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Environment and Social Management System (ESMS)



PKSF
Pali Karma-Sahayak Foundation (PKSF)

Environment and Social Management System (ESMS)

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Abbreviation

CHMP	Cultural Heritage Management Plan
EHS	Environment Health Safety
EHSG	Environment Health Safety Guideline
EMF	Environment Management Framework
ERP	Emergency Response Plan
ESCP	Environmental and Social Commitment Plan
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
ESS	Environmental and Social Standard
FPIC	Free, Prior and Informed Consent
GCF	Green Climate Fund
GHG	Green House Gases
GRM	Grievance Redress Mechanisms
IPM	Integrated Pest Management
IUCN	International Union for the Conservation of Nature
IVM	Integrated Vector Management
NGOs	No-Government Organizations
OHS	Occupational Health and Safety
PKSF	Palli Karma-Sahayak Foundation
PMP	Pest Management Plan
POs	Partner Organisations
RHA	Risk Hazard Assessment
SEP	Stakeholder Engagement Plan
SESA	Strategic Environmental and Social Assessment

Environmental and Social Policy Statement

The Environmental and Social (ES) Policy Statement represents PKSf's commitment to the principles of sustainable development, environmental protection and social responsibility. An important objective of the PKSf Environmental and Social (ES) Policy is proper development and implementation of an Environmental and Social Management System (ESMS) to ensure compliance with national legislation and international environmental, social, health and safety (ESHS) standards. PKSf is committed to implement its all programs and providing services in a thoughtful and responsible way, with a view to preventing pollution and safeguarding the natural and social environment. PKSf is committed to the continuous improvement of operational performance in order to reduce any adverse environmental and social impacts that result from its activities.

PKSf works closely with its partner organizations (POs) in order to manage the environmental and social impact of its operations. POs are supported in their efforts to improve their own environmental and social sustainability performance. This policy applies to all activities taking place at PKSf and its Partner Organizations (POs) level. To achieve this, PKSf hereby commits itself and its operations to the following:

- Designing, developing and implanting all activities in sustainable, environmentally and socially responsible, and efficient manner;
- Complying with national legislation and international standards;
- Using a proactive approach to identifying and evaluating environmental and social risks and impacts and applying the mitigation hierarchy to anticipate and avoid them.
- Communicating and promoting awareness, accountability, and environmental and social responsibility among employees, partners, suppliers, contractors, as well as other stakeholders;
- Ensuring all employees are aware of the organizational and of their individual responsibilities for environmental, social, and health and safety performance and that information and training is provided to enable employees and contractors to operate in a manner that minimizes risk to their health and to the environment;
- Providing mechanisms for employees and other stakeholders to express concerns and make suggestions about PKSf's activities and practices and acting in a transparent and accountable manner to address and respond to concerns and feedback;

- Engaging in open dialogue with, and considering the views of local communities and stakeholders before making decisions that could affect those communities and community members via free, prior, and informed consultations;
- Ensuring that PKSf's procurement system considers the environmental, social, and health and safety credentials in of awarding contract and takes into account the full lifecycle of assets when procuring equipment or infrastructure;
- Supporting actively the development of new technologies and processes that could further improve environmental, social, and health and safety performance;
- Workforce diversity is recognized as an essential component of the PKSf's intellectual capital.
- The PKSf's partners and contractors are also expected to be mindful of gender equality.
- Bribery and corruption will not be condoned under any circumstances. When applicable concerning such matters, action will be taken immediately as per Policy of PKSf.

PKSf's service rules, gender policy, policy on complain redress system, project appraisal guideline, procedures for risk mitigation, statement of non-discriminatory practices, environment & social management framework, policy and strategy for women employees from possible sexual harassment are all complementary elements of this Policy.

This policy goes into effect as of the date on which it is approved by the management of PKSf.

Chapter 1: Introduction to Environment and Social Management System

1. The Environmental and Social System of PKSf sets out the PKSf's commitment to sustainable development and a set of Environmental and Social Standards that are designed to support PKSf and its partner's projects/programs, with the aim of ending extreme poverty and promoting employment generation.
2. This ESMS comprises:
 - An Environmental and Social Policy , which sets out the PKSf's aspirations regarding environmental and social sustainability;
 - The nine (09) Environmental and Social Standards r with their Annexes, which set out the requirements that apply to the projects under PKSf
 - National Laws and rules regarding Environment and social risk and impact assessment and management
3. The Environmental and Social Standards set out the requirements for relating to the identification and assessment of environmental and social risks and impacts associated with projects supported by the PKSf through Project Financing. PKSf believes that the application of these standards, by focusing on the identification and management of environmental and social risks, will support PKSf in its goal to reduce poverty and increase prosperity in a sustainable manner for the benefit of the environment and social standard. The standards will: (a) support PKSf in achieving good national and international practice relating to environmental and social sustainability; (b) assist PKSf in fulfilling their national and international environmental and social obligations; (c) enhance nondiscrimination, transparency, participation, accountability and governance; and (d) enhance the sustainable development outcomes of projects/sub-projects through ongoing stakeholder engagement.
4. The following Environmental and Social Standards establish the standards that PKSf and all projects implemented by PKSf will meet through the project life cycle, as follows:
 - Environmental and Social Standard 1: Assessment and Management of Environmental and Social Risks and Impacts;
 - Environmental and Social Standard 2: Labor and Working Conditions;
 - Environmental and Social Standard 3: Resource Efficiency and Pollution Prevention and Management;
 - Environmental and Social Standard 4: Community Health and Safety;
 - Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement;
 - Environmental and Social Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources;
 - Environmental and Social Standard 7: Indigenous community/Traditional Local Communities;
 - Environmental and Social Standard 8: Cultural Heritage; and

- Environmental and Social Standard 9: Stakeholder Engagement and Information Disclosure.
5. PKSf will also issue an environmental and social procedure, which will set out management approved mandatory environmental and social procedures which apply to projects supported by project/sub-project financing. The Environmental and Social Procedure will describe how PKSf conducts its due diligence of a project being proposed for PKSf support.
 6. Environmental and Social Standard ESS1 applies to all projects for which PKSf Project Financing is sought. ESS1 establishes the importance of: (a) the PKSf's existing environmental and social system in addressing the risks and impacts of the project; (b) an integrated environmental and social assessment to identify the risks and impacts of a project; (c) effective community engagement through disclosure of project related information, consultation and effective feedback; and (d) management of environmental and social risks and impacts by PKSf and its intermediaries throughout the project life cycle. PKSf requires that all environmental and social risks and impacts of the project be addressed as part of the environmental and social assessment conducted in accordance with ESS1. ESS 2–10 set out the obligations of PKSf, in identifying and addressing environmental and social risks and impacts that may require particular attention. These Standards establish objectives and requirements to avoid, minimize, reduce and mitigate risks and impacts, and where significant residual impacts remain, to compensate for or offset such impacts.
 7. The System will also be accompanied by guidance and information tools to assist PKSf in implementing the Standards, PKSf staff in conducting due diligence and implementation support, and stakeholders in enhancing transparency and sharing good practice.
 8. Projects under PKSf are also required to apply the relevant requirements of the PKSf's Environment Health Safety (EHS) Guideline¹. These are technical reference documents, with general and some specific examples of good national and international practices.
 9. The System includes provisions on PKSf's grievance redress and accountability (Annex 1). PKSf supported project will include a number of mechanisms for addressing concerns and grievances arising in connection with a project. Project affected parties will have access, as appropriate, to project grievance mechanisms, local grievance mechanisms. After bringing their concerns directly to the PKSf's attention and giving PKSf Management a reasonable opportunity to respond, project-affected parties may submit their complaint to the governing body of PKSf which is independent in nature.

¹ Environmental Health and Safety (EHS) Guideline is prepared by PKSf in order to prevent any significant adverse environmental impacts and improve health and safety of the workers directly involved in the activities financed under PKSf's projects or programmes.

Chapter 2: PKSF Environmental and Social Policy for Project Financing

Purpose

1. This Environmental and Social Policy for Project Financing sets out the requirements of PKSF in relation to the assessment and management of Environmental and Social risks and impacts for projects/programs.

Objectives and Principles

2. PKSF is committed to supporting its POs in the development and implementation of projects that are environmentally and socially sustainable, and to enhancing the capacity of POs' environmental and social frameworks to assess and manage the environmental and social risks and impacts of projects. To this end, the PKSF has defined specific Environmental and Social Standards (ESSs), which are designed to avoid, minimize, reduce or mitigate the adverse environmental and social risks and impacts of projects. PKSF will assist POs in their application of the ESSs to projects supported through Project Financing in accordance with this Environmental and Social Policy.
3. To carry out this Policy, PKSF will:
 - (a) Undertake its own due diligence of proposed projects, proportionate to the nature and potential significance of the environmental and social risks and impacts related to the project;
 - (b) As and where required, carry out early and continuing engagement and meaningful consultation with stakeholders, in particular affected communities, and in providing project-based grievance mechanisms;
 - (c) Identify appropriate methods and tools to assess and manage the potential environmental and social risks and impacts of the project;
 - (d) Agreement under which PKSF is prepared to provide support to a project, as set out in the Environmental and Social Commitment Plan (ESCP); and
 - (e) Monitor the environmental and social performance of a project in accordance with the ESCP and the ESSs.
4. The environmental and social risks and impacts which PKSF will take into account in its due diligence are project related and include the following:
 - (a) Environmental risks and impacts, including:**
 - (i) assess environmental and social risks; (ii) those identified in the Environmental Health Safety (EHS) Guidelines (iii) those related to climate change and other trans-boundary or global risks and impacts; (iv) any material threat to the protection, conservation, maintenance and restoration of natural habitats and biodiversity; and (v) those related to ecosystem services and the use of living natural resources, such as fisheries and forests;
 - (b) Social risks and impacts, including:**
 - (i) threats to human security through the escalation of personal, communal or interstate conflict, crime or violence; (ii) risks that project impacts fall disproportionately on individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable; (iii) any prejudice or discrimination toward individuals or groups in providing access to development resources and project benefits, particularly in the case of those who may be disadvantaged or vulnerable; (iv) negative economic and

social impacts relating to the involuntary taking of land or restrictions on land use; (v) risks or impacts associated with land and natural resource tenure and use, including potential project impacts on local land use patterns and tenurial arrangements, land access and availability, food security and land values, and any corresponding risks related to conflict or contestation over land and natural resources; (vi) impacts on the health, safety and well-being of workers and project-affected communities; and (vii) risks to cultural heritage

5. Projects supported by PKSf through Project Financing are required to meet the following Environmental and Social Standards:
 - Environmental and Social Standard 1: Assessment and Management of Environmental and Social Risks and Impacts;
 - Environmental and Social Standard 2: Labor and Working Conditions;
 - Environmental and Social Standard 3: Resource Efficiency and Pollution Prevention and Management;
 - Environmental and Social Standard 4: Community Health and Safety;
 - Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement;
 - Environmental and Social Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources;
 - Environmental and Social Standard 7: Tribal Peoples/Traditional Local Communities;
 - Environmental and Social Standard 8: Cultural Heritage;
 - Environmental and Social Standard 9: Stakeholder Engagement and Information

Scope of application

6. This Policy and the ESSs apply to all projects supported by PKSf through Project Financing. PKSf will only support projects that are consistent with, and within the boundaries of the Articles of Association and are expected to meet the requirements of the ESSs in a manner and within an acceptable timeframe.

PKSf requirements

7. PKSf will require its POs to conduct environmental and social assessment of projects proposed for PKSf support in accordance with ESS1.
8. PKSf will require the POs to prepare and implement projects so that they meet the requirements of the ESSs. PKSf will take into account the nature and significance of the potential environmental and social risks and impacts, the timing for development and implementation of the project, the capacity of the PO and other entities involved in developing and implementing the project, and the specific measures and actions to be put in place or taken by the PO to address such risks and impacts.
9. Where PKSf has agreed that the PO may plan or take specific measures or actions to avoid, minimize, reduce or mitigate specific risks and impacts of the project over a specified timeframe, PKSf will require that the POs commit to not carrying out any activities or taking any actions in relation to the project that may cause material adverse environmental or social risks or impacts until the relevant plans, measures or actions have been completed in accordance with the ESCP (Annex 8).

10. If the project comprises or includes existing facilities or existing activities that do not meet the requirements of the ESSs at the time of approval by PKSf, PKSf will require as part of the ESCP, to adopt and implement measures satisfactorily so that the material aspects of such facilities or activities meet the requirements of the ESSs within an acceptable timeframe. In determining satisfactory measures and an acceptable timeframe, the PKSf will take into account the nature and scope of the project and the technical and financial feasibility of the proposed measures.
11. PKSf will apply the relevant requirements of the EHS guideline¹ of PKSf. The EHS guideline contains the performance levels and measures that are normally acceptable and applicable to projects. The choice of any alternative performance level is consistent with the objectives of the ESSs and the applicable EHS guideline, and is unlikely to result in any significant environmental or social harm.

A. Environmental and social risk classification

12. PKSf will classify all projects into one of four classifications: **High Risk, Substantial Risk, Moderate Risk or Low Risk**. In determining the appropriate risk classification, PKSf will take into account relevant issues, such as the type, location, sensitivity, and scale of the project; the nature and magnitude of the potential environmental and social risks and impacts; and the capacity and commitment of the PO to manage the environmental and social risks and impacts in a manner consistent with the ESSs. Other areas of risk may also be relevant to the delivery of environmental and social mitigation measures and outcomes, depending on the specific project and the context in which it is being developed. These could include legal and institutional considerations; the nature of the mitigation and technology being proposed; governance structures and legislation; and considerations relating to stability, conflict or security. PKSf will disclose the project's classification and the basis for that classification on the PKSf's website and in project documents.
13. PKSf will review the risk classification assigned to the project on a regular basis, including during implementation, and will change the classification where necessary, to ensure that it continues to be appropriate. Any change to the classification will be disclosed on the PKSf's website.
14. Where PKSf is providing support to one or more POs, the risk classification of the project will be determined by PKSf taking into account the type of financial instrument or product involved to be provided, the nature of the PO's existing portfolio, and the level of risk associated with the proposed subprojects.

B. Environmental and social due diligence

20. PKSf will conduct environmental and social due diligence of all projects proposed for support through Project Financing. The purpose of the environmental and social due diligence is to assist PKSf in deciding whether to provide support for the proposed project and, if so, the way in which environmental and social risks and impacts will be addressed in the assessment, development and implementation of the project.
21. PKSf's environmental and social due diligence will be appropriate to the nature and scale of the project, and proportionate to the level of environmental and social risks and impacts, with due regard to the mitigation hierarchy. The due diligence will assess whether the project is capable of being developed and implemented in accordance with the ESSs.

22. PKSf's due diligence responsibilities will include, as appropriate: (a) reviewing the information provided by the POs relating to the environmental and social risks and impacts of the project, and requesting and requesting additional information for completing its due diligence; and (b) providing guidance to assist the POs in developing appropriate measures consistent with the mitigation hierarchy to address environmental and social risks and impacts in accordance with the ESSs. The POs is responsible for ensuring that all relevant information is provided to PKSf so that PKSf can fulfill its responsibility to undertake environmental and social due diligence in accordance with this Policy.
23. PKSf recognizes that POs may have different levels of information regarding the environmental and social risks and impacts available at the time PKSf carries out its due diligence. In such circumstances, PKSf will assess the risks and impacts of the proposed project based on the information that is available to PKSf, together with an assessment of: (a) the risks and impacts inherent to the type of project and the specific context in which the proposed project will be developed and implemented; and (b) the capacity and commitment of the POs to develop and implement the project in accordance with the ESSs. PKSf will assess the significance of the gaps in information, and the potential risk this may present to achieving the objectives of the ESSs. PKSf will reflect this assessment in the relevant project documents at the time the pro-posed financing is submitted for Board approval.
24. Where PKSf is approached to provide support for a project that is under construction, or where the project has already received national permits, including the approval of local environmental and social impact assessments, PKSf's due diligence will include a gap analysis against the ESSs to identify whether any additional studies and/ or mitigation measures are required to meet PKSf's requirements.
25. Depending on the potential significance of environmental and social risks and impacts, PKSf will determine if independent third party specialists will be assigned to assist in the assessment of environmental and social impacts

C. Special project types

Projects involving multiple small subprojects

26. For projects involving multiple small sub-projects, that are identified, prepared and implemented during the course of the project, PKSf will review the adequacy of national environmental and social requirements relevant to the sub-projects, and assess the capacity of the POs to manage the environmental and social risks and impacts of subprojects as required by paragraph 23. When necessary, the project will include measures to strengthen the capacity of the POs. PKSf will make a legal agreement with all its POs/ intermediaries, making this ESMS binding upon them.
27. PKSf will require the POs to carry out appropriate environmental and social assessment of subprojects, and prepare and implement such subprojects, as follows:
 - (a) High and Substantial Risk subprojects, in accordance with the ESSs;
 - (b) Moderate Risk and Low Risk subprojects, in accordance with national law and any requirement of the ESSs that PKSf deems relevant to such subprojects.

D. Environmental and Social Commitment Plan (ESCP)

29. The ESCP will set out the material measures and actions required for the project to meet the ESSs over a specified timeframe. The ESCP will form part of the legal agreement. The legal agreement will include, as necessary, obligations of the POs to support the implementation of the ESCP.
30. PKSf will require the POs to implement the measures and actions identified in the ESCP diligently, in accordance with the timeframes specified in the ESCP, and to review the status of implementation of the ESCP as part of its monitoring and reporting.
31. PKSf will require the POs to prepare, submit to PKSf for approval and implement a process that allows for adaptive management of proposed project changes or unforeseen circumstances. The agreed adaptive management process will be set out in the ESCP. The process will specify how such changes or circumstances are to be managed and reported, and how any necessary changes will be made to the ESCP and the management tools used by the POs.

E. Information disclosure

32. PKSf will apply the right to information act of the government of Bangladesh with regard to all documents provided to it by the POs.
33. PKSf will require the POs to provide sufficient information about the potential risks and impacts of the project for the POs' consultations with its stakeholders. Such information will be disclosed in a timely manner, in an accessible place, and in a form and language understandable to project affected parties and other interested parties as set out in ESS10, so they can provide meaningful input into project design and mitigation measures.
34. PKSf has information disclosure policy regarding environmental risks assessment, management and monitoring. Specific information disclosure and reporting will be included in project specific ESCP. The report will be both English and Bangla.

F. Consultation and screening mechanism of beneficiaries

35. PKSf recognizes the importance of early and continuing engagement and meaningful consultation with stakeholders. PKSf will identify and engage with stakeholders, including communities, groups, or individuals affected by proposed projects, and with other interested parties, through information disclosure, consultation, and informed participation in a manner proportionate to the risks to and impacts on affected communities. PKSf will also address issues with vulnerable and disadvantaged people who are disproportionately affected, using differentiated measures PKSf will also monitor, as part of its due diligence, the implementation of consultation and stakeholder engagement by the POs.
36. In order to determine the applicability of ESS7, PKSf will undertake a screening in accordance with the criteria in paragraphs 8 and 9 of ESS7, to determine whether indigenous Peoples are present in, or have collective attachment to, the proposed project area. In conducting this screening, PKSf may seek the technical advice of specialists with expertise on the social and cultural groups in the project area. PKSf will also consult the indigenous peoples concerned Where Indigenous Peoples are present in, or have a collective attachment to, the proposed project area, PKSf will undertake a process of meaningful consultation tailored to Indigenous Peoples in accordance with ESS7. The outcome of the meaningful consultation will be documented. PKSf will undertake the necessary due diligence and

ascertain the outcome of the meaningful consultation, and this will contribute to PKSf's decision making as to whether to proceed with the proposed project or not.

37. In addition, PKSf recognizes that Indigenous People may be particularly vulnerable to the loss of, alienation from or exploitation of their land and access to natural and cultural resources. In recognition of this vulnerability, PKSf will obtain the Free, Prior and Informed Consent (FPIC) of the affected Indigenous People when such circumstances described in ESS7 are present. There is no universally accepted definition of FPIC. It does not require unanimity and may be achieved even when individuals or groups within or among affected Indigenous Peoples explicitly disagree. For the purposes of ESS7, consent refers to the collective support of affected Tribal Peoples communities for the project activities that affect them, reached through a culturally appropriate process. It may exist even if some individuals or groups object to such project activities. When PKSf is unable to ascertain that such consent is obtained from the affected Indigenous Peoples, PKSf will not proceed further with the aspects of the project that are relevant to those Indigenous Peoples for which FPIC cannot be ascertained. In such cases, PKSf will ensure that the project will not cause adverse impacts on such Indigenous Peoples.
38. PKSf has its own mechanism for screening the beneficiaries though it depends on project/program nature and targets. Project beneficiaries are usually select by POs of PKSf through its country wide network. PKSf sets specific criteria to select beneficiary on a case by case basis, which will be documented in project-specific ES instruments developed.
39. PKSf has four core program for its beneficiaries namely, Buniad, Jagoron, Sufolon and Agrosor. Among them 'Buniad' is specially designed for ultra-poor and disadvantaged people of Bangladesh. PKSf has been implementing 'Buniad' for the ultra-poor people since 2004 previously known as Ultra Poor Program (UPP). Under 'Buniad', PKSf is providing flexible microcredit to the ultra-poor people. In addition to the financial service The main objective of Buniad is to support the ultra-poor people in such a way so that they become capable to create sustainable income opportunities and human dignity as well as they can lift out of extreme poverty. Buniad' targets the following category of the ultra-poor population:
- Have less than or equal to 10 decimals of land (a tenth of an acre).
 - Earn livelihood through selling their labor.
 - Households with no permanent residence like slum-dwellers, who live in and around areas affected by river erosion, live besides dam.
 - Beggars, mobile sex workers, domestic help.
 - Widowed, divorced, abandoned and distressed women.
 - Female headed households dependent on others assistance.
 - Households dependent on child labor.
 - Old, physically challenged people and acid burnt women who have no permanent source of income.

G. Monitoring and implementation support

40. PKSf will monitor the environmental and social performance of the project in accordance with the requirements of the legal agreement, including the ESCP, and will review any revision of the ESCP including changes resulting from changes in the design of a project or

project circumstances. The extent and mode of PKSf monitoring with respect to environmental and social performance will be proportionate to the potential environmental and social risks and impacts of the project. A project will not be considered complete until the measures and actions set out in the legal agreement (including the ESCP) have been implemented. To the extent that PKSf evaluation at the time of project completion determines that such measures and actions have not been fully implemented, PKSf will determine whether further measures and actions, including continuing PKSf monitoring and implementation support, will be required.

41. PKSf will provide implementation support regarding the environmental and social performance of the project, which will include reviewing the POs' monitoring reports on compliance of the project with the requirements of the legal agreement, including the ESCP.
42. Where appropriate and as set out in the ESCP, PKSf will require the POs to engage stakeholders and third parties, such as independent experts, local communities or nongovernmental organizations (NGOs), to complement or verify project monitoring information. Where other agencies or third parties are responsible for managing specific risks and impacts and implementing mitigation measures, PKSf will require the POs to collaborate with such agencies and third parties to establish and monitor such mitigation measures.
43. Where PKSf has identified and agreed with the POs and, as relevant, other agencies, on corrective or preventive measures and actions, all material measures and actions will be included in the ESCP. Such measures and actions will be addressed in accordance with the timeframe set out in the ESCP or, if they are not included in the ESCP, in a reasonable timeframe, in the opinion of PKSf. PKSf will have the right to apply PKSf's remedies if the POs fails to implement such measures and actions in the timeframes specified.

H. Reporting Arrangements

The Project Management Unit will establish a common web-based platform that tracks the project's progress based on the Results Framework. This platform will accommodate baseline studies and additional monitoring, notably monthly reporting and corresponding indicators, and reporting related to grievance redress, stakeholder engagement, compliance with environmental and social standards, subproject monitoring, spot checks and participatory monitoring on project progress, among others.

The Monthly Progress Reports will stock-take the design and implementation of its own sub-projects, and their compliance with environmental and social standards. These are compiled into half yearly Progress Reports prepared by PKSf for the development partners which reflects these within the context of updated implementation schedules by components, commitment and disbursement by component and findings, recommendations, agreements reached on key implementation issues. These are complemented by midterm review and impact evaluation undertaken by independent firms to assess project performance and its human capital outcomes.

The Project Coordinator will ensure preparing monthly visit plan for all staff of Project PMU in such way that it ensures visiting of all project activities periodically. All visiting officers will submit reports to Project Coordinator soon after the visit and Project Coordinator will submit report to line Deputy Managing Director of PKSf. The visiting officers will also record their

major findings and suggestions in the Monitoring Logbook maintained in the POs.

I. Grievance mechanism and accountability

44. PKSf will provide a grievance mechanism, process, or procedure to receive and facilitate resolution of concerns and grievances of project affected parties arising in connection with the project, in particular about its environmental and social performance. The grievance mechanism will be proportionate to the risks and impacts of the project.
45. Project-affected parties may submit complaints regarding a project to the project grievance mechanism, appropriate local grievance mechanism. The GRM ensures that complaints received are promptly reviewed in order to address project-related concerns. After bringing their concerns directly to the PKSf's management attention and giving PKSf Management a reasonable opportunity to respond. Project affected parties may submit their complaint to the PKSf's Governing body to request an inspection to determine whether harm has occurred as a direct result of PKSf's noncompliance with its policies and procedures. Further details are provided in Annex 1.

J. Institutional and implementation arrangements

46. PKSf will allocate responsibilities and appropriate resources to support an effective implementation of this Policy.
47. Projects receiving initial approval by PKSf management prior to the entry into force of this Policy will be subject to PKSf's existing Policies.
48. PKSf will develop and maintain directives, procedures and appropriate guidance and information tools to assist in implementing this Policy.
49. This Policy will be reviewed on an ongoing basis and will be amended or updated as appropriate, subject to approval by the Governing Board.

K. Environmental and Social Advocacy Unit of PKSf

PKSf mission is to implement policies and action programmes involving multiple dimensions of human living and human poverty; pursue a life-cycle approach to human progress, catering to the appropriate needs at all stages of life. The policy planning and action programming centre on human beings and focus on socio-economic development and environmental protection. The support and services provided relate to education, workforce development, health and nutrition, infrastructure, inclusive and appropriate financing for planned economic activities, social issues and social capital, response to climate change impacts, gender issues, cultural dimensions, sports and social advocacy etc. To address the mission, PKSf has established Social Advocacy and Knowledge Dissemination; and Environment and Climate Change Unit (ECCU). For any specific project, PKSf will incorporate the personnel/specialist if required in consultation with development partners.

Social Advocacy and Knowledge Dissemination unit: PKSf set up Social Advocacy and Knowledge Dissemination unit in 2013, which is a part of its core program. Beside the regular development programs of PKSf, this unit focuses on different critical social issues to build awareness among the marginalized and disadvantaged people to establish their

human dignity. The unit consist of a Deputy Managing Director, an Assistant General Manager, a Deputy Manager and an Assistant Manager.

Environment and Climate Change Unit:

As a very dense populated and one of the most vulnerable country due to climate change, environment and climate change is becoming a crucial and important issue for Bangladesh as well as for PKSf. Considering these dimension and important issues, PKSf established ‘Environment and Climate Change Unit (ECCU)’ in its 189th meeting of the Governing Body. The Environment and Climate Change Unit of PKSf is responsible to mainstream the issues of environment and climate change in all of PKSf’s activities, projects and programs such as environmental

impact assessment and waste management in all activities, suitable adaptation options and protocols for different climate vulnerable areas, appropriate mitigation actions for PKSf etc. The unit will develop environmental protocol and climate change adaptation & appropriate climate change mitigation protocol in accordance with government policy as well as based on the scientific and indigenous knowledge. It will also develop environmental management and compliance strategies for PKSf, Partner Organizations (POs) and the people associated with the activities. The unit will identify the activities which are environment and climate sensitive and develop appropriate framework and practice to address those issues. It will also enhance capacity and awareness level on environmental compliance, management and climate change at PKSf, PO and beneficiary level. The unit will build capacity to its partners on environment and climate change issues so that they are capable to address those in their activities. Addressing climate change is another important working area of the unit. It will work in both adaptation and mitigation of climate change. Palli Karma-Sahayak Foundation (PKSF) was accredited to GCF in its 18th board meeting on 29 September to 03 October, 2017. PKSf works through national and local level NGOs largely known as Partner Organisations (POs). These organisations operates various project/programs including the project/programs relevant to climate change. In addition, various government departments and research institutes show their interest to work with PKSf as DAE of GCF. They are PKSf’s important stakeholders in addressing climate change adaptation and mitigation issues in national and local level. The Environment and Climate Change Unit consist of a Director, an Assistant general Manager, a Manager and two Deputy Managers.:

Intervention Areas of ECCU		
Environment	Climate Change	People’s voice on SDGs
<ul style="list-style-type: none"> • Environmental Compliance • Environmental Management • Environmental Management Framework (EMF) • Initial Environmental Examination (IEE) • Environmental Impact Assessment (EIA) • Environmental Management Plan (EMP) • Environmental monitoring 	<ul style="list-style-type: none"> • Climate Change Adaptation • Climate Change Mitigation • Climate Change Financing 	<ul style="list-style-type: none"> • Research and knowledge management • Seminar and Workshops • Assessment of achievements • Publication

Chapter 3: Legal Regulations and Requirements

Review of National Environmental & Social Acts, Rules, Policies and Strategies

This subsection details relevant national laws, and their subsequent amendments, relating to management of environmental and social risks and impacts as applies to the Project. The legal tenets provided herein inform the design and implementation of project and sub-project activities. The list will be updated as and when required.

