Vanuatu Infrastructure Reconstruction and Improvement Project (VIRIP)

Environment and Social Management Framework

Ministry of Infrastructure and Public Utilities
Government of Vanuatu

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Table of Contents

Abbreviations

ARAP	Abbreviated Resettlement Action Plan
CERC	Contingency Emergency Response Component
CPOs	Community Partnership Officers (of PWD)
DEPC	Department of Environmental Protection and Conservation
DGMWR	Department of Geology, Mines and Water Resources (of Ministry of Lands & Natural Resources)
EA	Environmental Assessment
EIA	Environment Impact Assessment
EMMP	Environmental Management & Monitoring Plan
EPC	Environmental Protection and Conservation (Act)
ESA	Environmental and Social Assessment
ESMF	Environment and Social Management Framework
ESMP	Environment and Social Management Plan
GDP	Gross Domestic Product
GoV	Government of Vanuatu
GRM	Grievance Redress Mechanism
IBC	Island Based Contractor
ILO	International Labour Organisation
IR	Involuntary Resettlement
MIPU	Ministry of Infrastructure & Public Utilities
MFEM	Ministry of Finance and Economic Management
MoET	Ministry of Education and Training
NRESP	National Recovery and Economic Strengthening Program
OP	Operational Policies (of the World Bank Operational Manual)
PCR	Physical Cultural Resources
PDNA	Post-Disaster Needs Assessment
PDO	Project Development Objective
PEA	Preliminary Environmental Assessment
PIC	Project Implementation Committee
PST	Project Support Team
PWD	Public Works Department
R4D	Roads for Development
RAI	Rural Access Indicators
RPC	Recovery Program Committee
RPF	Resettlement Policy Framework
STD	Sexually Transmitted Diseases
TC	Tropical Cyclone
TOR	Terms of Reference
VIRIP	Vanuatu Infrastructure Reconstruction and Improvement Project
VLD	Voluntary Land Donation
WB	World Bank
WRMA	Water Resources Management Act

1 Introduction

This Environment and Social Monitoring Framework (ESMF) sets out the principles, policies and procedures for environmental and social protection that the Government of Vanuatu (GoV) and the World Bank (WB) agree to employ in the context of the Vanuatu Infrastructure Reconstruction and Improvement Project (VIRIP) (World Bank P156505).

The ESMF outlines the project, its components, the socio-cultural context, possible environmental and social impacts, and their management. The document meets the requirements of the relevant World Bank Operational Policies and laws of Vanuatu to describe the procedural responses to identifying and managing impacts throughout the project.

A draft version was disclosed in Vanuatu and was the subject of consultation in Port Vila during the week of 4th – 8th April 2016 and a further version in February 2017 included further comments and updates. This final version includes updates from consultations and changes to project design and forms part of the legal agreements between GoV and the World Bank. Subsequent drafts have been discussed and safeguards processes consulted on with national stakeholders including the Department of Environmental Protection and Conservation (DEPC).

Any enquiries about this framework or its application may be sent to: safeguard@virip.org or telephone (00678) 22888.

2 Project Description

2.1 Background

Between March 12 and 14, 2015, Tropical Cyclone Pam (TC Pam) struck 22 islands of Vanuatu as an extremely destructive category 5 cyclone. The total economic damage and losses as a result of the cyclone were estimated to be approximately US$450 million, which equates to approximately 64 percent of the country's GDP[1].

The impact of TC Pam on Vanuatu included severe and widespread damage, which was worst in Shefa and Tafea provinces, in particular on the larger islands of Tanna, Erromango and Efate and the smaller Shepard islands. Eleven fatalities were recorded in Tafea and Shefa province. As many as 65,000 people were displaced from their homes, around 17,000 buildings were damaged or destroyed, and the livelihoods of at least 80 percent of Vanuatu's rural population was compromised due to large scale destruction of crops.[2]

In the wake of TC Pam, the Government of Vanuatu (GoV) officially declared a state of emergency for the affected provinces on March 15, 2015. Emergency response efforts were led by the government with the support of multiple humanitarian partners, international and national non-governmental organizations, international governments, donors and other partners. In order to gain an understanding of the scale of TC Pam's economic impact and assist in mobilizing the resources needed for recovery and reconstruction, the GoV undertook a Post-Disaster Needs Assessment (PDNA) with the support of the World Bank and other development partners, which formed the basis of the National Recovery and Economic Strengthening Program (NRESP) that provides a framework to guide the recovery and reconstruction of all sectors affected by TC Pam. The estimated total recovery and reconstruction costs have been calculated as US$316 million2.

Vanuatu is expected to incur, on average, US$48 million per year in losses due to earthquakes and tropical cyclones. In the next 50 years, Vanuatu has a 50 percent chance of experiencing another loss exceeding US$330 million, and a 10 percent chance of experiencing a loss exceeding US$540 million.[3] This has far reaching implications for a range of sectors, including, housing, tourism, infrastructure, agriculture and commerce. Disaster events, such as TC Pam, have the potential to affect the entire economy, human and physical capital, and impact the long-term development of the country. Accordingly, extreme weather events, exacerbated by projected changes in climate, are increasingly recognized as a core development challenge for the country.

VIRIP is providing financial support to GoV through numerous targeted investments in small land transport structures, and to reconstruct schools and public buildings damaged by TC Pam. Not only will these investments provide for more reliable access to critical social services, markets, and facilities for remote and isolated rural communities, they will also inject much needed funding at the local level

[1] Vanuatu Post Disaster Needs Assessment, Tropical Cyclone Pam, March 2015 (GoV).

[2] Vanuatu Post Disaster Needs Assessment, Tropical Cyclone Pam, March 2015 (GoV).

[3] PCRAFI Risk Profile, 2011.

through Island-based contractors (IBCs), create possible business opportunities for members of those communities in the future maintenance of those assets, and provide skills training.

2.2 Project Development Objectives and Component

The executing agency is the Ministry of Finance and Economic Management (MFEM), and the Ministry of Infrastructure and Public Utilities (MIPU) is the implementing agency. A Project Support Team (PST) is established within MIPU to ensure the project is implemented in accordance with Bank policies and procedures.

2.3 Overview of the Project Components and Safeguards Instruments

The project will reconstruct assets damaged by TC Pam, including land transport structures, schools and public buildings, and improve their resilience to disasters and extreme weather events. VIRIP will also finance technical assistance activities to design and supervise works, build capacity of public sector officials and private sector, and support implementation. To facilitate response during disaster events, a zero dollar Contingency Emergency Response component is included.

Component 1: Road Reconstruction and Improvement

This component will fund a range of roads works in provinces of Vanuatu that were affected by TC Pam to undertake spot improvements to land transport sector assets, such as small road structures and footpaths, and to improve the resilience of land transport sector assets. In addition, land transport assets that were not impacted by TC Pam can be built to more resilient standards to better withstand future extreme weather events.

Sub-Component 1.1: Improvement of Road Sector Assets

With few exceptions, rural roads in Vanuatu are generally in poor condition and are not passable throughout the year. Few, if any, rural roads are engineered, and most are little more than tracks without gravel. Coastal roads are prone to flooding, bogging and storm surge, while inland roads have steep gradients with minimal or no drainage. All roads are vulnerable to landslips due to unstable soils. This sub-component will fund spot improvements to existing roads, and in some remote locations, walking tracks, on several islands to repair cyclone damage and improve year-round accessibility to and for rural communities.

a) Cyclone Damage. Although cyclone damage to roads was generally limited to washing out of bridge approaches and culverts due to excessive rainfall, there were also instances of severe, localized damage to exposed coastal roads and embankments from storm surges. Works will fund embankment repairs and strengthening seawalls.

b) Rural Access Improvements. The types of road sector assets to be improved will typically be small structures in the form of drainage structures, including drifts and/or vented drifts on water crossings, pipe culverts, lined drains, or low-maintenance surfacing on steep grades in the form of concrete pavements or concrete “tire paths.” Funding would also be used for embankments across low-lying floodplains. In remote areas with no roads, walking tracks would be improved at critical locations with concrete steps or surfacing on steep grades and simple bridges over water crossings.

It is expected that land transport asset spot improvements will be implemented using two modalities:

Island-Based Contracting for Small Works. The Ministry of Infrastructure and Public Utilities (MIPU) is currently implementing the second phase of its Roads for Development (R4D) program, which is funded by the Australian Government and support island-based contractors (IBCs) with limited plant and resources to carry out small, low maintenance, reinforced concrete and masonry works on rural roads on four islands. There are between seven and ten IBCs in each province. Works carried out by the IBCs are generally closed or vented drifts at water crossings, pipe culverts with inlet and outlet structures, and surfacing over full or partial road width with lined side drains on steep gradients, all based on standard designs. R4D contracts are awarded in six-monthly rounds, or "cycles," and are all less than VT 5 million (approximately US$50,000).

Under VIRIP, a modality that closely mirrors the R4D model, but integrated into the local Public Works Department (PWD) structure, will be implemented in the four cyclone-affected provinces of Malampa, Penama, Shefa and Tafea. MIPU will select the islands where works would be carried out and employ existing IBCs trained under R4D on islands where the program is established. MIPU will also expand the framework to other islands, and include walking track improvements in remote areas. Prioritization of interventions will be based on a ranking process[4] using agreed transparent criteria involving rural access indicators (RAI) and levels-of-service for potential improvements, and draw from PWD Divisional Annual Work Plans prepared by PWD's six provisional offices.

National Competitive Bidding for Larger Works. Cyclone damage repair of coastal road embankments will require large plant to transport and place rock revetments and other types of strengthening and resilience-enhancement measures. Similarly, drifts across larger water crossings and rock embankments across low-lying flood plains will be more suited to mechanised construction methods. Prioritization of interventions would be based on PWD Divisional Annual Work Plans using the same criteria as that for IBCs carrying out smaller works. Larger works would be packaged to make them attractive to national contractors.

Sub-Component 1.2: Design and Supervision

Funds will be utilized to design and supervise works to be carried out under Component 1 by contracting one firm to design and supervise all road sector improvements.

Component 2: School Reconstruction and Improvement

MoET has assessed the extent of damage from TC Pam to more than 70 primary and secondary schools in Tafea province, and initial estimated repair costs. Schools on Tanna Island received massive damage, mostly in the form of full or partial roof loss, but several buildings were completely demolished. The extent of damage to schools was directly correlated to the quality of construction, with well-constructed buildings that used quality materials and workmanship generally withstanding the impact of TC Pam. Many schools served as community shelters during the cyclone, and evacuation centres for weeks thereafter for families whose homes had been destroyed.

Sub-Component 2.1

[4] PWD recently introduced a Road Prioritization Tool for its 2016 budget planning.

This sub-component will reconstruct classrooms and other school buildings damaged by TC Pam, and ensure that at least one building per school is located, designed and constructed to cyclone seismic resilient standards appropriate to the location and outside of tsunami and storm-surge inundation areas so that it can be used as an evacuation centre. Improved water supply and sanitation facilities may be included, as well as a basic protected kitchen/cooking area for use by evacuees.

Measures to strengthen the resilience of or build-back-better schools that were not impacted by TC Pam are also eligible for funding under the project.

The reconstruction of school buildings will be based on MoET standard designs, and would maximise community involvement. All "evacuation center" certified buildings will be constructed using concrete blockwork/reinforced concrete sub-structures, and structural grade timber for roof structures. Ancillary buildings may be constructed with other materials, provided they meet relevant design standards and MoET performance and maintenance objectives. On islands with active volcanic activity, such as Tanna, cyclone strapping should be stainless steel and any bolts used should be hot dip galvanised to reduce corrosion in the aggressive atmosphere.

The types of treatment are expected to be as follows:

New Structures. These may include classrooms, offices or staff housing that will be constructed from scratch. Existing buildings and structures will either be replaced or demolished in order to meet MoET requirements for facilities.

Partial Reconstruction. Buildings that were partly destroyed, typically above the ring beam level, but which are assessed as structurally sound, will be reconstructed to an agreed cyclone-resilient design standard.

Retrofitting. Many buildings that were not seriously damaged urgently require retrofitting to replace roof sheeting or steel tie downs that are corroded, and roof timbers that are cracked or rotten.

Water Supply and Sanitation. Rainwater harvesting from roofs of reconstructed buildings will be maximized through collection and storage to facilitate an appropriate level of gender-separate toilet and hand washing facilities at reconstructed schools.

To expedite the reconstruction process it is anticipated that works will be conventionally contracted.

Sub-Component 2.2: Design and Supervision

Funds will be utilized to design and supervise works to be carried out under Component 2. It is expected that one firm would be contracted to design and supervise improvements to both schools and public buildings.

Component 3: Public Building Reconstruction & Improvement

Several public buildings, provincial and national government offices, workshop and associated buildings on TC Pam-affected islands suffered serious damage with partial or total destruction of individual structures or groups of buildings.

Sub-Component 3.1: Public Buildings

This sub-component will fund the reconstruction of public buildings that were impacted by TC Pam, as well as to strengthen the resilience of selected public buildings that were not damaged by the Cyclone, through a prioritization and selection process to be developed by MIPU, agreed with the Bank, and endorsed by the Project Implementation Committee (PIC). Damage to public buildings was similar to that of schools, with roofs and steel frames fully or partially destroyed, and roof timbers missing.

Sub-Component 3.2: Design & Supervision.

Funds will be utilized to design and supervise works to be carried out under Component 3. As indicated above, it is expected that one firm would be contracted to design and supervise improvements to both schools and public buildings.

Component 4: Project Implementation and Technical Support

Component 4.1: Project Implementation Support

VIRIP funds will also be used to hire individual specialists to support project implementation. A Project Support Team (PST) will be established within MIPU to assist in managing VIRIP, and ensure that the Bank's fiduciary, safeguards and reporting requirements, including monitoring and evaluation, are met throughout the implementation period. Key staff will include a qualified project manager, a procurement specialist, a project accountant and safeguards specialist. In addition, it is anticipated that inputs from technical specialists, such as communication/community liaison, monitoring and evaluation specialists, or sectoral specialists, will be required from time-to-time. The services of a Finance Advisor to help set-up the financial management system for the project and provide periodic guidance to the project accountant may also be required. While other design and supervision consultants will be responsible for providing key technical inputs for bidding and evaluation processes (see sub-component 2.1), PST staff will be responsible for finalizing bid documents prior to inviting bids. MIPU will be responsible for finalizing the evaluation and award process, in liaison with the Tenders Board.

Operating costs, including for office refurbishment/renovation, rent, power, communications, and vehicle maintenance for PST and provincial PWDs, will also be financed under VIRIP, as will annual project audits.

