны Дэлхийн банкны судалгааны багын ахлах инженер
4	Б.Батдэлгэр	ЭХЯ-ны Дэлхийн банкны судалгааны багын инженер
5	Н.Алтангэрэл	ББЭХС ТӨХК-ийн Ховд ЦТС ХХК-ийн ерөнхий инженер
6	Б.Энх-Амар	ББЭХС ТӨХК-ийн Ховд салбарын ахлах инженер
7	О.Ойдов	Ховд аймгийн Байгаль орчин хариуцсан мэргэжилтэн
8	Р.Цэцэгмаа, Б.Цэцэн	Ховд аймгийн Газрын асуудал хариуцсан мэргэжилтэнүүд
9	Сэтгүүлч, Зураглаач,жолооч	Орон нутгийн Жаргалан телевиз-3 хүн
10	Инженерүүд-3, үйлчилгээний ажилтан-2, жолооч-1	ББЭХС ТӨХК-ийн Ховд ЦТС ХХК-ийн инженер техникийн ажилтанууд-6 хүн

#	Name	Organisation/ Citizen
1.	С.Лхамхүү	Ховд аймгийн Мянгад сумын иргэн
2.	Нямболд	Ховд аймгийн Мянгад сумын иргэн
3.	Баянмөнх	Ховд аймгийн Мянгад сумын иргэн
4.	Чогсом	Ховд аймгийн Мянгад сумын иргэн
5.	Ч.Баттулга	Ховд аймгийн Мянгад сумын иргэн
6.	Ц.Энхтуяа	Ховд аймгийн Мянгад сумын иргэн
7.	Цагаач	Ховд аймгийн Мянгад сумын иргэн Ахмадын хорооны дарга /95533111
8.	Д.Бадам	Ховд аймгийн Мянгад сумын иргэн
9.	Ц.Батнасан	Ховд аймгийн Мянгад сумын иргэн
10.	М.Пүрэвхүү	Ховд аймгийн Мянгад сумын иргэн
11	Г.Баттөмөр	Ховд аймгийн Мянгад сумын иргэн
12	Б.Зул	Ховд аймгийн Мянгад сумын иргэн
13	Ш.Даваахүү	Ховд аймгийн Мянгад сумын иргэн
14	Б.Хишигдулам	Ховд аймгийн Мянгад сумын иргэн
15	Д.Чинзориг	Ховд аймгийн Мянгад сумын иргэн

16	Т.Балган	Ховд аймгийн Мянгад сумын иргэн
17.	Даваасүрэн	Ховд аймгийн Мянгад сумын иргэн
18.	Б.Энхтуяа	Ховд аймгийн Мянгад сумын иргэн
19.	Н.Мөнхтуул	Ховд аймгийн Мянгад сумын иргэн
20.	Эрдэнэбаатар	Ховд аймгийн Мянгад сумын иргэн
21	Алтангадас	Ховд аймгийн Мянгад сумын иргэн
22	Ж.Батбуян	Ховд аймгийн Мянгад сумын иргэн
23	Нацагням	Ховд аймгийн Мянгад сумын иргэн
24	Н.Нямцэцэг	Ховд аймгийн Мянгад сумын иргэн
25	Ц.Отгонбаатар	Ховд аймгийн Мянгад сумын иргэн
26	Н.Энхтуяа	Ховд аймгийн Мянгад сумын иргэн
27.	Батболд	Ховд аймгийн Мянгад сумын иргэн
28.	Д.Хишгээ	Ховд аймгийн Мянгад сумын иргэн
29.	Б.Мөнхзул	Ховд аймгийн Мянгад сумын иргэн
30.	Н.Дарьдулам	Ховд аймгийн Мянгад сумын иргэн

31	Б.Нарантуяа	Ховд аймгийн Мянгад сумын иргэн
32	Г.Лхагвасүрэн	Ховд аймгийн Мянгад сумын иргэн
33	Д.Нэргүй	Ховд аймгийн Мянгад сумын иргэн
34	Чулуунхүү	Ховд аймгийн Мянгад сумын иргэн
35	Отгонзаяа	Ховд аймгийн Мянгад сумын иргэн
36.	Энхбат	Ховд аймгийн Мянгад сумын иргэн
37.	Оюун	Ховд аймгийн Мянгад сумын иргэн
38.	Нямхүү	Ховд аймгийн Мянгад сумын иргэн
39.	М.БАянжаргал	Ховд аймгийн Мянгад сумын иргэн
40.	Ж.Батсайхан	Ховд аймгийн Мянгад сумын иргэн
41.	Болдбаатар	Ховд аймгийн Мянгад сумын иргэн
42.	Даваасүрэн	Ховд аймгийн Мянгад сумын иргэн
43	Галдан	Ховд аймгийн Мянгад сумын иргэн
44	Б.Сайнбуян	Ховд аймгийн Мянгад сумын иргэн
45	Б.Эрдэнэчимэг	Ховд аймгийн Мянгад сумын иргэн
46.	Ж.Бямбажав	Ховд аймгийн Мянгад сумын иргэн