- **Constitution of the People's Republic of Bangladesh:** The Constitution enshrines values of equality of opportunity to all citizens and adoption of effective measures to remove social and economic inequalities towards sound economic growth [Article 19]. It attests to citizens' right to work and compensation as is owed [Article 20], and engage in any lawful profession, occupation, trade or business [Article 40], extending such provisions unto its tribes, minor races, ethnic sects and communities [Article 23A]. It prohibits all forms of forced labor [Article 34]. It also guarantees its citizens rights to move, reside and settle freely throughout the country [Article 36]; as well as assemble and participate in public meetings and processions, subject to reasonable restrictions in the interest of public health [Article 37]; and form associations or unions [Article 38]. Freedom of thought, conscience, speech, expression and press are guaranteed subject to them not overriding interests of the State [Article 39].
- **Labor Act, 2006 [and its amendments] and Labor Rules, 2015:** This Act pertains to the occupational rights and safety of workers and provision of reasonable working conditions. With overarching tenets being directly applicable to the Project, specific provisions on leave [Article 10], payment of wages for unveiled leave [Article 11], stoppage of work [Article 12], grievance redress procedure [Article 33] and prohibition of employment of children and adolescent [Article 34] have particular relevance to Project activities. Taken further, this Act outlines standards for health, hygiene and safety, including its special provisions, with particular emphasis on disposal of wastes and effluents, fire safety [and also against fumes, explosives and inflammable dust], access to drinking water, latrines and urinals, safe usage and safety with[in] machineries and premises, and response to accidents, diseases and other dangerous occurrences [Chapters V-VII]. It also provisions welfare, working hours, leave, payment of wages, and compensation for injuries, focusing on access to first aid appliances, shelters and daycare; daily hours, holidays, shifts, overtime, and casual, sick and annual leave; and schedule, form, deductions, claims and appeals on wages; and liability of employers, amount of redress and investigation of damages received [Chapters VIII-X and XII]. Even more so, it outlines obligations of employers and apprentices for arrangements for apprenticeships [Chapter XVIII], which are further elaborated upon in Chapter VII of the Labor Rules, notably on inclusion of eligible participants, allowance and working hours, among others.
- **National Skills Development Policy, 2011:** This Policy guides skill development strategies, outlining commitments and reforms envisioned to that affect. With direct relevance to the Project, it the standards for demand-driven, flexible and responsive

provisions for skills training [Chapter 4], competency-based training and assessment [Chapter 6], quality assurance of programs and providers [Chapter 7], data collection and analysis on skills availability and labor market [Chapter 9], and effective and flexible institutional management [Chapter 11]. It further sets the stage for competencies and certification of instructors and trainers [Chapter 10], design and delivery of apprenticeships [Chapter 12], recognition of prior learning [Chapter 13], industry training and workforce development [Chapter 17], and skills development for overseas employment [Chapter 18]. And, it advises on improved access for underrepresented groups [Chapter 14], enhanced social status of Technical and Vocational Education and Training [Chapter 16], and extends unto roles of industry sectors in skills development [Chapter 8].

- **National Youth Policy, 2017:** Seeking to ensure fulfillment of youth potential and employment, this Policy outlines priorities and programmatic measures around the thematic areas of empowerment. Its emphasis on education, training, employment and entrepreneurship, and development of information and communications technologies provide key implications towards the design and delivery of Project activities.
- **National Women Development Policy, 2011:** This Policy espouses specific measures to enhance safety, security, socioeconomic empowerment and participation of women and reduce male-female disparities. Specific to the Project, it emphasizes on support to women's human resource development and entrepreneurs, recognition of women's contribution and use of women-friendly technologies, prioritization of their access to shelter and targeted support to those with disabilities, from smaller ethnic groups and those who are widowed, unmarried and childless, among others. Provisions herein are further reinforced by the **Prevention of Oppression Against Women and Children Act, 2000**, which safeguards women against social injustices, including those they could risk within the scope of Project design and implementation.
- **Microcredit Regulatory Authority Act, 2006:** This Act outlines guidance on the efficient regulation of microcredit programs and transparency and accountability in the activities of microcredit organizations. It mandates receiving certificate from the Authority [Chapter 4], submitting yearly balance sheets [Article 22], providing loan support and advise to poor people, alongside other eligible activities [Article 24] for an organization to be considered eligible, for the purposes of the Project.
- **Mobile Financial Services Regulations, 2018:** The Regulations provides regulatory framework to facilitate cost-efficient and prompt services, particularly for poor and underbanked population segments, as serviced through this Project. It sets models for business-to-person and government-to-person payments, including their operation modalities [Articles 5-7], thus guiding mechanisms for delivery of cash transfers to targeted beneficiaries.

- **Environmental Conservation Act, 1995 and Rules, 1997 [amended in 2010]:** This Act includes laws for conservation of the environment, improvement of environmental standards, and control and mitigation of environmental pollution, cautioning in particular against work in ecologically critical area [Article 5], manufacture or sale of articles injurious to the environment [Article 6a] and discharge of excessive environmental pollutant [Article 9]. Meanwhile, the Rules issue Environmental Clearance Certificate for projects categorized as Green and Orange A. For Orange B and Red, Initial Environmental Examination and Environmental Impact Assessment respectively are required for clearance to be obtained from the Department of Environment.

- **National Environmental Policy, 2018:** This Policy provides specific directives on land resource management; water resource management; air pollution control; safe food and water; public health and health services; accommodation, housing and urbanization; education and mass awareness; forest and wildlife; biodiversity, ecosystem conservation and biosafety; fisheries and livestock; climate change preparedness and adaptation; disaster management; management of chemical substances; other pollution control; environment-friendly economic development, sustainable production and consumption that will inform the design and implementation of sub-projects, including management of environmental risks and impacts.

- **Communicable Diseases [Prevention, Control and Eradication] Act, 2018:** This Act seeks to protect people from spread of infectious diseases through prevention, control and eradication. This entails issuance of alerts and awareness raising on transmission, restrictions within at-risk areas and on rights of passage, testing for and tracking progress of diseases, quarantine and disposal of items used, and capacity building of relevant human resources, among others.

Chapter 4: ESS1 Assessment and Management of Environmental and Social Risks and Impacts

Introduction

1. ESS1 sets out the PKSf's responsibilities for assessing, managing and monitoring environmental and social risks and impacts associated with each stage of a project in order to achieve environmental and social out-comes consistent with the Environmental and Social Standards (ESSs).
2. The ESSs are designed to manage the risks and impacts of a project, and improve their environmental and social performance, through a risk and outcomes based approach. The desired outcomes for the project are described in the objectives of each ESS, followed by specific requirements to achieve these objectives through means that are appropriate to the nature and scale of the project and proportionate to the level of environmental and social risks and impacts.
3. PKSf will conduct environmental and social assessment of projects proposed to help ensure that projects are environmentally and socially sound and sustainable. The environmental and social assessment will be proportionate to the risks and impacts of the project. It will inform the design of the project, and be used to identify mitigation measures and actions and to improve decision making.
4. PKSf will manage environmental and social risks and impacts of the project throughout the project life cycle in a systematic manner, proportionate to the nature and scale of the project and the potential risks and impacts.
5. In assessing, developing and implementing a project PKSf and its POs will follow national environmental and social framework to address the risks and impacts of the project, providing such use will enable the project to achieve objectives materially consistent with the ESSs. ESS1 includes the following annexes, which form part of ESS1, and set out certain requirements in more detail:
 - Annex 2: Environmental and Social Assessment Guideline;
 - Annex 3: Environmental and Social Commitment Plan; and
 - Annex 4: Management of Contractors.

Objectives

- To identify, evaluate and manage the environment and social risks and impacts of the project in a manner consistent with the ESSs.
- To adopt a mitigation hierarchy approach to:
 - (a) Anticipate and avoid risks and impacts;
 - (b) Where avoidance is not possible, minimize or reduce risks and impacts to acceptable levels;
 - (c) Once risks and impacts have been minimized or reduced, mitigate; and
 - (d) Where significant residual impacts remain, compensate for or offset them, where technically and financially feasible.
- To adopt differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable, and they are not disadvantaged in sharing development benefits and opportunities resulting from the project.

- To utilize national environmental and social institutions, systems, laws, regulations and procedures in the assessment, development and implementation of projects, whenever appropriate.
- To promote improved environmental and social performance.

Scope of application

6. ESS1 applies to all projects undertaken by PKSf.
7. ESS1 also applies to all Associated Facilities. Associated Facilities will meet the requirements of the ESSs, to the extent that the PKSf and its POs have control or influence over such Associated Facilities.
8. For the purpose of this ESS, the term “Associated Facilities” means facilities or activities that are not funded as part of the project and are: (a) directly and significantly related to the project; (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist.

Requirements

9. PKSf will assess, manage and monitor the environmental and social risks and impacts of the project throughout the project life cycle so as to meet the requirements of the ESSs.
10. The PKSf will:
 - (a) Conduct an environmental and social assessment of the proposed project, including stakeholder engagement;
 - (b) Undertake stakeholder engagement and disclose appropriate information in accordance with ESS10;
 - (c) Develop an ESCP, and implement all measures and actions set out in the legal agreement including the ESCP; and
 - (d) Conduct monitoring and reporting on the environmental and social performance of the project against the ESSs.
11. Where the ESCP requires PKSf to plan or take specific measures and actions over a specified timeframe to avoid, minimize, reduce or mitigate specific risks and impacts of the project, the PO will not carry out any activities in relation to the project that may cause material adverse environmental or social risks or impacts until the relevant plans, measures or actions have been completed in accordance with the ESCP.

A. Environmental and social assessment

12. The PKSf will carry out an environmental and social assessment of the project to assess the environmental and social risks and impacts of the project throughout the project life cycle. The assessment will be proportionate to the potential risks and impacts of the project, and will assess, in an integrated way, all relevant direct, indirect and cumulative environmental and social risks and impacts throughout the project life cycle, including those specifically identified in ESSs2–10.
13. The environmental and social assessment will be based on current information, including an accurate description and delineation of the project and any associated aspects, and environmental and social baseline data at an appropriate level of detail sufficient to inform characterization and identification of risks and impacts and mitigation measures. The assessment will evaluate the project’s potential environmental and social risks and impacts;

examine project alternatives; identify ways of improving project selection, siting, planning, design and implementation in order to apply the mitigation hierarchy for adverse environmental and social impacts and seek opportunities to enhance the positive impacts of the project. The environmental and social assessment will include stakeholder engagement as an integral part of the assessment, in accordance with ESS10.

14. The environmental and social assessment will be an adequate, accurate, and objective evaluation and presentation of the risks and impacts, prepared by qualified and experienced persons.
15. PKSf will ensure that the environmental and social assessment takes into account in an appropriate manner all issues relevant to the project, including: (a) Bangladesh's applicable policy framework, national laws and regulations, and institutional capabilities relating to environment and social issues; Bangladesh conditions and project context; country environmental or social studies; national environmental or social action plans; and obligations of Bangladesh directly applicable to the project;
16. The environmental and social assessment will apply a mitigation hierarchy, which will:
 - (a) Anticipate and avoid risks and impacts;
 - (b) Where avoidance is not possible, minimize or reduce risks and impacts to acceptable levels;
 - (c) Once risks and impacts have been minimized or reduced, mitigate; and
 - (d) Where significant residual impacts remain, compensate for or offset them, where technically and financially feasible.
17. The environmental and social assessment, informed by the scoping of the issues, will take into account all relevant environmental and social risks and impacts of the project, including:
 - (a) Environmental risks and impacts, including: (i) those defined by the EHS guideline of PKSf; (ii) those related to community safety (including safe use of pesticides); (iii) those related to climate change and other trans-boundary or global risks and impacts; (iv) any material threat to the protection, conservation, maintenance and restoration of natural habitats and biodiversity; and (v) those related to ecosystem services and the use of living natural resources, such as fisheries and forests;
 - (b) Social risks and impacts, including: (i) threats to human security through the escalation of personal, communal or interstate conflict, crime or violence; (ii) risks that project impacts fall disproportionately on individuals and groups who, because of their particular circumstances, may be disadvantaged or vulnerable; (iii) any prejudice or discrimination toward individuals or groups in providing access to development resources and project benefits, particularly in the case of those who may be disadvantaged or vulnerable; (iv) negative economic and social impacts relating to the involuntary taking of land or restrictions on land use; (v) risks or impacts associated with land and natural resource tenure and use, including potential project impacts on local land use patterns and tenurial arrangements, land access and availability, food security and land values, and any corresponding risks related to conflict or contestation over land and natural resources; (vi) impacts on the health, safety and well-being of workers and project-affected communities; and (vii) risks to cultural heritage.
18. Where the environmental and social assessment of the project identifies specific individuals or groups as disadvantaged or vulnerable, PKSf will propose and implement

differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable, and they are not disadvantaged in sharing any development benefits and opportunities resulting from the project.

19. The environmental and social assessment will also identify and assess, to the extent appropriate, the potential environmental and social risks and impacts of Associated Facilities. PKSf will address the risks and impacts of Associated Facilities in a manner proportionate to its control or influence over the Associated Facilities. To the extent that the PKSf cannot control or influence the Associated Activities to meet the requirements of the ESSs, the environmental and social assessment will also identify the risks and impacts the Associated Facilities may present to the project.
20. The environmental and social assessment will also consider risks and impacts associated with the primary suppliers as required by ESS2 and ESS6. The PKSf and its POs will address such risks and impacts in a manner proportionate to the PKSf's control or influence over its primary suppliers as set out in ESS2 and ESS6.

Steps of Environmental and Social (ES) screening

21. Two types of tools will be used in PKSf considering nature of interventions and magnitude of impacts. The environmental and social assessment tools to be used are:

- a) ES Screening
- b) Initial Environmental Examination (IEE)

a) ESS Screening

22. The 'ES screening' is a mandatory requirement for the design of a project. The purpose of the ES screening is to address environmental concern before further decision and/or design of a sub-project and to ensure that actions to mitigate environmental impacts. It is the first step to understand the possible environmental and social impacts and also to identify the environmental and social categorization of the project or sub-project. The participation and consultation with local communities are important to identify the potential impacts of the project interventions. The screening format for the grant projects under PKSf finance is provided in Annex 4, 5 and 6. The proposed screening criteria have been selected from the experience of other projects and typical environmental impacts of the proposed project interventions.

23. Steps for ESS Screening:

- (i) Review the list of negative attributes (Annex 5 and 6).
- (ii) Review the design of interventions (if applicable).
- (iii) Review whole process of implementation.
- (iv) Review the list of environmental code of practice.
- (v) Review the Screening Format (Annex 7 and 8) before going to field.
- (vi) Fill the screening format in the field.
- (vii) Prepare an environmental mitigation and management plan following prescribed format.
- (viii) Prepare a monitoring plan as per attached format.

b) Initial Environmental Examination (IEE)

24. The IEE is a review of the reasonably foreseeable effects on the environment of a proposed development intervention/activity. The IEE is conducted if the project is likely to have minor or limited impacts, which can easily be predicted and evaluated, and mitigation measures could be prescribed easily. However, the IEE is also important to confirm whether the specific activity requires an EIA or not. The steps of IEE is presented below:

Step-1: Describing Environmental and Social Condition of the Project Area

25. This is the first step of the Initial Environmental Examination (IEE). This includes collection of baseline information on biophysical, social and economic aspects of the project area. The description of environmental settings includes the characteristics and socio-economic condition of the area on which the activity of proposed project would occur. IEE should cover area affected by all impacts including potential area to address and potential area affected by its alternatives. Normally, information generated from secondary sources or from other existing documents and through field sampling.

Step-2: Assessing the potential impact

26. Prediction and quantification of the potential impact is the technical heart of the environmental and social impact examination process. The process involves the prediction of changes over time in various environmental aspects as a result of a proposed project. The impacts of the pre-construction, construction and post-construction operation & maintenance activities will be separately identified. The prediction of the nature, extent, and magnitude of environmental changes likely to result from a proposed project is aided by various tools and techniques (Annex 9).

Step-3: Formulating Mitigation Measures

27. Once the impacts have been identified, then analysis of the impacts is crucial i.e. whether they are acceptable, require mitigation measures, or are unacceptable. The scale Environmental Impact is to be considered depending upon time, place and condition. Afterward, measures will be devising to mitigate the anticipated environmental changes and consequential impacts during project implementation and operation, or further reduce the residual environmental changes inherent in the selected project design with a sustainable and low-cost method. It normally includes technical, social, and institutional measures to be implemented as integral elements of the project. During the development paradox, some of the decisions may cost the environment. For an example, in cases, where mitigation measures not directly possible in the saline prone area, potable water is one of the major concern. To setup a rain-water-harvesting tank, somewhere cutting of tree/s may be important, compensation measures i.e. plantation of more trees of similar species should be considered.

Step-4: Environmental and Social Commitment Plan (ESCP)

28. An ESCP is a plan of scheduled actions that follows directly from a completed environmental assessment of a project. An ESCP is the organized expression of the environmental safeguards for the project. ESCP has 2 parts: i) Environmental and Social Mitigation Plan; ii) Environmental and Social Monitoring Plan. The mitigation plan is a major sub-plan of the ESCP. The mitigation plan manages the potential negative impacts of the project. Mitigation measure is a modification of a proposed project activity using different types of actions, which can be applied individually or collectively like deletion of

activity; change in location of activity; change in timing of activity; change in intensity of activity; isolation of activity and social or environmental compensation.

29. All the steps are compiled in the prescribed format of IEE in Annex 10. The PO will follow the following steps to accomplish the IEE.
1. Review the list of negative attributes (Annex 5 and 6)
 2. Review the design of interventions (if applicable)
 3. Review whole process of implementation.
 4. Review the list of environmental code of practice.
 5. Review carefully the IEE Format (Annex 10) before going to field.
 6. Fill the IEE format in field.
 7. Prepare an environmental mitigation and management plan following prescribed format
 8. Prepare a monitoring plan as per attached format.

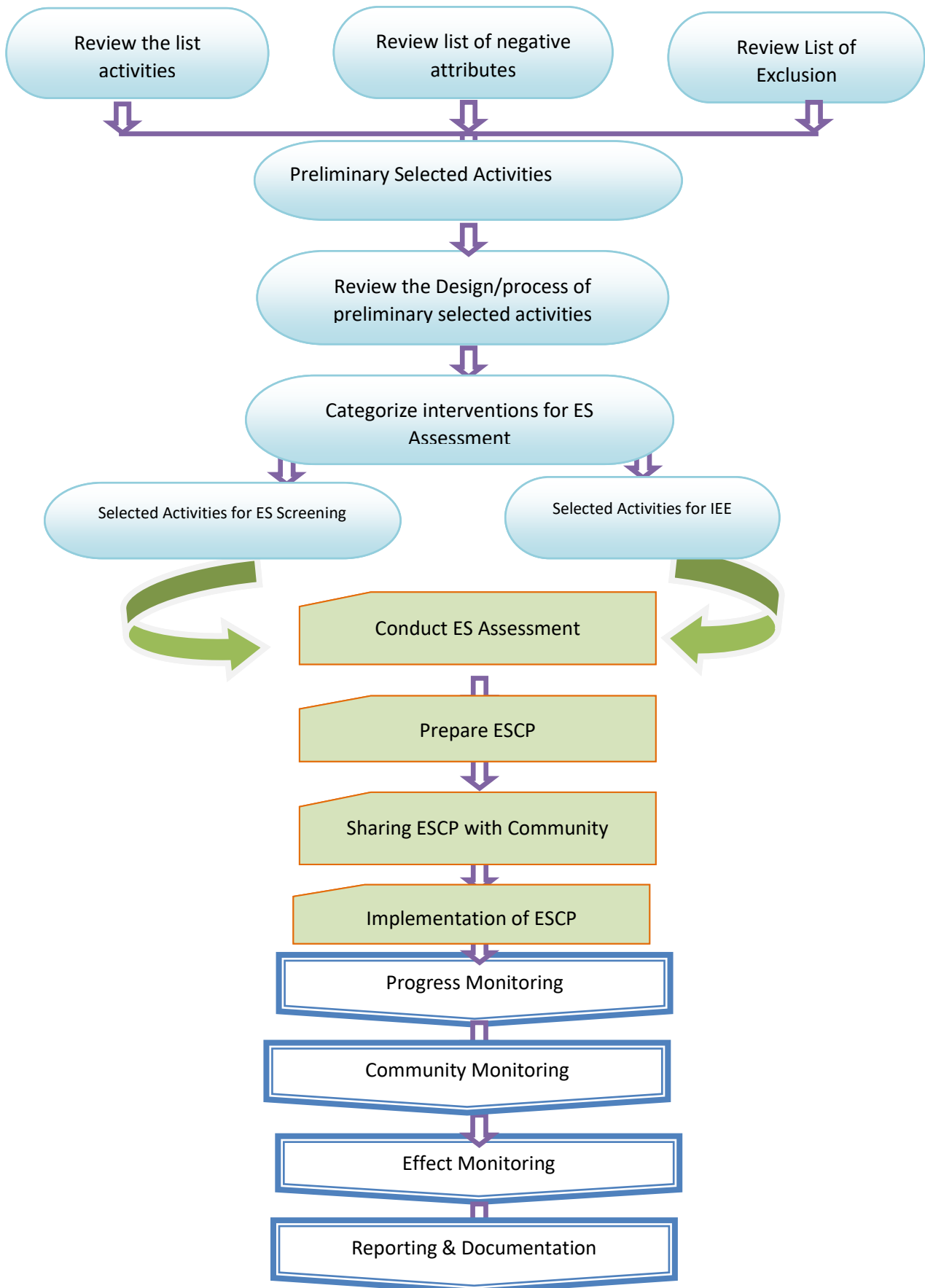
Defining Environmental Category

30. PKSf defines the environmental category of its projects/activities based on the assessment results of the above exercises. PKSf adopted four categories of risks for its project and programmes. These are high risk, substantial risk, moderate risk and low risk. The categories are defined below:

Category High risk	Category Substantial risk	Category Moderate risk	Category Low risk
The projects/activities likely to have significant adverse environmental impacts that is sensitive, diverse or unprecedented.	These are site and area specific; sometimes have potential impact on human health, nature, wetland forest, garland and other natural habitat.	These are site and area specific; sometimes have potential impact on human health, nature, wetland forest, garland and other natural habitat.	Likely to have minimal or no adverse environmental impact.
Need IEE and then EIA.	Usually need corrective or mitigation measures after Environmental Screening and IEE.	Usually need corrective or mitigation measures after Environmental Screening	Usually need no corrective measures;

31. Responsibility for E&S risk assessment and categorization: The PKSf is responsible to carry out the E&S risk assessment and take decision on the category of the project. PKSf will also ensures that the environmental compliances are duly addressed during implementation of PKSf-funded projects/programmes.

32. Environmental Assessment and Monitoring Flow Chart



Inclusion of people's participation in assessment:

33. People's participation is an integral part of the environmental and social assessment. Throughout the whole assessment process, local people including men, women and elderly will be asked for gathering information regarding the environmental issue. Individual/KII/FGD should be carried out in this process.

Suggested mitigation measures

34. During the assessment, mitigation measures will be suggested to eliminate/minimize the problem when the proposed interventions will create any adverse environmental impact in moderate or major magnitude. Most of the suggestive measures of PKSf will be simple and cost effective. A list of suggested mitigation measures and suggested environmental code of practices has been attached in Annex 11 for designing and implementation of PKSf interventions.

B. Environmental and Social Commitment Plan (ESCP)

21. PKSf will develop and implement an ESCP, which will set out measures and actions required for the project to achieve compliance with the ESSs over a specified timeframe.
22. The ESCP will take into account the findings of the environmental and social assessment and the results of engagement with stakeholders. It will be an accurate summary of the material measures and actions required to avoid, minimize, reduce or otherwise mitigate the potential environmental and social risks and impacts of the project.
23. The ESCP will describe the different management tools that PKSf will use to develop and implement the agreed measures and actions. These management tools will include, as appropriate, environmental and social management plans, environmental and social management frameworks, operational policies, operational manuals, management systems, procedures and practices. All management tools will apply the mitigation hierarchy, and incorporate measures so that the project will meet the requirements of applicable laws and regulations of Bangladesh and the ESSs in accordance with the ESCP throughout the project life cycle (Annex 12).

C. Project monitoring and reporting

24. PKSf will monitor the environmental and social performance of the project. PKSf will ensure that adequate institutional arrangements, systems, resources and personnel are in place to carry out monitoring. Where appropriate and as set out in the ESCP, PKSf will engage stakeholders and third parties, such as independent experts, local communities or NGOs, to complement or verify its own monitoring activities. Where other agencies or third parties are responsible for managing specific risks and impacts and implementing mitigation measures, PKSf will collaborate with such agencies and third parties to establish and monitor such mitigation measures.
25. Monitoring will normally include recording information to track performance, and establishing relevant operational controls to verify and compare compliance and progress. Monitoring will be adjusted according to performance experience, as well as actions requested by relevant regulatory authorities and feedback from stakeholders such as community members. PKSf and its POs will document monitoring results.
26. Based on the results of the monitoring, PKSf will identify any necessary corrective and preventive actions, and will incorporate these in an amended ESCP or the relevant

management tool. PKSf will implement the agreed corrective and preventive actions in accordance with the amended ESCP or relevant management tool, and monitor and report on these actions.

Different stages of monitoring

Stage 1: During implementation or construction

27. During implementation of the interventions, progress monitoring will be conducted to check the progress of implementation of environmental and social mitigation measures and adversely affected parameters. Environmental and social progress monitoring should be conducted at least once for the whole implementation period, particularly, in peak time of the construction work/process by using the 'progress monitoring format (Annex 13).

Stage 2: Post implementation

28. Monitoring of environmental and social effect is to determine the effectiveness of the mitigation measures and detect the changes in the environmental and social parameters due to the interventions. For measuring 'Post intervention effect', monitoring will be conducted after implementation of activities. It will be carried out two times in a year i.e. interval period is six months. Seasonal variation is important to find out the actual effectiveness of the interventions and mitigation measures (See annex 14 for effect monitoring format).

Responsibility of Monitoring

29. The environmental and social focal person of PKSf who carried out the ES assessment is responsible for monitoring as well. The environmental focal person will review and compile the monitoring report for sharing the findings to the project management.

Community Monitoring

30. Community monitoring is another approach for environmental and social monitoring where people of the community will independently monitor the effect and function of the interventions/mitigation measures. Community monitoring will give early indication of the environmental and social problems or hazards which can be manageable during the project tenure and before the problems become unmanageable. Community monitoring will be done by the leader of the respective community with the help of PO's representative. Environmental focal person may help to understand the issue prescribed in the format which is attached in Annex 15. Community monitoring will be done during implementation of interventions and after end of interventions.

Training/Capacity building

31. Environmental and social focal person along with project head will receive necessary training for conduction of environmental assessment and monitoring of the interventions. PKSf will organize the training sessions for the capacity building of the PO regarding the environmental issues and assessment.

D. Stakeholder engagement and information disclosure

32. As set out in ESS10, PKSf will continue to engage with, and provide sufficient information to stakeholders throughout the life cycle of the project, in a manner appropriate to the nature of their interests and the potential environmental and social risks and impacts of the project.
33. If there are significant changes to the project that result in additional risks and impacts, particularly where these will impact project-affected parties, PKSf will provide information on such risks and impacts and consult with project-affected parties as to how these risks and impacts will be mitigated.

Chapter 5: ESS2 Labor and Working Conditions

Introduction

1. ESS2 recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. PKSf and the POs can promote sound worker management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions.

Objectives

- To promote safety and health at work.
 - To promote the fair treatment, nondiscrimination and equal opportunity of project workers.
 - To protect project workers, including vulnerable workers such as women, persons with disabilities, children, contracted workers, community workers and primary supply workers, as appropriate.
 - To prevent the use of all forms of forced labor and child labor.
 - To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law.
 - To provide project workers with accessible means to raise workplace concerns.
- Scope of application

2. The applicability of ESS2 is established during the environmental and social assessment described in ESS1.
3. The scope of application of ESS2 depends on the type of employment relationship between the POs and the project workers. The term “project worker” refers to:
 - (a) People employed or engaged directly by PKSf and the POs (including the project proponent and the project implementing agencies) to work specifically in relation to the project (direct workers);
 - (b) people employed or engaged through third parties to perform work related to core functions of the project, regardless of location (contracted workers);
 - (c) People employed or engaged by the PO’s primary suppliers (primary supply workers); and
 - (d) People employed or engaged in providing community labor (community workers). ESS2 applies to project workers including full-time, part-time, temporary, seasonal and migrant workers.

Direct workers

4. The requirements of paragraphs 9 to 30 of this ESS will apply to direct workers.

Contracted workers

5. The requirements of paragraphs 9 to 33 of this ESS will apply to contracted workers, as specified in Section E.

Community workers

6. The requirements of paragraphs 34 to 38 of this ESS will apply to community workers, as specified in Section F.

Primary supply workers

7. The requirements of paragraphs 39 to 42 of this ESS will apply to primary supply workers, as specified in Section G.

Requirements

A. Working conditions and management of worker relationships

9. PKSF and the POs will develop and implement written labor management procedures applicable to the project. These procedures will set out the way in which project workers will be managed, in accordance with the requirements of national law and this ESS. The procedures will address the way in which this ESS will apply to different categories of project workers including direct workers, and the way in which PKSF and the POs will require third parties to manage their workers in accordance with para-graphs 31–33.

Terms and conditions of employment

10. Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labor and employment law (which will include any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits, as well as those arising from the requirements of this ESS. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.
11. Project workers will be paid on a regular basis as required by national law and labor management procedures. Deductions from payment of wages will only be made as allowed by national law or the labor management procedures, and project workers will be informed of the conditions under which such deductions will be made. Project workers will be provided with adequate periods of rest per week, annual holiday and sick, maternity and family leave, as required by national law and labor management procedures.
12. Where required by national law or the labor management procedures, project workers will receive written notice of termination of employment and details of severance payments in a timely manner. All wages that have been earned, social security benefits, pension contributions and any other entitlements will be paid on or before termination of the working relationship, either directly to the project workers or where appropriate, for the benefit of the project workers. Where payments are made for the benefit of project workers, project workers will be provided with evidence of such payments.

Nondiscrimination and equal opportunity

13. Decisions relating to the employment or treatment of project workers will not be made on the basis of personal characteristics unrelated to inherent job requirements. . The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices. The labor management procedures will set out measures to prevent and address harassment, intimidation and/or exploitation. Where national law is inconsistent with this paragraph, the project will seek to carry out project activities in a manner that is consistent with the requirements of this paragraph to the extent possible.
14. Special measures of protection and assistance to remedy discrimination or selection for a particular job based on the inherent requirements of the job or the objectives of the project will not be deemed as discrimination, provided they are consistent with national law.