Component 4.2 Sustainable Maintenance

The rural road network of Vanuatu, which is in excess of 2,100 km, has suffered from a chronic lack of preventative and periodic maintenance due to lack of available funding. This has resulted in the majority of the network remaining unmaintained and in very poor condition. There is a clear and urgent need to address this problem, not only to improve the condition of the network, and therefore accessibility for rural populations of Vanuatu, but also to protect and sustain investments that the government and donors make on improving road assets.

Component 4.3 Training and Capacity Building

Improvements to land transport sector assets will seek to expand the use of IBCs already identified, established and trained under the R4D program.

Funding will also be used to provide refresher training for existing IBCs and site inspectors on islands targeted for inclusion in this project, and specific training on construction costing and bidding.

Training and capacity building in the education sector is expected to be partially delivered through a "managing contractor" arrangement under sub-component 2.2. Training courses implemented in conjunction with the reconstruction program would be used to up-skill the local construction workforce and reinforce the importance of strong connections to ensure strong buildings. Quality control of materials used in the reconstruction program could be ensured through a centralized procurement process.

Funds will be used to develop a training and capacity building program on school infrastructure management. Because decision-making processes and the allocation of school funds lie directly with schools, efforts would focus on training school councils, principals and teachers about the benefits of regular preventative maintenance of schools and associated buildings. Improved maintenance of existing structures will help to protect the existing building stock and reduce its vulnerability to natural hazards. Developing maintenance manuals will reinforce the importance of regular maintenance.

Component 5: Contingency Emergency Response

This zero-cost component will support preparedness and rapid response to eligible disasters, emergencies, and/or catastrophic events, if needed. Following the declaration of a disaster or state of emergency, it allows for reallocation of credit and grant proceeds from VIRIP components under streamlined procurement and disbursement procedures, or a mechanism to channel additional funds, should they become available, as a result of an emergency. This would likely be done through a Contingency Emergency Response Component (CERC), which will serve as a contingent window, and provide a mechanism: (i) for quick disbursements to meet the immediate liquidity needs of Vanuatu following a disaster event in order to finance critical imports; or (ii) to finance emergency repairs and reconstruction works and associated services of public infrastructure.

3 Vanuatu Safeguards Requirements

This section summarizes Vanuatu's safeguards system which is established under several different pieces of legislation.

3.1 Environmental Protection and Conservation Act (EPC Act) and EIA Regulations

The main legislation for environmental and social safeguards, the Environmental Protection and Conservation Act (EPC Act) is administered by the Department of Environmental Protection and Conservation (DEPC) which is part of the Ministry of Climate Change Adaptation.

Under the EPC Act, a project proponent must make an application to DEPC which undertakes a Preliminary Environmental Assessment (PEA) of any activity that is likely to impact on the environment and any activity that requires any license, permit or approval under any law (e.g. a Quarry Permit or Foreshore Development Consent). A PEA requires the completion and submission of a form to DEPC, accompanied by plans, other supporting information, and a fee.

Three outcomes occur from the PEA:

- Environmental Impact Assessment (EIA) required
- No EIA required, but conditions are placed on the approval of the PEA
- No EIA required, no conditions

EIA and accompanying Environmental Management and Monitoring Plan (EMMP) are required for projects likely to cause significant environmental, social and / or custom impacts. DEPC advises the applicant, after undertaking the PEA, whether an EIA and EMMP is required. The Department can also require that a proponent prepares an EMMP without an EIA.

The Department may use an approved independent review consultant to undertake the PEA or review the EIA or develop the EIA Terms of Reference (TOR) on its behalf with consultant fees paid by the proponent.

Potential sub-projects funded under this Project that will likely require an environmental permit include:

- Construction or alteration of jetties, wharves, boat ramps, coastal protection works and any other structure over / near water.
- The disturbance of coastal or estuarine areas, including seagrasses, coral and sand. This includes the removal of sand, gravel, rock, coral and rubble.
- Construction or alteration of roads and bridges.
- Permanent health facilities and medical centers.
- Quarrying, excavations and extractions.
- Any activity impacting a water source.

3.2 Other GoV Safeguards, Requirements, Frameworks and Controls

Vanuatu safeguards associated with the VIRIP are not confined to environmental legislation as set out in the previous sections but also include the following:

- QUARRY ACT No. 9 of 2013 which through regulations requires a permit for most quarries and sand mining. This act is administered by the Department of Geology Mines and Water Resources (DGMWR). DEPC has delegated authority to the DGMWR to undertake PEA on its behalf for quarry applications however the PEA and ensuing environmental permit is still required to be approved by the DEPC. Under various license categories it is likely that most works under the VIRIP will require a PWD Public Permit under the Quarry Act.
- WATER RESOURCES MANAGEMENT ACT (WRMA) No. 9 of 2002 also administered by the DGMWR which requires a permit for water works in watercourses and provides for buffer zones, river diversions etc.
- WATER SUPPLY ACT No. 28 of 1993 currently administered by the Ministry of Infrastructure and Public Utilities (MIPU) but DGMWR provides water permits for water extraction.
- WASTE MANAGEMENT ACT No. 24 of 2014 which sets out a management and licensing system for waste handling and disposal. Partially implemented and administered by the DEPC with some responsibilities devolved to provincial and municipal councils including the development of waste management plans. VIRIP subprojects will require to manage waste in line with the Act and waste management plans or licensed operators if these are established in the subproject areas.
- POLLUTION CONTROL ACT No. 10 of 2013 which manages discharge or emission of pollution through licensing scheme and controls. Partially implemented and administered by DEPC, VIRIP subprojects will require meet the requirement of the Act should it apply to the subproject activities.
- FORESHORE DEVELOPMENT AMENDMENT ACT No. 17 of 2013 requires foreshore development permits for all development taking place below the high water mark in coastal areas, administered by the Department of Local Authorities.
- PHYSICAL PLANNING ACT No. 22 of 1986 requires permits for activities undertaken in a declared Physical Planning Area. Although excluding roads, for VIRIP this may include subproject works of schools and public buildings in Lenakel Physical Planning Area. Administered by the Department of Local Authorities with delegated powers to Municipal and Provincial government councils.
- PUBLIC HEALTH AMENDMENT ACT No. 22 of 1994 which is concerned with managing public health including notifiable diseases, protection of water supplies and sanitation. Administered by the Department of Health with powers delegated to Municipal and Provincial government councils, requirements of the act must be taken into account for all VIRIP sanitation elements.
- PUBLIC ROADS ACT No. 35 of 2013 which is administered by the MIPU, and clarifies the public roads width.
- BUILDING ACT No. 36 of 2013 which is jointly administered by the Ministry of Internal Affairs and MIPU, and details the conditions of a building permit.
- PRESERVATION OF SITES AND ARTEFACTS (AMENDMENT) ACT No. 21 of 2008.

In addition to the above these other Acts may also be considered to apply to or affect safeguards arrangements for the VIRIP:

- EMPLOYMENT ACT which is concerned with employment contracts, types of leave, status of women and children in work and health and safety. The Act is administered by the Department of Labour.
- ROAD TRAFFIC (CONTROL) ACT which is concerned with the operation of and insurance required for vehicles

MARITIME ACT and other Acts that deal with the safety of vessels including barges carrying materials and equipment generally administered by agencies within the Ministry of Infrastructure and Public Utilities.

It is expected that the VIRIP Framework will be implemented closely in line with the Ministry of Infrastructure & Public Utilities (MIPU)'s Safeguards Framework and the Public Works Department (PWD) Environmental Guideline.

4 World Bank Safeguard Requirements

World Bank safeguard policy requirements applicable to this project are summarized below[5]. Although gender concerns and citizen engagement are not safeguards requirements, all projects supported by the World Bank are screened and required to ensure that men and women benefit in equal ways from project investments, and that projects empowers citizens to participate in the development process and integrating their voice into development programs as key accelerators for achieving results.

4.1 Environmental Assessment (OP/BP 4.01)

This policy provides the requirements, and procedures, for the environmental assessment of the World Bank's lending operations. Inter alia, it requires (i) detailed qualitative and quantitative analysis to determine project impacts, (ii) determination of tangible measures to prevent, minimize, mitigate or compensate for these adverse impacts, (iii) public consultation and disclosure as part of the Environmental Assessment (EA)[6] process and (iv) requires an Environmental and Social Management Plan (ESMP) to address set of mitigation, monitoring and institutional measures to be implemented during design, construction, operation of maintenance phases of the project.

For projects such as this, where not all of the environmental and social impacts are known at the time of preparation, an ESMF is prepared. ESMF provide a framework and instructions to apply OP/BP4.01 (and other safeguard policies) to projects as they are defined during project implementation.

4.2 Natural Habitats (OP4.04)

This policy requires the conservation of natural habitats and specifically prohibits the support of projects that involve significant conversion or degradation of critical natural habitats, as defined by the policy. The policy requires the EA to identify impacts on biodiversity and species and to determine endemism, endangered species and whether the project impacts on these species. If the EA determines that a project impacts or degrades natural habitat, the project must include mitigation and monitoring measures acceptable to the Bank.

The project selection checklists will screen for potential risks relating to this policy, and relevant mitigation measures are included in this document to avoid or mitigate adverse impacts on natural habitats, consistent with this policy.

4.3 Physical Cultural Resources (OP4.11)

This policy seeks to avoid the disturbance and or destruction of Physical Cultural Resources (PCR). PCR includes places of worship, sacred sites, buried artifacts, cemeteries and archeological assets, etc. The policy requires EA to undertake an exhaustive desk review and/or site investigation to pre-identify

[5] The entire Project Operations Manual with details of all policies is available online at Ext Opmanual - Operational Manual - World Bank

[6] Includes social assessment

and locate PCRs in the project influence area, propose management measures and include chance find clauses in civil works contracts during construction and maintenance stages.

The project selection checklists will screen for potential risks relating to this policy, and relevant mitigation measures are included in this document to avoid or mitigate adverse impacts on PCR, consistent with this policy.

4.4 Involuntary Resettlement (OP4.12)

The Involuntary Resettlement policy addresses direct economic and social impacts from project activities that may cause involuntary taking of land resulting in (i) relocation or loss of shelter, (ii) loss of assets or access to assets or (iii) loss of income sources or livelihoods. It also addresses the impacts from projects that lead to involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

Land will be required for the reconstruction of buildings and infrastructure. Because of the small scale nature of the infrastructure and that the local community (who are also the land owners) will be the direct beneficiaries of the investments, negotiated settlement is expected to occur in most, if not all, occasions. Should it be identified that additional land, for example for material sourcing etc. for the project and negotiated settlement is not successful, the requirements of this Resettlement Policy Framework (RPF) will be implemented. The Voluntary Land Donation Principles are included in the expanded Resettlement Policy Framework.

4.5 Gap Analysis

There are few gaps between the EPCA process and the requirements of OP4.01 Environmental Assessment. Mitigation requirements are similar under the environmental permit process and the ESMF. There are some gaps in the regulations regarding the types of activities that may require an environmental permit.

For example under the EPC ACT there is the requirement for an environmental permit for developments that may impact the environment and an EIA for significant impacts. There is often no requirement for ESMP for activities with minor or moderate impacts as these are controlled by EPC Act permit conditions however ESMPs can and have been used to demonstrate how environmental and social risks are to be managed.

For subprojects such as the renovation of buildings the EPC ACT will generally not require an application form completed for PEA but under OP4.01 these activities require an ESMP because of the potential for risks such as asbestos.

Some small scale activities such as road repairs and minor improvements, water supplies and sanitation do not come to the attention of the DEPC and do not get screened through the PEA process under the EPC Act. In this project, each subproject will have and ESMP and CESMP to help ensure successful environmental and social safeguards management.

Other permits, licenses and approvals as required for different project activities and as outlined in Section 3.3 above will be applied for and conditions followed.

The processes will be harmonized as much as possible, so that the requirements of Vanuatu and the World Bank will be met with any safeguard instrument that is prepared. Where safeguard requirements are lacking or absent, WB requirements will be applied, as appropriate.

5 Anticipated Environmental and Social Issues and Mitigation Measures

The potential environmental issues are relative to the proposed project technologies and the sensitivity of the environment at those locations. The following tables highlight the potential significant impacts from the anticipated sub-projects.

5.1 Improvement of Road Sector Assets (PWD)

Component 1 is the improvement of land transport assets and footpaths, such as small structures in the form of drainage structures, including drifts and/or vented drifts on water crossings, pipe culverts, lined drains, or low-maintenance surfacing on steep grades in the form of concrete pavements or concrete "tire paths," river embankment strengthening, and coastal protection works. Walking tracks would be improved at critical locations with concrete steps or surfacing on steep grades and simple pedestrian bridges over water crossings. Some public roads that provide critical connections across or around islands may be upgraded to increase the resilience of the infrastructure.

Works may be carried out by national or international private sector contractors or by Island-based contractors (commercial entities, but with limited equipment and skill sets).