47.	Б.Батхуяг	Ховд аймгийн Мянгад сумын иргэн
48.	Ш.Төрмөнх	Ховд аймгийн Мянгад сумын иргэн
49.	М.Ганболд	Ховд аймгийн Мянгад сумын иргэн
50.	Н.Мөнхтөр	Ховд аймгийн Мянгад сумын иргэн
51.	Энхтөр	Ховд аймгийн Мянгад сумын иргэн
52.	О.Мягмардаваа	Ховд аймгийн Мянгад сумын иргэн
53.	Д.Алтанцэцэг	Ховд аймгийн Мянгад сумын иргэн
54.	М.Цэвээндарь	Ховд аймгийн Мянгад сумын иргэн
155.	Ч.Мөнгөнхүү	Ховд аймгийн Мянгад сумын иргэн
56.	Б.Сарангэрэл	Ховд аймгийн Мянгад сумын иргэн
57.	Х.Түмэндэмбэрэл	Ховд аймгийн Мянгад сумын иргэн
58.	Э.Ууганзаяа	Ховд аймгийн Мянгад сумын иргэн
59.	Д.Баатарсүрэн	Ховд аймгийн Мянгад сумын иргэн
60.	А.Сайнжаргал	Ховд аймгийн Мянгад сумын иргэн
61.	К.Мереке	Ховд аймгийн Мянгад сумын иргэн
62.	Г.Отгонзаяа	Ховд аймгийн Мянгад сумын иргэн
63.	Г.Оролмаа	Ховд аймгийн Мянгад сумын иргэн
64.	Д.Одончимэг	Ховд аймгийн Мянгад сумын иргэн
65.	Д.Хашбаатар	Ховд аймгийн Мянгад сумын иргэн
66.	Б.Ганбол	Ховд аймгийн Мянгад сумын иргэн
67.	У.Пүрэвдорж	Ховд аймгийн Мянгад сумын иргэн

Table D.2 ESMF CONSULTATION MEETING SUMMARY

Date	02 December 2016
Time	12-15:00
Location	Mayangad Soum, Hovd Province
Participants	<i>Ministerial stakeholders; Provincial government stakeholders; local government stakeholders; Renewable Energy Specialists, Engineers from WES; Local Media/Television; local residents</i>

Meeting Purpose

On December 2, 2016 discussion about the project planned to implement loan at the culture center of Myangad soum, Khovd province.

To discuss about the ways to solve scope of environmental and social administrative works under “Solar plant” planned to build in Myangad soum of Khovd province and potentially elsewhere in Western Aimags. Exchange views with customers of electricity power.

Key Questions & Concerns raised by Participants

Introduced delegates arrived in discussion meeting.

In order to hear opinions of local people about new construction and exchange views, made a presentation about 10MW capacity Solar power plant invested by World bank.

Made a detailed presentation of the resolution on the funding of treated donor countries in renewable energy.

Local government informed notice about the wishes to issuance permission to build Solar power plant 20ha land located south side of the current garbage dump which is north side of 110/35/10kV Myangad substation in according to support of soum meeting and potentially elsewhere in Western aimags.

Outlined about the issued center land of the soum planned to implement the project is not belonged to water resource and reserve land, and not registered ownership.

Spoke about how to impact currently proposed 10MW substation in Khovd province by Western Region Energy System to energy supply of electricity power customers, and to be able to produce electricity power of the high cost of electricity imported from Russia on their own.

Presented how to improve problems of customers structure and current situation under project implementation, and also energy sustainable will improve and energy tariff will be stabilized.

Would be grateful if local people tell us what they think after presentation. Key discussion as follows:

Heard about Solar power plant construction in 20ha north side of our soum. Resident pointed that the Myangad soum territory has natural formation created lot dusting of delicate soil and added ground water and surface water sustains their lives. Furthermore questioned about how to coordinate those issues.

From province governor side supporting the project in according to documents given to you said Solar plant is environmentally safe, has no negative impact considered worldwide. However, need to do environmental detailed assessment. Moreover, in order to clean solar radiation collection boards certain water will be required. Therefore he said about the regulation to that water payment will be allocate into local budget.

Said about that issued land's 4-5 hectares belonged to garbage dump will cleaned to use.

Resident asked question about if it is necessary to get loan from abroad again for energy usage supply requirement when Mongolia has hard economic situation, and wondered also possibility to work under current infrastructure system.

Response: Mentioned this project investment will not belong to Mongolian loan, and added about has long-term with low interest rate condition. Moreover, half of the project consists of the possibility obtaining a grant loan.

Resident said he is happy to know that solar resource will be near to soum center and asked if the plant will hire local people and number of permanent jobs.

Response: construction work will be performed by internal or international contractors and build construction and excavation work need temporary human resources from local people. Can I value your inquiry to understand that they are willing to include provisions on labor recruitment documents from local residents.

Residents The unanimous answer is YES

Resident thanked those people who is making the discussion to influence soum local development implementing the project. Called residents people for support to the construction of the project, not to interfere.

Residents are very interested into if it would be barrier to close the road when many livestock households of soum center are releasing grazing livestock pastures to the northern side, and if there is any opportunity to not increase electricity power tariff.

Response: Animals are not grazing by through north side of the soum, garbage dump, therefore, won't have barriers

to close the road. But regarding the buried include funding for waste destruction point shall asked to project implementers from local community.

From north side of soum garbage dump, rubbish will blow away into substation land, furthermore, arise problem to bury destruction dump point.

Resident asked if nearby substation asked to take action on the green, tree planting lawn.

Residents asked questions related to electricity power and received answers from related people.

Conclusions from public consultation

1. Measures to take included in the document carefully to avoid dust emissions.
2. Water consumption of solar plant should have pointed into environmental detailed assessment.
3. Ensure to prioritise the provision to provide jobs to local people in selection documents.
4. To organize destruct and bury current garbage dump by environment-friendly way.
5. The planting trees and grassland on the north substation.

Because of Myangad substation's current 2 transformers capacity overloaded to 60-80 percent, so install new 2 transformers with 2*16000 Mwa capacity and upgrade the related electricity equipment.