15. PKSf and the POs will provide appropriate measures of protection and assistance to address the vulnerabilities of project workers, including specific groups of workers, such as women, people with disabilities, migrant workers and children (of working age in accordance with this ESS). Such measures may be necessary only for specific periods of time, depending on the circumstances of the project worker and the nature of the vulnerability.

Worker's organizations

16. All the projects under PKSf will be implemented in accordance with national law. In such circumstances, the role of legally established workers' organizations and legitimate workers' representatives will be respected, and they will be provided with information needed for meaningful negotiation in a timely manner. PKSf and the POs will not discriminate or retaliate against project workers who participate, or seek to participate, in such workers' organizations and collective bargaining or alternative mechanisms.

B. Protecting the work force

Child labor and minimum age

17. A child under the minimum age established in accordance with Bangladesh law will not be employed or engaged in connection with the project. The labor management procedures will specify the minimum age for employment or engagement in connection with the project, which will be the age of 14.
18. A child over the minimum age and under the age of 18 may be employed or engaged in connection with the project only under the following specific conditions:
 - (a) The work does not fall within paragraph 19 below;
 - (b) An appropriate risk assessment is conducted prior to the work commencing; and
 - (c) PKSf and the POs conducts regular monitoring of health, working conditions, hours of work and the other requirement of this ESS.
19. A child over the minimum age and under the age of 18 will not be employed or engaged in connection with the project in a manner that is likely to be hazardous or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development.

Forced labor

20. Forced labor, which consists of any work or service not voluntarily performed that is exacted from an individual under threat of force or penalty, will not be used in connection with the project. This prohibition covers any kind of involuntary or compulsory labor, such as indentured labor, bonded labor, or similar labor-contracting arrangements. No trafficked persons will be employed in connection with the project.

C. Grievance mechanism

21. A grievance mechanism will be provided for all direct workers and contracted workers to raise work place concerns. Such workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against any reprisal for its use. Measures will be put in place to make the grievance mechanism easily accessible to all such project workers.
22. The grievance mechanism will be proportionate to the nature and scale and the potential risks and impacts of the project. It will be designed to address concerns promptly, using

an understandable and transparent process that provides timely feedback to those concerned in a language they understand, without any retribution, and will operate in an independent and objective manner. The grievance mechanism may utilize existing grievance mechanisms, providing that they are properly designed and implemented, address concerns promptly, and are readily accessible to such project workers. Existing grievance mechanisms may be supplemented as needed with project specific arrangements.

23. The grievance mechanism will not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements.

D. Occupational Health and Safety (OHS)

24. Measures relating to occupational health and safety will be applied to the project. The OHS measures will include the requirements of this Section, and will take into account the General EHS guide lines and, as appropriate, the activity-specific EHS guidelines. The OHS measures applying to the project will be set out in the legal agreement and the ESCP.
25. The OHS measures will be designed and implemented to address: (a) identification of potential hazards to project workers, particularly those that may be life threatening; (b) provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances; (c) training of project workers and maintenance of training records; (d) documentation and reporting of occupational accidents, diseases and incidents; (e) emergency prevention and preparedness and response arrangements to emergency situations; and (f) remedies for adverse impacts such as occupational injuries, deaths, disability and disease.
26. All parties who employ or engage project workers will develop and implement procedures to establish and maintain a safe working environment, including that workplaces, machinery, equipment and processes under their control are safe and without risk to health, including by use of appropriate measures relating to chemical, physical and biological substances and agents. Such parties will actively collaborate and consult with project workers in promoting understanding, and methods for, implementation of OHS requirements, as well as in providing information to project workers, training on occupational safety and health, and provision of personal protective equipment without expense to the project workers.
27. Workplace processes will be put in place for project workers to report work situations that they believe are not safe or healthy, and to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to their life or health. Project workers who remove themselves from such situations will not be required to return to work until necessary remedial action to correct the situation has been taken. Project workers will not be retaliated against or otherwise subject to reprisal or negative action for such reporting or removal.
28. Project workers will be provided with facilities appropriate to the circumstances of their work, including access to canteens, hygiene facilities, and appropriate areas for rest. Where accommodation services are provided to project workers, policies will be put in place and implemented on the management and quality of accommodation to protect and promote the health, safety, and wellbeing of the project workers, and to provide access to or provision of services that accommodate their physical, social and cultural needs.

29. Where project workers are employed or engaged by more than one party and are working together in one location, the parties who employ or engage the workers will collaborate in applying the OSH requirements, without prejudice to the responsibility of each party for the health and safety of its own workers.
30. A system for regular review of occupational safety and health performance and the working environment will be put in place and include identification of safety and health hazards and risks, implementation of effective methods for responding to identified hazards and risks, setting priorities for taking action, and evaluation of results.

E. Contracted workers

31. PKSf will make reasonable efforts to ascertain that third parties who engage contracted workers are legitimate and reliable entities and have in place labor management procedures applicable to the project that will allow them to operate in accordance with the requirements of this ESS, except for paragraphs 34–42.
32. PKSf and the POs will establish procedures for managing and monitoring the performance of such third parties in relation to the requirements of this ESS. In addition, the POs will incorporate the requirements of this ESS into contractual agreements with such third parties, together with appropriate noncompliance remedies. In the case of subcontracting, the POs will require such third parties to include equivalent requirements and non-compliance remedies in their contractual agreements with subcontractors.
33. Contracted workers will have access to a grievance mechanism. In cases where the third party employing or engaging the workers is not able to provide a grievance mechanism to such workers, PKSf and the POs will make the grievance mechanism provide under Section C of this ESS available to the contracted workers.

F. Community workers

34. Projects may include the use of community workers in a number of different circumstances, including where labor is provided by the community as a contribution to the project, or where projects are designed and conducted for the purpose of fostering community-driven development, providing a social safety net or providing targeted assistance in fragile and conflict-affected situations. Given the nature and objectives of such projects, the application of all requirements of ESS2 may not be appropriate. In all such circumstances, PKSf and the POs will require measures to be implemented to ascertain whether such labor is or will be provided on a voluntary basis as an outcome of individual or community agreement.
35. Accordingly, where the project includes the provision of labor by community workers, PKSf and the POs will apply the relevant provisions of this ESS in a manner which reflects and is proportionate to:
 - (a) The nature and scope of the project;
 - (b) The specific project activities in which the community workers are engaged; and
 - (c) The nature of the potential risks and impacts to the community workers.
36. Paragraphs 9 to 15 (Working Conditions) and paragraphs 24 to 30 (Occupational Health and Safety) will be assessed in relation to community labor, and will be applied in a manner which reflects (a) to (c) above. The way in which these requirements will apply in the

circumstances of the project will be set out in the labor management procedures. In preparing the labor management procedures, the POs will clearly identify the terms and conditions on which community labor will be engaged, including amount and method of payment (if applicable) and times of work. The labor management procedures will also specify the way in which community workers can raise grievances in relation to the project. PKSf and the POs will assess the potential risks and impacts of the activities to be conducted by community workers and, at a minimum, apply the relevant requirements of the General EHS guidelines of PKSf.

37. PKSf and the POs will assess whether there is a risk of child labor or forced labor within community labor, identifying those risks consistent with paragraphs 17 to 20 above. The labor management procedures will set out roles and responsibilities for monitoring community workers. If cases of child labor or forced labor are identified, the POs will take appropriate steps to remedy them.
38. The review system established pursuant to paragraph 30 will take into account the provision of labor by community workers in the project, and that adequate training is provided to such workers, tailored to their particular needs and the potential risks and impacts of the project.

G. Primary supply workers

39. As part of the environmental and social assessment, PKSf and the POs will identify potential risks of child labor, forced labor and serious safety issues which may arise in relation to primary suppliers.
40. Where there is a significant risk of child labor or forced labor related to primary supply workers, PKSf and the POs will require the primary supplier to identify those risks. The labor management procedures will set out roles and responsibilities for monitoring primary suppliers. If child labor or forced labor cases are identified, PKSf and the POs will require the primary supplier to take appropriate steps to remedy them.
41. Additionally, where there is a significant risk of serious safety issues related to primary supply workers, PKSf and the POs will require the relevant primary supplier to introduce procedures and mitigation measures to address such safety issues. Such procedures and mitigation measures will be reviewed periodically to ascertain their effectiveness.
42. The ability of PKSf and the POs to address these risks will depend upon PKSf and the PO's level of control or influence over its primary suppliers. Where remedy is not possible, PKSf and the POs will, within a reasonable period, shift the project's primary suppliers to suppliers that can demonstrate that they are meeting the relevant requirements of this ESS.

Chapter 6: ESS3 Resource Efficiency and Pollution Prevention and Management

Introduction

1. ESS3 recognizes that economic activity and urbanization often generate pollution to air, water, and land, and consume finite resources that may threaten people, eco-system services and the environment at the local, regional, and global levels. The current and projected atmospheric concentration of greenhouse gases (GHG) threatens the welfare of current and future generations. At the same time, more efficient and effective resource use, pollution prevention and GHG emission avoidance, and mitigation technologies and practices have become more accessible and achievable. This ESS sets out the requirements to address resource efficiency and pollution prevention and management throughout the project life cycle.

Objectives

- To promote the sustainable use of resources, including energy, water and raw materials.
- To avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities.
- To avoid or minimize project-related emissions of short and long-lived climate pollutants.
- To avoid or minimize generation of hazardous and non-hazardous waste.
- To minimize and manage the risks and impacts associated with pesticide use.

Scope of application

3. The applicability of this ESS is established during the environmental and social assessment described in ESS1.

Requirements

4. The POs will consider ambient conditions and apply technically and financially feasible resource efficiency and pollution prevention measures in accordance with the mitigation hierarchy. The measures will be proportionate to the risks and impacts associated with the project and consistent with EHS guidelines of PKSf.

Resource efficiency

5. PKSf and the POs will implement technically and financially feasible measures for improving efficient consumption of energy, water and raw materials, as well as other resources. Such measures will integrate the principles of cleaner production into product design and production processes to conserve raw materials, energy and water, as well as other resources. Where benchmarking data are available, PKSf and the POs will make a comparison to establish the relative level of efficiency.

A. Energy use

6. The efficient use of energy is an important way in which PKSf and the POs can contribute to sustain-able development. When the project is a potentially significant user of energy, in addition to applying the resource efficiency requirements of this ESS, PKSf and the POs will adopt measures specified in the EHSGs to optimize energy usage, to the extent technically and financially feasible.

B. Water use

7. When the project is a potentially significant user of water or will have potentially significant impacts on water quality, in addition to applying the resource efficiency requirements of this ESS, PKSf and the POs will adopt measures, to the extent technically and financially feasible, that avoid or minimize water usage so that the project's water use does not have significant adverse impacts on communities, other users and the environment. These measures include, but are not limited to, the use of additional technically feasible water conservation measures within the PKSf and the POs' operations, the use of alternative water supplies, water consumption offsets to maintain total demand for water resources within the available supply, and evaluation of alternative project locations.
8. For projects with a high water demand that have potentially significant adverse impacts on communities, other users or the environment, the following will apply:
 - A detailed water balance will be developed, maintained, monitored and reported periodically;
 - Opportunities for improvement in water use efficiency will be identified and implemented;
 - Specific water use (measured by volume of water used per unit production) will be assessed; and
 - Operations must be benchmarked to available industry standards of water use efficiency.
9. PKSf and the POs will assess, as part of the environmental and social assessment, the potential cumulative impacts of water use upon communities, other users and the environment and will identify and implement appropriate mitigation measures.

C. Raw material use

10. When the project is a potentially significant user of raw materials, in addition to applying the resource efficiency requirements of this ESS, PKSf and the POs will adopt measures specified in the EHS guideline to support efficient use of raw materials, to the extent technically and financially feasible.

D. Pollution prevention and management

11. PKSf and the POs will avoid the release of pollutants or, when avoidance is not feasible, minimize and control the concentration and mass flow of their release using the performance levels and measures specified in national law or the EHSGs, whichever is

most stringent. This applies to the release of pollutants to air, water and land due to routine, non routine, and accidental circumstances, and with the potential for local, regional, and trans-boundary impacts.

12. Where the project involves historical pollution, PKSf and the POs will establish a process to identify the responsible party. . If the historical pollution could pose a significant risk to human health or the environment, PKSf and the POs will undertake a health and safety risk assessment of the existing pollution which may affect communities, workers and the environment. Any remediation of the site will be appropriately undertaken in accordance with national law.
13. To address potential adverse project impacts on human health and the environment, PKSf and the POs will consider relevant factors, including, for example: (a) existing ambient conditions; (b) in areas already impacted by pollution, the remaining assimilative capacity of the environment; (c) existing and future land use; (d) the project's proximity to areas of importance to biodiversity; (e) the potential for cumulative impacts with uncertain and/or irreversible consequences; and (f) impacts of climate change.
14. In addition to applying resource efficiency and pollution control measures as required in this ESS, when the project has the potential to constitute a significant source of emissions in an already degraded area, PKSf and the POs will consider additional strategies and adopt measures that avoid or minimize negative effects. These strategies include, but are not limited to, evaluation of project location alternatives.

Management of air pollution

15. In addition to the resource efficiency measures described above, PKSf and the POs will consider alter-natives and implement technically and financially feasible and cost-effective options to avoid or minimize project-related air emissions during the design, construction and operation of the project.
16. As part of the environmental and social assessment of the project, PKSf and the POs will characterize and estimate sources of air pollution related to the project. This will include an estimate of gross GHG emissions resulting from the project, providing that such estimation is technically and financially feasible. Where PKSf and the POs does not have the capacity to develop the estimate of GHG emissions, PKSf will provide assistance to the POs. For projects that have diverse and small sources of emissions or where emissions are not likely to be significant, GHG estimations will not be required.

Management of hazardous and nonhazardous wastes

17. PKSf and the POs will avoid the generation of hazardous and nonhazardous waste. Where waste generation cannot be avoided, PKSf and the POs will minimize the generation of waste, and reuse, recycle and recover waste in a manner that is safe for human health and the environment. Where waste cannot be reused, recycled or recovered, PKSf and the POs will treat, destroy, or dispose of it in an environmentally sound and safe manner that includes the appropriate control of emissions and residues resulting from the handling and processing of the waste material.

18. If the generated waste is considered hazardous, PKSf and the POs will comply with existing requirements for management of hazardous wastes including national legislation and applicable international conventions, including those relating to trans-boundary movement. When hazardous waste management is conducted by third parties, PKSf and the POs will use contractors that are reputable and legitimate enterprises licensed by the relevant government regulatory agencies and, with respect to transportation and disposal, obtain chain of custody documentation to the final destination. PKSf and the POs will ascertain whether licensed disposal sites are being operated to acceptable standards and where they are, PKSf and the POs will use these sites. Where licensed sites are not being operated to acceptable standards, PKSf and the POs will minimize waste sent to such sites and consider alternative disposal options, including the possibility of developing its own recovery or disposal facilities at the project site or elsewhere.

Management of chemicals and hazardous materials

19. PKSf and the POs will avoid the manufacture, trade and use of chemicals and hazardous materials subject to international bans, restrictions or phase outs unless for an acceptable purpose as defined by the conventions or protocols or if an exemption has been obtained by PKSf and the POs, consistent with government commitments under the applicable international agreements.
20. PKSf and the POs will minimize and control the release and use of hazardous materials. The production, transportation, handling, storage, and use of hazardous materials for project activities will be assessed through the environmental and social assessment. The POs will consider less hazardous substitutes where hazardous materials are intended to be used in manufacturing processes or other operations.

Management of pesticides

21. Where projects involve recourse to pest management measures, PKSf and the POs will give preference to integrated pest management (IPM) approaches using combined or multiple tactics.
22. In the procurement of any pesticide, PKSf and the POs will assess the nature and degree of associated risks, taking into account the proposed use and the intended users. The POs will not use any pesticides or pesticide products or formulations unless such use is in compliance with the EHSs. In addition, PKSf and the POs will also not use any pesticide products that contain active ingredients that are restricted under applicable international conventions or their protocols or that are listed in, or meeting, the criteria of their annexes, unless for an acceptable purpose as defined by such conventions, their protocols or annexes, or if an exemption has been obtained by PKSf and the POs under such conventions, their protocol or annexes, consistent with PKSf and the POs commitments under these and other applicable international agreements. PKSf and the POs will also not use any formulated pesticide products that meet the criteria of carcinogenicity, mutagenicity, or reproductive toxicity as set forth by relevant international agencies. For any other pesticide products that poses other potentially serious risk to human health or the environment and that are identified in internationally recognized classification and labelling systems, PKSf and the POs will not use pesticide formulations of products if: (a) the country lacks restrictions on

their distribution, management and use; or (b) they are likely to be used by, or be accessible to, lay personnel, farmers, or others with-out training, equipment, and facilities to handle, store, and apply these products properly.

23. The following additional criteria apply to the selection and use of such pesticides: (a) they will have negligible adverse human health effects; (b) They will be shown to be effective against the target species; and (c) they will have minimal effect on non-target species and the natural environment. The methods, timing, and frequency of pesticide application are aimed to minimize damage to natural enemies. Pesticides used in public health programs will be demonstrated to be safe for inhabitants and domestic animals in the treated areas, as well as for personnel applying them; (d) their use will take into account the need to prevent the development of resistance in pests; and (e) where registration is required, all pesticides will be registered or otherwise authorized for use on the crops and livestock, or for the use patterns, for which they are intended under the project.
24. The POs will ensure that all pesticides used will be manufactured, formulated, packaged, labeled, handled, stored, disposed of, and applied according to relevant international standards and codes of conduct, as well as the EHSGs.
25. For any project involving significant pest management issues or any project contemplating activities that may lead to significant pest and pesticide management issues, PKSf and the POs will prepare a Pest Management Plan (PMP). A pest management plan will also be prepared when pro-posed financing of pest control products represents a large component of the project (A list of banned pesticides is presented in Annex 16).

Chapter 7: ESS4 Community Health and Safety

Introduction

1. ESS4 recognizes that project activities, equipment, and infrastructure can increase community exposure to risks and impacts. In addition, communities that are already subjected to impacts from climate change may also experience an acceleration or intensification of impacts due to project activities.
2. ESS4 addresses the health, safety, and security risks and impacts on project-affected communities and the corresponding responsibility of PKSf and the POs to avoid or minimize such risks and impacts, with particular attention to people who, because of their particular circumstances, may be vulnerable.

Objectives

- To anticipate and avoid adverse impacts on the health and safety of project affected communities during the project life cycle from both routine and no routine circumstances.
- To promote quality and safety, and considerations relating to climate change, in the design and construction of infrastructure, including dams.
- To avoid or minimize community exposure to project related traffic and road safety risks, diseases and hazardous materials.
- To have in place effective measures to address emergency events.
- To ensure that the safeguarding of personnel and property is carried out in a manner that avoids or minimizes risks to the project-affected communities.

Scope of application

3. The applicability of this ESS is established during the environmental and social assessment described in ESS1.
4. This ESS addresses potential risks and impacts on communities that may be affected by project activities. Occupational health and safety (OHS) requirements for project workers are set out in ESS2, and measures to avoid or minimize impacts on human health and the environment due to existing or potential pollution are set out in ESS3.

Requirements

A. Community health and safety

5. PKSf and the POs will evaluate the risks and impacts of the project on the health and safety of the affected communities during the project life cycle, including those who, because of their particular circumstances, may be vulnerable. PKSf and the POs will identify risks and impacts and propose mitigation measures in accordance with the mitigation hierarchy.

B. Infrastructure and equipment design and safety

6. PKSf and the POs will design, construct, operate, and decommission the structural elements of the project in accordance with national legal requirements, the EHS guideline of PKSf, taking into consideration safety risks to third parties and affected communities. Structural elements of a project will be designed and constructed by competent professionals, and

certified or approved by competent authorities or professionals. Structural design will take into account climate change considerations, as appropriate.

7. Where the project includes new buildings and structures that will be accessed by members of the public, PKSf and the POs will consider the incremental risks of the public's potential exposure to operational accidents or natural hazards, including extreme weather events. Where technically and financially feasible, PKSf and the POs will also apply the concept of universal access to the design and construction of such new buildings and structures.
8. When structural elements or components of a project are situated in high-risk locations, including those with risk of extreme weather or slow onset events, and their failure or malfunction may threaten the safety of communities, PKSf and the POs will engage one or more independent experts with relevant and recognized experience in similar projects, separate from those responsible for the design and construction, to conduct a review as early as possible in project development and throughout the stages of project design, construction, operation, and decommissioning.

Safety of services

9. Where the project involves provision of services to communities, PKSf and the POs will establish and implement appropriate quality management systems to anticipate and minimize risks and impacts that such services may have on community health and safety. In such circumstances, PKSf and the POs will also apply the concept of universal access, where technically and financially feasible.

Traffic and road safety

10. PKSf and the POs will identify, evaluate and monitor the potential traffic and road safety risks to workers, affected communities and road user's through-out the project life cycle and, where appropriate, will develop measures and plans to address them. PKSf and the POs will incorporate technically and financially feasible road safety measures into the project design to prevent and mitigate potential road safety risks to road users and affected communities.
11. Where appropriate, PKSf and the POs will undertake a road safety assessment for each phase of the project, and will monitor incidents and accidents, and prepare regular reports of such monitoring. PKSf and the POs will use the reports to identify negative safety issues, and establish and implement measures to resolve them.
12. For vehicles or fleets of vehicles for the purposes of the project (owned or leased), PKSf and the POs will put in place appropriate processes, including driver training, to improve driver and vehicle safety, as well as systems for monitoring and enforcement. PKSf and the POs will consider the safety record or rating of vehicles in purchase or leasing decisions and require regular maintenance of all project vehicles.
13. For projects that operate construction and other equipment on public roads or where the use of project equipment could have an impact on public roads or other public infrastructure, PKSf and the POs will take appropriate safety measures to avoid the occurrence of incidents and injuries to members of the public associated with the operation of such equipment.

C. Ecosystem services

14. The project's direct impacts on ecosystem services may result in adverse health and safety risks to and impacts on affected communities. With respect to this ESS, ecosystem services are limited to provisioning and regulating services as defined in ESS1. Where appropriate and feasible, the POs will identify the project's potential risks and impacts on ecosystem

services that may be exacerbated by climate change. Adverse impacts will be avoided, and if they are unavoidable, the POs will implement appropriate mitigation measures.

D. Community exposure to health issues

15. PKSf and the POs will avoid or minimize the potential for community exposure to water-borne, water-based, water-related, and vector-borne diseases, and communicable and non-communicable diseases that could result from project activities, taking into consideration differentiated exposure to and higher sensitivity of vulnerable groups. Where specific diseases are endemic in communities in the project area, PKSf and the POs is encouraged to explore opportunities during the project life cycle to improve environmental conditions that could help minimize their incidence.
16. PKSf and the POs will take measures to avoid or minimize transmission of communicable diseases that may be associated with the influx of temporary or permanent project labor.

E. Management and safety of hazardous materials

17. PKSf and the POs will avoid or minimize the potential for community exposure to hazardous materials and substances that may be released by the project. Where there is a potential for the public (including workers and their families) to be exposed to hazards, particularly those that may be life threatening, PKSf and the POs will exercise special care to avoid or minimize their exposure by modifying, substituting, or eliminating the condition or material causing the potential hazards. Where hazardous materials are part of existing project infrastructure or components, PKSf and the POs will exercise due care during construction and implementation of the project, including decommissioning, to avoid exposure to the community.
18. PKSf and the POs will implement measures and actions to control the safety of deliveries of hazardous materials, and of storage, transportation and disposal of hazardous materials and wastes, and will implement measures to avoid or control community exposure to such hazardous material.

F. Emergency preparedness and response

19. PKSf and the POs will identify and implement measures to address emergency events. An emergency event is an unanticipated incident, arising from both natural and man-made hazards, typically in the form of fire, explosions, leaks or spills, which may occur for a variety of different reasons, including failure to implement operating procedures that are designed to prevent their occurrence, extreme weather or lack of early warning. The measures will be designed to address the emergency event in a coordinated and expeditious manner, to prevent it from injuring the health and safety of the community, and to minimize, mitigate and compensate for any impacts that may occur.
20. PKSf and the POs engaged in projects having the potential to generate emergency events will conduct a risk hazard assessment (RHA), as part of the environmental and social assessment undertaken pursuant to ESS1. Based on the results of the RHA, PKSf and the POs will prepare an Emergency Response Plan (ERP) in coordination with the relevant local authorities and the affected community, and will take into account the emergency prevention, preparedness and response arrangements put into place with project workers under ESS2.
21. An ERP will include, as appropriate: (a) engineering controls (such as containment, automatic alarms, and shutoff systems) proportionate to the nature and scale of the hazard; (b) identification of and secure access to emergency equipment available on-site and

nearby; (c) notification procedures for designated emergency responders; (d) diverse media channels for notification of the affected community and other stakeholders; (e) a training program for emergency responders including drills at regular intervals; (f) public evacuation procedures; (g) Designated coordinator for ERP implementation; and (h) measures for restoration and cleanup of the environment following any major accident.

22. PKSf and the POs will document its emergency preparedness and response activities, resources, and responsibilities, and will disclose appropriate information, as well as any subsequent material changes thereto, to affected communities, relevant government agencies, or other relevant parties. PKSf and the POs will assist and collaborate with affected communities, relevant government agencies and other relevant parties in their preparations to respond effectively to an emergency event, especially where their participation and collaboration will be an important part of an effective response.
23. PKSf and the POs will review the ERP on a regular basis, and confirm that it is still capable of addressing the potential range of emergency events that might arise in connection with the project. PKSf and the POs will support affected communities, relevant government agencies and other relevant parties through training and collaboration, and will conduct such training in conjunction with the training provided to project workers as part of the OHS requirements under ESS2.

G. Security personnel

24. When PKSf and the POs retains direct or contracted workers to provide security to safeguard its personnel and property, it will assess risks posed by these security arrangements to those within and outside the project site. In making such arrangements, PKSf and the POs will be guided by the principles of proportionality, and by applicable law, in relation to hiring, rules of conduct, training, equipping, and monitoring of such security workers. PKSf and the POs will not sanction any use of force by direct or contracted workers in providing security except when used for preventive and defensive purposes in proportion to the nature and extent of the threat.
25. PKSf and the POs will seek to ensure that government security personnel deployed to provide security services act in a manner consistent with paragraph 24 above, and encourage the relevant authorities to disclose the security arrangements for PKSf and the POs' facilities to the public, subject to overriding security concerns.
26. PKSf and the POs will (i) make reasonable inquiries to verify that the direct or contracted workers retained by PKSf or the POs to provide security are not implicated in past abuses; (ii) train them adequately (or determine that they are properly trained) in the use of force (and where applicable, firearms), and appropriate conduct toward workers and affected communities; and (iii) require them to act within the applicable law and any requirements set out in the ESCP.
27. PKSf and the POs will review all allegations of unlawful or abusive acts of security personnel, take action (or urge appropriate parties to take action) to prevent recurrence and, where necessary, report unlawful and abusive acts to the relevant authorities.

Chapter 8: ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

Introduction

1. ESS5 recognizes that project related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. The term “involuntary resettlement” refers to these impacts. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.
2. Experience and research indicate that physical and economic displacement, if unmitigated, may give rise to severe economic, social and environmental risks: production systems may be dismantled; people face impoverishment if their productive resources or other income sources are lost; people may be relocated to environments where their productive skills are less applicable and the competition for resources greater; community institutions and social networks may be weakened; kin groups may be dispersed; and cultural identity, traditional authority, and the potential for mutual help may be diminished or lost. For these reasons, involuntary resettlement should be avoided. Where involuntary resettlement is unavoidable, it will be minimized and appropriate measures to mitigate adverse impacts on displaced persons (and on host communities receiving displaced persons) will be carefully planned and implemented. Annex 17, 18 and 19 are an integral part of the ES standard.

Objectives

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement
- By exploring project design alternatives. To avoid forced eviction.
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Scope of application

3. The applicability of ESS5 is established during the environmental and social assessment described in ESS1.
4. This ESS applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation:
 - (a) Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
 - (b) Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures;
 - (c) Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
 - (e) Displacement of people as a result of project impacts that render their land unusable or inaccessible;
 - (f) Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
 - (g) Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
 - (h) Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.
5. This ESS does not apply to impacts on incomes or livelihoods that are not a direct result of land acquisition or land use restrictions imposed by the project. Such impacts will be addressed in accordance with ESS1.
6. This ESS does not apply to voluntary, legally recorded market transactions in which the seller is given a genuine opportunity to retain the land and to refuse to sell it, and is fully informed about available choices and their implications.
7. Where a project supports land titling or other activities intended to confirm, regularize or determine land rights, a social, legal and institutional assessment will be required under ESS1. The assessment aims to identify potential risks and impacts, as well as appropriate design measures to minimize and mitigate adverse economic and social impacts, especially those that affect poor and vulnerable groups. This ESS does not apply to disputes between private parties in land titling or related contexts. However, where persons are required to vacate land as a direct result of a project-supported determination that the land in question is state land, this ESS will apply.

Requirements

A. General

Eligibility classification

8. Affected persons may be classified as persons:
 - (a) Who have formal legal rights to land or assets;

- (b) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
- (c) Who have no recognizable legal right or claim to the land or assets they occupy or use.

Project design

9. PKSf will demonstrate that involuntary land acquisition or restrictions on land use are limited to direct project requirements for clearly specified project purposes within a clearly specified period of time. PKSf and the POs will consider feasible alternative project designs to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement, while balancing environmental, social, and financial costs and benefits, and paying particular attention to gender impacts and impacts on the poor and vulnerable.

Compensation and benefits for affected persons

10. When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, PKSf and the POs will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods, subject to the law of the land.
11. Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Compensation rates may be subject to upward adjustment where negotiation strategies are employed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.
12. PKSf and the POs will take possession of acquired land and related assets only after compensation in accordance with this ESS has been made available and, where applicable, displaced people have been resettled and moving allowances have been provided to the displaced persons in addition to compensation. In addition, livelihood restoration and improvement programs will commence in a timely fashion in order to ensure that affected persons are sufficiently prepared to take advantage of alternative livelihood opportunities as the need to do so arises.
13. In certain cases there may be significant difficulties related to the payment of compensation to particular affected persons, for example, where repeated efforts to contact absentee owners have failed, where project affected persons have rejected compensation that has been offered to them in accordance with the approved plan, or where competing claims to the ownership of lands or assets are subject to lengthy legal proceedings. On an exceptional basis, PKSf may deposit compensation funds into an interest bearing escrow or other deposit account and proceed with the relevant project activities. Compensation placed in escrow will be made available to eligible persons in a timely manner as issues are resolved.