Activity	Significant Potential Impacts	Key Mitigation Measures	Safeguard Tools
Design of coastal protection measures, river crossings, coastal protection works.	Natural disaster and climate change impacts are not considered: asset-life is reduced, further damage to land or buildings (or life) occurs from extreme weather events. Natural habitats are affected by changes to river flow, wave energy or other natural processes as a result of the design.	Design to take into account natural disasters and probable climate change scenarios: sea level rise, extreme high tides, storm surges, coastal flooding, cyclones, heavy rainfall events and more temperature extremes. Undertake baseline survey of site bathymetry, topography, geology and natural habitats to inform design. Natural systems (mangroves, wetlands, riparian planting) are incorporated into design where possible. Impact assessment of design to address residual risks to erosion, overtopping, flooding and how these should be mitigated.	EPC Act EIA process and Permit Conditions WRMA Permit Conditions ESMP (Template in Annex G)

	Increased scour, erosion or flooding / overtopping as a result of poor design.		
Source of sand and gravel for resurfacing and renovating unsealed roads or creating concrete or sand bag structures.	Uncontrolled sand and gravel mining leading to coastal erosion Clearance of vegetation, nesting areas, feeding areas for wildlife. Disputes over access to land or access to resources. Occupational health and safety of quarrying / mining. Damage to rare vegetation or habitats such as nesting areas, feeding areas for wildlife, coastal habitats.	Reuse crushed concrete where practicable. Procure sand and gravel in 'bulk' from licensed quarries. If licensed quarries are not available and it is not feasible to transport aggregate from other areas: • Identify borrow pits / excavations that could be used for small sources. • Avoid beach mining in areas where erosion or inundation could be exacerbated. • Undertake a screening assessment to identify potential environmental and social risks, and submit an application to the DEPC if required. • Apply to Dept of Geology and Mines for an 'Occasional Permit' if required. • Obtain licenses and permits from Dept. of Geology and Mines, and DEPC prior to operation. • Negotiate access to resources, including a fair price, from rightful resource owners as per Quarry Act requirement. • Ensure occupational health and safety procedures, training and equipment for all operations. • Survey the site and consult with land owners prior to finalizing design. Relocate operations to avoid critical natural habitats and otherwise mitigate through replanting. • Ensure ESMP contains measures to protect coastal dunes, foreshore, mangroves or other habitats.	Quarry Permit EPC Act EIA process and Permit Conditions WRMA Permit Conditions ESMP (Template in Annex G)
Route / structure realignment or renovation /	Involuntary land acquisition.	Avoid realignment or new locations for structures where possible. Use participatory processes with communities/communal land owners to identify suitable alignments / locations.	Voluntary Land Donation Principles PWD Associated Works Consent Form

replacement within an existing footprint.		Consult and obtain voluntary land donation or lease for all works. For involuntary land acquisition, refer to the Resettlement Policy Framework .	Resettlement Policy Framework
	Removal of structures (fences, animal pens) income-generating assets such as trees or crops.	Consultation with owners and compensation for lost asset or income at replacement cost.	Use PWD standard rates for any compensation.
	Damage to physical cultural resources, including graves.	Survey the site and consult with land owners / communities prior to finalizing design. Realign to avoid PCR or otherwise move or protect PCR as required by land owners, community and GoV. Follow chance find procedure.	Project screening checklist (Annex B). Chance find procedure (Annex J).
	Damage to rare vegetation or habitats such as nesting areas, feeding areas for wildlife, coastal habitats.	Survey the site and consult with land owners prior to finalizing design. Realign to avoid critical natural habitats and otherwise mitigate through replanting. Ensure ESMP contains measures to protect coastal dunes, foreshore, mangroves or other habitats.	EPC Act EIA process and Permit Conditions Project screening checklist (Annex B). ESMP
Earthworks creating stockpiles of sediment.	Discharges of sediment to water ways or coastal areas.	Avoid dumping of sediment into water ways or coastal areas. Stockpile excess sediment at least 20m from water ways and high tide, for reuse by locals. Spread and stabilize (by planting) excess sediment to avoid erosion.	EPC Act EIA process and Permit Conditions ESMP
Drainage to improve run off.	Discharges of excessive water causing erosion and sedimentation of water ways.	Consider the impacts at the discharge location (scour, erosion, sedimentation) during design. Minimize vegetation removal on all sites. Design culverts and pipes to appropriate sizes to avoid back-flooding or overtopping in foreseeable weather events.	EPC Act EIA process and Permit Conditions WRMA Permit Conditions ESMP

		Line drainage with concrete or rocks where necessary to reduce sediment discharges.	
Working with concrete.	Discharges of wet cement into waterways / coastal areas killing wildlife.	Avoid discharge of wet concrete or cement powder into waterways or coastal areas. Repurpose left over wet concrete for other uses. Pour left over wet concrete onto the ground to harden. Dispose of hardened concrete.	EPC Act EIA process and Permit Conditions WRMA Permit Conditions ESMP
Working in or near water ways and coastal areas.	Discharges of sediment and disturbances to seabed and river bed habitats.	Avoid working in wet areas where possible. Keep all machinery out of wet areas and sensitive beach or river bed areas. Screen for sensitive habitats and avoid working in those locations (shellfish beds, seagrasses, mangroves, etc.). Divert waterways around working areas and work at low flow / low tide. Capture sediments using turbidity curtains or sediment traps. Restore habitats (such as gravel river beds, vegetated river embankments, foreshore environments) once work is complete.	EPC Act EIA process and Permit Conditions WRMA Permit Conditions Project screening checklist (Annex B). ESMP
Use of oil, petrol, diesel and chemicals.	Discharges of waste oil or hazardous spills into ground or waterways killing wildlife.	Safe storage of hazardous materials, construct fuel bund to contain spills, as necessary. Spill kits to be on site at all times. Contain waste oil for recycling. Refuel machinery at least 20m from waterways and coastal areas. Dispose of all containers and waste materials at an approved landfill.	EPC ACT EIA process and Permit Conditions ESMP

Noise and vibration from heavy machinery.	Nuisances to nakamals, households, health centres and schools.	Limit operating hours for heavy equipment to 600 to 1800, Monday to Friday or as agreed with surrounding communities and sensitive receptors Warn communities of noisy or vibrating work.	ESMP
Use of local labor and 'imported' labor (from other islands or countries).	Exploited for cheap labor. Gender inequity. Unsafe work practices. Imported work force disrupting disruption to traditional / island lifestyles	Consult with the land owners and broader community about income and employment opportunities and get broad support for labor schemes such as Island-based Contractors or casual employment of labor, for working hours/days and for equal opportunity for training and employment. Employment should be consistent with Vanuatu labor laws and no children (under 16 years old) shall be employed. Women and men shall have equal opportunity for training, employment and income. Provide suitable training to locals to do the work safely and provide all relevant safety equipment at no cost to workers. Where teams of imported labor will be present: Provide worker training in HIV / AIDs and cultural awareness. Inform communities of potential issues prior to construction. Ensure adequate accommodation and services are provided for the duration of the work.	Vanuatu Labour and Employment Laws ESMP World Bank Group EHS Guidelines.
Technical advisory.	Outputs that are contrary to good environmental management and community well-being, and contrary to donor safeguard policies or the laws of the GoV.	Requirement for consultants to consider environmental and social impacts and aspects as part of the advisory service.	Terms of Reference for Technical Advisory

5.1 Reconstruction of Schools (MoET) and Public Buildings (MIPU)

Under Component 2 the project would reconstruct schools and associated buildings (classrooms, offices, staff housing) damaged by TC Pam, and ensure that at least one building is designed and constructed to withstand a category 5 cyclone so that it can be used as an evacuation centre. Improved water supply and sanitation facilities may be included, as well as a basic protected kitchen /cooking area for use by evacuees. Under Component 3, public buildings, such as health facilities, provincial and national government offices, workshops and associated buildings on TC Pam-affected islands could be reconstructed.

Activity	Significant Potential Impacts	Key Mitigation Measures	Safeguard Tools
Design of water supply and sanitation (not including rainwater harvesting systems).	Reduction of water resource for other users. Inadequate treatment and disposal of wastewater, leading to health impacts and water pollution. Inadequate access for disabled / elderly and inadequate privacy and safety for women and girls.	Consult and get agreement from land owners at the source of water, and along any pipeline alignment. Design wastewater / sewage treatment and disposal according to national legislative requirements and international design standards for the ground conditions and the anticipated peak loads. Design to ensure all people can access facilities safely and securely. Provide gender-segregated facilities.	WRMA Permit conditions Water Supply Act requirements Public Health Act requirements ESMP
Source of sand and gravel for resurfacing and creating concrete foundations and structures.	Uncontrolled sand and gravel mining leading to coastal erosion Clearance of vegetation, nesting areas, feeding areas for wildlife. Disputes over access to land or access to resources. Occupational health and safety of quarrying / mining.	Reuse crushed concrete where practicable. Procure sand and gravel in 'bulk' from licensed quarries. If licensed quarries are not available and it is not feasible to transport aggregate from other areas: • Identify existing borrow pits / excavations that could be used for small sources. • Avoid beach mining in areas where erosion or inundation could be exacerbated.	Quarry Permit EPC Act EIA process and Permit Conditions WRMA Permit Conditions ESMP (Template in Annex G) Project screening checklist (Annex B).

Activity	Significant Potential Impacts	Key Mitigation Measures	Safeguard Tools
	Damage to rare vegetation or habitats such as nesting areas, feeding areas for wildlife, coastal habitats.	• Undertake a screening assessment to identify potential environmental and social risks, and submit application to the DEPC. • Obtain a Quarry Permit from DGMWR if required. • Obtain PEA clearance and / or permit from DEPC prior to operation if required. • Negotiate a fair price for sand and gravel from rightful resource owners under the Quarry Act. • Ensure occupational health and safety procedures, training and equipment for all operations. Survey the site and consult with land owners prior to finalizing design. Relocate operations to avoid critical natural habitats and otherwise mitigate through replanting. • Ensure ESMP contains measures to protect coastal dunes, foreshore, mangroves or other habitats.	
Relocation of structures onto new sites.	Involuntary land acquisition.	Avoid new sites where possible. Use participatory processes with communities to identify suitable alignments / locations. Consult and gain voluntary land donation or lease for all works (whether relocated or within the existing footprint).	Voluntary Land Donation Protocol Land Leases Resettlement Policy Framework
	Removal of structures (fences, animal pens) income-generating assets such as trees or crops.	Consultation with owners and compensation for lost asset or income.	PWD Associated Works Consent Form and compensation rates.

Activity	Significant Potential Impacts	Key Mitigation Measures	Safeguard Tools
	Damage to physical cultural resources, including graves.	Survey the site and consult with land owners prior to finalizing design. Realign to avoid PCR or otherwise move or protect PCR as required by land owners and GoV. Follow chance find procedure.	Project screening checklist (Annex B). Chance find procedure (Annex I).
	Damage to rare vegetation or habitats such as nesting areas, feeding areas for wildlife.	Survey the site and consult with land owners prior to finalizing design. Realign to avoid critical natural habitats and otherwise mitigate through replanting.	EPC ACT EIA process and Permit Conditions Project screening checklist (Annex 0). ESMP
Renovating / replacing buildings on existing sites.	No land owner consent leading to grievances or delays.	Check lease status and consult landowner.	Voluntary Land Donation Protocol Land Leases Resettlement Policy Framework.
Construction and Demolition Waste.	Asbestos containing materials are mishandled and create a health issue for workers or create a legacy issue from incorrect disposal.	Use trained personnel to survey for Asbestos-containing materials. Asbestos containing materials to be wrapped/contained to avoid creating dust and buried in a demarcated area in an approved landfill.	Asbestos Protocol
	Waste is stockpiled, burnt or buried in a way that creates a health and safety hazard. Materials are wasted when they could be reused.	Stockpile reusable materials for use by the community. Separate out recyclables that can be taken to Port Vila for recycling where economically viable. Crush concrete to provide aggregates for road repairs or backfill in building construction wherever possible.	Refer to the respective Provincial Government Waste Protocol and existing local waste management arrangements under the Waste Management Act.

Activity	Significant Potential Impacts	Key Mitigation Measures	Safeguard Tools
		Take non-recyclable, non-reusable materials to an approved landfill. Take hazardous waste to an approved landfill.	
	Left over wet concrete is discharged to water ways or coastal areas, killing wildlife.	Avoid discharge of wet concrete or cement powder into water ways or coastal areas. Repurpose left over wet concrete for other uses. Poor left over wet concrete onto the ground to harden. Dispose of hardened concrete.	Refer to the respective Provincial Government Waste protocol and existing local waste management arrangements under the Waste Management Act.
Earthworks creating stockpiles of sediment.	Discharges of sediment to water ways or coastal areas.	Avoid dumping of sediment into water ways or coastal areas. Stockpile excess sediment at least 20m from water ways and high tide, for reuse by locals. Spread and stabilize (by planting) excess sediment to avoid erosion. Consult with landowners for the re-use of sediment.	EPC Act EIA process and Permit Conditions ESMP.
Use of oil, petrol, diesel and chemicals.	Discharges of waste oil or hazardous spills into ground or waterways.	Safe storage of hazardous materials. Spill kits to be on site at all times. Contain waste oil for recycling. Refuel machinery at least 20m from waterways and coastal areas.	EPC Act EIA process and Permit Conditions ESMP

Activity	Significant Potential Impacts	Key Mitigation Measures	Safeguard Tools
		Dispose of all containers and waste materials at an approved landfill. Consult with community members for the re-use of waste oil.	
Noise and vibration from heavy machinery.	Nuisances to nakamals, households, health centres and students at the school.	Limit operating hours for heavy equipment to outside school hours / terms but not between 1800 and 0600 daily and as agreed with School Principal and/or surrounding communities and sensitive receptors Warn communities of noisy or vibrating work.	EPC Act EIA process and Permit Conditions ESMP
Community and student health and safety during construction.	Safety incident due to students or community members entering the work site.	Use warning signs and demarcate construction areas that are 'no go' for non-workers. Hold safety talks in surrounding schools and communities to advise students and communities of how to be safe around the construction sites.	ESMP
Use of local labor and 'imported' labor (from other communities, islands or countries).	Exploited for cheap labor. Gender inequity. Unsafe work practices. Imported work force causing disruption to traditional / island lifestyles or creating health or safety issues.	Consult with the land owners and broader community about income and employment opportunities and get broad support for labor schemes such as Island-based Contractors or casual employment of labor, for working hours/days and for equal opportunity for training and employment. Employment should be consistent with Vanuatu labor laws and no children (under 16 years old) shall be employed. Women and men shall have equal opportunity for training, employment and income.	Vanuatu Labour and Employment Laws World Bank Group EHS Guidelines.

		Provide suitable training to locals to do the work safely and provide all relevant safety equipment at no cost to workers. Where teams of imported labor will be present: Provide worker training in HIV / AIDs and cultural awareness. Inform communities of potential issues prior to construction. Ensure adequate accommodation and services are provided for the duration of the work.	
Technical advisory.	Outputs that are contrary to good environmental management and community well-being, and contrary to donor safeguard policies or the laws of the GoV.	Requirement for consultants to consider environmental and social impacts and aspects as part of the advisory service.	Terms of Reference for Technical Advisory
Location and Operation of sanitation facilities.	Poor maintenance leads to inadequate treatment or exposure of untreated effluent and pollution of water.	Identify optimal locations (away from watercourses, springs etc)	Provide maintenance and monitoring manuals and provide training to ensure that the sanitation facilities are maintained to the standard they were designed for. ESMP

5.2 Emergency Operations Under Component 5

Any activities that arise under Component 5, in rapid response to disaster, emergency and/or catastrophic event will go through the screening process under Section 6 and Annex B and the relevant safeguards instruments will be prepared and implemented. Consultations with land owners, beneficiaries and potentially affected people will take place during the assessment of damage to infrastructure and assets in the development of the response plan.

6 Safeguards Procedures

There are two sets of tasks to be completed under this ESMF. The first (Section 6.1) is a list of tasks for the Safeguard Specialist to complete before the sub-projects have been identified. These tasks are preparatory and will assist sub-project selection and management of potential risks and impacts. The second (Section 6.2) is a detailed methodology for screening sub-projects, or groups of sub-projects to determine the likely risks and the appropriate safeguard instrument(s).

6.1 Tasks to be Completed Before Sub-Project Identification

The PST Safeguard Specialist will be responsible for the following tasks, before the sub- projects are identified:

- Complete the Consultation and Participation Plan or equivalent.
- Ensure any standard protocols (such as the Waste Protocol) relating to mitigation procedures for common / typical impacts are up to date and make any amendments based on local facilities / service providers under the Waste Management Act.
- Assist with the inclusion of standard clauses and relevant attachments to Terms of Reference and contracts for consultants and contractors (Refer Annexes D & E).
- Ensure that an Asbestos Specialist is recruited in the design consultancy team to undertake an inventory of asbestos in the buildings and develop a detailed plan for safe and effective demolition and waste disposal.
- In partnership with DEPC, prepare a list of likely sub-projects requiring environmental permits based on the EPC Act and Regulations, and agree on a system or process for applying for environmental permit (such as applying for multiple sites in one permit, or having standardised approaches to permit applications for common projects or the use of codes of practice where appropriate).