Community engagement

14. PKSf will engage with affected communities, including host communities, through the process of stakeholder engagement. Decision making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process.
15. The consultation process should ensure that women's perspectives are obtained and their interests factored into all aspects of resettlement planning and implementation. Addressing livelihood impacts may require intra-household analysis in cases where women's and men's

livelihoods are affected differently. Women's and men's preferences in terms of compensation mechanisms, such as replacement land or alternative access to natural resources rather than in cash, should be explored.

Grievance mechanism

16. PKSf and the Pos will ensure that a grievance mechanism for the project is in place, as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.

B. Displacement

Physical displacement

17. In the case of physical displacement, PKSf and the Pos will develop a plan that covers, at a minimum, the applicable requirements of this ESS regardless of the number of people affected. The plan will be designed to mitigate the negative impacts of displacement and, as warranted, to identify development opportunities. It will include a resettlement budget and implementation schedule, and establish the entitlements of all categories of affected persons (including host communities). Particular attention will be paid to gender aspects and the needs of the poor and the vulnerable. The PKSf and the POs will document all transactions to acquire land rights, provision of compensation and other assistance associated with relocation activities.
18. If people living in the project area are required to move to another location, PKSf and PO will:
 - (a) Offer displaced persons choices among feasible resettlement options, including adequate replacement housing or cash compensation; and (b) provide relocation assistance suited to the needs of each group of displaced persons. New resettlement sites will offer living conditions at least equivalent to those previously enjoyed, or consistent with prevailing minimum codes or standards, whichever set of standards is higher. If new resettlement sites are to be prepared, host communities will be consulted regarding planning options, and resettlement plans will ensure continued access, at least at existing levels or standards, for host communities to facilities and services. The displaced persons' preferences with respect to relocating in preexisting communities and groups will be respected wherever possible. Existing social and cultural institutions of the displaced persons and any host communities will be respected.
19. In the case of physically displaced persons, PKSf and the POs will offer the choice of replacement property of equal or higher value, with security of tenure, equivalent or better characteristics, and advantages of location, or cash compensation at replacement cost. Compensation in kind should be considered in lieu of cash.
20. In the case of physically displaced persons, PKSf and POs will provide arrangements to allow them to obtain adequate housing with security of tenure. Where these displaced persons own structures, PKSf and the POs will compensate them for the loss of assets other than land, such as dwellings and other improvements to the land, at replacement cost. Based on consultation with such displaced persons, PKSf and the POs will provide relocation assistance in lieu of compensation for land sufficient for them to restore their standards of living at an adequate alternative site.

21. PKSf and the POs will not compensate or assist those who encroach on the project area after the cutoff date for eligibility, provided the cut-off date has been clearly established and made public.
22. PKSf and the POs will not resort to forced evictions of affected persons. “Forced eviction” is defined as the permanent or temporary removal against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection, including all applicable procedures and principles in this ESS.
23. As an alternative to displacement, PKSf and the POs will consider negotiating in situ land development arrangements by which those to be affected may elect to accept a partial loss of land or localized relocation in return for improvements that will increase the value of their property after development. Any person not wishing to participate will be allowed to opt instead for full compensation and other assistance as required in this ESS.

Economic displacement

24. In the case of projects affecting livelihoods or income generation, PKSf and POs plan will include measures to allow affected persons to improve, or at least restore, their incomes or livelihoods. The plan will establish the entitlements of affected persons and/or communities, paying particular attention to gender aspects (Annex 20) and the needs of vulnerable segments of communities, and will ensure that these are provided in a transparent, consistent, and equitable manner. The plan will incorporate arrangements to monitor the effectiveness of livelihood measures during implementation, as well as evaluation once implementation is completed. The mitigation of economic displacement will be considered complete when the completion audit concludes that affected persons or communities have received all of the assistance for which they are eligible, and have been provided with adequate opportunity to reestablish their livelihoods.
25. Economically displaced persons who face loss of assets or access to assets will be compensated for such loss at replacement cost:
 - (a) In cases where land acquisition or restrictions on land use affect commercial enterprises, affected business owners will be compensated for the cost of identifying a viable alternative location; for lost net income during the period of transition; for the cost of the transfer and reinstallation of the plant, machinery, or other equipment; and for reestablishing commercial activities. Affected employees will receive assistance for temporary loss of wages and, if necessary, assistance in identifying alternative employment opportunities;
 - (b) In cases affecting persons with legal rights or claims to land that are recognized or recognizable under national law, replacement property (e.g., agricultural or commercial sites) of equal or greater value will be provided, or, where appropriate, cash compensation at replacement cost; and
 - (c) Economically displaced persons who are without legally recognizable claims to land will be compensated for lost assets other than land (such as crops, irrigation infrastructure and other improvements made to the land), at replacement cost. Additionally, PKSf will provide assistance in lieu of land compensation sufficient to provide such persons with an opportunity to reestablish livelihoods elsewhere. PKSf will not compensate or assist persons who encroach on the project area after the cutoff date for eligibility.
26. Economically displaced persons will be provided opportunities to improve, or at least restore, their means of income earning capacity, production levels, and standards of living:

- (a) For persons whose livelihoods are land-based, replacement land that has a combination of productive potential, locational advantages, and other factors at least equivalent to that being lost will be offered where feasible;
 - (b) For persons whose livelihoods are natural resource-based and where project-related restrictions on access, measures will be implemented to either allow continued access to affected resources or to provide access to alternative resources with equivalent livelihood earning potential and accessibility. Where common property resources are affected, benefits and compensation associated with restrictions on natural resource usage may be collective in nature; and
 - (c) If it is demonstrated that replacement land or resources are unavailable, PKSf will offer economically displaced persons options for alternative income earning opportunities, such as credit facilities, skills training, business start-up assistance, employment opportunities, or cash assistance additional to compensation for assets. Cash assistance alone, however, frequently fails to provide affected persons with the productive means or skills to restore livelihoods.
27. Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income earning capacity, production levels, and standards of living.

Chapter 9: ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources

Introduction

1. ESS6 recognizes that protecting and conserving biodiversity and sustainably managing living natural resources are fundamental to sustainable development. Biodiversity is defined as the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species, and of ecosystems. Biodiversity often underpins ecosystem services valued by humans. Impacts on biodiversity can therefore often adversely affect the delivery of ecosystem services.
2. ESS6 recognizes the importance of maintaining core ecological functions of habitats, including forests, and the biodiversity they support. Habitat is defined as a terrestrial, freshwater, or marine geo- graphical unit or airway that supports assemblages of living organisms and their interactions with the nonliving environment. All habitats support complexities of living organisms and vary in terms of species diversity, abundance and importance.
3. This ESS also addresses sustainable management of primary production and harvesting of living natural resources.
4. ESS6 recognizes the need to consider the livelihood of project-affected parties, including Indigenous Peoples, whose access to, or use of, bio diversity or living natural resources may be affected by a project. The potential, positive role of project-affected parties, including Indigenous Peoples, in biodiversity conservation and sustainable management of living natural resources is also considered.

Objectives

- To protect and conserve biodiversity and habitats.
- To apply the mitigation hierarchy and the precautionary approach in the design and implementation of projects that could have an impact on biodiversity.
- To promote the sustainable management of living natural resources.
- To support livelihoods of local communities, including Indigenous Peoples, and inclusive economic development, through the adoption of practices that integrate conservation needs and development priorities.

Scope of application

5. The applicability of this ESS is established during the environmental and social assessment described in ESS1.
6. Based on the environmental and social assessment, the requirements of this ESS are applied to all projects that potentially affect biodiversity or habitats, either positively or negatively, directly or indirectly, or that depend upon biodiversity for their success.
7. This ESS also applies to projects that involve primary production and/or harvesting of living natural resources.

Requirements

A. General

8. The environmental and social assessment as set out in ESS1 will consider direct, indirect and cumulative project-related impacts on habitats and the biodiversity they support. This assessment will consider threats to biodiversity, for example habitat loss, degradation and fragmentation, invasive alien species, overexploitation, hydrological changes, nutrient loading, pollution and incidental take, as well as projected climate change impacts. It will determine the significance of biodiversity or habitats based on their vulnerability and irreplaceability at a global, regional or national level and will also take into account the differing values attached to biodiversity and habitats by project-affected parties and other interested parties.
9. PKSf and the POs will avoid adverse impacts on bio-diversity and habitats. When avoidance of adverse impacts is not possible, PKSf and the POs will implement measures to minimize adverse impacts and restore biodiversity in accordance with the mitigation hierarchy provided in ESS1 and with the requirements of this ESS. PKSf and the POs will ensure that competent biodiversity expertise is utilized to conduct the environmental and social assessment and the verification of the effectiveness and feasibility of mitigation measures. Where significant risks and adverse impacts on biodiversity have been identified, PKSf and the POs will develop and implement a Biodiversity Management Plan.

Assessment of risks and impacts

10. Through the environmental and social assessment, PKSf and the POs will identify the potential project related risks to and impacts on habitats and the biodiversity that they support. In accordance with the mitigation hierarchy, PKSf and the POs will make the initial assessment of project risks and impacts without taking into account the possibility of bio-diversity offsets. The assessment undertaken by PKSf and the POs will include identification of the types of habitats potentially affected and consideration of potential risks to and impacts on the ecological function of the habitats. The assessment will encompass any areas of potential biodiversity importance that may be affected by the project, whether or not they are protected under national law. The extent of the assessment will be proportionate to the risks and impacts, based on their likelihood, significance and severity, and will reflect the concerns of project-affected parties and other interested parties.
11. PKSf and the POs' assessment will include characterization of baseline conditions to a degree that is proportional and specific to the anticipated risk and significance of impacts. Where further investigations are needed to evaluate the significance of potential impacts, PKSf and the POs will carry out additional investigation and/or monitoring before undertaking any project-related activities, and before taking irrevocable decisions about project design that could cause significant adverse impacts to potentially affected habitats and the biodiversity that they support.
12. Where the environmental and social assessment has identified potential risks and impacts on biodiversity or habitats, PKSf and the POs will manage those risks and impacts in accordance with the mitigation hierarchy. PKSf and the POs will adopt a precautionary approach and apply adaptive management practices in which the implementation of mitigation and management measures are responsive to changing conditions and the results of project monitoring.

Conservation of biodiversity and habitats

13. “Habitat” is defined as a terrestrial, freshwater, or marine geographical unit or airway that supports assemblages of living organisms and their interactions with the nonliving environment. Habitats vary in their significance for conserving globally, region-ally and nationally important biodiversity, their sensitivity to impacts, and in the significance different stakeholders attribute to them. Because, in most instances, habitat loss, degradation or fragmentation represents the greatest threat to biodiversity, much of the focus of biodiversity conservation actions is on maintaining or restoring suitable habitats.
14. This ESS requires a differentiated risk management approach to habitats based on their sensitivity and values. This ESS addresses all habitats, categorized as ‘modified habitat’, ‘natural habitat’, and ‘critical habitat’, along with ‘legally protected and internationally and regionally recognized areas of biodiversity value’ which may encompass habitat in any or all of these categories.
15. For the protection and conservation of habitats and the biodiversity they support, the mitigation hierarchy includes biodiversity offsets. . Offsets will be considered as a last resort, only if significant residual adverse impacts remain after all technically and financially feasible avoidance, minimization, and restoration measures have been considered.
16. A biodiversity offset will be designed and implemented to achieve measurable, additional, and long-term conservation outcomes that can reasonably be expected to result in no net loss⁸ and preferably a net gain of biodiversity. In the case of an offset used as mitigation for residual adverse impacts on any area of critical habitat, a net gain is required.
17. When PKSf or a POs is considering the development of an offset as part of the mitigation strategy, stakeholders and qualified experts with demonstrated knowledge in offset design and implementation will be involved. PKSf and the POs will demonstrate the long-term technical and financial feasibility of undertaking the offset. When offsets are proposed for residual adverse impacts on critical habitat, PKSf and the POs will engage one or more independent internationally recognized experts to advice as to whether the proposed offset is feasible and whether, in their professional opinion, it can be reasonably expected to result in a sustainable net gain of biodiversity values for which the critical habitat was designated.
18. Certain residual adverse impacts cannot be off-set, particularly if the affected area is unique and irreplaceable from a biodiversity standpoint. In such cases, the POs will not undertake the project unless it is redesigned to avoid the need for such offset, and to meet the requirements of this ESS.

Modified habitat

19. Modified habitats are areas that may contain a large proportion of plant and/or animal species of nonnative origin, and/or where human activity has substantially modified an area’s primary ecological functions and species composition. Modified habitats may include, for example, areas managed for agriculture, forest plantations, reclaimed coastal zones, and reclaimed wetlands.
20. This ESS applies to those areas of modified habitat that include significant biodiversity value, as determined by the environmental and social assessment required in ESS1. PKSf and the POs will avoid or minimize impacts on such biodiversity and implement mitigation measures as appropriate.

Natural habitat

21. Natural habitats are areas composed of viable assemblages of plant and/or animal species of largely native origin, and/or where human activity has not essentially modified an area's primary eco-logical functions and species composition.
22. If natural habitats are identified as part of the assessment, PKSf and the POs will seek to avoid adverse impacts on them in accordance with the mitigation hierarchy. Where natural habitats have the potential to be adversely affected by the project, PKSf and the POs will not implement any project-related activities unless:
 - (a) There are no technically and financially feasible alternatives; and
 - (b) Appropriate mitigation measures are put in place, in accordance with the mitigation hierarchy, to achieve no net loss and, where feasible, preferably a net gain of biodiversity over the long term. When residual impacts remain despite best efforts to avoid, minimize and mitigate impacts, and where appropriate and supported by relevant stakeholders, mitigation measures may include biodiversity offsets adhering to the principle of "like-for-like or better."

Critical Habitat

23. Critical habitat is defined as areas with high bio-diversity importance or value, including:
 - (a) Habitat of significant importance to Critically Endangered or Endangered species, as listed in the IUCN Red List of threatened species or equivalent national approaches;
 - (b) Habitat of significant importance to endemic or restricted-range species;
 - (c) Habitat supporting globally or nationally significant concentrations of migratory or congregatory species;
 - (d) Highly threatened or unique ecosystems;
 - (e) Ecological functions or characteristics that are needed to maintain the viability of the biodiversity values described above in (a) to (d).
24. In areas of critical habitat, the POs will not implement any project activities that have potential adverse impacts unless all of the following conditions are met:
 - (a) No other viable alternatives within the region exist for development of the project in habitats of lesser biodiversity value;
 - (b) All due process required under international obligations or national law that is a prerequisite to a country granting approval for project activities in or adjacent to a critical habitat has been complied with;
 - (c) The potential adverse impacts, or likelihood of such, on the habitat will not lead to measurable net reduction or negative change in those biodiversity values for which the critical habitat was designated;
 - (d) The project is not anticipated to lead to a net reduction in the population of any Critically Endangered, Endangered, or restricted-range species, over a reasonable time period;
 - (e) The project will not involve significant conversion or significant degradation of critical habitats. In circumstances where the project involves new or renewed forestry or agricultural plantations, it will not convert or degrade any critical habitat;
 - (f) The project's mitigation strategy will be designed to achieve net gains of those biodiversity values for which the critical habitat was designated; and
 - (g) A robust and appropriately designed, long-term biodiversity monitoring and evaluation program aimed at assessing the status of the critical habitat is integrated into PKSf and the PO's management program.

25. Where PKSf or a POs has satisfied the conditions set out in paragraph 24, the project's mitigation strategy will be described in a Biodiversity Management Plan and set out in the legal agreement (including the ESCP).

Legally protected and internationally recognized areas of high biodiversity value

26. Where the project occurs within or has the potential to adversely affect an area that is legally protected, designated for protection, or regionally or internationally recognized, the POs will ensure that any activities undertaken are consistent with the area's legal protection status and management objectives. PKSf and the PO will also identify and assess potential project-related adverse impacts and apply the mitigation hierarchy so as to prevent or mitigate adverse impacts from projects that could compromise the integrity, conservation objectives or biodiversity importance of such an area.
27. PKSf and the POs will meet the requirements of paragraphs 13 through 25 of this ESS, as applicable.

In addition, PKSf and the POs will:

- (a) Demonstrate that the proposed development in such areas is legally permitted;
- (b) Act in a manner consistent with any government recognized management plans for such areas;
- (c) Consult and involve protected area sponsors and managers, project-affected parties including Indigenous Peoples, and other interested parties on planning, designing, implementing, monitoring, and evaluating the proposed project, as appropriate; and
- (d) Implement additional programs, as appropriate, to promote and enhance the conservation aims and effective management of the area.

Invasive alien species

28. Intentional or accidental introduction of alien, or non-native, species of flora and fauna into areas where they are not normally found can be a significant threat to biodiversity, since some alien species can become invasive, spreading rapidly and destroying or out-competing native species.
29. PKSf and the POs will not intentionally introduce any new alien species (not currently established in the country or region of the project) unless this is carried out in accordance with the existing regulatory framework for such introduction. Notwithstanding the above, PKSf and the POs will not deliberately introduce any alien species with a high risk of invasive behavior regardless of whether such introductions are permitted under the existing regulatory framework. All introductions of alien species will be subject to a risk assessment (as part of the POs' environmental and social assessment) to determine the potential for invasive behavior. The POs will implement measures to avoid the potential for accidental or unintended introductions including the transportation of substrates and vectors (such as soil, ballast, and plant materials) that may harbor alien species.
30. Where alien species are already established in the country or region of the proposed project, PKSf and the POs will exercise diligence in not spreading them into areas in which they have not already become established. Where feasible, PKSf and the POs will take measures to eradicate such species from the natural habitats over which PKSf and the POs has management control.

Sustainable management of living natural resources

31. PKSf and the POs with projects involving primary production and harvesting of living natural resources will assess the overall sustainability of these activities, as well as their

potential impacts on local, nearby or ecologically linked habitats, bio-diversity and communities, including Indigenous Peoples.

32. PKSf and the POs will manage living natural resources in a sustainable manner, through the application of good management practices and available technologies. . Where such primary production practices are codified in standards that are globally, regionally, or nationally recognized, particularly for industrial-scale operations, the POs and PKSf will agree on the standards to be applied.
33. For projects involving small-scale producers, PKSf and the POs will require producers to operate in a sustainable manner and to gradually improve their practices where such opportunities exist. Where the project consists of a large number of small producers in the same geographical area, PKSf and the POs will assess the potential for cumulative risks and impacts.
34. Where the project includes commercial agriculture and forestry plantations (particularly projects involving land clearing or afforestation), PKSf and the POs will locate such projects on land that is already converted or highly degraded (excluding any land that has been converted in anticipation of the project). In view of the potential for plantation projects to introduce invasive alien species and threaten biodiversity, such projects will be designed to prevent and mitigate these potential threats to natural habitats. When PKSf or the POs invests in production forestry in natural forests, these forests will be managed sustainably.
35. Where projects involve harvesting of living natural resources, PKSf and the POs will require that these resources are managed in a sustainable manner. In particular, forests and aquatic systems are principal providers of these resources, and need to be man-aged as specified below.
 - (a) For projects involving industrial-scale commercial forest harvesting operations, PKSf and the POs will ensure such operations are certified under an independent forest certification system or adhere to a time-bound phased action plan acceptable to PKSf for achieving certification to such a system.
 - (b) For projects involving forest harvesting operations conducted by small-scale producers, by local communities under community forest management, or by such entities under joint forest management arrangements, where such operations are not directly associated with an industrial-scale operation, PKSf and the POs will ensure that they:
 - (i) have achieved a standard of sustainable forest management developed with the meaningful participation of project-affected parties including Indigenous Peoples, consistent with the principles and criteria of sustainable forest management, even if not formally certified; or (ii) adhere to a time-bound action plan to achieve such a standard. PKSf and the POs will ensure that all such operations are monitored with the meaningful participation of project affected parties.
 - (c) For projects involving industrial-scale harvesting of fish populations and all other types of marine and freshwater organisms, PKSf and the POs will demonstrate that their activities are being undertaken in a sustainable manner, consistent with the principles and criteria for sustainable harvesting.
36. For projects that do not involve primary production or harvesting of living natural resources and entail salvage logging, for example in areas to be inundated, PKSf and the POs will limit cleared areas to a minimum and justified by the project's technical requirements, and that relevant national legislation is being followed..

37. PKSf and the POs involved in the production of crops and animal husbandry will follow national law to avoid or minimize adverse risks or impacts. PKSf and the POs involved in large-scale commercial farming, including breeding, rearing, housing, transport, and slaughter of animals for meat or other animal products (such as milk, eggs, wool) will employ national law in animal husbandry techniques, with due consideration for religious and cultural principles.

B. Primary suppliers

38. Where PKSf or a POs is purchasing natural resource commodities, including food, timber and fiber, that are known to originate from areas where there is a risk of significant conversion or significant degradation of natural or critical habitats, PKSf and the PO's environmental and social assessment will include an evaluation of the systems and verification practices used by the primary suppliers.
39. PKSf and the POs will establish systems and verification practices which will:
- (a) identify where the supply is coming from and the habitat type of the source area;
 - (b) where possible, limit procurement to those suppliers that can demonstrate that they are not contributing to significant conversion or degradation of natural or critical habitats; and
 - (c) where possible and within a reasonable period, shift the PO's primary suppliers to suppliers that can demonstrate that they are not significantly adversely impacting these areas..
40. The ability of PKSf or the POs to fully address these risks will depend upon PKSf or the PO's level of control or influence over its primary suppliers.

Chapter 10: ESS7 Ethnic Minority/ Traditional Local Communities

Introduction

1. ESS7 contributes to poverty reduction and sustainable development by ensuring that projects supported by PKSf enhance opportunities for Ethnic minority /Traditional Local Communities to participate in, and benefit from, the development process in ways that do not threaten their unique cultural identities and well-being.
2. This ESS recognizes that Tribal Peoples/Traditional Local Communities have identities and aspirations that are distinct from mainstream groups in national societies and often are disadvantaged by traditional models of development. In many instances, they are among the most economically marginalized and vulnerable segments of the population. Their economic, social, and legal status frequently limits their capacity to defend their rights to, and interests in, land, territories and natural and cultural resources, and may restrict their ability to participate in and benefit from development projects. In many cases, they do not receive equitable access to project benefits, or benefits are not devised or delivered in a form that is culturally appropriate, and they may not always be adequately consulted about the design or implementation of projects that would profoundly affect their lives or communities. This ESS recognizes that the roles of men and women in indigenous cultures are often different from those in the mainstream groups, and that women and children have frequently been marginalized both within their own communities and as a result of external developments, and may have specific needs are inextricably linked to the land on which they live and the natural resources on which they depend. They are therefore particularly vulnerable if their land and resources are transformed, encroached upon, or significantly degraded. Projects may also undermine language use, cultural practices, institutional arrangements, and religious or spiritual beliefs that Tribal Peoples/Traditional Local Communities view as essential to their identity or well-being. However, projects may also create important opportunities for Tribal Peoples/Traditional Local Communities to improve their quality of life and well-being. A project may create improved access to markets, schools, clinics and other services that seek to improve living conditions. Projects can create opportunities for Tribal Peoples/Traditional Local Communities to participate in, and benefit from project-related activities that may help them fulfill an aspiration to play an active and meaningful role as citizens and partners in development. Furthermore, this ESS recognizes that Tribal Peoples/Traditional Local Communities play a vital role in sustainable development.

Objectives

- To ensure that the development process fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of Tribal Peoples/Traditional Local Communities.
- To avoid adverse impacts of projects on Tribal Peoples/Traditional Local Communities, or when avoidance is not possible, to minimize, mitigate and/or compensate for such impacts.

- To promote sustainable development benefits and opportunities for Tribal Peoples/Traditional Local Communities in a manner that is accessible, culturally appropriate and inclusive.
- To improve project design and promote local support by establishing and maintaining an ongoing relationship based on meaningful consultation with the Tribal Peoples/Traditional Local Communities affected by a project throughout the project's life cycle.
- To obtain the Free, Prior, and Informed Consent (FPIC) of affected Tribal Peoples/Traditional Local Communities in the three circumstances described in this ESS.
- To recognize, respect and preserve the culture, knowledge, and practices of Tribal Peoples/Traditional Local Communities, and to provide them with an opportunity to adapt to changing conditions in a manner and in a time-frame acceptable to them.

Scope of application

6. This ESS applies to a distinct social and cultural group identified in accordance with paragraphs 8 and 9 of this ESS. This ESS uses the term "Tribal Peoples/Traditional Local Communities" in recognition of the different terminology which may be used to refer to Indigenous Peoples in the national context.
7. This ESS applies whenever Tribal Peoples/Traditional Local Communities are present in, or have collective attachment to a proposed project area, as determined during the environmental and social assessment. This ESS applies regardless of whether Tribal Peoples/Traditional Local Communities are affected positively or negatively, and regardless of the significance of any such impacts. This ESS also applies irrespective of the presence or absence of discernible economic, political or social vulnerabilities, although the nature and extent of vulnerability will be a key variable in designing plans to promote equitable access to benefits or to mitigate adverse impacts.
8. In this ESS, the term "Tribal Peoples/Traditional Local Communities" is used in a generic sense to refer exclusively to a distinct social and cultural group possessing the following characteristics in varying degrees:
 - (a) Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others; and
 - (b) Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas; and
 - (c) Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and
 - (d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.
9. This ESS also applies to communities or groups of Tribal Peoples/Traditional Local Communities who, during the lifetime of members of the community or group, have lost collective attachment to distinct habitats or ancestral territories in the project area, because of forced severance, conflict, government resettlement programs, dispossession of their land, natural disasters, or incorporation of such territories into an urban area. This ESS also applies

to forest dwellers, hunter-gatherers, pastoralists or other nomadic groups, subject to satisfaction of the criteria in paragraph.

10. PKSf determined that Tribal Peoples/Traditional Local Communities are present in, or have collective attachment to the project area, the POs may be required to seek inputs from appropriate specialists to meet the consultation, planning, or other requirements of this ESS.

Requirements

A. General

11. A key purpose of this ESS is to ensure that Tribal Peoples/Traditional Local Communities present in, or with collective attachment to, the project area are fully consulted about, and have opportunities to actively participate in, project design and the determination of project implementation arrangements. The scope and scale of consultation, as well as subsequent project planning and documentation processes, will be proportionate to the scope and scale of potential project risks and impacts as they may affect Tribal Peoples/Traditional Local Communities.
12. PKSf and the POs will assess the nature and degree of the expected direct and indirect economic, social, cultural and environmental impacts on Tribal Peoples/Traditional Local Communities who are present in, or have collective attachment to, the project area. PKSf and the POs will prepare a consultation strategy and identify the means by which affected Tribal Peoples/Traditional Local Communities will participate in project design and implementation. Subsequently, effective project design and documentation will be developed as set out below.
13. PKSf and the PO's proposed measures and actions will be developed in consultation with the affected Tribal Peoples/Traditional Local Communities and contained in a time-bound plan, such as an Tribal Peoples/Traditional Local Communities plan. The scope and scale of the plan will be proportionate to the potential risks and impacts of the project. The format and title of the plan will be adjusted as appropriate to the project or country context, and will reflect any alternative terminology for the Indigenous Peoples, as referred to in paragraph 6.

Projects designed solely to benefit Tribal Peoples/Traditional Local Communities

14. Where projects are designed to provide benefits only to Tribal Peoples/Traditional Local Communities, PKSf and the POs will proactively engage with the relevant Tribal Peoples/Traditional Local Communities to ensure their ownership and participation in project design, implementation, monitoring and evaluation. PKSf and the POs will also consult with them as to the cultural appropriateness of proposed services or facilities, and will seek to identify and address any economic or social constraints that may limit opportunities to benefit from, or participate in, the project.
15. When Tribal Peoples/Traditional Local Communities are the sole, or the overwhelming majority of, project beneficiaries, the elements of the plan may be included in the overall project design, and preparation of a stand-alone Tribal Peoples/Traditional Local Communities plan is not necessary. Projects where Tribal Peoples/Traditional Local Communities are not the sole beneficiaries.
16. When Tribal Peoples/Traditional Local Communities are not the only beneficiaries of the project, planning requirements will vary with circumstances. PKSf and the POs will design and implement the project in a manner that provides affected Tribal Peoples/Traditional

Local Communities with equitable access to project benefits. The concerns or preferences of Tribal Peoples/Traditional Local Communities will be addressed through meaningful consultation and project design, and documentation will summarize the consultation results and describe how Tribal Peoples/Traditional Local Communities' issues have been addressed in project design. Arrangements for ongoing consultations during implementation and monitoring will also be described.

17. PKSf and the POs will prepare a time-bound plan, such as a Tribal Peoples/Traditional Local Communities plan setting out the measures or actions proposed. In some circumstances, a broader integrated community development plan will be pre-pared, addressing all beneficiaries of the project and incorporating necessary information relating to the affected Tribal Peoples/Traditional Local Communities.

Avoidance of adverse impacts

18. Adverse impacts on Tribal Peoples/Traditional Local Communities will be avoided where possible. Where alternatives have been explored and adverse impacts are unavoidable, PKSf and the POs will minimize and/or compensate for these impacts in a culturally appropriate manner proportionate to the nature and scale of such impacts and the form and degree of vulnerability of the affected Tribal Peoples/Traditional Local Communities.
19. When situations arise in which projects potentially affect remote groups with limited external contact, also known as peoples "in voluntary isolation," "isolated peoples" or "in initial contact," PKSf and the POs will take appropriate measures to recognize, respect and protect their land and territories, environment, health and culture, as well as measures to avoid all undesired contact with them as a consequence of the project. The aspects of the project that would result in such undesired contact will not be processed further.

Mitigation and development benefits

20. PKSf and the POs and affected Tribal Peoples/Traditional Local Communities will identify mitigation measures in alignment with the mitigation hierarchy described in ESS1 as well as opportunities for culturally appropriate and sustainable development benefits. The scope of assessment and mitigation will include cultural impacts as per annex 21 as well as physical impacts. PKSf and the POs will ensure the timely delivery of agreed measures to affected Tribal Peoples/Traditional Local Communities.
21. The determination, delivery, and distribution of compensation and shared benefits to affected Tribal Peoples/Traditional Local Communities will take account of the institutions, rules and customs of these Tribal Peoples/Traditional Local Communities as well as their level of interaction with mainstream society. Eligibility for compensation can either be individually or collectively-based, or be a combination of both. Where compensation occurs on a collective basis, as far as practicable mechanisms that promote the effective distribution of compensation to all eligible members, or collective use of compensation in a manner that benefits all members of the group, will be defined and implemented.
22. Various factors including, but not limited to, the nature of the project, the project context and the vulnerability of affected Tribal Peoples/Traditional Local Communities will determine how affected Tribal Peoples/Traditional Local Communities will benefit from the project. Identified opportunities will aim to address the goals and preferences of the affected Tribal Peoples/Traditional Local Communities, including improving their standard of living and livelihoods in a culturally appropriate manner, and to foster the long-term

sustainability of the natural resources on which they depend. Meaningful consultation tailored to Tribal Peoples/Traditional Local Communities.

23. To promote effective project design, to build local project support or ownership, and to reduce the risk of project-related delays or controversies, PKSf and the POs will undertake an engagement process with affected Tribal Peoples/Traditional Local Communities, as required in ESS10. This engagement process will include stakeholder analysis and engagement planning, disclosure of information, and meaningful consultation, in a culturally appropriate and gender and inter-generationally inclusive manner. For Tribal Peoples/Traditional Local Communities, the process of meaningful consultation will also:
- (a) Involve Tribal Peoples/Traditional Local Communities' representative bodies and organizations and, where appropriate, other community members;
 - (b) Provide sufficient time for Tribal Peoples/Traditional Local Communities' decision-making processes;¹⁴ and
 - (c) Allow for Tribal Peoples/Traditional Local Communities' effective participation in the design of project activities or mitigation measures that could potentially affect them either positively or negatively.

B. Circumstances requiring free, prior and informed consent (FPIC)

24. Tribal Peoples/Traditional Local Communities may be particularly vulnerable to the loss of, alienation from or exploitation of their land and access to natural and cultural resources. In recognition of this vulnerability, in addition to the General Requirements of this ESS (Section A) and those set out in ESS1 and 10, PKSf and the POs will obtain the FPIC of the affected Tribal Peoples/Traditional Local Communities in accordance with paragraphs 25 and 26 in circumstances in which the project will:
- (a) Have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation.
 - (b) Cause relocation of Tribal Peoples/Traditional Local Communities from land and natural resources subject to traditional owner-ship or under customary use or occupation; or
 - (c) Have significant impacts on Tribal Peoples/Traditional Local Communities' cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected Tribal Peoples/Traditional Local Communities' lives.

In these circumstances, PKSf and the POs will engage independent specialists to assist in the identification of the project risks and impacts.

25. There is no universally accepted definition of FPIC. For the purposes of this ESS, FPIC is established as follows:
- (a) The scope of FPIC applies to project design, implementation arrangements and expected outcomes related to risks and impacts on the affected Tribal Peoples/Traditional Local Communities;

- (b) FPIC builds on and expands the process of meaningful consultation described in ESS10 and paragraph 23 above, and will be established through good faith negotiation between the POs and affected Tribal Peoples/Traditional Local Communities;
 - (c) The POs will document:
 - (i) The mutually accepted process to carry out good faith negotiations that has been agreed by PKSf and the POs and Tribal Peoples/Traditional Local Communities; and
 - (ii) The outcome of the good faith negotiations between PKSf and the POs and Tribal Peoples/Traditional Local Communities, including all agreements reached as well as dissenting views; and
 - (d) FPIC does not require unanimity and may be achieved even when individuals or groups within or among affected Tribal Peoples/Traditional Local Communities explicitly disagree.
26. For the purposes of this ESS, consent refers to the collective support of affected Tribal Peoples/Traditional Local Communities for the project activities that affect them, reached through a culturally appropriate process.
 27. When the FPIC of the affected Tribal Peoples/Traditional Local Communities cannot be ascertained by PKSf, the aspects of the project relevant to those affected Tribal Peoples/Traditional Local Communities for which the FPIC cannot be ascertained will not be processed further. Where PKSf has made the decision to continue processing the project other than the aspects for which the FPIC of the affected Tribal Peoples/Traditional Local Communities cannot be ascertained, the POs will ensure that no adverse impacts result on such Tribal Peoples/Traditional Local Communities during the implementation of the project.
 28. Agreements reached between PKSf and the POs and affected Tribal Peoples/Traditional Local Communities will be described, and actions necessary to accomplish agreements will be included, in the ESCP. During implementation, PKSf and the POs will ensure that necessary actions are taken, and agreed benefits or improvements to services are delivered, so as to maintain Tribal Peoples/Traditional Local Communities' support for the projects. Impacts on lands and natural resources subject to traditional ownership or under customary use or occupation.
 29. Tribal Peoples/Traditional Local Communities are often closely tied to their land and related natural resources. While Tribal Peoples/Traditional Local Communities may not possess legal title to land as defined by national law, their use of the land, including seasonal or cyclical use, for their livelihoods, or for cultural, ceremonial, and spiritual purposes that define their identity and community, can often be substantiated and documented. Where projects involve (a) activities that are contingent on establishing legally recognized rights to lands and territories that Tribal Peoples/Traditional Local Communities have traditionally owned; or customarily used or occupied, or (b) the acquisition of such lands, PKSf and the POs will prepare a plan for the legal recognition of such ownership, occupation, or usage, with due respect to the customs, traditions and land tenure systems of the Tribal Peoples/Traditional Local Communities concerned. The objective of such plans will be the following: (a) full legal recognition of existing customary land tenure systems

of Tribal Peoples/Traditional Local Communities; or (b) conversion of customary usage rights to communal and/or individual ownership rights. If neither option is possible under national law, the plan includes measures for the legal recognition of Tribal Peoples/Traditional Local Communities' perpetual or long-term renew-able custodial or use rights.

30. If PKSf and the POs proposes to locate a project, or commercially develop natural resources, on land traditionally owned by, or under the customary use or occupation of, Tribal Peoples/Traditional Local Communities, and adverse impacts¹⁸ can be expected, the POs will take the following steps and obtain their FPIC:

- (a) Document efforts to avoid and otherwise minimize the area of land proposed for the project;
- (b) Document efforts to avoid and otherwise minimize impacts on natural resources subject to traditional ownership or customary use or occupation;
- (c) Identify and review all property interests, tenurial arrangements, and traditional resource usage prior to purchasing, leasing or, as a last resort, undertaking land acquisition;
- (d) Assess and document Tribal Peoples/Traditional Local Communities' resource use without prejudicing any Tribal Peoples/Traditional Local Communities' land claim. The assessment of land and natural resource use will be gender inclusive and specifically consider women's role in the management and use of these resources;
- (e) Ensure that affected Tribal Peoples/Traditional Local Communities are informed of:
 - (i) their land rights under national law, including any national law recognizing customary use rights;
 - (ii) the scope and nature of the project; and
 - (iii) the potential impacts of the project; and
- (f) Where a project promotes commercial development of their land or natural resources, afford due process, and offer compensation together with culturally appropriate sustainable development opportunities to Tribal Peoples/Traditional Local Communities, at least equivalent to that to which any landowner with full legal title to the land would be entitled, including:
 - (i) Providing fair lease arrangements or, where land acquisition is necessary, providing land-based compensation or compensation in kind in lieu of cash compensation where feasible;
 - (ii) Ensuring continued access to natural resources, identifying the equivalent replacement resources, or, as a last option, providing compensation and identifying alternative livelihoods if project development results in the loss of access to and the loss of natural resources independent of project land acquisition;
 - (iii) Enabling Tribal Peoples/Traditional Local Communities to share equitably in the benefits to be derived from the commercial development of the land or natural resources where PKSf and the POs intends to utilize land or natural resources that

are central to the identity and livelihood of affected Tribal Peoples/Traditional Local Communities and the usage thereof exacerbates livelihood risk; and

- (iv) Providing affected Tribal Peoples/Traditional Local Communities with access, usage, and transit on land, PKSf and the POs is developing subject to overriding health, safety, and security considerations. Relocation of Tribal Peoples/Traditional Local Communities from lands and natural resources subject to traditional ownership or under customary use or occupation
31. PKSf and the POs will consider feasible alternative project designs to avoid the relocation of Tribal Peoples/Traditional Local Communities from communally held or attached land and natural resources subject to traditional ownership or customary use or occupation. If such relocation is unavoidable, PKSf and the POs will not proceed with the project unless FPIC has been obtained as described above; the POs will not resort to forced eviction, and any relocation of Tribal Peoples/Traditional Local Communities will meet the requirements of ESS5. Where feasible, the relocated Tribal Peoples/Traditional Local Communities will be able to return to their traditional or customary land, should the cause of their relocation cease to exist.

Cultural heritage

32. Where a project may significantly impact cultural heritage that is material to the identity and/ or cultural, ceremonial, or spiritual aspects of the affected Tribal Peoples/Traditional Local Communities' lives, priority will be given to the avoidance of such impacts. Where significant project impacts are unavoidable, PKSf and the POs will obtain the FPIC of affected Tribal Peoples/Traditional Local Communities.
33. Where a project proposes to use the cultural heritage of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities for commercial purposes, PKSf and the POs will inform the affected Tribal Peoples/Traditional Local Communities of: (a) their rights under national law; (b) the scope and nature of the proposed commercial development; and (c) the potential consequences of such development; and obtain their FPIC. PKSf and the POs will also enable Tribal Peoples/Traditional Local Communities to share equitably in the benefits to be derived from commercial development of such cultural heritage, consistent with the customs and traditions of the Tribal Peoples/Traditional Local Communities.

C. Grievance mechanism

34. PKSf and the POs will ensure that a grievance mechanism is established for the project, as described in ESS10, which is culturally appropriate and accessible to affected Tribal Peoples/Traditional Local Communities, and takes into account the availability of judicial recourse and customary dispute settlement mechanisms among Tribal Peoples/Traditional Local Communities.

D. Tribal Peoples/Traditional Local Communities and broader development planning

35. The POs may request PKSf technical or financial support, in the context of a specific project or as a separate activity, for preparation of plans, strategies or other activities intended to strengthen consideration and participation of Tribal Peoples/Traditional Local

Communities (as they may be referred to in the national context) in the development process.. This may include a variety of initiatives designed, for example, to: (a) strengthen local legislation to establish recognition of customary or traditional land tenure arrangements; (b) address the gender and intergenerational issues that exist among Tribal Peoples/Traditional Local Communities; (c) protect indigenous knowledge including intellectual property rights; (d) strengthen the capacity of Tribal Peoples/Traditional Local Communities to participate in development planning or programs; and (e) strengthen the capacity of government agencies providing services to Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.

36. Affected Tribal Peoples/Traditional Local Communities may themselves seek support for various initiatives and these should be taken into consideration by the POs and PKSf. They include: (a) support for the development priorities of Tribal Peoples/Traditional Local Communities through programs (such as community-driven development programs and locally managed social funds) developed by governments in cooperation with Tribal Peoples/Traditional Local Communities; (b) preparation of participatory profiles of Tribal Peoples/Traditional Local Communities to document their culture, demographic structure, gender and intergenerational relations and social organization, institutions, production systems, religious beliefs, and resource use patterns; and (c) facilitating partnerships among the government, Tribal Peoples/Traditional Local Communities Organizations, Civil Society Organizations, and the private sector to promote Tribal Peoples/Traditional Local Communities' development programs.

Chapter 11: ESS8 Cultural Heritage

Introduction

1. ESS8 recognizes that cultural heritage provides continuity in tangible and intangible forms between the past, present and future. People identify with cultural heritage as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions. Cultural heritage, in its many manifestations, is important as a source of valuable scientific and historical information, as an economic and social asset for development, and as an integral part of people's cultural identity and practice. ESS8 sets out measures designed to protect cultural heritage throughout the project life cycle.
2. This ESS sets out general provisions on risks and impacts to cultural heritage from project activities. ESS7 sets out additional requirements for cultural heritage in the context of Indigenous Peoples. ESS6 recognizes the social and cultural values of biodiversity. Provisions on Stakeholder Engagement and Information Disclosure are set out in ESS10.

Objectives

- To protect cultural heritage from the adverse impacts of project activities and support its preservation.
- To address cultural heritage as an integral aspect of sustainable development.
- To promote meaningful consultation with stake-holders regarding cultural heritage.
- To promote the equitable sharing of benefits from the use of cultural heritage.

Scope of application

3. The applicability of this ESS is established during the environmental and social assessment described in ESS1.
4. The term 'cultural heritage' encompasses tangible and intangible heritage, which may be recognized and valued at a local, regional, national or global level, as follows:
 - Tangible cultural heritage, which includes movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Tangible cultural heritage may be located in urban or rural settings, and may be above or below land or under the water;
 - Intangible cultural heritage, which includes practices, representations, expressions, knowledge, skills—as well as the instruments, objects, artifacts and cultural spaces associated therewith—that communities and groups recognize as part of their cultural heritage, as transmitted from generation to generation and constantly recreated by them in response to their environment, their interaction with nature and their history.
5. The requirements of this ESS8 will apply to all projects that are likely to have risks or impacts on cultural heritage. This will include a project which:
 - (a) Involves excavations, demolition, and movement of earth, flooding or other changes in the physical environment;
 - (b) Is located within a legally protected area or a legally defined buffer zone;
 - (c) Is located in, or in the vicinity of, a recognized cultural heritage site; or
 - (d) Is specifically designed to support the conservation, management and use of cultural heritage.

6. The requirements of ESS8 apply to cultural heritage regardless of whether or not it has been legally protected or previously identified or disturbed.
7. The requirements of ESS8 apply to intangible cultural heritage only if a physical component of a project will have a material impact on such cultural heritage or if a project intends to use such cultural heritage for commercial purposes.

Requirements

A. General

8. The environmental and social assessment, as set out in ESS1, will consider direct, indirect and cumulative project-specific risks and impacts on cultural heritage. Through the environmental and social assessment, PKSf and the POs will determine the potential risks and impacts of the proposed activities of the project on cultural heritage.
9. PKSf and the POs will avoid impacts on cultural heritage. When avoidance of impacts is not possible, PKSf and the POs will identify and implement measures to address impacts on cultural heritage in accordance with the mitigation hierarchy. Where appropriate, PKSf and the POs will develop a Cultural Heritage Management Plan.
10. PKSf and the POs will implement globally recognized practices for field-based study, documentation and protection of cultural heritage in connection with the project, including by contractors and other third parties.
11. A chance finds procedure is a project-specific procedure which will be followed if previously unknown cultural heritage is encountered during project activities. It will be included in all contracts relating to construction of the project, including excavations, demolition, movement of earth, flooding or other changes in the physical environment. . The chance finds procedure will set out how chance finds associated with the project will be managed. The procedure will include a requirement to notify relevant authorities of found objects or sites by cultural heritage experts; to fence-off the area of finds or sites to avoid further disturbance; to conduct an assessment of found objects or sites by cultural heritage experts; to identify and implement actions consistent with the requirements of this ESS and national law; and to train project personnel and project workers on chance find procedures.
12. Where necessary due to the potential risks and impacts of a project, the environmental and social assessment will involve the participation of cultural heritage experts. If the environmental and social assessment determines that the project may, at any time during the project life cycle, have significant potential risks and impacts on cultural heritage, the POs will engage cultural heritage experts to assist in the identification, valuation assessment and protection of cultural heritage.

B. Stakeholder consultation and identification of cultural heritage

13. PKSf and the POs will identify, in accordance with ESS10, stakeholders that are relevant for the cultural heritage that is known to exist or is likely to be encountered during the project life cycle. Stakeholders will include, as relevant:
 - (a) Project affected parties, including individuals and communities within the country who use or have used the cultural heritage within living memory; and
 - (b) Other interested parties, which may include national or local regulatory authorities that are entrusted with the protection of cultural heritage and nongovernmental organizations and cultural heritage experts, including national and international cultural heritage organizations.

14. PKSf and the POs will carry out meaningful consultations with stakeholders in accordance with ESS10 in order to identify cultural heritage that may be affected by the potential project; consider the significance of the cultural heritage affected by the project; assess the potential risks and impacts; and explore avoidance and mitigation options.

Confidentiality

15. PKSf and the POs, in consultation with PKSf, project affected parties (including individuals and communities) and cultural heritage experts, will determine whether disclosure of information regarding cultural heritage would compromise or jeopardize the safety or integrity of the cultural heritage or would endanger sources of information. In such cases, sensitive information may be omitted from public disclosure. If the project-affected parties (including individuals and communities) hold the location, characteristics, or traditional use of the cultural heritage in secret, PKSf and the POs will put in place measures to maintain confidentiality.

Stakeholders' access

16. Where PKSf or the POs' project site contains cultural heritage or prevents access to previously accessible cultural heritage sites, PKSf and the POs will, based on consultations with users of the site, allow continued access to the cultural site, or will provide an alternative access route, subject to overriding health, safety and security considerations.

C. Legally protected cultural heritage areas

17. As part of the environmental and social assessment, PKSf and the POs will determine the presence of all listed legally protected cultural heritage areas affected by the project. If the proposed project will be located within a legally protected area or a legally defined buffer zone, PKSf and the POs will:
 - (a) Comply with local, national, regional or inter-national cultural heritage regulations⁶ and the protected area management plans;
 - (b) Consult the protected area sponsors and managers, project affected parties (including individuals and communities) and other interested parties on the proposed project; and
 - (c) Implement additional programs, as appropriate, to promote and enhance the conservation aims of the protected area.

D. Provisions for specific types of cultural heritage

Archaeological sites and material

18. Archaeological sites comprise any combination of structural remains, artifacts, human or ecological elements and may be located entirely beneath, partially above, or entirely above the land or water surface. Archaeological material may be found any-where on the earth's surface, singly or scattered over large areas. Such material also includes burial areas, human remains and fossils.
19. Where there is evidence or high probability of past human activity in the area of the project, PKSf and the POs will conduct desk-based research and field surveys to document, map and investigate archaeological remains. PKSf and the POs will document the location and characteristics of archaeological sites and materials discovered during the project life cycle and provide such documentation to the national or subnational cultural heritage authorities.
20. PKSf and the POs will determine, in consultation with cultural heritage experts, whether archaeological material discovered during the project life cycle requires: (a)

documentation only; (b) excavation and documentation; or (c) conservation in place, and will manage the archaeological material accordingly. PKSf and the POs will determine ownership and custodial responsibility for archaeological material in accordance with national and subnational law, and until such time as custody has been transferred, will arrange for identification, conservation, labeling, secure storage and accessibility to enable future study and analysis.

Built heritage

21. Built Heritage refers to single or groups of architectural works in their urban or rural setting as evidence of a particular civilization, a significant development or a historic event. Built Heritage includes groups of buildings, structures and open spaces constituting past or contemporary human settlements that are recognized as cohesive and valuable from an architectural, aesthetic, spiritual or sociocultural perspective.
22. PKSf and the POs will identify appropriate mitigation measures to address the impacts on Built Heritage, which may include (a) documentation; (b) conservation or rehabilitation in situ; and (c) relocation and conservation or rehabilitation. During any rehabilitation or restoration of cultural heritage structures, PKSf and the POs will maintain the authenticity of form, construction materials and techniques of the structure(s).
23. PKSf and the POs will preserve the physical and visual context of individual or groups of historic structures by considering the appropriateness and effect of project infrastructure proposed for location within the range of sight.

Natural features with cultural significance

24. Natural features may be imbued with cultural heritage significance. Examples include sacred hills, mountains, landscapes, streams, rivers, waterfalls, caves and rocks; sacred trees or plants, groves and forests; carvings or paintings on exposed rock faces or in caves; and paleontological deposits of early human, animal or fossilized remains. The significance of such heritage may be localized in small community groups or minority populations.
25. PKSf and the POs will identify, through research and consultation with project-affected parties (including individuals and communities), natural features with cultural heritage significance affected by the project, the people that value such features, and the individuals or groups with authority to represent and negotiate regarding the location, protection and use of the heritage place(s). Most natural features with cultural heritage significance are best protected by preservation in situ. If it is not possible to preserve the natural features in their existing location, the transfer of the cultural heritage to another location will be conducted in consultation with project-affected parties. The agreement that is reached regarding the transfer will respect and enable continuation of the traditional practices associated with the cultural heritage that has been transferred.

Movable cultural heritage

26. Movable cultural heritage includes such objects as: historic or rare books and manuscripts; paintings, drawings, sculptures, statuettes and carvings; modern or historic religious items; historic costumes, jewelry and textiles; fragments of monuments or historic buildings; archaeological material; and natural history collections such as shells, flora, or minerals. Discoveries and access resulting from a project may increase the vulnerability of cultural objects to theft, trafficking or abuse. PKSf and the POs will take measures to

guard against theft and illegal trafficking of movable cultural heritage items affected by the project and will notify relevant authorities of any such activity.

27. PKSf and the POs, in consultation with relevant cultural heritage authorities, will identify movable cultural heritage objects that may be endangered by the project and make provisions for their protection throughout the project life cycle. PKSf and the POs will inform religious or secular authorities or other custodians with responsibility for overseeing and protecting the movable cultural heritage objects of the schedule for project activities and alert them regarding the potential vulnerability of such items.

E. Commercial use of cultural heritage

28. Where a project intends to use cultural heritage of project affected parties (including individuals and communities) for commercial purposes, PKSf and the POs will inform the project affected parties of: (a) their rights under national law; (b) the scope and nature of the commercial development and the potential impacts; and (c) the potential consequences of such development and impacts.
29. PKSf and the POs will not proceed with such commercial use unless it: (a) carries out meaningful consultation with stakeholders as described in ESS10; (b) provides for fair and equitable sharing of benefits from commercial use of such cultural heritage, consistent with customs and traditions of the project affected parties; and (c) identifies mitigation measures according to the mitigation hierarchy.

Chapter 12: ESS9 Stakeholder Engagement and Information Disclosure

Introduction

1. This ESS recognizes the importance of open and transparent engagement between the PKSf and project stakeholders as an essential element of good international practice. Effective stakeholder engagement can improve the environmental and social sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation.
2. Stakeholder engagement is an inclusive process conducted throughout the project life cycle. Where properly designed and implemented, it supports the development of strong, constructive and responsive relationships that are important for successful management of a project's environmental and social risks. Stakeholder engagement is most effective when initiated at an early stage of the project development process, and is an integral part of early project decisions and the assessment, management and monitoring of the project's environmental and social risks and impacts.
3. This ESS must be read in conjunction with ESS1. Requirements regarding engagement with workers are found in ESS2. Special provisions on emergency preparedness and response are covered in ESS2 and ESS4. In the case of projects involving involuntary resettlement, Indigenous Peoples or cultural heritage, the Borrower will also apply the special disclosure and consultation requirements set out in ESS5, ESS7 and ESS8.

Objectives

- To establish a systematic approach to stakeholder engagement that will help PKSf to identify stakeholders and build and maintain a constructive relationship with them, in particular project-affected parties.
- To assess the level of stakeholder interest and support for the project and to enable stakeholders' views to be taken into account in project design and environmental and social performance.
- To promote and provide means for effective and inclusive engagement with project-affected parties throughout the project life cycle on issues that could potentially affect them.
- To ensure that appropriate project information on environmental and social risks and impacts is disclosed to stakeholders in a timely, understandable, accessible and appropriate manner and format.
- To provide project-affected parties with accessible and inclusive means to raise issues and grievances, and allow PKSf to respond to and manage such grievances.

Scope of application

4. ESS10 applies to all projects supported by PKSf through Project Financing. PKSf will engage with stakeholders as an integral part of the project's environmental and social assessment and project design and implementation, as outlined in ESS1.
5. For the purpose of this ESS, "stakeholder" refers to individuals or groups who:
 - (a) are affected or likely to be affected by the project (project-affected parties); and
 - (b) may have an interest in the project.

Requirements

6. PKSf will engage with stakeholders through-out the project life cycle, commencing such engagement as early as possible in the project development process and in a timeframe that enables meaningful consultations with stakeholders on project design. The nature, scope and frequency of stakeholder engagement will be proportionate to the nature and scale of the project and its potential risks and impacts.
7. PKSf will engage in meaningful consultations with all stakeholders. PKSf will provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation.
8. The process of stakeholder engagement will involve the following, as set out in further detail in this ESS: (i) stakeholder identification and analysis; (ii) planning how the engagement with stakeholders will take place; (iii) disclosure of information; (iv) consultation with stakeholders; (v) addressing and responding to grievances; and (vi) reporting to stakeholders.
9. The PKSf will maintain, and disclose as part of the environmental and social assessment, a documented record of stakeholder engagement, including a description of the stakeholders consulted, a summary of the feedback received and a brief explanation of how the feedback was taken into account, or the reasons why it was not.

A. Stakeholder identification and analysis

10. PKSf will identify the different stake-holders, both project-affected parties and other interested parties.¹ As set out in paragraph 5, individuals or groups that are affected or likely to be affected by the project will be identified as ‘project-affected parties’ and other individuals or groups that may have an interest in the project will be identified as ‘other interested parties’.
11. PKSf will identify those project-affected parties (individuals or groups) who, because of their particular circumstances, may be disadvantaged or vulnerable. Based on this identification, the Borrower will further identify individuals or groups who may have different concerns and priorities about project impacts, mitigation mechanisms and benefits, and who may require different, or separate, forms of engagement. An adequate level of detail will be included in the stakeholder identification and analysis so as to determine the level of communication that is appropriate for the project.
12. Depending on the potential significance of environmental and social risks and impacts, PKSf may be required to retain independent third party specialists to assist in the stakeholder identification and analysis to support a comprehensive analysis and the design of an inclusive engagement process.

B. Stakeholder Engagement Plan

13. PKSf will develop and implement a Stakeholder Engagement Plan (SEP) proportionate to the nature and scale of the project and its potential risks and impacts. A draft of the SEP will be disclosed as early as possible, and before project appraisal, and the Borrower will seek the views of stakeholders on the SEP, including on the identification of stakeholders and the proposals for future engagement. If significant changes are made to the SEP, the Borrower will dis-close the updated SEP.
14. The SEP will describe the timing and methods of engagement with stakeholders throughout the life cycle of the project. The SEP will also describe the range and timing of information

to be communicated to project-affected parties and other interested parties, as well as the type of information to be sought from them.

15. The SEP will be designed to take into account the main characteristics and interests of the stake-holders, and the different levels of engagement and consultation that will be appropriate for different stakeholders. The SEP will set out how communication with stakeholders will be handled throughout project preparation and implementation.
16. The SEP will describe the measures that will be used to remove obstacles to participation, and how the views of differently affected groups will be captured. Where applicable, the SEP will include differentiated measures to allow the effective participation of those identified as disadvantaged or vulnerable. Dedicated approaches and an increased level of resources may be needed for communication with such differently affected groups so that they can obtain the information they need regarding the issues that will potentially affect them.
17. When the stakeholder engagement with local individuals and communities depends substantially on community representatives, PKSf will make reasonable efforts to verify that such persons do, in fact, represent the views of such individuals and communities, and that they are facilitating the communication process in an appropriate manner.
18. In certain circumstances, depending on the level of information available about the project, the SEP will take the format of a framework approach, outlining general principles and a collaborative strategy to identify stakeholders and plan for an engagement process in accordance with this ESS that will be implemented once the location is known. Information disclosure
19. PKSf will disclose project information to allow stakeholders to understand the risks and impacts of the project, and potential opportunities. PKSf will provide stakeholders with access to the following information, as early as possible before the PKSf proceeds to project appraisal, and in a timeframe that enables meaningful consultations with stakeholders on project design:
 - (a) The purpose, nature and scale of the project;
 - (b) The duration of proposed project activities;
 - (c) Potential risks and impacts of the project on local communities, and the proposals for mitigating these, highlighting potential risks and impacts that might disproportionately affect vulnerable and disadvantaged groups and describing the differentiated measures taken to avoid and minimize these;
 - (d) The proposed stakeholder engagement process highlighting the ways in which stakeholders can participate;
 - (e) The time and venue of any proposed public consultation meetings, and the process by which meetings will be notified, summarized, and reported; and
 - (f) The process and means by which grievances can be raised and will be addressed.
20. The information will be disclosed in relevant local languages and in a manner that is accessible and culturally appropriate, taking into account any specific needs of groups that may be differentially or disproportionately affected by the project or groups of the population with specific information needs (such as, disability, literacy, gender, mobility, differences in language or accessibility).

C. Meaningful consultation

21. PKSf will undertake a process of meaningful consultation in a manner that provides stakeholders with opportunities to express their views on project risks, impacts, and mitigation

measures, and allows PKSf to consider and respond to them. Meaningful consultation will be carried out on an ongoing basis as the nature of issues, impacts and opportunities evolves.

22. Meaningful consultation is a two-way process, that:
- (a) Begins early in the project planning process to gather initial views on the project proposal and inform project design;
 - (b) Encourages stakeholder feedback, particularly as a way of informing project design and engagement by stakeholders in the identification and mitigation of environmental and social risks and impacts;
 - (c) Continues on an ongoing basis, as risks and impacts arise;
 - (d) Is based on the prior disclosure and dissemination of relevant, transparent, objective, meaningful and easily accessible information in a timeframe that enables meaningful consultations with stakeholders in a culturally appropriate format, in relevant local language(s) and is understandable to stakeholders;
 - (e) Considers and responds to feedback;
 - (f) Supports active and inclusive engagement with project-affected parties;
 - (g) Is free of external manipulation, interference, coercion, discrimination, and intimidation; and
 - (h) Is documented and disclosed

D. Engagement during project implementation and external reporting

23. PKSf will continue to engage with, and provide information to, project-affected parties and other interested parties throughout the life cycle of the project, in a manner appropriate to the nature of their interests and the potential environmental and social risks and impacts of the project.