6.2 Screening of Sub Projects

The following provides the steps in the assessment of sub-projects. This screening process complies with the safeguards requirements of the World Bank but does not necessarily fit within Vanuatu legislation or safeguards processes.

Step 1. Screening for environment Category of sub-projects.

The first stage in the assessment is screening of project impacts to determine the potential risks and the World Bank environment category (A, B, or C).

Refer to **Screening Checklists** in Annex B.

The significance of the project's environmental impacts determines the environment Category of the project:

• Category A. The activity is likely to have significant adverse environmental impacts that are sensitive diverse, or unprecedented. In addition the potential social and environmental impacts may be mostly adverse, the scope of impacts large in terms of area and/or the impacts difficult to mitigate.

These impacts may affect an area larger than the sites or facilities subject to physical works. No sub-projects are anticipated to be category A under VIRIP and in any case are excluded from project funding.

- Category B. The activity has potential adverse environmental impacts on human populations or environmentally important areas including wetlands, forests, grasslands, and other natural habitats. These impacts are site-specific; few if any of them are irreversible; one or two site sensitivity ratings are medium or high and in most cases mitigation measures can be designed more readily than for Category A projects. Coastal protection works, river embankment works, and river crossing works may fall under this category. DEPC will likely require an application for an environmental permit for Category B projects.

- Category C. The activity is likely to have minimal or no adverse environmental impacts. Beyond screening, no further environmental assessment is required for a Category C project, although DEPC *may* require an application for an environmental permit for Category C projects. Minor repairs to existing structures, roads and footpaths are likely to fall in this category. Codes of Practice may also be used to ensure that safeguards considerations are taken into account.

As most sub-projects relate to renovating existing infrastructure, it is likely that each sub-project will be Category B or C. Given the project scope, Category A sub-projects are highly unlikely to be proposed, and are not eligible for funding. Only Category B and C sub-projects will be approved under VIRIP.

Step 2. Determining the safeguard instrument to be used.

The second step in the screening process is to determine what type and extent of assessment may be required and what safeguards instruments will be required under World Bank and GoV safeguards requirements (environmental permit, ESMP, Codes of Practice, EIA).

1) Refer to **Screening Checklist S1** in Annex B. This will identify the relevant instruments.
2) Refer to **Screening Checklists S2, S3, S4 and S5** in Annex B to confirm the nature of impacts and what should be covered in the instrument.

The PST Safeguards Specialist will conduct or oversee the screening. Screening summaries will be forwarded to the Bank for review and concurrence. This may happen now, or after Step 3.

Step 3: Integration with Design

PST Safeguards Specialist will discuss the screening outcomes with the design personnel and the community to identify ways to reduce or avoid adverse impacts. Any adjustments to the sub-project categorisation or safeguard instrument can be refined following this process. Any adjustments will be forwarded to the Bank for review and concurrence.

Step 4: Preparation and Disclosure of Safeguard Instruments

The PST Safeguards Specialist will prepare the relevant instruments, both for GoV and the World Bank processes. This process may include site visits and data gathering, consultation and public disclosure

of the documents. Instruments covering categories or groups of sub-projects by geographical area or procurement may be used where appropriate.

Where no separate instrument is required, the works will default to the ESMF for guidance.

Step 5: Implementation

In line with the RPF, the PST Safeguards Specialist will ensure that all relevant Voluntary Land Donations or lease arrangements have been provided, and any lost assets are compensated, and / or the involuntary land acquisition (via the Resettlement Action Plan) has been successfully implemented, before works begin. In the event that land donation or consent is not obtained in time, then the sub-project will not advance through the project cycle unless and until the land donation or consent is evidenced in writing.

The PST Safeguards Specialist will conduct or oversee any relevant training for safeguards for contractors, workers or communities.

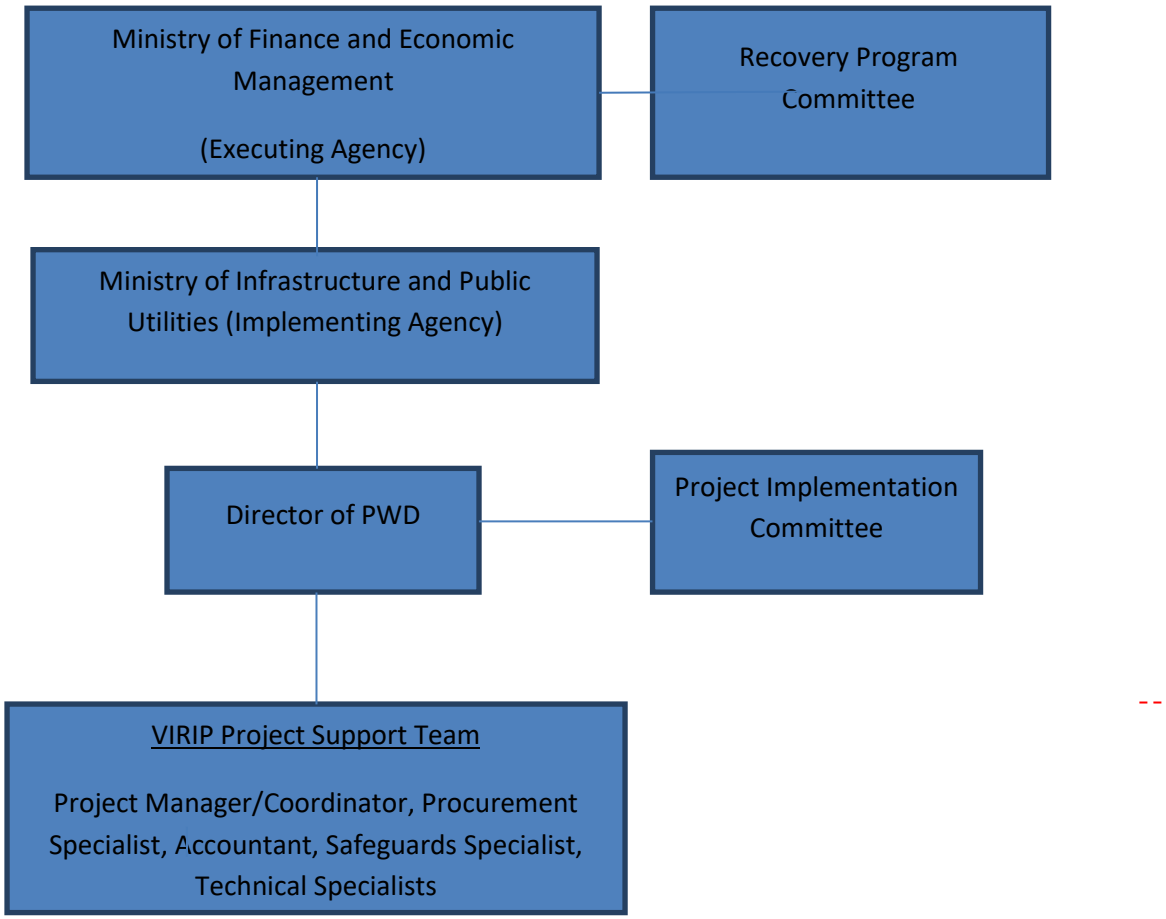
The design consultants and the construction contractors will be responsible for implementing the ESMF and ESMP safeguard instruments and the conditions of any environmental or other permits. The instrument and their responsibilities will be clearly documented in TOR and contracts.

The PST Safeguards Specialist will supervise the implementation of the safeguards instruments and conditions of any environmental permits and will be responsible for the monitoring and enforcing the instruments. Reports from the supervising contractors and managing engineers will require assessment of and details on the day to day observations of safeguards management.

7 Institutional Arrangements and Responsibilities

The executing agency for VIRIP will be the Ministry of Finance and Economic Management (MFEM), and the Ministry of Infrastructure and Public Utilities (MIPU) will be the implementing agency. Arrangements for implementing the project are outlined in the following organizational chart.

VIRIP Implementation Arrangements



VIRIP Project Support Team. A Project Support Team (PST) will be established to support MIPU in implementing VIRIP and be the principle working counterpart for the Bank. The PST will work closely with and keep the Project Implementation Committee informed of day-to-day aspects of VIRIP, but is ultimately responsible to MIPU for all VIRIP activities. It is expected that the PST will consist of four individuals with specialist expertise in project management, procurement, accounting and financial management, and safeguards. The PST, under the guidance of MIPU, has responsibility for overseeing and managing all aspects of VIRIP's execution. This includes ensuring compliance with project requirements associated with procurement, inspection and certification of works, financial management and auditing, safeguards, monitoring and evaluation, and project reporting. The PST will oversee tenders, prepare procurement documents, advertisements, evaluations of bids and proposals, finalize and negotiate contracts for goods, works and services for signing by MIPU, arrange payments of suppliers, contractors and consultants, and prepare and submit withdrawal applications

to the Bank. The PST will also maintain procurement files and records, and be responsible for ensuring that environmental permits from the DEPC are secured.

PST Safeguards Specialist. This position within the PST is responsible for implementation of the ESMF, including ensuring that (i) environmental approvals from the DEPC are secured; (ii) organizing and providing training on ESMF procedures for the PMUs; (iii) addressing the potential for asbestos; (iv) preparing ESMP(s) once work lists are confirmed; (v) helping with consultations; (vi) monitoring the early works to ensure that the construction teams have the training and skills to comply with ESMP and ESMF; and (vii) ensuring bid documents and contracts have requisite safeguards instrument(s) attached. The PST will also be actively engaged in supporting the resolution of grievances that have not been suitably resolved by contractors, and/or supervising engineers/managing contractors or the relevant PMU. The Safeguards Specialist may also delegate some responsibilities to individual Safeguards Officers for monitoring and compliance.

Supervising Engineers for PWD. The PST is expected to contract supervising engineers to support overall execution and day-to-day implementation of project activities related to transport and public buildings, including overseeing all aspects of construction works with the support of site inspectors, and administering contracts. Supervising engineers will also be responsible for implementing the ESMF and / or ESMP in design and supervising the implementation of ESMF and / or ESMP in construction. They may support the Contractors to resolve grievances where necessary.

Managing Contractors for MoET. Managing contractors will be contracted by the PST to oversee execution and day-to-day implementation of VIRIP activities associated with schools. They will implement the ESMF and / or ESMP during design and supervise the implementation of the ESMF and / or ESMP in construction. They may support the Contractors to resolve grievances where necessary.

Contractors (IBCs etc.). Contractors are responsible for the day-to-day implementation of mitigation measures in the ESMF and / or ESMP. They may require training and may need to hire or purchase specific equipment. The Contractors will be responsible for health and safety of the workers, volunteers and bystanders / the community. They will also be responsible for ensuring imported workers (from other communities, islands or nations) are socialized in the customs of the local communities. They will also receive and manage any complaints, and keep a record of complaints to forward to the PST under the VIRIP grievance redress mechanism (GRM).

8 Consultation and Information Disclosure

Consultation and information disclosure is key to securing community buy-in to the projects, and to acceptability of project impacts. MIPU will identify stakeholders, and the media and fora that are most accessible and acceptable to them in the local context.

The draft ESMF was publicly disclosed on Friday 8th April 2016 in Vanuatu, and a consultative workshop was held with Government stakeholders (refer Appendix A).

8.1 Consultation during project implementation

Citizen engagement and consultation will occur during project implementation, once projects have been selected by the MOET and MIPU and PST for implementation. Detailed consultation methods will be outlined in the Project Operations Manual (POM), based on the principles below.

Local communities (including land owners) will be approached once sub-projects have been identified and before detailed design has been completed. Extensive engagement will be carried out using customary protocols, inclusive of women and youth, with the support from PWD Community Participation Officers (CPOs). Provincial and Area Councils will also be involved in early and ongoing consultations. Engagement of communities and interested parties will be a key approach to ensuring that there is support for the projects and the projects meet the needs of the end users, with appropriate mitigation in place.

Following the development of the subprojects as above and safeguards instruments have been drafted, formal and documented public consultation and information disclosure will be required in accordance with the World Bank requirements for public consultations with project beneficiaries, affected persons and key stakeholders on safeguard documents; and government's consultation and information disclosure requirements identified in the Environmental Protection and Conservation Act.

The information disclosed and feedback provided at the consultation sessions will be summarized, attendance recorded, and the document attached as an annex to the safeguard instrument. Invited participants and attendees at formal safeguard instrument consultation events will include government agencies (including provincial government), village and community representatives, as well as NGOs and civil society organizations.

8.2 Gender Considerations

The proposed information sharing and participation mechanisms will be gender-sensitive in their design. The Community Participation Officers will receive gender training, if required, in this approach (by a suitable local NGO) to ensure they facilitate the active participation of women and marginalized groups in project planning, implementation and evaluation.

Some other aspects to consider during the design:

- Consultations should allow for separate consultations with men and women where necessary to ensure that they can freely express their views.

- Ensure there are male/female facilitators who can disseminate information and collect feedback. Training of area coordinators and community facilitators shall include gender training and awareness raising information and materials.
- Ensure equal participation of women during project implementation including encouraging women's equal participation in decision-making, for example by establishing targets or specific initiatives (such as skills training). Core leaders and members of the various community-decision making committees should include a significant number of women.

8.3 Methods of communication

Methods of citizen engagement, information dissemination and consultation will include:

- Nakamal or community meetings for beneficiaries of the recovery projects. Meetings will enable all segments of the community, including youth, women, aged or otherwise vulnerable individuals to participate and contribute to the discussions, as per custom and perceptions. These meetings will be facilitated by PWD Community Participation Officers. Based on needs, separate consultations for men/women could be organized to ensure beneficiaries interest and concerns are voiced.
- Land owner and community meetings to discuss access to aggregates or land use for infrastructure where there may be benefits and impacts beyond the immediate project beneficiaries.
- Meetings to inform Provincial and Area Councils of project developments.
- Notices posted and documents available to the public in suitable locations close to project sites (for example school offices, area council noticeboards and offices, provincial council headquarters).

Presentations at community and landowner meetings will be in Bislama, non-technical and include visual content. The expected outcome would be that the attendees should understand the legal framework within which the project will operate, their rights, and how to make comments or register grievances about any project using the GRM. The CPO's will make sure that there is ample discussion time, and that the format is conducive to participation by all parties (men and women). S/he will keep records of attendance, comments and any resolutions or agreements adopted at meetings of all kinds. These will be promptly fed back to technical team members as appropriate, reflected in project design and in reports on consultations that will form part of the regular project reporting structure. Several meetings may be required to get full understanding and agreement of the project.

8.4 Stakeholders

Main stakeholders of the VIRIP include but are not limited to the following:

- Department of Environmental Protection and Conservation
- Department of Geology, Mines and Water Resources
- Department of Local Authorities
- National Disaster Management Office
- Ministry of Women's Affairs

- Department of Lands and Surveying
- Roads for Development
- Provincial Councils
- Area Councils
- Civil society organizations working in the gender, health, socio-economic development and environment sectors may have an interest in issues such as the operation of cyclone shelters, management of asbestos waste, safe construction and operation of road assets. The umbrella Vanuatu Alliance of Non-Governmental Organizations (VANGO) may be a useful point of contact with these stakeholders.
- Communities / Nakamals / Land owners / men and women who will benefit from the improved infrastructure or may suffer adverse impacts from construction, sourcing aggregates, water quality issues etc.

9 Grievance Redress Mechanism

The purpose of a Grievance Redress Mechanism (GRM) is to provide a centralized mechanism for the Project which can also be applied to meet the Bank's safeguard requirements.

The GRM outlines a process for documenting and addressing project grievances (complaints) that may be raised by affected persons or community members regarding specific project activities, environmental and social performance, the engagement process, and/or unanticipated social impacts resulting from project activities. It describes the scope and procedural steps and specifies roles and responsibilities of the parties involved. The GRM is subject to revision based on experience and feedback from stakeholders.

The GRM is a standalone document that is publicly disclosed and widely circulated to ensure all stakeholders are aware of the process for documenting and resolving grievances arising from project works.

10 Monitoring and Reporting

Each ESMP will contain a monitoring and reporting program suitable for the sub-project. In line with the project results framework, and where relevant gender-disaggregated data is available, it should be included in the reporting.

The Contractor or the Supervising Engineer and Managing Contractor and contractor may all have responsibilities for monitoring and reporting. The PST Safeguards Specialist will undertake safeguards supervision and monitoring at least every two months in addition to compliance checking being undertaken on a daily basis by the Supervising Engineer and Managing Contractor. Following the supervision and monitoring checks, reports will be prepared by the Supervising Engineer and Managing Contractor and submitted to the PST Safeguards Specialist.

The Asbestos Specialist will be required to submit sampling reports, waste disposal reports and other documentation to the PST Safeguards Specialist on a quarterly basis or as required.

The PST Safeguards Specialist will prepare quarterly safeguards monitoring reports, and submit to MIPU, DEPC and WB. These reports will be disclosed to the public and will include reports of the operation of the GRM.

WB will prepare a project completion report after the project has finished. This report will summarize safeguards implementation (including any further requirements for capacity building) and monitoring and comment on compliance with the ESMF).

A. Summary of Consultation Workshop, April 8, 2016

The ESMF and RPF documents were the subject of a consultation workshop held at MIPU headquarters in Port Vila on April 8, 2016. The workshop was attended by key government stakeholders (refer below for list of attendees).

Issues that were raised during the discussions included: ensuring Provincial and Area Councils were involved in project planning, using Community Participation and Community Partnership Officers to assist with community engagement during project planning and implementation, and ensuring the national laws, including the Environmental Protection and Conservation Act, were complied with throughout the project. It was noted that PWD and MoET have systems in place to engage the community with any proposed projects, and that the ESMF should be strengthened to show this. The role of the safeguards specialist in the PST was discussed, including whether the person should be a national or international, and which option would provide sustainable benefits. There was a query about who pays for land acquisition. The Bank team confirmed that it would be the Government of Vanuatu. It is expected that assets supported under the project will be reconstructed and/or improved within their existing boundaries and will avoid, or require minimal, land acquisition. In case land acquisition is required, involuntary land acquisition is only a backstop approach to a project that will rely primarily on voluntary land donation or lease arrangements.

The frameworks were disclosed on the Government's official website on April 8, 2016 (http:\gov.vu/virip), and distributed to the attendees at the meeting.

Attendees:

Person and Title	**Institution**
Johnson Binaru, Director General	Ministry of Infrastructure and Public Utilities
Sam Namuri, Director of Public Works Department	Ministry of Infrastructure and Public Utilities
Tony Sewen, Director	Ministry of Finance and Treasury
Jone Roqara, Deputy Director	Public Works Department
Uravo Nafuki, Senior Environment and Social Officer (North)	Public Works Department
Paula Baleilevuka, Engineer	Public Works Department
Jennifer Cavill, Graphic Designer	Public Works Department / AUID
Jason Andrews, Senior Environment and Social Officer (South)	Public Works Department
Ann Tosiro, Senior Community Partnership Officer	Public Works Department

Ambatha Paraliu, Manager Operations	Public Works Department
Gordon Craig, Infrastructure Advisor	Ministry of Education and Training
Bob Nikaih, Architect	Ministry of Education and Training
Noel Naki, Geodic Control Surveyor	Department of Lands and Survey
Frederick Hosea, Infrastructure Expenditure Analyst	Ministry of Finance and Treasury
Richard Farrell, Sr. Road Engineer	Roads for Development Program
Ted MacDonald, Advisor	Ministry of Infrastructure and Public Utilities
Ian Iercet, Architect	Public Works Department
Reedly Tari, EIA Officer	Department of Environmental Protection & Conservation
Iain Haggarty, Advisor	Department of Environmental Protection & Conservation
Kate McPherson, Environment Legal Support Officer	Department of Environmental Protection & Conservation
Pene Ferguson, Environmental Safeguards Specialist	World Bank
Jim Reichert, Senior Infrastructure Specialist	World Bank
Jane Sprouster, Operations Officer	World Bank
Imogen Halstead, Senior Economist	World Bank

B. World Bank Safeguards Policy Screening Checklists

Environmental Safeguard Form S.1: Safeguard Policy Triggering and Safeguard Document Requirements

Subproject Details:_

Question	Answer		If Yes	Next Steps
	Yes	No	**Policy triggered**	
1. Are the sub-project impacts likely to have significant adverse **environmental** impacts that are sensitive,[7] diverse or unprecedented?[8] Please provide brief description:			*OP 4.01 Environmental Assessment*	If "No": proceed to next screening question. If "Yes": not eligible for project financing as would be Cat A
2. Are the project impacts likely to have significant adverse **social** impacts that are sensitive, diverse or unprecedented?[9] Please provide brief description.		✓	*OP 4.01 Environmental Assessment*	If "No": proceed to next screening question. If "Yes": not eligible for project financing as would be Cat A
3. Do the impacts affect an area broader than the sites or facilities subject to physical works and are the significant adverse environmental impacts irreversible? Please provide brief description:		✓	*OP 4.01 Environmental Assessment*	If "No": proceed to next screening question. If "Yes": not eligible for project financing as would be Cat A

[7] Sensitive (i.e., a potential impact is considered sensitive if it may be irreversible, e.g., lead to loss of a major natural habitat, or raise issues covered by OP 4.04, Natural Habitats; OP 4.36, Forests; OP 4.10, Indigenous Peoples; OP 4.11, Physical Cultural Resources; or OP 4.12, Involuntary Resettlement).

[8] Examples of projects in the road sector where the impacts are likely to have significant adverse environmental impacts that are sensitive, diverse or unprecedented are large scale infrastructure such as construction of new roads.

[9] Generally, sub-projects with significant resettlement-related impacts should be classified as Category A. Sub-projects that would require physical relocation of residents or businesses, as well as sub-projects that would cause landowners to lose more than 10 percent of their productive land area are classified as Category A.

Question	Answer		If Yes	Next Steps
	Yes	No	**Policy triggered**	
4. Is the proposed project likely to have minimal or no adverse environmental impacts?[10] Please provide brief justification.			*OP 4.01 Environmental Assessment*	If "No": Category B. Discuss with DEPC and prepare an application under the EPC Act. May also need EIA for activities with significant impacts. If "Yes": Category C. Discuss with DEPC. Prepare ESMP as required to meet WB safeguards standards or EPC Act permit conditions.
5. Is the project neither a Category A nor Category C as defined above?[11] Please provide brief justification.			*OP 4.01 Environmental Assessment*	If "Yes": Category B. Discuss with DEPC and prepare an application under the EPC Act. May also need EIA for activities with significant impacts. Prepare ESMP as required to meet WB safeguards standards or EPC Act conditions.

[10] Examples of projects likely to have minimal or no adverse environmental impacts are supply of goods and services, technical assistance, simple repair of damaged structures, etc.

[11] Projects that do not fall under Category A or Category C can be considered as Category B. Examples of Category B sub-projects include small scale *in-situ* reconstruction of infrastructure projects such as road or bridge rehabilitation etc.

Question	Answer		If Yes	Next Steps
	Yes	No	**Policy triggered**	
6. Will the project adversely impact physical cultural resources?[12] Please provide brief justification.			*OP 4.11 Physical Cultural Resources*	If "Yes": Category B. Discuss with DEPC and prepare an application under the EPC Act. May also need EIA for activities with significant impacts. Prepare ESMP as required to meet WB safeguards standards or EPC Act permit conditions . If 'No': Ensure chance find procedures.
7. Will the project involve the conversion or degradation of non-critical natural habitats? Please provide brief justification.			*OP 4.04 Natural Habitats*	If 'No': Refer to next screening question. If "Yes": Category B. Discuss with DEPC and prepare an application under the EPC Act. May also need EIA for activities with significant impacts. Prepare ESMP as required to meet WB safeguards standards or EPC Act permit conditions .

[12] Examples of physical cultural resources are archaeological or historical sites, including historic urban areas, religious monuments, structures and/or cemeteries, particularly sites recognized by the government.

Question	Answer		If Yes	Next Steps
	Yes	No	**Policy triggered**	
8. Will the project involve the significant conversion or degradation of critical natural habitats?[13]			*OP 4.04 Natural Habitats*	If "No": Refer to next screening question. If "Yes": not eligible for project financing as would be Cat A or inconsistent with the Policy.
9. Does the sub-project involve involuntary land acquisition?			*OP 4.12 Involuntary Resettlement*	If "No": Refer to next screening question. If "Yes": Refer to the RPF.
10. Does the sub-project involve voluntary land donation, loss of assets or access to assets, or loss of income sources or means of livelihood? Please provide brief justification			*OP 4.12 Involuntary Resettlement*	If "No": Refer to next screening question. If "Yes": consult and prepare relevant documentation as per RPF.

[13]Sub-projects that significantly convert or degrade critical natural habitats such as legally protected, officially proposed for protection, identified by authoritative sources for their high conservation value, or recognized as protected by traditional local communities, are ineligible for Bank financing.

Environmental and Social Safeguard Screening Form S.2: Social Impacts

Name of the Sub-project:

Locality, and Nakamal(s), Custom land owners:

_____

Type of Impact	Yes	No	Comment
1. A) Roads Sub-projects **Land** – Does the Sub-project require additional land? **B) Schools and Public Buildings** **Land – Does the Sub-project take place on leased land?**			
1.1 (Roads Sub-projects only) If "Yes", state how much land	Ha		
1.2 (Roads Sub-projects only) Was an alternative design explored to decrease/avoid land take			
1.3 (Roads Sub-projects only) If "Yes", how much land was required in the alternative design?	Ha		
1.4 How is this land provided:			
Donation			
Long-term lease			
Available government land			
Other (describe)			
1.5 Is documentation attached in case of donation, lease, or use of Government land			
2. Loss of Assets or Sale of Assets			
2.1 Are there losses of structures?			
2.2 Are there losses of income sources and other assets? How many households are affected? How			

many female-headed households affected? How many vulnerable households are affected?			
2.3 Are there available resources to compensate them at replacement cost? Source of funds?			
2.4 Has an agreement been reached as to the access to sand, aggregate, gravel, rock or other material, and is there a fair price negotiated? (in addition to relevant permits and licenses)			
2.5 Will the project have any impacts on customary fishing practices or access to shared resources relied upon for livelihood purposes			
4. Cultural Property			
Any negative impacts on cultural property such as grave sites, tabu sites, historical buildings etc.			

Environmental Safeguard Screening Form S.3: Environmental Screening for Road Assets

Name of the Sub-project:

Locality, and Nakamal(s), Custom land owners:

Description of the area:

Potential Impact	**Assessment** {Put only one tick (√) in each row}		**Mitigation Plans / Instruments**
	NO Negative Impact or NOT Significant	**Significant Impact**	
1. Removal of vegetation.			
2. Increased landslides during and after construction.			
3. Dust pollution during construction activities.			
4. Risk of accidents involving construction materials, pollution of water courses and agricultural lands.			
5. Pollution from ancillary activities like preparation of asphalt, crushing of aggregate, concrete mixing, etc.			
6. Increased erosion downstream of waterways being crossed.			
7. Disruption of aquatic ecosystem during construction due to excessive sediment, discharge of waste concrete or accidental spillage of oil & grease to nearby water bodies.			
8. Increased noise due to construction and increased traffic.			
9. Increased risk of accidents due to increased and faster traffic.			
10. Generation of solid waste during construction.			
11. Loss of wildlife habitat which may have established.			
12. Entry of migrant workers.			

Potential Impact	Assessment {Put only one tick (√) in each row}		Mitigation Plans / Instruments
	NO Negative Impact or <u>NOT Significant</u>	**Significant Impact**	
13. Impact on access to wild areas, food gathering, etc., during construction and operation.			
14. Negative reaction to public due to poor information.			

Environmental Safeguard Screening Form S.4: Environmental Screening for Schools

Name of the Sub-project(s): _

Locality, and Nakamal(s), Custom land owners

Description of the area:

Potential Impact	**Assessment** {Put only one tick (√) in each row}		**Mitigation Plans / Instruments**
	NO Negative Impact or NOT Significant	**Significant Impact**	
1. Removal of vegetation.			
2. Increased landslides during and after construction.			
3. Dust pollution during construction activities.			
4. Risk of accidents involving construction materials, pollution of water courses and agricultural lands.			
5. Pollution from ancillary activities like preparation of asphalt, crushing of aggregate, concrete mixing, etc.			
6. Increased erosion downstream of waterways being crossed.			
7. Disruption of aquatic ecosystem during construction due to excessive sediment, discharge of waste concrete or accidental spillage of oil & grease to nearby water bodies.			
8. Increased noise due to construction and increased traffic.			
9. Increased risk of accidents due to increased and faster traffic.			
10. Generation of solid waste during construction.			
11. Loss of wildlife habitat which may have established.			
12. Entry of migrant workers.			

Potential Impact	Assessment {Put only one tick (√) in each row}		Mitigation Plans / Instruments
	NO Negative Impact or <u>NOT Significant</u>	**Significant Impact**	
13. Impact on access to wild areas, food gathering, etc., during construction and operation.			
14. Negative reaction to public due to poor information.			