E. Grievance mechanism

26. PKSf will respond to concerns and grievances of project-affected parties related to the environmental and social performance of the project in a timely manner. For this purpose, PKSf will propose and implement a grievance mechanism to receive and facilitate resolution of such concerns and grievances.
27. The grievance mechanism will be proportionate to the potential risks and impacts of the project and will be accessible and inclusive. Where feasible and suitable for the project, the grievance mechanism will utilize existing formal or informal grievance mechanisms, supplemented as needed with project-specific arrangements. Further details on grievance mechanisms are set out in Annex 1.
- (a) The grievance mechanism is expected to address concerns promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all project-affected parties, at no cost and with-out retribution. The mechanism, process or procedure will not prevent access to judicial or administrative remedies. PKSf and the POs will inform the project-affected parties about the grievance process in the course of its community engagement activities, and will make publicly available a record documenting the responses to all grievances received; and
 - (b) Handling of grievances will be done in a culturally appropriate manner and be discreet, objective, sensitive and responsive to the needs and concerns of the project-affected parties. The mechanism will also allow for anonymous complaints to be raised and addressed

F. Organizational capacity and commitment

28. PKSf will define clear roles, responsibilities and authority as well as designate specific personnel to be responsible for the implementation and monitoring of stakeholder engagement activities and compliance with this ESMF.

Annex 1: Grievance Redress Mechanism (GRM)

GRM at PKSf level

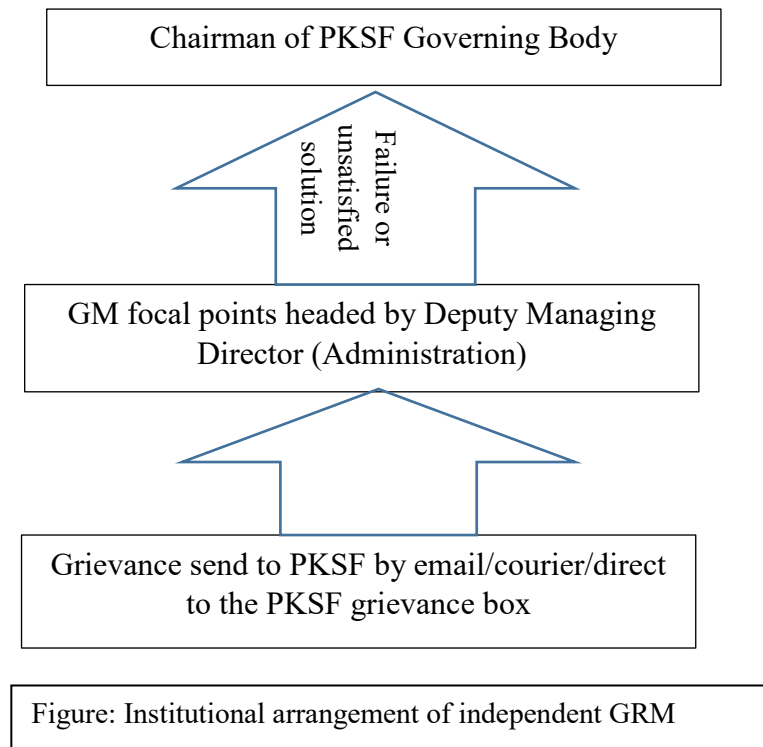
1. PKSf has established GRM for ensuring its accountability to the people who might be affected by projects or programmes financed by PKSf. PKSf acknowledges and accepts complaints from the affected community and solve those complaints through the GRM. The GRM ensures participation of the relevant stakeholders including aggrieved person.
2. The GRM of PKSf adopted GCF's principles to ensure the best practices of the GRM. The principles fully comply with Rougie's principles. These principles are:

Green Climate Fund: GM principles of the AEs	Guidance Points (not exhaustive)
Equitable Users are treated fairly and provided with information & resources that allow for meaningful participation. The GM should seek to redress imbalances in power, knowledge and influence between the company and potential complainants to enable informed dialogues and a process based on respect	<ol style="list-style-type: none"> 1. Have access to neutral human rights expertise 2. Treat every complainant with respect 3. Ensure full participation of both genders and vulnerable groups 4. Ensure sensitivity in logistical arrangements
Efficient	<ol style="list-style-type: none"> 1. Address concerns promptly, using an understandable and transparent process that is readily accessible to all segments of the affected communities – and at no cost and without retribution
Legitimate Perceived as legitimate by the potential affected stakeholders who may need to access it, and believe they will get a fair and effective hearing to their grievances	<ol style="list-style-type: none"> 1. Create an oversight stakeholder body 2. Provide for transparent funding of expert resources 4. Be aware of judicial and administrative mechanisms available in the country for resolution of disputes and do not impede access to these mechanisms
Effective	<ol style="list-style-type: none"> 1. Refine core company values 2. Start early in the project cycle 3. Seek solutions to complaints in a collaborative manner with the involvement of the affected community 4. Maintain a wide scope of issues 5. Develop culturally appropriate procedures 6. Incorporate a variety of grievances resolution approaches 7. Take into consideration customary and traditional methods of dispute resolution when designing the system
Accessible Potential users are aware of the GM, how to make a complaint and can do so easily	<ol style="list-style-type: none"> 1. Provide easy access to for complainants 2. Publicize the mechanism and its supporting resources 3. Carefully identify parties to the grievance 4. Ensure that even the poor and most marginalized get their concerns heard and addressed
Independent The GM must be sufficiently independent governance structure to ensure that no party to a particular grievance process can interfere with the fair conduct of the process (CAO)	<ol style="list-style-type: none"> 1. The GM decision maker enjoys a sufficient degree of separation between the mechanism and the Manager 2. The GM decision maker has guaranteed tenure of their office 3. The GM decision maker can only be removed for cause
Predictable Users know the key steps and options within the process; GM should be time-	<ol style="list-style-type: none"> 1. Inform the affected communities about the mechanism during the company-community engagement process 2. Treat every complaint seriously 3. Agree on provisions for

bound where appropriate and provide for agreed outcomes for monitoring	
Transparent Users and other are informed, understand the outcomes of their complaints and the broader systematic implications of the GM. In the same time the GM allows for dialogue and complainant to remain confidential, where requested	1. Communicate transparently about the process as it advances 2. Allow protection of a complainant's identity where requested 3. Document grievances received, and responses provided and report back to the community periodically
Continuous learning The GM helps the institution to capture risks, learn from gaps and mistakes, and course correct. Cumulative lessons from complaints should be reviewed to identify systematic changes needed to company practices or the workings of the GM.	1. Agree and monitor key performance indicators 2. Provide periodic reports on issues that the GM has identified as of concern to affected communities 3. Integrate lessons learned into company system 4. Review the mechanism, as appropriate, in line with experience

3. The Citizen's Charter of PKSf established the GRM process. A designated officer receives complaints through email, website, courier or post offices. S/he registers the complaint and prepare a case file. The Deputy Managing Director is given responsibilities to solve the complaints. A complain should be solved with 30 working days of receiving it. Detailed is presented below:

Sl. No.	Eligibility of complaints	Complaints to Whom	Address of complaints	Time limit
1	When concerned officer fails to solve complaints	GRM Focal Person	Deputy Managing Director-2 Phone: 02-8181658-61 Email: jashim@pksf-bd.org	30 working days
2	When DMD solve the complaints within the time	Chairman, Governing Body	PKSF Bhaban E-4/B, Agargaon Administrative Area, Dhaka. Phone: 02-8181658-61	30 working days

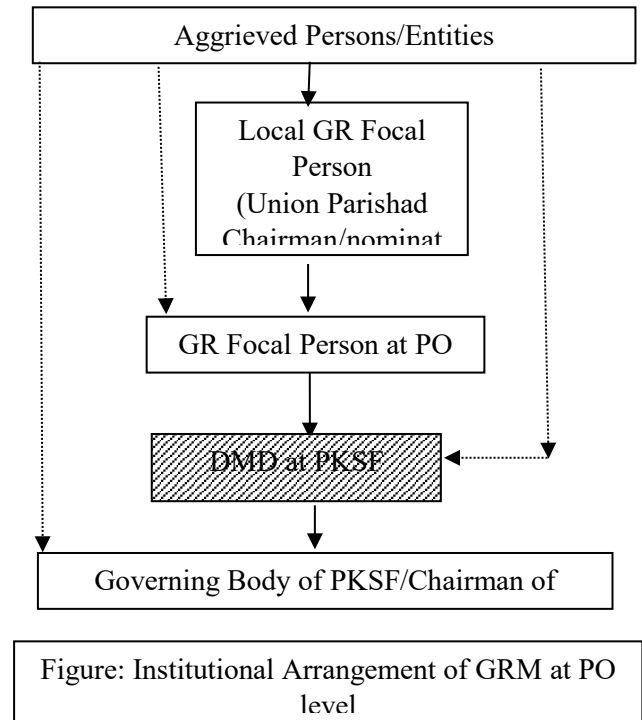


Web-link for complaints: http://pksf-bd.org/web/?page_id=6704

GRM at PO to PKSF level

4. Grievance Redress Mechanism (GRM) will be established at PO level to deal with any complaints/grievances about environmental and social issues. At the PO level, the Union Parishad (U/P) Chairman or his/her nominated representative from the U/P will be the Local Grievance Redress (LGR) focal point. At the PKSF level, Deputy Managing Director will be Central Grievance Redress (CGR) focal Point. The aggrieved persons or entities will submit the complaints/grievances in sealed envelopes to the selected POs office duly entered in the Grievance Register (GR) and will collect a receipt with entry reference to the GR. Partners will not open the envelopes, but inform the LGR focal point about receipt of complaints and schedule hearings as per his/her advice. In open meetings, the PO will facilitate the LGR focal Point to hear and discuss the complaints and resolve them in view of the applicable guidelines. The aggrieved person, if female, will be assisted by a female U/P member in hearing, and if from a tribal community, by a tribal representative. LGR focal Point with the help of PO will ensure sending a copy of the complaint by postal mail, email or other means to the Deputy Managing Director at the PKSF headquarters.

5. The POs will forward the unresolved cases with all proceedings to the Grievance Redress (GR) focal point within 7 days of taking decision by the LGR focal point. Unresolved cases forwarded by POs will be registered in the office of the GR focal point and disposed within 15 days. If any decision made by GR focal point is unacceptable to the aggrieved persons, he/she will forward the complaints with all proceedings to the PKSf Deputy Managing Director (DMD). The DMD will review and resolve the cases. Finally, the aggrieved person can lodge the complaint to the PKSf chairman. A decision agreed by the complainants at any level of hearing will be binding on the concerned POs and PKSf. The GRM will, however, not pre-empt an aggrieved person's right to seek redress in the courts of law.



6. Steps of resolving complaints



7. Reporting and disclosure

- PKSf will document all the complaints under GCF financed project to be implemented by PKSf. Once, the complaints is solved, PKSf will published the report in its website within a month of resolving the complaint.

8. In addition to GRM of PKSf's finance, there is GRM in the service rule for resolving complaints of its own staffs. The 8th chapter of the service rule describes the code of the employees. Article 8.17.0 of the service rule focused on grievance. As per the article, the GRM is presented below:

- (a) Any employee of the Foundation seeking to inform the authority of his/her grievance about official matters shall have to inform verbally or in writing to the dedicated officer/committee.
- (b) The concerned responsible officer/committee shall try to resolve that within 15 working days after receiving the application in order to reconcile the grievance fairly and reasonably. If that responsible officer/committee fails to resolve that, the matter has to be brought to the attention of appropriate authority.

- (c) The Deputy Managing Director or the person/committee authorized by him/her shall have to, within 30 working days, in view of the investigation or hearing from the employee inform the employee of the decision in black and white.
- (d) The authority shall place a complaint box with the intention to be informed of the general complaints of the employee. The complaints must be submitted with own name(s).

Annex 2: Environmental and Social Assessment Guideline

A. General

1. PKSf will undertake an environmental and social assessment to assess the environmental and social risks and impacts of a project throughout the project life cycle. The term ‘environmental and social assessment’ is a generic term that describes the process of analysis and planning used by PKSf to ensure the environmental and social impacts and risks of a project are identified, avoided, minimized, reduced or mitigated.
2. The environmental and social assessment is the primary means of ensuring projects are environmentally and socially sound and sustainable, and will be used to inform decision making. The environmental and social assessment is a flexible process that can use different tools and methods depending on the details of the project and the circumstances of PKSf.
3. The environmental and social assessment will be conducted in accordance with ESS1, and will consider, in an integrated way, all relevant direct, indirect and cumulative environmental and social risks and impacts of the project, including those specifically identified in ESS1–9. The breadth, depth, and type of analysis undertaken as part of the environmental and social assessment will depend on the nature and scale of the project, and the potential environmental and social risks and impacts that could result. PKSf will undertake the environmental and social assessment at the scale and level of detail appropriate to the potential risks and impacts.
4. The manner in which the environmental and social assessment will be conducted and the issues to be addressed will vary for each project. The environmental and social assessment will include and take into account coordination and consultation with affected people and other interested parties, particularly at an early stage, to ensure that all potentially significant environmental and social risks and impacts are identified and addressed.
5. The different methods and tools used by PKSf to carry out the environmental and social assessment and to document the results of such assessment, including the mitigation measures to be implemented, will reflect the nature and scale of the project. As specified in ESS1, these will include, as appropriate, a combination or elements of the following:

(a) Environmental and Social Impact Assessment (ESIA)

Environmental and social impact assessment (ESIA) is an instrument to identify and assess the potential environmental and social impacts of a proposed project, evaluate alternatives, and design appropriate mitigation, management, and monitoring measures.

(b) Environmental and Social Audit

Environmental and social audit is an instrument to determine the nature and extent of all environmental and social areas of concern at an existing project or activities. The audit identifies and justifies appropriate measures and actions to mitigate the areas of concern, estimates the cost of the measures and actions, and recommends a schedule for implementing them. For certain projects, the environmental and social assessment may consist of an environmental or social audit alone; in other cases, the audit forms part of the environmental and social assessment.

(c) Cumulative Impact Assessment

Cumulative Impact Assessment is an instrument to consider cumulative impacts of the project in combination with impacts from other relevant past, present and reasonably foreseeable developments as well as unplanned but predictable activities enabled by the project that may occur later or at a different location.

(d) Social and Conflict Analysis

Social and conflict analysis is an instrument that assesses the degree to which the project may (i) exacerbate existing tensions and inequality within society (both within the communities affected by the project and between these communities and others); (ii) have a negative effect on stability and human security; (iii) be negatively affected by existing tensions, conflict and instability. (iv) Environmental and Social Management Plan (ESMP)

Environmental and social management plan (ESMP) is an instrument that details (i) the measures to be taken during the implementation and operation of a project to eliminate or offset adverse environmental and social impacts, or to reduce them to acceptable levels; and (ii) the actions needed to implement these measures.

(e) Environmental and Social Management Framework (ESMF)

Environmental and social management framework (ESMF) is an instrument that examines the risks and impacts when a project consists of a program and/or series of subprojects, and the risks and impacts cannot be determined until the program or subproject details have been identified. The ESMF sets out the principles, rules, guidelines and procedures to assess the environmental and social risks and impacts. It contains measures and plans to reduce, mitigate and/or offset adverse risks and impacts, provisions for estimating and budgeting the costs of such measures, and information on the agency or agencies responsible for addressing project risks and impacts, including on its capacity to manage environmental and social risks and impacts. It includes adequate information on the area in which subprojects are expected to be sited, including any potential environmental and social vulnerabilities of the area; and on the potential impacts that may occur and mitigation measures that might be expected to be used.

(f) Strategic Environmental and Social Assessment (SESA)

Strategic environmental and social assessment (SESA) is a systematic examination of environmental and social risks and impacts, and issues, associated with a policy, plan or program, typically at the national level but also in smaller areas. The examination of environmental and social risks and impacts will include consideration of the full range of environmental and social risks and impacts incorporated in ESS1 through 10. SESAs are typically not location-specific. They are therefore prepared in conjunction with project and site-specific studies that assess the risks and impacts of the project.

6. Specific features of a project may require PKSf to utilize specialized methods and tools for assessment, such as a Resettlement Plan, Livelihood Restoration Plan, Tribal Peoples Plan, Biodiversity Action Plan, Cultural Heritage Management Plan, and other plans as agreed with the Bank.
7. The environmental and social assessment will be closely integrated with the project's economic, financial, institutional, social, and technical analyses so that environmental and social considerations are taken into consideration in project selection, siting, and design decisions. PKSf will take measures to ensure that when individuals or entities are engaged to carry out environmental and social assessment, any conflict of interest is avoided.

B. Institutional capacity

10. Environmental and social assessment can provide opportunities for coordinating environmental and social-related responsibilities and actions in PKSf in a way that goes beyond project boundaries/responsibilities and, as a result, where feasible should be linked to other environmental and social strategies and action plans, and free-standing projects. The environmental and social assessment for a specific project can thereby help strengthen environmental and social management capability of PKSf.

C. indicative outline of ESIA

13. Where an environmental and social impact assessment is prepared as part of the environmental and social assessment, it will include the following:

(a) Executive Summary

- Concisely discusses significant findings and recommended actions.

(b) Project Description

- Concisely describes the proposed project and its geographic, environmental, social, and temporal context, including any offsite investments that may be required (e.g., dedicated pipelines, access roads, power supply, water supply, housing, and raw material and product storage facilities).
- Through consideration of the details of the project, indicates the need for any plan to meet the requirements of ESS1 through 10.
- Includes a map of sufficient detail, showing the project site and the area that may be affected by the project's direct, indirect, and cumulative impacts.

(c) Baseline Data

- Sets out in detail the baseline data that is relevant to decisions about project location, design, operation, or mitigation measures. This should include a discussion of the accuracy, reliability, and sources of the data as well as information about dates surrounding project identification, planning and implementation.
- Identifies and estimates the extent and quality of available data, key data gaps, and uncertainties associated with predictions.
- Based on current information, assesses the scope of the area to be studied and describes relevant physical, biological, and socioeconomic conditions, including any changes anticipated before the project commences.
- Takes into account current and proposed development activities within the project area but not directly connected to the project.

(d) Environmental and Social Risks and Impacts

- Takes into account all relevant environmental and social risks and impacts of the project. This will include the environmental and social risks and impacts specifically identified in ESS2–8, and any other environmental and social risks and impacts arising as a consequence of the specific nature and context of the project, including the risks and impacts identified in ESS1.

(e) Mitigation Measures

- Identifies mitigation measures and significant residual negative impacts that cannot be mitigated and, to the extent possible, assesses the acceptability of those residual negative impacts.
- Identifies differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable.
- Assesses the feasibility of mitigating the environmental and social impacts; the capital and recurrent costs of proposed mitigation measures, and their suitability under local conditions; and the institutional, training, and monitoring requirements for the proposed mitigation measures.
- Specifies issues that do not require further attention, providing the basis for this determination.

(f) Design Measures

- Sets out the basis for selecting the particular project design proposed and specifies the applicable EHSs or if the EHSs are determined to be inapplicable, justifies recommended emission levels and approaches to pollution prevention and abatement that are consistent with GIIP.

(g) Key Measures and Actions for the Environmental and Social Commitment Plan (ESCP)

- Summarizes key measures and actions and the timeframe required for the project to meet the requirements of the ESSs. This will be used in developing the Environmental and Social Commitment Plan (ESCP).

(h) Appendices

- List of the individuals or organizations that prepared or contributed to the environmental and social assessment.
- References—setting out the written materials both published and unpublished, that have been used.
- Record of meetings, consultations and surveys with stakeholders, including those with affected people and other interested parties. The record specifies the means of such stakeholder engagement that were used to obtain the views of affected people and other interested parties.
- Tables presenting the relevant data referred to or summarized in the main text.
- List of associated reports or plans.

D. Indicative outline of ESMP

14. An ESMP consists of the set of mitigation, monitoring, and institutional measures to be taken during implementation and operation of a project to eliminate adverse environmental and social risks and impacts, offset them, or reduce them to acceptable levels. The ESMP also includes the measures and actions needed to implement these measures. (a) determine requirements for ensuring that those responses are made effectively and in a timely manner; and (b) describe the means for meeting those requirements.
15. Depending on the project, an ESMP may be prepared as a stand-alone document or the content may be incorporated directly into the ESCP. The content of the ESMP will include the following:

(a) Mitigation

- ESMP identifies measures and actions in accordance with the mitigation hierarchy that reduce potentially adverse environmental and social impacts to acceptable levels. Specifically, the ESMP:

- (i) identifies and summarizes all anticipated adverse environmental and social impacts (including those involving tribal people or involuntary resettlement);
- (ii) describes—with technical details—each mitigation measure, including the type of impact to which it relates and the conditions under which it is required, together with designs, equipment descriptions, and operating procedures, as appropriate;
- (iii) estimates any potential environmental and social impacts of these measures; and
- (iv) takes into account, and is consistent with, other mitigation plans required for the project (e.g., for involuntary resettlement, tribal peoples, or cultural heritage).

(b) Monitoring

- The ESMP identifies monitoring objectives and specifies the type of monitoring, with linkages to the impacts assessed in the environmental and social assessment and the mitigation measures described in the ESMP. Specifically, the monitoring section of the ESMP provides (a) a specific description, and technical details, of monitoring measures, including the parameters to be measured, methods to be used, sampling locations, frequency of measurements, and definition of thresholds that will signal the need for corrective actions; and (b) monitoring and reporting procedures to (i) ensure early detection of conditions that necessitate particular mitigation measures, and (ii) furnish information on the progress and results of mitigation.

(c) Capacity Development and Training

- To support timely and effective implementation of environmental and social project components and mitigation measures, the ESMP draws on the environmental and social assessment of the existence, role, and capability of responsible parties on site or at the agency and ministry level.
- Specifically, the ESMP provides a specific description of institutional arrangements, identifying which party is responsible for carrying out the mitigation and monitoring measures (e.g., for operation, supervision, enforcement, monitoring of implementation, remedial action, financing, reporting, and staff training).
- To strengthen environmental and social management capability in the agencies responsible for implementation, the ESMP recommends the establishment or expansion of the parties responsible, the training of staff and any additional measures that may be necessary to support implementation of mitigation measures and any other recommendations of the environmental and social assessment.

(d) Implementation Schedule and Cost Estimates

- For all three aspects (mitigation, monitoring, and capacity development), the ESMP provides (a) an implementation schedule for measures that must be carried out as part of the project, showing phasing and coordination with overall project implementation plans; and (b) the capital and recurrent cost estimates and sources of funds for implementing the ESMP. These figures are also integrated into the total project cost tables.

F. Indicative outline of environmental and social audit

16. The aim of the audit is to identify significant environmental and social issues in the existing project or activities, and assess their current status, specifically in terms of meeting the requirements of the ESSs.

(a) Executive Summary

- Concisely discusses significant findings and sets out recommended measures and actions and timeframes.

(b) Legal and Institutional Framework

- Analyzes the legal and institutional framework for the existing project or activities, including the issues set out in ESS1, any applicable environmental and social requirements of existing financiers.

(c) Project Description

- Concisely describes the existing project or activities, and the geographic, environmental, social, and temporal context and any Associated Facilities.
- Identifies the existence of any plans already developed to address specific environmental and social risks and impacts (e.g., land acquisition or resettlement plan, cultural heritage plan, biodiversity plan).
- Includes a map of sufficient detail, showing the site of the existing project or activities and the proposed site for the proposed project.

(d) Environmental and Social Issues Associated with the Existing Project or Activities

- The review will consider the key risks and impacts relating to the existing project or activities. This will cover the risks and impacts identified in ESSs1–10, as relevant to the existing project or activities.

(e) Environmental and Social Analysis

- The audit will also assess (i) the potential impacts of the proposed project (taking into account the findings of the audit with regard to the existing project or activities); and (ii) the ability of the proposed project to meet the requirements of the ESSs.

(f) Proposed Environmental and Social Measures

- Based on the findings of the audit, this section will set out the suggested measures to address such findings. These measures will be included in the Environmental and Social Commitment Plan (ESCP) for the proposed Project. Measures typically covered under this section include the following:
 - specific actions required to meet the requirements of the ESSs
 - corrective measures and actions to mitigate potentially significant environmental and/or social risks and impacts associated with the existing project or activities
 - measures to avoid or mitigate any potential adverse environmental and social risks or impacts associated with the proposed project

Annex 3: Environmental and Social Commitment Plan (ESCP)

A. Introduction

1. The ESCP will be developed as information regarding the potential risks and impacts of the project becomes known. It will take into account the findings of the environmental and social assessment and the results of engagement with stake-holders. Preparation of the ESCP will start as early as possible, normally at the time of project scoping, and will serve as a tool to facilitate the identification of potential environmental and social risks and impacts and mitigation measures.

B. Content of an ESCP

2. The ESCP will be an accurate summary of the material measures and actions to address the potential environmental and social risks and impacts of the project in accordance with the mitigation hierarchy. It will form the basis for monitoring the environmental and social performance of the project. All requirements will be set out clearly, so that there is no ambiguity around compliance, timing and monitoring. Depending on the project, the ESCP may specify funding to be made available for completion of a measure or action, and include other details relevant to completion.
3. The ESCP will also set out a summary of the organizational structure that PKSf will establish and maintain to implement the actions agreed in the ESCP. The organizational structure will take into account the different roles and responsibilities of PKSf and the agencies responsible for implementing the project, and identify specific personnel with clear lines of responsibility and authority.
4. The ESCP will set out a summary of the training that the Borrower will provide to address the specific actions required under the ESCP, identifying the recipients of such training and the required human and financial resources.
5. The ESCP will set out the systems, resources and personnel that the Borrower will put in place to carry out monitoring.
6. The content of an ESCP will differ from project to project. For some projects, the ESCP will capture all relevant obligations of PKSf, and there will be no requirement for additional plans.

C. Implementation of ESCP

7. PKSf will implement diligently the measures and actions identified in the ESCP in accordance with the timeframes specified, and will review the status of implementation of the ESCP as part of its monitoring and reporting.
8. PKSf will maintain, and strengthen as necessary throughout the project life cycle, the organizational structure established to oversee environmental and social aspects of the project. Key social and environmental responsibilities will be well defined, and communicated to all personnel involved. Sufficient commitment, and human and financial resources, will be provided on an ongoing basis to implement the ESCP.
9. PKSf will ensure that persons with direct responsibility for activities relevant to the implementation of the ESCP are adequately qualified and trained so that they have the knowledge and skills necessary to perform their work. PKSf either directly or through

agencies responsible for implementing the project, will provide training to address the specific measures and actions required by the ESCP, and to support effective and continuous social and environmental performance.

Annex 4: Management of Contractors

PKSF will require that all contractors engaged on the project operate in a manner consistent with the requirements of the ESSs, including the specific requirements set out in the ESCP. The POs will manage all contractors in an effective manner, including:

- (a) Assessing the environmental and social risks and impacts associated with such contracts;
- (b) Ascertaining that contractors engaged in connection with the project are legitimate and reliable enterprises, and have knowledge and skills to perform their project tasks in accordance with their contractual commitments;
- (c) Incorporating all relevant aspects of the ESCP into tender documents;
- (d) Contractually requiring contractors to apply the relevant aspects of the ESCP and the relevant management tools, and including appropriate and effective non-compliance remedies;
- (e) Monitoring contractor compliance with their contractual commitments; and
- (f) In the case of subcontracting, requiring contractors to have equivalent arrangements with their subcontractors.

Annex 5: Check List of Environmental Negative Attributes

If the screening identifies significant environmental impacts like possibility of drainage congestion in the adjacent areas due to the new embankment or uses of excessive agrochemicals or shrimp farming encroaching the mangrove area, the subprojects will not be recommended for financing under Project.

The proposed project in the environmentally sensitive areas or proposed subproject with significant and long-term environmental impacts will not be recommended. Approval will not be given to the beneficiary who will deals with unauthorized and excessive pesticides, toxic chemicals, polythene, narcotics or any unlawful/environmentally unacceptable interventions. The following activities will not be supported under project (Negative List):

Sl #	Intervention/ Attributes/	Brief Description	Example
1	Protected areas/Archaeological Historical Sites declared by the Government of Bangladesh	Activities within or adjacent to the protected areas or archaeological historical sites identified by DoE or other Government agencies (Attach a list of protected areas & archaeological historical sites)	Any activities in Sundarban is prohibited.
2	Natural habitat and sensitive ecosystem	Activities that may adversely affect the natural habitat with sensitive ecosystems like natural pond/beel/baor/haor etc with important aquatic life	
3	Use of pesticides (Annex G : the list of banned pesticides)	Use of excessive pesticides in agricultural land, tree plantation, large scale nursery.	
4	Road construction	Construction, reconstruction and extension of regional, national road and highway involving major concrete/cement concrete/reinforced cement concrete/concrete block	
5	Extraction of Natural Resource	Activities supporting commercial logging in forested areas or involving the use of unsustainably harvested timber or fuel-wood or significant conversion or degradation of critical natural habitats	
6	Extensive Shrimp Farming	Sub-projects involving threats to mangrove forest and coastal environment	
7	Dams/Embankment	Construction/reconstruction of dam/embankment involving major concrete/cement concrete/reinforced cement concrete /concrete blocks	

8	Supply of contaminated water	Tube-wells with Arsenic contamination (higher than national standard (0.05 mg/l) base below the 10 years flood level water supply schemes with high probability of bacterial contamination	
9	Unsanitary disposal of solid waste and waste water	New or significant expansion of disposal facilities with negative health impacts to nearby water sources or population	
10	Major loss of agricultural land	Construction/reconstruction of road/drain, canal/pond excavation with major loss of agriculture land and use of concrete cement/ reinforced concrete cement	
11	Land filling	Sub-projects that will impact major destruction of top soil of agricultural land and land filling by industrial, household and commercial waste	

Annex 6: Check List of Social Negative Attributes

PO Name:

Project Title:

Location:

Involuntary Resettlement: <i>Do the proposed project activities:</i>			
1.	Require private land which is to be <i>acquired</i> by using the Bangladesh <i>Acquisition and Requisition of Immovable Property Ordinance, 1982</i> ?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.	Require private land which is not available on voluntary contribution?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.	Affect any <i>private homesteads</i> (vita with houses & other assets)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4.	Require land that is not available on ‘contribution against compensation’ or other means not acceptable to the landowners?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5.	Make persons/households using public lands destitute?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6.	Affect mosques, temples, graveyards, cremation grounds, and other places/objects that are of religious and cultural significance?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7.	Affect livelihood of vulnerable persons based on the required land?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8.	Significantly restrict access to common property resources and livelihood activities of groups and communities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Small Ethnic Community: <i>Do the proposed activity/adaptation measures, including physical / construction activities:</i>			
1.	Threaten cultural/traditional way of life of tribal peoples?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.	Require tribal lands that are to be acquired by using the Bangladesh <i>Acquisition and Requisition of Immovable Property Ordinance, 1982</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.	Severely restrict access to common property resources (forests, water bodies, etc) and livelihood activities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4.	Affect places/objects of cultural and religious significance (places of worship, ancestral burial grounds, etc.)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<i>“Yes” answer to any of the questions under Involuntary Resettlement and Tribal Peoples will make the proposed sub-project <u>ineligible</u> for financing under a project of PKSf.</i>			

Annex 7: Environmental Screening Checklist

Date of Screening:.....