Environmental Safeguard Screening Form S.5: Environmental Screening for Public Buildings

Name of the Sub-project: _

Locality, and Nakamal(s), Custom land owners

Description of the area:

Potential Impact	**Assessment** {Put only one tick (√) in each row}		**Mitigation Plans / Instruments**
	NO Negative Impact or NOT Significant	**Significant Impact**	
1. Removal of vegetation.			
2. Increased landslides during and after construction.			
3. Dust pollution during construction activities.			
4. Risk of accidents involving construction materials, pollution of water courses and agricultural lands.			
5. Pollution from ancillary activities like preparation of asphalt, crushing of aggregate, concrete mixing, etc.			
6. Increased erosion downstream of waterways being crossed.			
7. Disruption of aquatic ecosystem during construction due to excessive sediment, discharge of waste concrete or accidental spillage of oil & grease to nearby water bodies.			
8. Increased noise due to construction and increased traffic.			
9. Increased risk of accidents due to increased and faster traffic.			
10. Generation of solid waste during construction.			
11. Loss of wildlife habitat which may have established.			
12. Entry of migrant workers.			

Potential Impact	Assessment {Put only one tick (√) in each row}		Mitigation Plans / Instruments
	NO Negative Impact or <u>NOT Significant</u>	**Significant Impact**	
13. Impact on access to wild areas, food gathering, etc., during construction and operation.			
14. Negative reaction to public due to poor information.			

Environmental and Social Safeguard Screening Form S.6: Agreed Environmental and Social Safeguard Categorization and Safeguard Documents Required

The sub-project ……., located ……. is classified as a Category …… project as per World Bank Safeguard policy requirements, and the following safeguard documents/instruments will be prepared:

Categorization Note:
Environmental Category A: if it is likely to have significant adverse environmental impacts that are irreversible, diverse, or unprecedented, and impacts may affect an area larger than the sites or facilities subject to physical works**. Category B** if its potential adverse environmental impacts are less adverse than those of Category A projects, impacts are site-specific, few if any of them are irreversible, and in most cases mitigation measures can be designed readily. A project is **Category C** if it is likely to have minimal or no adverse environmental impacts.

Involuntary Resettlement Category A: If impacts on the displaced population are significant (where the affected people are physically displaced and more than 10 percent of their productive assets are lost), or more than 200 people are displaced.
Category B: If impacts on the displaced population are minor (where the affected people are physically displaced and less than 10 percent of their productive assets are lost), or less than 200 people are displaced

C. Waste Protocol

At present there is no estimate of how much debris will be generated by this project. The table below provides potential options to manage construction and demolition waste with intent to maximize reuse, minimize disposal and ensure safe disposal of hazardous and non-reusable materials.

Options for the management, recycling or disposal of wastes shall be in line with the requirements of and arrangements under the Waste Management Act.

Type of Waste	Reuse, Recycling or Disposal Option	Comments
Vegetation, untreated sawdust	Composting	In suitable location with agreement of landowner(s).
Damaged paper, books, school resources, files etc.	Recycling where possible. Otherwise, landfill.	Refer to recycling operators in Port Vila for a viable market.
Timber	Stockpile for use by the local community Firewood	Ensure all unusable treated timber is separated out and disposed to landfill.
Fibreboard (timber or cement based, non-asbestos)	Stockpile for reuse in the village Broken / small pieces – suitable disposal as required by Provincial Council	
Treated timber.	Suitable disposal as required by Provincial Council	
Metals (all types), wire, electronic equipment, damaged bicycles, white goods (cookers, small appliances), drink cans, iron roofing, re-inforcing bar, downpipes.	Stockpile for by the local community where possible (particularly roofing iron) Recycling	Refer to recycling operators in Port Vila where economically viable.
Glass	Reuse in the village where possible Recycling where possible Otherwise suitable disposal as required by Provincial Council	Refer to recycling operators in Port Vila where economically viable.

Type of Waste	Reuse, Recycling or Disposal Option	Comments
Hazardous waste: Paint, lubricants, fuels, solvents, glues, cleaners, medical wastes, batteries, etc., including empty containers that once had hazardous materials.	Segregate for disposal at an appropriate landfill.	Refer to suppliers in Port Vila where economically viable.
Asbestos-containing materials	Landfill – requires specialist procedures	Asbestos Specialist will manage these materials.
Tiles, bricks, concrete, ceramic, stone, concrete	Stockpile for reuse by the local community where possible. Crush remainder to max. 10 cm size for use in road bases or backfill.	Consider the use of a mobile crusher that can be moved between building sites if practicable.
Other (non-hazardous)	Reclaim where possible for use by the local community. Otherwise, suitable disposal as required by Provincial Council	

D. Asbestos Protocol

Background

The preliminary damage assessments carried out by MoET and MIPU in the immediate aftermath of TC Pam pointed to the potential use and subsequent exposure of asbestos wall and ceiling cladding in schools and public buildings. For this project an Asbestos Specialist will be engaged to assist with the identification of asbestos in the buildings subject to replacement, renovation or demolition, and the handling, removal and disposal of asbestos-containing materials.

Process

1) An Asbestos Specialist will be engaged to confirm the presence of asbestos in the buildings or building debris subject to funding under this project.
2) The Asbestos Specialist will hold a 'Certificate of Competency' from the New Zealand Department of Labour, or a similar certification indicating training and experience in the handling and disposal of asbestos-containing materials or have a training certificate in Asbestos Removal Supervision from an Australian State or Territory Workplace Health and Safety regulator.
3) The Asbestos Specialist will visit a sample of the buildings that will be funded under this project and prepare an identification guide and sample handling process along with an estimated inventory of the waste types and volumes that will need to be managed under the Asbestos handling strategy.
4) The Asbestos Specialist will train personnel in the sampling of suspected asbestos handling materials and organize testing overseas.
5) No physical work on the buildings will be done until suspected asbestos has been sampled, the results known and asbestos removed.
6) An Asbestos handling strategy shall be developed by the Asbestos Specialist, and reviewed by the World Bank, prior to implementation. This shall include:
    a. A list of all trained personnel, including an Asbestos Removal Supervisor, who will work on the project (providing certification or training records);
    b. A list of personal protective equipment required;
    c. A list of equipment required for containing and disposing the materials.
    d. Awareness raising methods for community members who may be (or have been) at risk.
    e. Approved safe-work methods for undertaking building deconstruction, wrapping of contaminated materials and preparation for disposal.
    f. Disposal of materials at licensed landfill (Bouffa).
    g. .
    h. If hazardous material needs to be transported to another state, then provide a strategy for obtaining the appropriate approvals under the Waigani Convention, however the intention of this program is that all waste material is to be managed within Vanuatu.
    i. All PPE and equipment used in the removal of asbestos is to be treated the same as asbestos containing materials.

j. Debris removal should include the external areas of the building surrounds that have been contaminated by asbestos containing debris.
k. Preparation of a map showing the location of the disposal of asbestos materials from this project at Bouffa landfill.

7) All work will be carried out in accordance with the New Zealand Guidelines for the Management and Removal of Asbestos (3rd Edition) produced by the New Zealand Demolition and Asbestos Association (NZDAA) and the World Bank Group 2009 Guidance Note on Asbestos Management (https://siteresources.worldbank.org/EXTPOPS/Resources/AsbestosGuidanceNoteFinal.pdf) including the World Bank Group's "Environmental, Health, and Safety Guidelines" available at: www.ifc.org/ehsguidelines.
8) The site of the disposal of asbestos containing materials shall be clearly marked at the site, and in a national register of hazardous sites or similar register of land interests.
9) All subprojects under VIRIP requiring the removal of asbestos or asbestos containing materials will have asbestos materials safely removed in advance of any reconstruction works commencing.
10) No asbestos containing materials will be used for construction or reconstruction or repair works under VIRIP.

E. Terms of Reference for Technical Advisory

The Terms of Reference for any Technical Advisory contracts should contain the following clauses as a minimum:

1. Analysis should include the environmental and social aspects and impacts, consistent with the safeguard policies of the World Bank and the Environmental and Social Management Framework of the VIRIP.
2. Outcomes and outputs (such as design, construction methods, training materials, recommendations and advice) should be consistent with the safeguard policies of the World Bank and the Environmental and Social Management Framework of the VIRIP.

F. Contents of an Environmental and Social Management Plan

An ESMP sets out the mitigation and management measures to be taken during project implementation to avoid, reduce, mitigate, or compensate for adverse environmental or social impacts (in that order of priority). The following is to be included in an ESMP:

Sub-project Description. A full description of each sub-project is to be provided in the ESMP including the rationale, development outcomes, description of the physical and social environment and details of the actual physical intervention proposed.

Impacts and Mitigation Measures. The ESMP will summarize the anticipated adverse environmental and social impacts and risks and describe each mitigation measure with technical details. It will also include any conditions imposed under the EPC Act and other safeguards legislation.

Monitoring. This part of the ESMP will describe monitoring measures with technical details, including parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits and definition of thresholds that will signal the need for corrective actions. The reporting and disclosure procedures will also be identified.

Implementation Arrangements. The ESMP will include an implementation schedule showing phasing and coordination with overall project implementation and describe the institutional organizational arrangements for responsibility for carrying out the mitigation and monitoring measures.

This section of the ESMP will also identify practical measures to strengthen environmental and social management capability that can be implemented during the project. The section will estimate capital and recurrent costs and describes sources of funds for implementing the ESMP.

Budget. Full budget for the effective implementation of the ESMP is to be provided including allocation for any implementation support requirements and capacity development etc.

Performance Indicators. Where possible and practical, the ESMP will describe the desired outcomes as measurable events, such as performance indicators, targets, or acceptance criteria that can be tracked over defined time periods.

G. ESMP Template for Road Sector Assets

Application. This template will be used for all road sector asset subprojects

Outline

a) Project Descriptions, including Components, Costs and Location
b) Potential Environment and Social Impacts and Mitigating Measures
c) Monitoring
d) Institutional Arrangements and Capacity Building

Project Descriptions

This section should describe the project, development objective, components, activities, location, project costs.

For this template, road construction means: spot improvements to existing roads, and in some remote locations, walking tracks, on several islands to repair cyclone damage and improve year-round accessibility to and for primarily rural communities.

1. Cyclone Damage. Although cyclone damage to roads was generally limited to washing out of bridge approaches and culverts due to excessive rainfall, there were also instances of severe, localized damage to exposed coastal roads and embankments from storm surges. Works would fund embankment repairs and strengthening seawalls in the form of rockfill revetments and masonry or gabion retaining walls.

   .

2. Access Improvements. The types of road sector assets to be improved would typically be small structures in the form of drainage structures, including drifts and/or vented drifts on water crossings, pipe culverts, lined drains, or low-maintenance surfacing on steep grades in the form of concrete pavements or concrete "tire paths." Funding would also be used for embankments across low-lying floodplains. In remote areas with no roads, walking tracks would be improved at critical locations with formal steps or surfacing on steep grades and simple pedestrian bridges over water crossings. Some larger structures such as bridges may be a preferred solution for ensuring resilient rural access and some locally important roads may be bitumen sealed over longer stretches to enable all weather access.

Detailed information on the actual activities shall be provided here.

Potential Environmental and Social Issues and Mitigating Measures

The major impacts and measures should be described and are summarized below. However any conditions imposed under the EPC Act and other safeguards legislation must also be included in the final ESMP. Codes of Practice may also be used to manage potential impacts.

A meaningful and effective implementation of ESMP will be achieved by integrating the ESMP with the design and in the bid documents. To ensure that the bid documents reflect the real cost of environmental mitigation in their bids important mitigation items will be included as a "line item" in the Bill of Quantities. Thus there would be an identified extra payment in the contract to ensure that the work is carried out by the Contractor as specified.

Prior to and During Construction

- **Site clearance** for right-of-way and establishing Contractor's work camps, staging areas, and so on, involves loss of vegetation including trees, loss of top soil, generation of waste material and generation of dust.

  Measures. The impacts can be minimized or mitigated by minimizing the areas to be cleared, salvaging crops, chipping the vegetation for use as mulch, salvaging the top soil for future use, applying dust control measures, etc.

- **Bitumen plants, stone crushers, cement mix plants** used in the manufacture of bitumen seal, or concrete could involve a stone crusher as part of the asphalt or concrete mix plants. For large operations, the activities will involve crushing of stones using large and noisy equipment, conveyors to transport aggregates and sand, oil fired aggregate heaters and dryers and batch mixers or it could simply involve the heating of bitumen and hand mixing asphalt and stone chips. Potential environmental problems involve bitumen spills or improper handling of bitumen, surface water contamination, noise from crushers and air pollution, particularly dust and smell.

  Measures. To a large extent most of these impacts are controllable and manageable by proper siting of the plants and using dust collectors and smell scrubbers.

- **Sourcing of construction materials** will usually require the use of suitably licensed quarries but may occasionally involve the use of some community donated materials in remote locations; transport, stockpiling and use of such materials; disposal of unsuitable materials, etc will require the

temporary use of land. This has the potential to cause loss of agricultural land or encroachment on beaches to extract suitable materials and may cause safety issues resulting from materials transport, storage and handling.

Measures. The mitigation measures include identification of licensed quarries or obtain approval for sources of material, installation of temporary runoff / sediment control structures; dust and noise control; management of transportation, storage, and materials handling activities; tidy up any borrow pits after construction, and so on.

- **Stone crushing and concrete preparation**. Potential environmental problems involve surface water contamination from wet cement spills, noise and dust from crushers.

  Measures. To a large extent most of these impacts are controllable and manageable by proper siting of the plants and handling of wet cement.

During Operation and Maintenance

- **Operation and Maintenance Phase:** There will be little extra vehicle movements as a result of the improvement in the road, but there will be increased resilience and road safety.

A generic ESMP matrix is shown in Attachment 1 below. The ESMP will include as detailed an implementation schedule as possible, based on this generic matrix. The budget to implement the ESMP will be estimated and included in the total project cost. Some aspects of the ESMP (such as dust control) will be part of good engineering design and will not require supplementary budget. Others will require additional budget, which will be estimated and included in the cost of implementing the ESMP.

Monitoring

Dust monitoring. As a principle, only those parameters which are pertinent to the project will be monitored. For example, where dust is a major source of impact, especially near schools, hospitals and residential areas, visual assessment/monitoring will be used to trigger watering of the site generating dust.

Noise. If there are complaints noise will be measured by a hand held noise meter.

Sediments. Discharge of sediments will be visually observed to ascertain the effectiveness of sediment traps.

In all cases, as soon as the monitoring results are available, the Contractor will be expected to remediate any problems immediately.

Most of the road projects will be small in size and the impacts will likely be low, site specific and short lived. The PST, in consultation with the DEPC, will develop project specific construction monitoring plans including parameters to be monitored, procurement of portable and hand held equipment such as noise meters, water quality measuring kits, air quality measuring meters, etc. as required. The cost of construction and operational monitoring, equipment, reporting, and training will be included in the project budget.

Institutional Arrangements and Capacity Development

This section will describe the institutional arrangement, safeguard staffing, and level of responsibility for implementing, supervising and monitoring of the ESMP during the construction and operational phases. This should be consistent with the ESMF.

The section should also describe the capacity building program built into the project with budget allocation and schedule.

Attachment 1

Generic ESMP Matrix for Road Projects (include relevant aspects in the ESMP)

Environmental Issues and Objectives	Mitigation Measures	Remarks
Design / Pre Construction Phase		
Protection of Sensitive Natural Areas • Minimize negative impacts on sensitive environment	• Identify potential environmentally sensitive areas • Avoid or locate optional construction sites/activities away from sensitive areas. • Ensure construction personnel are aware of locations of sensitive areas	• Inspect the alignment for unique features and environmentally sensitive areas which require design accommodation or protection • Develop replantation program using local flora and in consultation with the local communities

Environmental Issues and Objectives	Mitigation Measures	Remarks
	• Include temporary fences / barriers to restrict construction activities from encroaching sensitive area	
Road Safety and Environmentally Sound Design • To avoid accidents during and after construction of the road • To provide sound drainage	• Include occupational health and safety requirements for the construction activities in the contract documents. • Ensure sufficient visibility along the road section and provide warning signs, where relevant, in design • Provide camber to effectively drain runoff away from road • Include cross drains at causeways, bridges, culverts, etc.	• Identify natural drainage pattern and soil percolation rates to design for rapid disposal of road runoff •
Cultural Heritage • To avoid damage to cultural heritage sites i.e. ceremonial sites and burial grounds	• When a cultural heritage site is identified during the construction, Contractor is to cease all work immediately and notify the relevant cultural institute	• Carry out public / community consultations prior to the start of construction and identify potential sites • Include a chance find protocol in the contract documents
Construction Phase		

Environmental Issues and Objectives	Mitigation Measures	Remarks
Soil erosion, sediment and storm runoff control • Minimize the amount of sediment lost from the site • Minimize impact of storm water containing sediment and contaminated runoff water on streams and coastal areas	• Limit ground disturbance to areas of a workable size • Schedule construction to minimize areas of soil disturbance during wet seasons • Keep vegetation clearing to a minimum • Where vegetation was removed, re-vegetate all areas immediately after construction activity finishes and where the area is not to be paved after final land contouring • Reduce the time excavated drainage channels remain unsupported • Place geotextile silt traps at drainage ditches and materials stockpiles • Contain or isolate construction areas from other surface runoff. Clean and rehabilitate the area when construction is complete • Pass storm water run-off from construction areas through geotextile silt traps before discharge into culverts or drainage systems. • Prohibit discharge of sediment bearing contaminated water to streams and ocean	• Apply to all activities such as site clearance, borrow areas, quarries, etc. where clearing is required
Management of Stockpiles and Spoil-heaps	• Identify dumping / stockpile locations with local landowners	• Applies to all dumping areas and materials storage areas such as stone crushers, concrete

Environmental Issues and Objectives	Mitigation Measures	Remarks
• To minimize dust and runoff	• Ensure that stockpile or spoil-heap locations do not block surface runoff or natural drainage • Install proper drainage to isolate the stockpile / dumping sites • Minimize erosion and sediment runoff by covering or vegetating spoil-heaps or stockpiles especially if prolonged exposure is envisaged, • Keep maximum stockpile height at 3m to prevent windborne deposition • Place silt traps around materials stockpiles • Ensure that no stockpiles are able to release material into the sea or streams even under heavy rain or windy conditions • Stockpiles within 20m of water should be fitted with silt traps and covered to prevent windborne deposition into the waters. • Ensure that silt from silt traps do not drain into water	batch plants, asphalt plants, topsoil storage areas, etc.
Material Management • Minimize impacts of materials delivery and waste disposal	• Develop and implement materials delivery and waste disposal handling plan, to avoid / minimize materials delivery during peak traffic periods • Implement safety measures for vehicle operation and to prevent loss of load from trucks	• Applies to all materials extraction, storage and management areas

Environmental Issues and Objectives	Mitigation Measures	Remarks
	• Implement methods to reduce dust emission from the loads • Place silt fences or bunds around materials stockpiles • Maintain materials processing plant in good working condition so as to reduce emission from the plant;	
Extraction of Materials • To ensure that extraction of materials does not cause damage to local environment	• Balance cut and fill and explore availability of suitable materials from other ongoing projects • Obtain borrow materials from designated or approved borrow areas • Restore and re vegetate borrow areas to promote natural drainage • Place silt fences around materials stockpiles • Ensure haul trucks are not over loaded and are covered • Ensure that materials are not stored below the high water mark • Obtain sand, aggregates, gravel and stones from licensed operating quarry, or obtain an Occasional license for short term, small scale extraction of sand from river or coastal beaches.	• New quarry or borrow pit site to be confirmed by geotechnical investigations • Locate quarry or borrow pit away from natural / sensitive habitats • Ensure minimum groundwater impact • Prepare quarry or borrow pit plan, apply for permit under EPC and Quarry Acts.

Environmental Issues and Objectives	Mitigation Measures	Remarks
	• Warn and clear people from surrounding areas before blasting • After completion of construction, restore quarry site as per quarry rehabilitation plan	
Storage and handling of fuel and lubricants • To minimize hazards relating to fuel, oil, paints etc.	• Store fuel oil and bituminous products in a dedicated, contained location away from drainage ditches. • Fuel in excess of 1,000 liters stored on site, should be stored in sealed tanks on a concrete base that is bunded to hold 110% of the tank capacity. • Install oil and water separators in all workshops • Only nominated authorized personnel to handles fuel • Develop procedures for cleaning up accidental spills. • Report any major spill immediately to Supervisor • Collect and dispose of all waste oil, oil and fuel filters at an approved landfill.	• Applies to all workshops, depots, storage sites work sites, construction plant sites and vehicles parking areas . • All fuel and chemical storage to be bunded • Spill kits as standard including in vehicles
Air Quality / Dust • To minimize and control dust generation and emissions from bitumen plant	• Bitumen plant generation (smoke, dust, smell, etc.) to meet regulatory requirements for temporary bitumen plant • Minimize exposed soil / material stockpile surfaces to wind • Install wind breaks or fences around material stockpiles, concrete batching and asphalt plants	• Mobile bitumen batching plant should be located 300-500m downwind of any settlements or inhabited areas and 150m away from any water bodies, streams or rivers

Environmental Issues and Objectives	Mitigation Measures	Remarks
	• Spray water on exposed soil surfaces and access roads • Bitumen plant should be equipped with either bag house or wet scrubber particulate removing system	
Offsite and Waste Management • To prevent / minimize contamination from solid wastes, site drainage and sewage	• Contain all inert solid waste within construction sites and remove to landfill • Remove all hazardous waste to landfill. • Prepare procedures for managing spills to ensure rapid containment, immediate site cleaning and appropriate disposal to landfill. • Crush, and remove all nontoxic and nonhazardous inorganic solid waste to landfill. • Develop a plan for handover, sale or removal of all plant, vehicles and machinery at the end of the contract, ensuring that no unserviceable items of equipment are left behind (if relevant) • Install onsite pit latrines for men and women (or ensure there is access to toilet facilities nearby). Fill in latrines once the project is complete. • Compost or use as animal feed all green or organic wastes • Reuse treated onsite drainage effluent for dust control, equipment washing, etc.	• Applies to all off-sites storage and disposal sites • Consider reuse of effluent from concrete batching plant after treatment

Environmental Issues and Objectives	Mitigation Measures	Remarks
Noise • To ensure that nuisance from noise minimized	• Use modern and well maintained equipment with mufflers where appropriate • Schedule noisy construction activities during normal working hours • Advise local residents and authorities of any unusual or unavoidable noise activities	• Establish clear construction work policies to ensure that sensitive receptors such as schools, hospitals, religious establishment are least inconvenienced • Avoid noisy work from 6pm to 6am and during weekends and public holidays • Timing of noisy works to be negotiated and agreed with sensitive receptors, community chiefs etc.
Health & Safety • To ensure maximum safety of construction personnel and local residents	• Ensure all occupational health and safety requirements are in place on construction sites and in work camps • Install cautionary signs in hazardous areas • Limit construction activities to between 6am and 6pm to limit community exposure to dust, noise etc. • Enhance safety and inspection procedures • Ensure use of Personal Protection Equipment (PPE)	• Applies to all construction sites
Health and Safety • Awareness for construction workers:	• Prepare a site safety plan specifying responsibilities and authorities within the Contractor's staff for: ➢ adherence to occupational health and safety requirements,	• Applies to all construction sites

Environmental Issues and Objectives	Mitigation Measures	Remarks
	➢ use of personal protective equipment, ➢ warning signs at hazardous areas, ➢ setting rules for operation of vehicles and equipment by authorized personnel, ➢ setting procedures for safe handling of toxic and hazardous materials, ➢ arrangements for first aid and emergency procedures, ➢ posting notices about medical assistance and location of emergency equipment, ➢ setting schedules for regular checking of adherence to the plan and ➢ training staff to familiarize them with the plan, their obligations to implement it, and main areas of risk to workers and others • Provide for the management and control of traffic during the works, arrangement for safe delivery of construction materials and safe parking of vehicles and plant (both during and after working hours) • Education on basic hygiene practices to minimize spread of tropical diseases (migrant workers)	

Environmental Issues and Objectives	Mitigation Measures	Remarks
	• Increase workers' HIV/AIDS and STD awareness, including information on methods of transmission and protection measures (migrant workers) • Prohibit usage of drugs and alcohol during work.	
Disruption of Utilities	• Maintain high standards of site supervision and vehicle and plant operation to reduce risks of damage to water, power and telecommunication lines • Prepare procedures for rapid notification to the responsible Authority • Provide assistance with re-instatement, in the event of any disruption	• Applies to all construction sites
Site rehabilitation • To minimize ongoing impacts after construction is completed:	• Excavate any contaminated soil • Remove and reshape the area. • Rake or loosen all compacted ground surfaces • Ensure that waste and surplus materials are removed from site • Contour sites to conform to the surrounding landscape and natural drainage. • Apply topsoil and re vegetate the site using local flora	• Applies to all disturbed areas and construction sites. • Rehabilitation must be to satisfaction of landowner or as agreed when use of land was negotiated.

H. ESMP Template for School and Public Buildings Assets

Application. This template will be used for all school and public building asset subprojects

Outline

e) Project Descriptions, including Components, Costs and Location
f) Potential Environment and Social Impacts and Mitigating Measures
g) Monitoring
h) Institutional Arrangements and Capacity Building

Project Descriptions

This section should describe the project, development objective, components, activities, location, project costs.

For this template:

Reconstruct means: the necessary destruction and clearing away of buildings and fittings and the repairing and redecorating to allow the building to return to its intended use.

Construct means: to build a replacement for an existing building that has been destroyed by TC Pam or that has been damaged to the extent that a replacement building is required.

This sub-component will:

1. Reconstruct classrooms and other school buildings damaged by TC Pam, and ensure that at least one building per school is located, designed and constructed to cyclone seismic resilient standards appropriate to the location and outside of tsunami and storm-surge inundation areas so that it can be used as an evacuation centre. Improved water supply and sanitation facilities may be included, as well as a basic protected kitchen/cooking area for use by evacuees.

2. Reconstruct public buildings damaged by TC Pam.

Detailed information on the actual subproject activities shall be provided here.

Potential Environmental and Social Issues and Mitigating Measures

The major impacts and measures should be described and are summarized below. However any conditions imposed under the EPC Act and other safeguards legislation must also be included in the final ESMP.

A meaningful and effective implementation of ESMP will be achieved by integrating the ESMP with the design and in the bid documents. To ensure that the bid documents reflect the real cost of environmental mitigation in their bids important mitigation items will be included as a "line item" in the Bill of Quantities. Thus there would be an identified extra payment in the contract to ensure that the work is carried out by the Contractor as specified.

Prior to and During Construction

- **Site clearance** for right-of-way and establishing Contractor's work camps, staging areas, and so on, involves loss of vegetation including trees, loss of top soil, generation of waste material and generation of dust.

  Measures. The impacts can be minimized or mitigated by minimizing the areas to be cleared, salvaging crops, chipping the vegetation for use as mulch, salvaging the top soil for future use, applying dust control measures, etc.

- **Stone crushers, cement mix plants** used in the manufacture of concrete could involve a stone crusher as part of the concrete mix plant. For large operations, the activities will involve crushing of stones using large and noisy equipment, conveyors to transport aggregates and sand, or it could simply involve hand mixing. Potential environmental problems involve surface water contamination, noise from crushers and air pollution, particularly dust.

  Measures. To a large extent most of these impacts are controllable and manageable by proper siting of the plants and using dust collectors and/or suppression techniques.

- **Sourcing of construction materials** will usually require the use of suitably licensed quarries but may occasionally involve the use of some community donated materials in remote locations; transport, stockpiling and use of such materials; disposal of unsuitable materials, etc will require the temporary use of land. This has the potential to cause loss of agricultural land or encroachment on beaches to extract suitable materials and may cause safety issues resulting from materials transport, storage and handling.

  Measures. The mitigation measures include identification of licensed quarries or obtain approval for sources of material, installation of temporary runoff / sediment control structures; dust and noise control; management of transportation, storage, and materials handling activities; tidy up any borrow pits after construction, and so on.

- **Concrete preparation**. Potential environmental problems involve surface water contamination from wet cement spills.

  Measures. To a large extent most of these impacts are controllable and manageable by proper handling of wet cement.

During Operation and Maintenance

- **Operation and Maintenance Phase:** There will be little extra vehicle movements as a result of the improvement in the road, but there will be increased resilience and road safety.

A generic ESMP matrix is shown in Attachment 1 below. The ESMP will include as detailed an implementation schedule as possible, based on this generic matrix. The budget to implement the ESMP will be estimated and included in the total project cost. Some aspects of the ESMP (such as dust control) will be part of good engineering design and will not require supplementary budget. Others such as traffic management will also be part of good works management and will not require supplementary budget. However some activities will require additional budget, which will be estimated and included in the cost of implementing the ESMP.

Monitoring

Dust monitoring. As a principle, only those parameters which are pertinent to the project will be monitored. For example, where dust is a major source of impact, especially near schools, hospitals and residential areas, visual assessment/monitoring will be used to trigger watering of the site generating dust.

Noise. If there are complaints, noise will be measured by a hand held noise meter.

Sediments. Discharge of sediments will be visually observed to ascertain the effectiveness of sediment traps.

In all cases, as soon as the monitoring results are available, the Contractor will be expected to remediate any problems immediately.