Name of union:.....

Name of upazila:.....

Name of district:.....

Section I: Identify Interventions

Category of Intervention	Name of the interventions	Number of Interventions

Section II: Checklist for Environmental screening

Exclusion criteria	YES	NO	Remark
Will the activities involve associated facilities and require further due diligence of such associated facilities?	<input type="checkbox"/>	<input type="checkbox"/>	
Will the activities involve trans-boundary impacts including those that would require further due diligence and notification to downstream riparian states?	<input type="checkbox"/>	<input type="checkbox"/>	
Will the activities adversely affect working conditions and health and safety of workers or potentially employ vulnerable categories of workers including women, child labour?	<input type="checkbox"/>	<input type="checkbox"/>	
Will the activities potentially generate hazardous waste and pollutants including pesticides and contaminate lands that would require further studies on management, minimization and control and compliance to the country and applicable international environmental quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	
Will the activities involve the construction, maintenance, and rehabilitation of critical infrastructure (like dams, water impoundments, coastal and river bank infrastructure) that would require further technical assessment and safety studies?	<input type="checkbox"/>	<input type="checkbox"/>	
Will the proposed activities potentially involve resettlement and dispossession, land acquisition, and economic displacement of persons and communities?	<input type="checkbox"/>	<input type="checkbox"/>	
Will the activities be located in protected areas and areas of ecological significance including critical habitats, key biodiversity areas and internationally recognized conservation sites?	<input type="checkbox"/>	<input type="checkbox"/>	
Will the activities affect indigenous peoples that would require further due diligence, free, prior and informed consent (FPIC) and documentation of development plans?	<input type="checkbox"/>	<input type="checkbox"/>	
Will the activities be located in areas that are considered to have archaeological (prehistoric), paleontological, historical, cultural, artistic, and religious values or contains features considered as critical cultural heritage?	<input type="checkbox"/>	<input type="checkbox"/>	

Section III: Specific environmental and social risks and impacts

Assessment and Management of Environmental and Social Risks and Impacts	YES	NO	TBD	Remarks
Has the AE provided the E&S risk category of the project in the concept note?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Has the AE provided the rationale for the categorization of the project in the relevant sections of the concept note or funding proposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are there any additional requirements for the country?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are the identification of risks and impacts based on recent or up-to-date information?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Labour and Working Conditions	YES	NO	TBD	
Are the proposed activities expected to have impacts on the working conditions, particularly the terms of employment, worker's organization, non-discrimination, equal opportunity, child labour, and forced labour of direct, contracted and third-party workers?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Will the proposed activities pose occupational health and safety risks to workers including supply chain workers?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Resource Efficiency and Pollution Prevention	YES	NO	TBD	
Are the activities expected to generate (1) emissions to air; (2) discharges to water; (3) activity-related greenhouse gas (GHG) emission; and (5) waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are the activities expected to utilize natural resources including water and energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Will there be a need to develop detailed measures to reduce pollution and promote sustainable use of resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Community Health, Safety, and Security	YES	NO	TBD	
Will the activities potentially generate risks and impacts to the health and safety of the affected communities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Will there be a need for an emergency preparedness and response plan that also outlines how the affected communities will be assisted in times of emergency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Will there be risks posed by the security arrangements and potential conflicts at the project site to the workers and affected community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Land Acquisition and Involuntary Resettlement	YES	NO	TBD	
Will the activities likely involve voluntary transactions under willing buyer-willing-seller conditions and have these been properly communicated and consulted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Biodiversity Conservation and Sustainable Management of Living Natural Resources	YES	NO	TBD	
Are the activities likely introduce invasive alien species of flora and fauna affecting the biodiversity of the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Will the activities have potential impacts on or be dependent on ecosystem services including production of living natural resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Indigenous Peoples	YES	NO	TBD	
Are the activities likely to have indirect impacts on indigenous peoples?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Will continuing stakeholder engagement processes and a grievance redress mechanism be integrated into the management / implementation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Cultural Heritage	YES	NO	TBD	
Will the activity allow continuous access to the cultural heritage sites and properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Will there be a need to prepare a procedure in case of the discovery of cultural heritage assets?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Sign-off: Specify the name of the person responsible for the environmental and social screening and any other approvals as may be required in the accredited entity's own management system.

Annex 8: Social Screening Checklist

PO Name:

Project Title:

Location:

Screening Date:

A. The Proposed Project

1. *Project/programTitle:*

.....

2. *Location of the project and target/beneficiary communities*

Village: Union:

Upazila: District:

3. *Project proposed for communities where residents are:*

☐ All mainstream or non-tribal peoples

☐ All tribal peoples

☐ Majority mainstream or non-tribal peoples

☐ Majority tribal peoples

4. *Brief description of proposed activities and expected benefits:*

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

5. *How do poor in general and women in particular benefit from the proposed activities,?*

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

6. *Description of any physical/construction activities that will be required by the project:*

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

B. Community Participation

1. Community consultations conducted on the following dates:

2. Women were consulted separately: ☐ Yes ☐ No

Consultation minutes are available for review: ☐ Yes ☐ No

3. Names of PO personnel participated in screening:

.....

4. Names of community members participated in screening:

.....

.....

.....

.....

C. Social Safeguard Issues

1. Were free prior and informed consultations held with the communities? ☐ Yes ☐ No

If 'Yes', consultation dates:

2. Does the project require any physical/construction activities?

☐ Yes ☐ No

3. Will there be a need for lands to carry out the physical/construction works?

☐ Yes ☐ No

4. If 'Yes', the required lands presently belong to:

☐ Government (Public Lands: *Khas*, other GoB agencies, Local Governments)

☐ Private citizens

☐ Commons land

☐ Others (mention)

5. If the required lands are Public Lands, they are presently used for:

☐ Agriculture (No. of persons/households using the lands:)

☐ Residential purposes (No. of households living on them:)

☐ Commercial purposes (No. of persons: No. of shops, etc:)

6. *If the required lands are Private Lands, they are presently being used for:*

☐ Agriculture (No. of landowners/households:)

☐ Residential purposes (No. of households:)

☐ Commercial purposes (No. persons: No. of shops, etc:)

7. *If the required lands are Private, they will be mobilized through:*

☐ Voluntary contribution

☐ "Contribution against compensation"

☐ Other means (Mention):

D. Information on Tribal Peoples (TP)

1. *If the required lands are Private and belong to Tribal Peoples, they will be obtained through:*

☐ Voluntary contribution

☐ "Contribution against compensation"

☐ Other means (mention):

2. *Do the physical/construction works restrict any Tribal Peoples' access to any resources that they use for livelihood?*

☐ Yes ☐ No

3. *If yes, dates of consultation held with the TP communities and their organizations:*

Are consultation minutes available for review: ☐ Yes ☐ No

4. *Names of TP community members and organizations which participated in social screening:*

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

5. *Is there a traditional grievance redress mechanism (GRM) in the project locality?*

☐ Yes ☐ No

6. *If 'Yes', did any member of this GRM participated in social screening?*

☐ Yes ☐ No

7. *The would-be affected TP have the following forms of rights to the required lands (more than one may apply):*

☐ Legal (No. of TP households:)

☐ Customary (No. of TP households:)

☐ Lease agreements with the government (No. of TP households:)

☐ Others (Mention):

(No. of TP households:)

8. *The following are the three main economic activities of the would-be affected TP households:*

a.

b.

c.

9. *Social concerns expressed by TP communities and organizations?*

.....

10. *The TP community and organizations perceive the social outcomes of the proposed adaptive measures:*

☐ Positive

☐ Negative

☐ Neither positive nor negative

11. *In respect of the social impacts and concerns, is there a need to undertake an additional impact assessment study?*

☐ Yes

☐ No

This form completed by (Name of PO official):

Signature:

Date:

Annex 9: Considerations for Impact Assessment

Type of impact:

Beneficial and adverse impact

When the predicted impacts of the interventions are useful or beneficial and are not detrimental to the immediate or surrounding environment as a whole or to any of its component will be identified as beneficial. But when the impacts are not useful or beneficial and are generally detrimental to the immediate or surrounding environment as a whole or to any of its components will be identified and marked as 'adverse'.

Magnitude/ severity of impact:

None: When it is clearly understood that there is no impact of the intervention.

Minor (Low): When it is felt or clearly understood that there is impact but that is not a significant one and generally does not require any special corrective or mitigation measures and often expected that the impact will be corrected naturally or automatically over a period of time or even if that is not corrected will not bring any consequence of significance.

For example: Improper management of construction debris and solid waste could cause blockage of drainage line/ path and environmental pollution. With some measures these minor problems can be mitigated easily. Impacts due to felling of a few immature small locally available trees or shrubs will be minor.

Moderate (medium): when it is felt or clearly understood that there is significant impact but that is not an extreme one though generally may require some kind of corrective or mitigation measures and it is not generally expected that the impact will be corrected naturally or automatically over a period of time.

For example, not matured but reasonably grown tree cutting in the community may have impact of moderate magnitude to settlement environment, aesthetics, horticulture, timber availability, birds nesting, soil stability etc.

Major (High): When it is felt or clearly understood that there is impact of very significant nature and obviously will require mitigation measures to address the problem to significantly minimize the consequences of the impact. It is not expected that the impact will be corrected naturally or automatically. It is often anticipated in such case that the consequences will not be completely mitigated and the original situations not restored but the mitigation may bring down the consequences of the impact of significance.

For example: Deforestation of a small patch forest would have major impact on the environment. Or if a pond located close to a sub-project (toilet) site is used for washing/ bathing or for fish culture, pollution of the pond from fecal discharge would generate significant adverse impacts.

Annex 10: Initial Environmental Examination (IEE) Format

Examination date:.....
 Name of union:.....
 Name of upazila:.....
 Name of district:.....

Section I: General Information

Category of Intervention	Name of the Intervention	Number of the intervention	Brief description of the design

1. Description of existing Environment: Describe the physical, biological and socio-economic conditions of the catchment area. (Use extra page detail description)

.....

Section II: Environmental Examination (Please see annex H for identification of impacts and magnitude)

Sl #	Environmental Issues/Parameters	Baseline/ Current Situation	Impact Assessment				Suggested Mitigation Measures
			Impacts?	Magnitude	Measure/Quantify	Describe	
			N/A, Yes, No	Level of Risks	impacts (if possible)	possible impacts (if quantification is not possible)	
Issues related to homestead and plinth raise/land filling/school/community ground raise/ construction/renovation of connecting road							
1	Damage of cultivable/Agriculture land				Quantity of damaged land area (Decimal)		
2	Loss of fertile top soil				Quantity of land from where top		

					soil collected(Decimal)		
3	Water stagnation/drainage congestion/water logging situation/affect storm run-off				# of probable affected point		
4	Destruction of trees and vegetation or orchard or plant garden				# of loss trees		
5	Health risk to labors involved in project activities				# of affected labors		
6	Negative effect on locally important or valued ecosystem				# of affected ecosystem		
7	Negative or significant effect on threatened or endangered species.				# of species that could be affected		
8	Increased noise due to construction activities				# of noise pollution sources		
9	Plantation which have negative impact on environment.				# of plant of such kind		
10	Obstruction of natural connection between river and wetlands.				# of obstacle		
11	Affect culture or capture fishery.				# of source		
12	Negative impact on soil fertility.				probable affected area (Decimal)		
13	Impact on large or highly important construction i.e. national highway, town protection embankment etc.				# of affected point		
Issues related to pond/canal/dyke excavation/re excavation							

1	Damage of cultivable/Agriculture land				Quantity of damaged land area (Decimal)		
2	Loss of fertile top soil				Quantity of land from where top soil collected(Decimal)		
3	Destruction of trees and vegetation or orchard or plant garden				# of loss trees		
4	Health risk to labors involved in project activities				# of affected labors		
5	Negative effect on locally important or valued ecosystem				# of affected ecosystem		
6	Negative or significant effect on threatened or endangered species.				# of species that could be affected		
7	Increased noise due to construction activities				# of noise pollution sources		
8	Plantation which have negative impact on environment.				# of plant of such kind		
9	Affect culture or capture fishery.				# of source		
10	Affect quality of surface water				# of affected point		
11	Affect quality of ground water				# of affected ground water point		
12	Erosion of slope of raised plinth/land				# of eroded point		
13	Possibility of water-borne disease				# of suspected source		
14	Odor				# of source		
Community rain water harvesting system/traditional irrigation pump/solar irrigation pump							
1	Damage of cultivable/Agriculture land				Quantity of damaged land area (Decimal)		

2	Loss of fertile top soil				Quantity of land from where top soil collected(Decimal)		
3	Water stagnation/drainage congestion/water logging situation/affect storm run-off				# of affected point		
4	Destruction of trees and vegetation or orchard or plant garden				# of loss trees		
5	Health risk to labors involved in project activities				# of affected labors		
6	Negative effect on locally important or valued ecosystem				# of affected ecosystem		
7	Impact on large or highly important construction i.e. national highway, town protection embankment etc.				# of affected point		
8	Run-off/waste water flow to/from water sources/water body				# of affected point		
9	Affect quality of surface water				# of affected surface water point		
10	Affect quality of ground water				# of affected ground water point		
11	Possibility of water-borne disease				# of suspected source		
12	Odor				# of source		
13	For water supply options, tested positive for Arsenic				# of affected source		
14	Tested positive for Salinity				# of affected source		
15	Indiscriminate withdrawal/inefficient use of water				# of source and type of technology		

Issues related to community latrine in village market or gathering place							
1	Damage of cultivable/Agriculture land				Quantity of damaged land area (Decimal)		
2	Loss of fertile top soil				Quantity of land from where top soil collected(Decimal)		
3	Destruction of trees and vegetation or orchard or plant garden				# of loss trees		
4	Health risk to labors involved in project activities				# of affected labors		
5	Negative or significant effect on threatened or endangered species.				# of species that could be affected		
6	Increased noise due to construction activities				# of noise pollution sources		
7	Run-off/waste water flow to/from water sources/water body				# of affected point		
8	Affect quality of surface water				# of affected surface water point		
9	Affect quality of ground water				# of affected ground water point		
10	Possibility of contamination of surface water source from waste or latrine pit				# of suspected source		
11	Possibility of damages of latrine pit from flood				# of suspected source		
12	Possibility of water-borne disease				# of suspected source		
13	Improper disposal of excreta				# of suspected source		
14	Odor				# of source		
15	Tested positive for Salinity				# of affected source		

Annex 11: Suggested Mitigation Measures and Environmental Code of Practices

S L #	Interventions /Environmental Issues	Mitigation measures and Environmental Code of Practices
	WASH	<ol style="list-style-type: none"> 1. Maintain safe distance (minimum 10 m) between latrine and tube well or other water sources; 2. Maintain 250 m distance between two adjacent wells; 3. Design water seal sanitary latrine. Seal off bottom of the pit, if possible; 4. Conduct water quality test for arsenic contamination and salinity; 5. Design rain water harvesting system; 6. Maximum limit for arsenic concentration in drinking water 0.05 mg/lit; 7. Maximum limit for iron in drinking water is 0.3 mg/lit; 8. Drinking water should be free from coli forms; 9. Hand wash is must before eating and after using toilet; 10. Connection with water body from latrine pit is prohibited; 11. Maintain 3 feet distance between ground water table and bottom of latrine pit; 12. Sufficient ventilation should be ensured in latrine superstructure; 13. Untreated water from open pond should be discouraged; 14. Natural oxidation of waste water allowing through mud-channel;
	Agriculture	<ol style="list-style-type: none"> 1. Use of Integrated Pest Management (IPM) technologies (Pheromone, Perching, Light trapping, Hand picking); 2. Do not cut mature trees. If needed, plant a sapling or design a plantation program; 3. Maintain seed bank in village; 4. Water re-use and re-cycle for homestead garden; 5. Maximization the use of local/indigenous and sustainable varieties for ecological succession; 6. Reduce monoculture and maximize multicultural crop-rotation;
	Livestock	<ol style="list-style-type: none"> 1. Safe distance has to maintain between poultry shed and kitchen; 2. Use the litter for composting and reduce the scattering of waste; 3. Prohibition of mixing and outing during the epidemic period;
1	Earth filling/Earth cutting/Loss of top soil	<ol style="list-style-type: none"> 1. Collect earth/soil form dry pond/canal/borrow pits or where the top soil had already been lost; 2. Depth can be increased rather than increase of area; 3. Use grass to prevent soil erosion;

		4. Personal safety should be allowed for the labor of earth-work;
2	Water stagnation/drainage congestion/water logging	<ol style="list-style-type: none"> 1. Construct user-friendly drain/s; 2. Construct user-friendly culvert; 3. Properly maintain natural slop; 4. Alternative project may include considering logged water; 5. Natural management of mosquito breeding like allowing local species of catfishes into ditches;
3	Soil erosion and degradation/sedimentation	<ol style="list-style-type: none"> 1. Tree plantation or use turf to cover the slope; 2. Preparation and application of compost; 3. Addition of organic matter like animal manures including com dung and farmyard manures, green manure, oilcake, industrial organic wastes, homestead waste etc.; 4. Incorporation of residues of leguminous crops into the soil; 5. Plantation of leguminous varieties for nitrogen fixation;
4	Declines of soil fertility	<ol style="list-style-type: none"> 1. Crops diversification; 2. Balanced fertilizer application; 3. Use of mixed fertilizer for balanced nutrients; 4. Use of bio-fertilizer or organic fertilizers; 5. Top covering and allowing siltation; 6. Retaining moisture by straw, hyacinth etc.;
5	Soil salinity	<ol style="list-style-type: none"> 1. Use of duck weed for removing soil salinity; 2. Discourage drainage to intrusion of saline water; 3. Flushing soil with pre-monsoon rain water; 4. Shrimp-rice farming system; 5. Use of organic fertilizer; 6. Drip irrigation;
6	Pest infestation/management	<ol style="list-style-type: none"> 1. Integrated pest management (IPM); 2. Use of varieties tolerant to pest infestation; 3. Crop diversification; 4. Use biological trap; 5. Planting multiple varieties with varying susceptibility to pests 6. Use of pheromone trap; 7. Use of light during the darkness;
7	Maintaining biodiversity	<ol style="list-style-type: none"> 1. Encourage to increase local species of flora and fauna; 2. Propagation and conservation of endangered species in the ecosystem; 3. Undisturbed the natural ecosystem, habitat and ecological succession; 4. Prohibition of mono-culture as well as introducing exotic species;
8	Depletion of groundwater level	<ol style="list-style-type: none"> 1. Emphasize on surface water irrigation; 2. Economic use of irrigation water; 3. Use of spray method for irrigation; 4. Increasing rate of natural recharge; 5. Introduce low consumption water varieties or crops; 6. Increase use of rain water; 7. Renovation of river/canal/pond to collect rain water; 8. Increase re-use of ground water by using brown water for flushing toilets;
9	Salinity intrusion in the Southern region	<ol style="list-style-type: none"> 1. Increased use of surface water; 2. Utilize fresh water raised by high tide;

		3. Avoid groundwater extraction; 4. Increase irrigation efficiency and water productivity; 5. Rain water harvesting;
10	Destruction of trees and vegetation or orchard or plant garden	1. Plant alternative sapling as compensation; 2. Revise the proposed plan; 3. Compensate plantation in another place or adjacent place;
11	Impact on fish habitat and migration	1. Construct passage for fish migration; 2. Revise the proposed plan; 3. Endangered species may be migrated to another place; 4. Avoiding mono-culture and maximize multi-layer fish culture for maximizing resource within limited area;
12	Obstruction of natural connection between river and wetlands	1. Construction of culvert or diversion passage; 2. Revise the proposed plan for alternative use of recourses for minimizing loss;
13	Impact on surface water quality	1. Promote 3R (Reduce, Recycle and Re-use) options; 2. Introduce solid waste management; 3. Prohibition of dumping polythenes and wastes inside of the river and water-bodies;
15	Increased noise due to construction activities	1. Introduce sound proof system (if possible); 2. Readymade construction materials may arrange. 3. Site may change. 4. Using low noise techniques; 5. Maximize mechanical lubrication to reduce noise from machines;
16	Increased windblown dust from materials	1. Consider weather condition like wind flow, wind speed etc.; 2. Rescheduling working time period and time; 3. Using musk; 4. Using water spray and using wet-net wall;
17	Health risk to labors involved in project activities	1. Follow the safety instruction and safety wear; 2. Supporting first-aid box and to provide minimal level of training; 3. Adequate transport facility to allow a patient into the hospital; 4. Enlisting the names and numbers of village doctors in nearby community places/shops;
18	Plantation which have negative impact on environment	1. Increase the plantation of local varieties avoiding the exotic species; 2. Pruning the bunches of trees before the cyclone period to avoid loss of lives under the broken trees;
19	Negative impact of electrical waste i.e. acid or lead from battery, used CFL bulb, polythene etc.	1. Promote 3R(Reduce, Recycle and Re-use); 2. Promote specific waste management system; 3. Promoting the recycle shops;

Annex 12: Social Impact Assessment and Mitigation Data Sheet

1. PO Name & Address:
2. *Project Title:*
3. *Project Location:*

Village: Union:

Upazila: District:

4. *Description of the physical/construction activities that will be implemented under the project:*

5. *Description of lands used for the project:*

6. Public Lands: Total amount used (decimals):

	Squatters	Encroachers	Others (specify)
<i>Number of affected users</i>			

Other assets affected on public lands:

Livelihood impacted of vulnerable persons:
.....

Private Lands: Total amount used (decimals): Total number of affected
..... landowners:

Other private assets affected:

Livelihood impacted:

7. *How the private lands obtained:*

	Amount	No. of Contributors
Voluntary contribution		
Contribution against compensation		
Other means (Specify):)		

8. *Compensation payment:*

	No. of persons paid	Total amount paid (Tk)
Contributors against compensation		

Squatters		
Others (specify)		
.....		

9. *Documentation:* Types of evidence of voluntary contribution obtained:

☐ Signed MOU witnessed by community members

☐ Others (specify)

This form filled in by (Name):

Signature:

Date:

Annex 13: Progress Monitoring Format

Interventions/ Mitigation Measures to be monitored	Progress (Completed, Not Completed, In Progress)	Observations	Need for further monitoring		Monitoring Frequency	Person Responsible
			Yes	No		
Summary Observations:						

Monitoring Conducted By

Name :.....
 Designation :.....
 Signature :.....
 Date :.....

Reviewed By

Name :.....

Annex 14: Environmental Effect Monitoring Format

Monitoring date:

Project completion date:.....

Name of village:.....

Name of union:.....

Name of upazila:.....

Name of district:.....

Section I: General Information (Name/location/description of the schemes/interventions and brief descriptions of the specific site)

Name of the interventions/ Mitigation Measures	Brief description of the Design	Brief Description of Baseline Environment

Section II: Environmental Effect Monitoring (identify environmental issues, parameters, mitigation measures needed to be monitored from the IEE)

Sl No	Environmental Issues/ Interventions/Mitigation measures	Effect Monitoring			Describe/ quantify the effects	Need further monitoring	
		+ve	-ve	No		Yes	No

Annex 15: Community Monitoring Format

Environmental Problems/ issues	Relevant Interventions/ Mitigation Measures	Completion status	Problem Mitigation			Remarks
		(Done/In progress/Not Done)	Solved	Not solved	N/A	

Summary Observations:

Monitoring Conducted By

Name :
Designation :
Signature :
Date :

Reviewed By

Name :
Designation :
Signature :
Date :

Annex 16: List of Banned Pesticides in Bangladesh

Name of pesticide	Registration Number	Name of Company
1. Diazinon	14G AP-08	Shetu Corporation Ltd.
2. Bizaguard	2P AP-09	Ciba-Geigy (Bangladesh) Ltd.
3. Roxion	40EC AP-11	International Services (Bangladesh) Ltd
4. Dankavapon	100 AP-13	Shetu Corporation Ltd.
5. Damphin	2P AP-19	Ciba-Geigy (Bangladesh) Ltd.
6. Diazinon	90L AP-20	Ciba-Geigy (Bangladesh) Ltd.
7. Damphin 950EC	AP-25	Ciba-Geigy (Bangladesh) Ltd.
8. Dichlorovos	AP-27	Bayer (Bangladesh) Ltd.
9. Cureterr 3G	AP-30	Bayer (Bangladesh) Ltd.
10. 2,4-D Na Salf	AP-34	Bayer (Bangladesh) Ltd.
11. Folithion ULVC 98	AP-36	Bayer (Bangladesh) Ltd.
12. Methybron	AP-38	Excell trading Co.
13. Heptachlor 40WP	AP-39	Krishi Banijjya Protishthan
14. Chlordane 40 WP	AP-40	Krishi Banijjya Protishthan
15. Aerovap 100 EC	AP-41	Liza Enterprise Ltd.
16. Aerodriel 20EC	AP-42	Liza Enterprise Ltd.
17. Aeromal 57% EC	AP-44	Liza Enterprise Ltd.
18. Padan 10G	AP-52	Data Enterprise Ltd.
19. Fenitrothin 98	AP-53	Farm Chemical corporation Ltd.
20. Carbin 85 WP	AP-54	Farm Chemical corporation Ltd.
21. Diamal 57EC	AP-55	Farm Chemical corporation Ltd.
22. Detia Gas EXT	AP-56	Farm Chemical corporation Ltd.
23. Dichlovos 100	AP-57	Farm Chemical corporation Ltd.
24. Methyl Bromide 98	AP-58	Farm Chemical corporation Ltd.
25. Malathion 57EC	AP-68	BPI Ltd.
26. Cureterr 3G	AP-69	Bayer (Bangladesh) Ltd.
27. Dieldrin 20EC	AP-73	Shell Company of Bangladesh Ltd.
28. Bidrin 24WSC	AP-74	Shell Company of Bangladesh Ltd.
29. Malathion 57EC	AP-78	Burma Eastern Ltd.
30. Vapona	AP-79	Shell Company of Bangladesh Ltd.

31. Bidrin 85WSC	AP-80	Shell Company of Bangladesh Ltd.
32. Diealdrin 50WP	AP-82	Shell Company of Bangladesh Ltd.
33. Dielldrin 40WP	AP-83	Shell Company of Bangladesh Ltd.
34. Furadan 3G	AP-85	FMC International S. A.
35. Actellic 2% Dust	AP-99	Bangladesh Manufacturers Ltd.
36. Quickphos	AP-102	Agrani Traders
37. Torque 550g/l	AP-115	International Service Bangladesh Ltd.
38. Ridan 3G	AP-131	Rupali Sangstha Ltd.
39. Bkzne 14G	AP-135	B. K. Traders Ltd.
40. Aerocypermethrin	AP-137	Liza Enterprise Ltd.
41. Karmex	AP-145	BEXIMCO Agrochemicals Ltd.
42. Carbaryl 85Wp	AP-147	Shetu Corporation Ltd.
43. Agridhan 3G	AP-154	Shetu Corporation Ltd.
44. Techo 2% Dust	AP-157	Alco Pharma Ltd.
45. Manex II	AP-163	Shetu Corporation Ltd.
46. Phyto MZ-80	AP-164	Liza Enterprise
47. Uniflow TM Sulphur	AP-167	Shetu Corporation
48. Fenkil 20EC	AP-169	Agrani Traders
49. Sunfuran 3G	AP-171	Shertu Corporation Ltd.
50. Hekthion 57EC	AP-178	Farm Chemicals Corporation Ltd.
51. Poligor 40EC	AP-180	Farm Chemicals Corporation Ltd.
52. Melbromid 98	AP-185	Horizon Trade Ltd.
53. Mebrom	AP-186	Bengal Wings Trade Ltd.
54. Agrine 85WP	AP-187	Edgro (Pvt) Ltd.
55. Drawizon 60EC	AP-190	Keeco Pesticides Ltd.
56. Gastoxin	AP-195	Bright Corporation
57. Cekumethrin 10EC	AP-219	Premier Traders
58. Cythrin	AP-220	Bari and company Ltd.
59. Cekuthoate 40EC	AP-225	Premier Traders
60. Arifos 20EC	AP-229	Bari and company Ltd.
61. Malathion 57Ec	AP-230	Sabrina Trading Corporation.
62. Cardan 5G	AP-234	Bari and Company Ltd.
63. Diazinon 14G	AP-236	Liza Enterprise Ltd.
64. Rizinon 60EC	AP-239	Bari and Company Ltd.
65. Zincphosphide	AP-258	Liza Enterprise Ltd.
66. Davison Glyphosate	AP-266	Shetu Pesticides Ltd.
67. Morestan 25WP	AP-269	BEXIMCO Agrochemicals Ltd.
68. Manzate 200	AP-301	Auto Equipment Ltd.
69. Dimecron 100SL	AP-301	Novratis (Bangladesh) Ltd.
70. Pillarcron 100SL	AP-148	Shetu Pesticides Ltd.

71. Benicron 100WSC	AP-06	Sabrina Trading Corporation.
72. DDVP 100W/V	AP-03	ACI Formulations Ltd.
73. ChemoDDVP	AP-245	Chemsfil Bangladesh Ltd.
74. DDVP 100EC	AP-151	Mcdonald Bangladesh (Pvt) Ltd.
75. Nogos 100EC	AP-26&274	Novratis (BD) Ltd.
76. Phosvit 100EC	AP-46	Data enterprises Ltd.
77. Daman 100EC	AP-325	Petrochem (B) Ltd.
78. Azodrin 40WSC	AP-336	BASF Bangladesh Ltd.
79. Nuvacron 40SL	AP-18&275	Novratis (Bangladesh) Ltd.
80. Megaphos 40SL	AP-175	Mcdonald Bangladesh (Pvt) Ltd.
81. Phoskil 40SL	AP-339	United Phosphorous (Bangladesh) Ltd.
82. Kadette 40WSC	AP-284	BISCO Pesticides & Chemical Corporation
83. Monophos 40WSC	AP-328	Alpha Agro Ltd.
84. Monodrin 40WSC	AP-07	Sabrina Trading Corporation
85. Corophos 40SL	AP-342	Corbel International Ltd.
86. Luphos 40SL	AP-388	ACI Formulations LTD.
87. Amcordin 40SL	AP-340	Atherton Imbros Co. Ltd
88. Vitacron 40SL	AP-341	Shetu Marketing Co.
89. Monotaf 40WSL	AP-331	Auto Equipment Ltd
90. Tamaron 40SL	AP-188	Haychem (B) Ltd.
91. Polythion 50EC	AP-32	Haychem (B) Ltd.
92. Macuprex 65%	AP-65	Bayer Crop Science
93. Zithiol 57EC	AP-126	Rohn Polenk Bangladesh.
94. Delapon Na-85	AP-66	Rohn Polenk Bangladesh.
95. Enthio 25EC	AP-64	Rohn Polenk Bangladesh.
96. Zolone 35EC	AP-67	Rohn Polenk Bangladesh.
97. Rentokill CC Type 75%	AP-221	Getco Limited
98. Paramount CC Type	AP-300	B. D. Associate and Company.
99. Darsbun 20EC	PHP-5	Auto Equipment Ltd.
100. Darsbun 20EC	PHP-85	Auto Equipment Ltd.
101. Diazinon 60EC	AP-23	Syngenta Bangladesh Ltd.
102. Mortin King Mosquito Coil	PHP-54	Reckit and Benckiser
103. Mortin Mosquito Coil	PHP-101	Reckit and Benckiser

Annex 17: Guidelines for Using Private and Public Lands

1. Land Availability and Resettlement Issues

Involuntary resettlement issues are expected to arise where project proposals include land-based physical infrastructures. But as stipulated, private lands cannot be acquired, and use of public lands will depend on current uses and users. Where the proposed infrastructures are a critical part of the activity/adaptation measure, the POs will use the following guidelines to obtain public and private lands.

- Public Lands. Where they are in use by well-off persons and stoppage of further use would be socioeconomically inconsequential, the POs and communities may persuade the users to relinquish occupancy of the lands and look for alternative lands, if they refuse. Where these lands are currently used for living and/or livelihood by the poor and vulnerable, the POs and beneficiaries can obtain them by offering socioeconomic rehabilitation measures acceptable to the affected persons. The following condition will however apply:

The current users will have the option to refuse to relinquish occupation of the lands without the fear of any adverse consequences.

- Private Land on ‘Voluntary Contribution’. As is often the practice in the rural areas, the concerned members of the community, if persuaded, may elect to contribute the lands without compensation. This method will be followed only for small amount of lands and the project will ensure that,
 - The contributions are voluntary;
 - There are no encumbrances on the contributed lands;
 - The contributions do not affect the livelihood of vulnerable persons and, if it does, the PO and community devise and implement mitigation measures acceptable to the affected persons; (see *Attachment B1*)
 - The affected persons/contributors are made aware of the Grievance Redress Mechanism described in the preceding section;
 - The contributors give up all claims on the lands and the titles are transferred to the recipient through the legal process in the country; and
 - The contributions are documented through an MOU (see *Attachment B2*)
- Private Land on ‘Contribution Against Compensation’. Voluntary contributions are seen more feasible where the landowners are well-off and very few in number. Contributions for infrastructures like irrigation and drainage canals, roads, etc, may involve a larger number of landowners -- some of whom might be quite marginal and vulnerable. In such cases, the beneficiary communities can offer this option as an incentive for contribution. The following condition will however apply:

The landowners will have the option to refuse or to accept the ‘contribution against compensation’ offer without the fear of any adverse consequences.

In cases of voluntary contribution and ‘contribution against compensation’, the POs will (i) ensure that landowners and communities are made fully aware of their rights and obligations; (ii) verify that

contributions without and against compensation are truly voluntary; and (iii) that the contributors are the legitimate owners of the lands being obtained and there are no outstanding disputes over ownership.

2. Impact Mitigation Objectives

The principles and guidelines provided in this framework are to avoid or minimize adverse impacts on private landowners and public land users, mitigate the impacts that are unavoidable, and assist to improve, or at least restore, their living standards and income earning or production capacity to pre-project levels. To achieve the objectives, POs will adhere to the following strategic guidelines.

- Avoid or minimize displacement of persons/households who may have been using public lands for residential and livelihood purposes;
- Establish guidelines and procedures to ensure that private land contributions are voluntary and sought and accepted in transparent manners without causing unacceptable adverse impacts on the owners;
- Collectively decide on community-based impact mitigation measures where private lands are required for critical adaptation measures and adverse impacts are to be shared together by many landowners;

3. Guiding Principles for Land Availability

While preparing their proposals, the POs will explore alternatives to avoid or minimize use of private and public lands, especially those that have been under use by poor and vulnerable. In unavoidable cases, they will adhere to the following principles:

- Where lands are absolutely required, POs will,
 - Use as much of public lands as possible
 - Completely avoid displacement from private homesteads
 - Avoid or minimize displacement of homesteads from public lands
 - Use lands of lower value in terms of productivity and uses
 - Avoid affecting premises that are used for business/commercial activities
 - Avoid affecting religious sites like places of worship, cemeteries, and buildings/structures that are socially and historically important.
- POs will not propose any physical activities in their adaptation proposals which will significantly restrict access of the communities, especially the socioeconomically vulnerable groups, to common property resources that have been a primary source of their livelihood.

4. Impact Mitigation Principles

- A) Where physical activities affect persons/households on public land, or require private land on “contributions against compensation”, POs will adhere to the following principles to avoid/minimize adverse impacts and adopt appropriate mitigation measures:
- As a first step toward mitigating adverse impacts, POs will always try to avoid adversely affecting persons/households who are socioeconomically vulnerable.

- Where adverse impacts are absolutely unavoidable, the POs will ensure that the beneficiary communities collectively rehabilitate the affected persons / households with measures acceptable to them.
- Where displacement of public land users is unavoidable, POs will assist the affected persons/households to relocate on available public lands in the vicinity.
 - POs will mobilize the communities to collectively provide financial and material assistance to the affected persons/households to move and rebuild their houses.
 - Where businesses, such as small-scale road-side shops, are displaced, POs will mobilize community assistance to relocate them in the vicinity to ensure that they remain operational and do not lose income.
- Where private land is unavailable on voluntary contribution, contribution can only be sought against compensation.
- B) Resettlement Action Plan (RAP) is prepared to follow the guidelines and principles contained in this SMF in the case that use of private lands or public lands from private uses could not be avoided. The POs and communities will implement the RAP once the SGP is accepted for sub-grant and implemented before receiving the sub-grant.

5. Eligibility for Compensation/Assistance

The persons/households affected directly and indirectly by the physical activities under an SGP are eligible for compensation and assistance. The most likely eligible groups are:

- Private Landowners: Persons who have legal rights to the affected lands and other assets, such as houses/structures, trees, etc, built and grown on them.
- Squatters: Persons/households who do not have legal rights to the lands, but use them for residential and livelihood purposes constructing structures on the lands.
- Encroachers: Persons/households who do not have legal rights to the affected lands, but use them for agricultural or other productive purpose without any construction.

6. Compensation/Assistance Principles

Depending on an affected person's preference, POs and the beneficiary communities may consider using both financial and material forms of compensation and assistance. POs will ensure delivery of the agreed compensation/assistance in a timely and transparent manner. Compensation for the affected assets will be according to the following principles:

- Replacement cost for an equal amount of land of same productive quality.
- Replacement cost of houses/structures at the current prices of same building materials, plus the current cost of labor (without deducting the depreciation value) to build them.
- Current market prices of trees that are to be felled (owners will retain ownership of un-felled trees).
- Other acceptable in-kind compensation.
- Compensation in cash will be made in public.

The POs, beneficiary communities and the landowners will jointly determine the replacement costs of land based on the most recent transactions made in the same or adjacent localities, in view of the land type, productive quality and accessibility. Current prices of other assets, such as building materials, trees, etc, will be in accord with those in the local markets.

POs will document the impacts and affected persons/households, mitigation measures agreed with them, and verifiable evidence that the agreed measures have been implemented. The cases of voluntary private land contributions and contributions against compensation will also be documented with appropriate evidence and will remain open to be verified by PKSf, and others interested bodies related to the project (Documentation formats for impact assessment and mitigation; contribution of lands and other assets; and a schedule of compensation for using public and private lands are suggested in *Attachments B1, B2 and B3*).

7. Community Consultation

Consultations will be inclusive of all stakeholders and used as a two- way communication strategy to provide information about the project and solicit support and agreements on the mitigations proposed.

A) Community consultation will be a vital part of decision making about all land-based activities in a project. In addition to general consultation about the benefits and feasibility of specific physical activity, POs will make certain that the users of the required lands (with and without legal rights), are consulted very early in the proposal preparation process. Consultations will focus on the issue of land availability and the conditions under which they could be used for projects. In cases where the would-be affected persons are women, POs will arrange culturally appropriate or separate consultations.

B) POs will prepare consultations minutes, indicating dates, venues, compensation issues discussed, and the details of the agreements reached. The affected persons will be provided with copies of the minutes signed by the affected persons and the POs. Copies of all such signed minutes will be kept by POs and will be made available for review by PKSf and the donor.

8. Documentation

The POs will keep the minutes of community meetings; records of persons / households who may have been displaced from public lands; voluntary contribution and “contribution against compensation” of private lands; and agreements made on compensation and the evidence of compensation payment. POs will make them available for review as and when asked for by PKSf.

Annex 18: Schedule of Compensation for Private and Public Lands

[For each person who has made 'contribution against compensation' and squatter and encroacher who has been paid compensation or assisted in any other form]

1. PO Name & Address:
.....
2. *Project Title and Location:*
.....
3. *Name of Compensation Recipient:*
Father's/Husband's Name:
4. Compensation for: ☐ Contribution of land against compensation
 ☐ Displacement from public land (squatter/encroacher)
5. **Compensation Schedule**

<i>Affected Items</i>	<i>Amount/units Compensated for</i>	<i>Agreed Compensation</i>
Land (in decimals)		
Houses/structures (Floor area in sft):		
<i>Structure type</i> (bamboo, mud, brick, etc.):		
Trees (Number)		
Others (Specify):		
<i>Total Agreed Compensation:</i>		

Agreed compensation in words:

Agreed Compensation Paid:

Agreed Compensation Received:

.....

Name & Signature of PO Official

Date:

.....

Signature of Recipient

(Contributor/Squatter/Encroacher)

Date:

Annex 19: Involuntary resettlement instruments

1. This Annex describes the elements of the plans addressing physical and/or economic displacement of ESS5. For purposes of this Annex, these plans shall be referred to as “resettlement plans.” Resettlement plans include measures to address physical and/or economic displacement, depending on the nature of the impacts expected from a project. Projects may use alternative nomenclature, depending on the scope of the resettlement plan—for example, where a project involves only economic displacement, the resettlement plan may be called a “livelihood plan” or where restrictions on access to legally designated parks and protected areas are involved, the plan may take the form of a “process framework.” This Annex also describes the framework referred to in paragraph 25 of ESS5.

A. Resettlement plan

2. The scope of requirements and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) The proposed project and its potential impacts on the displaced persons and other adversely affected groups, (b) appropriate and feasible mitigation measures, and (c) the legal and institutional arrangements required for effective implementation of resettlement measures.

Minimum elements of a resettlement plan

3. Description of the project. General description of the project and identification of the project area.
4. Potential impacts. Identification of:
 - (a) The project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project;
 - (b) The zone of impact of such components or activities;
 - (c) The scope and scale of land acquisition and impacts on structures and other fixed assets;
 - (d) Any project imposed restrictions on use of, or access to, land or natural resources;
 - (e) Alternatives considered to avoid or minimize displacement and why those were rejected; and
 - (f) The mechanisms established to minimize displacement, to the extent possible, during project implementation.

5. Objectives.

The main objectives of the resettlement program.

6. Census survey and baseline socioeconomic studies. The findings of a household level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project. The census survey also serves other essential functions:
 - (a) identifying characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods and standards of living (including health status) of the displaced population;
 - (b) Information on vulnerable groups or persons for whom special provisions may have to be made;

- (c) Identifying public or community infrastructure, property or services that may be affected;
 - (d) Providing a basis for the design of, and budgeting for, the resettlement program;
 - (e) In conjunction with establishment of a cutoff date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and
 - (f) Establishing baseline conditions for monitoring and evaluation purposes.
7. Legal framework. The findings of an analysis of the legal framework, covering:
- (a) The scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
 - (b) The applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available grievance redress mechanisms that may be relevant to the project;
 - (c) Laws and regulations relating to the agencies responsible for implementing resettlement activities; and
 - (d) gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps.
8. Institutional framework. The findings of an analysis of the institutional framework covering:
- (a) the identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;
 - (b) An assessment of the institutional capacity of such agencies and NGOs/CSOs; and
 - (c) Any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation.
9. Eligibility. . Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cutoff dates.
10. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
11. Community participation. Involvement of displaced persons:
- (a) A description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities;
 - (b) A summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
 - (c) A review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and
 - (d) Institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.
12. Implementation schedule: An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan

activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

13. Costs and budget: Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.
14. Grievance redress mechanism: The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
15. Monitoring and evaluation: Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.
16. Arrangements for adaptive management: The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes. Additional planning requirements where resettlement involves physical displacement
17. When project circumstances require the physical relocation of residents or businesses, resettlement plans require additional information and planning elements. Additional requirements include:
18. Transitional assistance: The plan describes assistance to be provided for relocation of household members and their possessions. The plan describes any additional assistance to be provided for households choosing cash compensation and securing their own replacement housing, including construction of new housing. If planned relocation sites (for residences or businesses) are not ready for occupancy at the time of physical displacement, the plan establishes a transitional allowance sufficient to meet temporary rental expenses and other costs until occupancy is available.
19. Site selection, site preparation, and relocation: When planned relocation sites are to be prepared, the resettlement plan describes the alternative relocation sites considered and explains sites selected, covering:
 - (a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is better or at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
 - (b) Identification and consideration of opportunities to improve local living standards by supplemental investment in infrastructure, facilities or services;
 - (c) Any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
 - (d) Procedures for physical relocation under the project, including timetables for site preparation and transfer; and

- (e) Legal arrangements for regularizing tenure and transferring titles to those resettled, including provision of security of tenure for those previously lacking full legal rights to land or structures.
- 20. Housing, infrastructure, and social services. Plans to provide housing, infrastructure, and social services (e.g. schools, health services); plans to maintain or provide a comparable level of services to host populations any necessary site development, engineering, and architectural designs for these facilities.
- 21. Environmental protection and management: A description of the boundaries of the planned relocation sites; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts.
- 22. Consultation on relocation arrangements: The plan describes methods of consultation with physically displaced persons on their preferences regarding relocation alternatives available to them, including, as relevant, choices related to forms of compensation and transitional assistance, to relocating as individual households families or with preexisting communities or kinship groups, to sustaining existing patterns of group organization, and for relocation of, or retaining access to, cultural property (e.g. places of worship, pilgrimage centers, cemeteries).
- 23. Integration with host populations: Measures to mitigate the impact of planned relocation sites on any host communities, including:
 - (a) Consultations with host communities and local governments;
 - (b) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided in support of planned relocation sites;
 - (c) Arrangements for identifying and addressing any conflict that may arise between those resettled and host communities; and
 - (d) Any measures necessary to augment services (e.g. education, water, health, and production services) in host communities to meet increased demands upon them, or to make them at least comparable to services available within planned relocation sites.

Additional planning requirements where resettlement involves economic displacement

- 24. If land acquisition or restrictions on use of, or access to, land or natural resources may cause significant economic displacement, arrangements to provide displaced persons with sufficient opportunity to improve, or at least restore, their livelihoods are also incorporated into the resettlement plan, or into a separate livelihoods improvement plan. These include:
- 25. Direct land replacement: For those with agricultural livelihoods, the resettlement plan provides for an option to receive replacement land of equivalent productive value, or demonstrates that sufficient land of equivalent value is unavailable. . Where replacement land is available, the plan describes methods and timing for its allocation to displaced persons.
- 26. Loss of access to land or resources: For those whose livelihood is affected by loss of land or resource use or access, including common property resources, the resettlement plan describes means to obtain substitutes or alternative resources, or otherwise provides support for alternative livelihoods.
- 27. Support for alternative livelihoods: For all other categories of economically displaced persons, the resettlement plan describes feasible arrangements for obtaining employment or for establishing a business, including provision of relevant supplemental assistance including skills training, credit, licenses or permits, or specialized equipment. As

- warranted, livelihood planning provides special assistance to women, minorities or vulnerable groups who may be disadvantaged in securing alternative livelihoods.
28. Consideration of economic development opportunities: The resettlement plan identifies and assesses any feasible opportunities to promote improved livelihoods as a result of resettlement processes. This may include, for example, preferential project employment arrangements, support for development of specialized products or markets, preferential commercial zoning and trading arrangements, or other measures.
 29. Transitional support: The resettlement plan provides transitional support to those whose livelihoods will be disrupted. This may include payment for lost crops and lost natural resources, payment of lost profits for businesses, or payment of lost wages for employees affected by business relocation. The plan provides that the transitional support continues for the duration of the transition period.

B. Resettlement framework

30. The purpose of the resettlement framework is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects or project components to be pre-pared during project implementation. Once the subproject or individual project components are defined and the necessary information becomes available, such a framework will be expanded into a specific plan proportionate to potential risks and impacts.
31. The resettlement policy framework covers the following elements:
 - (a) A brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a resettlement policy framework rather than a resettlement plan is being prepared;
 - (b) Principles and objectives governing resettlement preparation and implementation;
 - (c) A description of the process for preparing and approving resettlement plans;
 - (d) Estimated displacement impacts and estimated numbers and categories of displaced persons, to the extent feasible;
 - (e) Eligibility criteria for defining various categories of displaced persons;
 - (f) A legal framework;
 - (g) Methods of valuing affected assets;
 - (h) Organizational procedures for delivery of compensation and other resettlement assistance, including, for projects involving private sector intermediaries, the responsibilities of the financial intermediary, the government, and the private developer;
 - (i) A description of the implementation process, linking resettlement implementation to civil works;
 - (j) A description of grievance redress mechanisms;
 - (k) A description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements;
 - l) A description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
 - (m) Arrangements for monitoring by the implementing agency and, if required, by third-party monitors.

Annex 20: Guidance Notes for Integrating Social and Gender Issues

1. Social and Gender Issues and their Implications

Climate Change is a certain matter and it will influence directly or indirectly to all, but the level of consequences won't be equal to all. People living in the low-lying coastal and delta regions, such as south and south-western part of Bangladesh, are particularly exposed to coastal erosion and land loss, inundation and flooding, soil salinity, salinity intrusion into the ground water reservoirs etc. People living *Northern Part* Bangladesh suffering from flood and the *Middle Part* are suffering from dryness due to lack of surface water and downing the ground water. In this way, the people of in other agro-ecological zones are affected differently by the climate changes. Geographic location is however not the only determinant of the extent and severity of vulnerability, but also the access to resources, capacity to sustain, adaptive measures to keep peace with the risk they exposed in. More than any other factor, poverty determines vulnerability to climate change and it is considered on priority basis.

Base on the past experiences, this is observed that, climate change affects women more severely than men. Globally, it is largely the role of women to provide food, fuel, water, and the care that the family needs – all of which they do in addition to often earning some cash income. It is widely observed that climate changes cause a disproportionate burden on women, because they are more reliant on natural resources that are more climate-sensitive and have fewer physical (land and other assets) and financial resources, and have very limited access to markets. Women are most often made least powerful because of the social and cultural norms that limit their mobility and participation in decision making. To add to all this, they are often less educated, have less access to information and fewer or no opportunities for learning anything new.

But it is widely recommended that active participation of women in environmental decision making and integration of gender concerns and perspectives in policies and programs would be a significant positive step toward achieving sustainable development. And the policies and programs for adaptation and mitigation must take gender differences into account to understand how women have been and would be affected by climate change. This would be crucial to formulate gender-differentiated strategies for capacity building of women to respond to the climate change impacts that are associated with the gender-specific roles and responsibilities.

To make the adaptation measures truly community-based and inclusive, POs/PKSF are explicitly take into account social and gender concerns into proposal preparation, review and implementation. In this regard, extensive community consultations would be a key to understanding how the different community groups (in terms of socioeconomic characteristics, gender differentiation, ethnicity and other relevant attributes), perceive of climate change impacts, how they cope with the changes that have been underway, and what measures would be more effective based on their experience, to adapt to the changing conditions.

2. Integrating Social and Gender Issues

To ensure that adaptation measures are socially inclusive, irrespective of geographical location, POs will consider the following things-

- *Prepare the sub-grant proposals:* It considers the existing and emerging socioeconomic, culture and gender issues that may have resulted, or likely to result, from the climate changes.
- *Identify the key factors:* The key factors that have caused or would cause variations in climate change impacts among the members of the target communities, in terms of geographical location, gender and socioeconomic characteristics.

- *Identifying the adaptive measures:* The sustainable adaptive measures are to be identified that would be effective considering the issues identified previously.

3. Social and Gender Analysis

The objective is to identify the differences and provide evidence for gender roles, activities, needs and available opportunities for men and women. This will provide the information necessary for effective integration of gender issues into the adaptation measures and will be a key to promoting social inclusion. While preparing project proposals, POs undertake an assessment of the target communities to gather gender-disaggregated views and preferences of the different stakeholder groups, including women, in order to improve project design and establish a participatory process for implementation and monitoring. This requires analysis of the existing conditions that indicate vulnerability of the different community groups; their capacity to cope with and/or adapt to the climate changes; and their ability to share in the benefits of the probable adaptation measures. Analysis may include, but not limited to, the following information-

- *Project location:* It describes the physical characteristics (topography and other features) of the targeted settlements within a given climate change vulnerable zone.
- *Community profile:* It indicates demographic and socio-economic features like population size, ethnicity, education, major economic activities, formal/informal institutions and rules and behavior, and the scope of strengthening them to assume ownership of the project, and other aspects that may indicate effectiveness of the proposed adaptation measures under consideration.
- *Vulnerability to climate change:* It indicates equity/inequity in access to and control over land and other resources of different community groups, such as landless, women, ethnic minorities and the like occupational groups among landless persons/households, including women.
- *Existence of common property resources:* like rivers and other water bodies, forests, etc. that are used by the poor in general, and women in particular vulnerable area.
- *Existing and potential gender issues and concerns:* It is related to the roles women play in the household and how they cope with the changes, as well as feedback on alternatives that would lessen their burden (consultations/focus group discussions as suggested in Section A may generate inputs for appropriate adaptation measures).
- *Assessing Women's Contribution:* It's important to assess the women who are integrated into the decision-making process involving project screening, preparation and implementation.

4. Social and Gender Actions in Project Cycle

As an effective way to integrate social and gender issues, the POs prepare Social Inclusion Plans (SIP) for project proposal. In addition to social safeguards compliance, POs implement the SIPs to undertake the following activities at different stages in the project cycle:

Stage I: Project Proposal

- *Collect baseline information* on key social and gender issues prevailing in the communities targeted under the project, and make an assessment of how the project would impact on women and different socioeconomic groups. (All information and analyses must be gender-disaggregated.)
- *Identify goals and priorities,* in consultation with the communities/stakeholders, that are socially inclusive and would foster community ownership of the project

- *Make a preliminary assessment of community capacity* in terms of formal/informal institutions/groups, including CBOs/NGOs, as well as women who could actively participate in project preparation, implementation and monitoring
- *Ensure that social inclusion* is integrated into the project goals and objectives, and set targets that are measurable
- *Set up a monitoring and evaluation system with key indicators* that would inform of progress and effectiveness of the adaptation activities designed to foster social inclusion
- *Organize reporting and feedback processes*, identifying who will collect and analyze information, and who will use it and how it will be used to guide project implementation.

Stage II: Project Implementation

- *Carry out capacity development exercises* for integrating social and gender issues, and for monitoring and evaluating the social inclusion aspects included in project design
- *Collect gender-disaggregated data* on the indicators selected for social inclusion targets for the period under evaluation, and feed results into the system to allow any needed corrections
- *Identify any gender and other issues*, that were not addressed in project design, but faced during implementation, and adopt and implement appropriate remedial actions in consultation with the communities and other stakeholders

Stage III: Implementation Completion

- *Assess outcomes and impacts* of integration of *social and gender issues* in the overall project context
- *Assess outcomes and impacts of the project* on men and women, and more specifically on the social inclusion aspects and targets set during project design

5. Monitoring Social Inclusion

Monitoring of social inclusion in project process will start from the concept stage and intensified once the project goes into implementation. Monitoring will be in line with the social and gender analysis and consists of the activities/issues that have been integrated into project design. It is essentially ensured that the project in question does not reduce one gender's vulnerability to climate change at the expense of the other gender. In case of any unforeseen problems/issues missed in gender analysis is identified is necessary to adjust during the period of project implementation.

The information gathered during monitoring is provided with the essential inputs for evaluation and impact assessment of the individual projects. Social and gender analysis in the planning stage enables an evaluation to critically appraise how well the project meets its defined goals and objectives. Depending on the project contents and objectives, evaluation should take into account, among other relevant aspects, the following points are to consider-

- Whether or not the project addressed *specific adaptation needs* of men and women, and how they have been incorporated into project design;
- Whether the combination of the *local knowledge* into the project performs better or not;
- Assessing the *level of extension* to which the project has brought about adaptation and *reduced vulnerability* to climate change for men and women;

Whether or not the project had any unexpected or unintentional gender effects.

Annex 21: Major Impact Areas and Indicators

The following major impact areas and indicators are suggested for assessment of TP concerns and social risks.

Cultural Characteristics

- Relationships with areas where they live -- relating to religious/cultural affinity with the ancestral lands, existence of livelihood opportunities, etc.
- Presence of customary social and political organizations – characteristics indicating internal organization and cohesion of the communities, and their interaction with those of the non-indigenous population.
- Interactions and relationships with other indigenous peoples' groups in the same and other areas.
- Presence of TP organizations, like NGOs and CBOs, working with TP development issues, and their relationship with mainstream organizations engaged in community development activities.
- Identification of any cultural aspect that is likely to be affected or made vulnerable because of the proposed adaptation activities.

Settlement Pattern

- The extent to which the tribal settlements are physically separated from those of the non-indigenous peoples, indicating interactions and mutual tolerance between the groups.
- Characteristics indicating physical organization of homesteads, and the existing community facilities, such as schools, water supply, etc.
- Present distance between the settlements and the proposed physical/construction activity in the projects/programs.

Economic Characteristics

- Prevailing land tenure -- indicating legal ownership and other arrangements that allow them to reside in and/or cultivate the lands in their areas.
- Access to common property resources -- prevailing conditions under which they may have been using natural resources like forests, water bodies, and others that are considered important sources of livelihood.
- Occupational structure -- indicating relative importance of household's present economic activities, and the extent to which they might be affected or benefited because of the proposed adaptation measures.
- Level of market participation -- engagement in activities that produce marketable goods and services, and how and to what extent market participation would be affected or enhanced.

Annex 22: Training Policy and Calendar

CAPACITY DEVELOPMENT SUPPORT (TRAINING)		
Specify Training to be provided	Targeted Groups	Time Frame
PKSF will design and implement training for targeted groups involved in the Project to improve their awareness of risks and mitigate the impacts. This ESMS proposes a preliminary training plan covering the following topics. This plan will be adapted to meet needs during Project implementation.		
ESF. Training on ESF and the 10 ESSs—including preparation of ESMS	Personnel directly related with project at the IAs	Within 30 days of Project effectiveness
Issues Related to Infectious/Communicable Diseases (e.g. Covid-19) <ul style="list-style-type: none"> • Use and disposal of PPE (for all) • Working/training in communicable diseases environment (All workers and beneficiaries) • Infection Prevention and Control mechanism • Standard precautions for communicable diseases (e.g. social distancing for Covid-19) • Risk communication, prevention and community engagement (Administrative and operational personnel) • WHO and CDC guidelines on Communicable diseases 	Officials of IAs, Trainers, Beneficiaries, Welfare Officers	Within 30 days of Project effectiveness and if needed quarterly thereafter
Occupational Health and Safety Module: <ul style="list-style-type: none"> • Workplace risk management • Prevention of accidents at work sites • Health and safety rules • Preparedness and response to emergency situations 	Officials of IAs, Trainers and Beneficiaries, Welfare Officers	Within 30 days of Project effectiveness and continue half yearly throughout the project
Labor and Working Conditions <ul style="list-style-type: none"> • Terms and conditions of employment according to national working laws and regulations • Codes of Conduct • Worker's organizations • Child labor and minimum age employment rules 	IAs Local officials, POs, Workshops/ Microenterprises, Welfare Officers	Within 30 days of Project effectiveness
Grievance Redress Mechanism Module, design and production of a training module addressing the following aspects: <ul style="list-style-type: none"> • Registration and processing procedure • Grievance redress procedure • Documenting and processing grievances • Use of the procedure by different stakeholders 	ES, SDS, HS, IAs' Officials, POs, Welfare Officers	Within 30 days of Project effectiveness and thereafter once every six months
GBV Risk Module Raising awareness and measures to prevent and mitigate GBV/SEAH risks. The topics and activities will be developed and included in the Project GRM.	IAs Local officials, Trainers, Beneficiaries	Within 30 days of Project effectiveness and thereafter once every six months