Most of the school projects will be small in size and the impacts will likely be low, site specific and short lived. The PST, in consultation with the DEPC, will develop project specific construction monitoring plans including parameters to be monitored, procurement of portable and hand held equipment such as noise meters, water quality measuring kits, air quality measuring meters, etc. as required. The cost of construction and operational monitoring, equipment, reporting, and training will be included in the project budget.

Institutional Arrangements and Capacity Development

This section will describe the institutional arrangement, safeguard staffing, and level of responsibility for implementing, supervising and monitoring of the ESMP during the construction and operational phases. This should be consistent with the ESMF.

The section should also describe the capacity building program built into the project with budget allocation and schedule.

Attachment 1

Generic ESMP Matrix for School and Pubic Building projects (include relevant aspects in the ESMP)

Environmental Issues and Objectives	Mitigation Measures	Remarks
Design / Pre Construction Phase		
Protection of Sensitive Natural Areas • Minimize negative impacts on sensitive environment	• Identify potential environmentally sensitive areas • Avoid or locate optional construction sites/activities away from sensitive areas. • Ensure construction personnel are aware of locations of sensitive areas	• Inspect the site for unique features and environmentally sensitive areas which require design accommodation or protection

Environmental Issues and Objectives	Mitigation Measures	Remarks
	• Include temporary fences / barriers to restrict construction activities from encroaching sensitive area	• Develop replantation program using local flora and in consultation with the local communities
Community awareness raising • To avoid accidents during and after construction	• Include pre-mobilization awareness raising and if required training for local communities • Include occupational and public health and safety requirements for the construction activities in the contract documents • Ensure sufficient visibility for traffic to and from the site and between sources of materials and stockpiles or work sites and provide warning signs, where relevant, in design • Agree with School Principal boundaries for site works at schools and suitable signage and safety barriers.	• Awareness raising to be wit communities affected by the site works (eg communities adjacent to materials sources or traffic routes as well as those communities surrounding schools or buildings) • Awareness raising for communities on impacts of incoming workers and sessions for workers on local community customs and requirements.
Environmentally Sound Design	• Designs not to encroach on sensitive environments and to avoid degradation over time. • Designs to minimise maintenance requirements and where possible allow for repair using locally sourced materials.	• Identify natural drainage pattern and soil percolation rates to design for wastewater management. • Waste management and sanitation to be included.
Cultural Heritage	• When a cultural heritage site is identified during the construction, Contractor is to cease all work immediately and notify the relevant cultural institute	• Carry out public / community consultations prior to the start of construction and identify potential sites

Environmental Issues and Objectives	Mitigation Measures	Remarks
• To avoid damage to cultural heritage sites i.e. ceremonial sites and burial grounds		• Include a chance find protocol in the contract documents
Construction Phase		
Soil erosion, sediment and storm runoff control • Minimize the amount of sediment lost from the site • Minimize impact of storm water containing sediment and contaminated runoff water on streams and coastal areas	• Limit ground disturbance to areas of a workable size • Schedule construction to minimize areas of soil disturbance during wet seasons • Keep vegetation clearing to a minimum • Where vegetation was removed, re-vegetate all areas immediately after construction activity finishes • Reduce the time excavated drainage channels remain unsupported • Place silt traps at drainage ditches and materials stockpiles • Contain or isolate construction areas from other surface runoff. Clean and rehabilitate the area when construction is complete • Pass storm water run-off from construction areas through silt traps before discharge off site • Prohibit discharge of sediment bearing contaminated water to streams and ocean	• Apply to all activities such as site clearance, borrow areas, quarries, etc. where clearing is required

Environmental Issues and Objectives	Mitigation Measures	Remarks
Management of Stockpiles and Spoil-heaps • To minimize dust and runoff	• Identify stockpile locations with local landowners • Ensure that stockpile or spoil-heap locations do not block surface runoff or natural drainage • Install proper drainage to isolate the stockpile / dumping sites • Minimize erosion and sediment runoff by covering or vegetating spoil-heaps or stockpiles especially if prolonged exposure is envisaged, • Keep maximum stockpile height at 3m to prevent windborne deposition • Place silt traps around materials stockpiles • Ensure that no stockpiles are able to release material into the sea or streams even under heavy rain or windy conditions • Stockpiles within 30m of water should be fitted with silt traps and covered to prevent windborne deposition into the waters. • Ensure that silt from silt traps do not drain into water	• Applies to all materials storage areas such as stone crushers, concrete batch plants, topsoil storage areas, etc.
Material Management • Minimize impacts of materials delivery and waste disposal	• Develop and implement materials delivery and waste disposal handling plan, to avoid / minimize materials delivery during peak traffic periods or school activities.	• Applies to all materials extraction, storage and management areas

Environmental Issues and Objectives	Mitigation Measures	Remarks
	• Implement safety measures for vehicle operation and to prevent loss of load from trucks • Implement methods to reduce dust emission from the loads • Place silt fences or bunds around materials stockpiles • Maintain materials processing plant in good working condition so as to reduce emission from the plant;	
Extraction of Materials • To ensure that extraction of materials does not cause damage to local environment	• Balance cut and fill and explore availability of suitable materials from other ongoing projects • Obtain materials from approved sites only • Restore and re vegetate areas to promote natural drainage • Place silt fences around materials stockpiles • Ensure haul trucks are not over loaded and are covered • Ensure that materials are not stored below the high water mark • Obtain sand, aggregates, gravel and stones from licensed operating quarry, or obtain an Occasional license for short term, small scale extraction of sand from river or coastal beaches.	• Locate quarry away from natural / sensitive habitats • Ensure minimum groundwater impact • Prepare quarry plan, apply for permit under EPC and Quarry Acts.

Environmental Issues and Objectives	Mitigation Measures	Remarks
	• Warn and clear people from surrounding areas before blasting • After completion of construction, restore quarry site as per quarry rehabilitation plan	
Storage and handling of fuel and lubricants • To minimize hazards relating to fuel, oil, paints etc.	• Store fuel oil and bituminous products in a dedicated, contained location away from drainage ditches. • Fuel in excess of 1,000 liters stored on site, should be stored in sealed tanks on a concrete base that is bunded to hold 110% of the tank capacity. • Install oil and water separators in all workshops • Only nominated authorized personnel to handles fuel • Develop procedures for cleaning up accidental spills. • Report any major spill immediately to Supervisor • Collect and dispose of all waste oil, oil and fuel filters at an approved landfill.	• Applies to all workshops, depots, storage sites work sites, construction plant sites and vehicles parking areas . • All fuel and chemical storage to be bunded • Spill kits as standard including in vehicles
Air Quality / Dust • To minimize and control dust generation	• Minimize exposed soil / material stockpile surfaces to wind • Install wind breaks or fences around material stockpiles, concrete batching plants • Spray water on exposed soil surfaces and access roads •	

Environmental Issues and Objectives	Mitigation Measures	Remarks
Offsite and Waste Management • To prevent / minimize contamination from solid wastes, site drainage and sewage	• Contain all inert solid waste within construction sites and remove to landfill or allocated location • Remove all hazardous waste to suitable landfill • Prepare procedures for managing spills to ensure rapid containment, immediate site cleaning and appropriate disposal to suitable landfill. • Crush, and remove all nontoxic and nonhazardous inorganic solid waste to landfill. • Develop a plan for handover, sale or removal of all plant, vehicles and machinery at the end of the contract, ensuring that no unserviceable items of equipment are left behind (if relevant) • Install onsite pit latrines for men and women (or ensure there is access to toilet facilities nearby). Fill in latrines once the project is complete. • Compost or use as animal feed all green or organic wastes • Reuse treated onsite drainage effluent for dust control, equipment washing, etc.	• Applies to all off-sites storage and disposal sites • Consider reuse of effluent from concrete batching plant after treatment
Noise • To ensure that nuisance from noise minimized	• Use modern and well maintained equipment with mufflers where appropriate	• Establish clear construction work policies to ensure that sensitive receptors such as school dormitories, hospitals, religious establishment are least inconvenienced

Environmental Issues and Objectives	Mitigation Measures	Remarks
	• Schedule noisy construction activities during normal working hours • Advise local residents and school or other authorities of any unusual or unavoidable noise activities	• Avoid noisy work from 6pm to 6am and during weekends and public holidays • Timing of noisy works to be negotiated and agreed with sensitive receptors, community chiefs etc.
Health & Safety • To ensure maximum safety of construction personnel and local residents	• Ensure all occupational health and safety requirements are in place on construction sites and in work camps • Install cautionary signs in hazardous areas • Limit construction activities to between 6am and 6pm to limit community exposure to dust, noise etc. • Enhance safety and inspection procedures • Ensure use of Personal Protection Equipment (PPE)	• Applies to all construction sites
Health and Safety • Awareness for construction workers • Awareness for local communities	• Prepare a site safety plan specifying responsibilities and authorities within the Contractor's staff for: ➢ adherence to occupational health and safety requirements, ➢ use of personal protective equipment, ➢ warning signs at hazardous areas, ➢ setting rules for operation of vehicles and equipment by authorized personnel,	• Applies to all construction sites • Awareness and safety for local communities and especially school students

Environmental Issues and Objectives	Mitigation Measures	Remarks
	➢ setting procedures for safe handling of toxic and hazardous materials, ➢ arrangements for first aid and emergency procedures, ➢ posting notices about medical assistance and location of emergency equipment, ➢ setting schedules for regular checking of adherence to the plan and ➢ training staff to familiarize them with the plan, their obligations to implement it, and main areas of risk to workers and others • Provide for the management and control of traffic during the works, arrangement for safe delivery of construction materials and safe parking of vehicles and plant (both during and after working hours) • Education on basic hygiene practices to minimize spread of tropical diseases (migrant workers) • Increase workers' HIV/AIDS and STD awareness, including information on methods of transmission and protection measures (migrant workers) • Prohibit usage of drugs and alcohol during work.	

Environmental Issues and Objectives	Mitigation Measures	Remarks
Disruption of Utilities	• Maintain high standards of site supervision and vehicle and plant operation to reduce risks of damage to water, power and telecommunication lines • Prepare procedures for rapid notification to the responsible Authority • Provide assistance with re-instatement, in the event of any disruption	• Applies to all construction sites
Site rehabilitation • To minimize ongoing impacts after construction is completed:	• Excavate any contaminated soil • Remove and reshape the area. • Rake or loosen all compacted ground surfaces • Ensure that waste and surplus materials are removed from site • Contour sites to conform to the surrounding landscape and natural drainage. • Apply topsoil and re vegetate the site using local flora	• Applies to all disturbed areas and construction sites. • Rehabilitation must be to satisfaction of landowner or as agreed when use of land was negotiated.

I. Physical Cultural Resources Chance Find Procedure

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

The following procedures for identification, protection from theft, and treatment of discovered artifacts should be followed (and included in standard bidding documents where relevant).

Chance find procedures will be used as follows:

(a) Stop the earthworks, construction or land clearing activities in the area of the chance find;

(b) Delineate the discovered site or area;

(c) Secure the site to prevent any damage or loss of removable objects.

(d) Notify project representative and Nakamal chief, who in turn will notify the Vanuatu Kaljoral Senta (VKS).

(e) The VKS will be in charge of protecting and preserving the site before deciding on subsequent appropriate procedures.

(f) Decisions on how to handle the finding shall be taken by the VKS. This could include changes in the layout (such as when finding an irremovable remain of cultural or archeological importance) conservation, preservation, restoration and salvage.

(g) Implementation for the authority decision concerning the management of the finding shall be communicated in writing by the VKS.

(h) Construction work could resume only after permission is given from the responsible local authorities and the relevant Ministry concerning safeguard of the heritage.

During project supervision, the Engineering Supervisor and the PST Safeguards Specialist shall monitor the above regulations relating to the treatment of any chance find encountered are observed. Records will be reported to World Bank. Relevant findings will be recorded in World Bank Supervision Reports and Implementation Completion Reports will assess the overall effectiveness of the project's cultural property mitigation, management, and activities, as appropriate.

J. VIRIP Grievance Redress Mechanism (GRM)

The VIRIP GRM is set out in the following pages as the last appendix to this ESMF. The GRM may be revised over time so to check for the latest version, please contact the VIRIP Project Support Team by email to: Safeguard@virip.org or telephone (00678) 22888.

Abstract

project works under the Vanuatu Infrastructure and Improvement Project (VIRIP)

MARCH 2018

Republic of Vanuatu: Vanuatu Infrastructure Reconstruction and Development Project

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Notice

This manual was produced for the Director General of the Ministry of Infrastructure and Public Utilities of Vanuatu (MIPU) for the specific purpose of the Vanuatu Infrastructure Reconstruction and Improvement Project.

This manual may not be used by any person other than by the MIPU's express permission.

Any enquiries about this manual or its application may be sent to: safeguard@virip.org or telephone (00678) 22888.

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11 Contents

Abbreviations

ARAP	Abbreviated Resettlement Action Plan
AP	Affected Person
CLO	Community Liaison Officer (Contractor)
CPO	Community Partnership Officer (PWD)
DEPC	Department of Environmental Protection and Conservation
ESMP	Environment and Social Management Plan
GoV	Government of Vanuatu
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service (World Bank service)
IBC	Island Based Contractor
IR	Involuntary Resettlement
MIPU	Ministry of Infrastructure & Public Utilities
MOET	Ministry of Education and Training
NGO	Non-Government Organisation
OP	Operational Policies (of the World Bank Operational Manual)
PEO	Provincial Education Officer
PIC	Project Implementation Committee
PST	Project Support Team
PWD	Public Works Department
RPF	Resettlement Policy Framework
SC	Supervising Consultant
VIRIP	Vanuatu Infrastructure Reconstruction and Improvement Project
VLD	Voluntary Land Donation
WB	World Bank

1. Grievance Redress Mechanism (GRM): Introduction

This document provides guidance for the management of complaints and grievances under Vanuatu Infrastructure Reconstruction and Improvement Project (VIRIP). The purpose is to provide a suitable, centralized mechanism (GRM) for VIRIP that can also be applied to meet the World Bank's safeguard requirements.

Originally contained in the VIRIP Environmental and Social Management Framework (ESMF), this GRM has been revised and expanded so it can be released as a standalone document that covers both complaints and grievances under VIRIP for easier use and reference. A copy of this GRM is contained in the Annexes of the VIRIP's other safeguards frameworks documents; the Resettlement Policy Framework (RPF) and the ESMF. In the event of any differences between versions, this, the standalone version of the GRM will take precedence.

The GRM outlines a process for documenting and addressing project grievances (and complaints) that may be raised by affected persons or community members regarding specific project activities, environmental and social performance, the engagement process, and/or unanticipated social impacts resulting from project activities. It describes the scope and procedural steps and specifies roles and responsibilities of the parties involved. The GRM is subject to revision based on experience and feedback from stakeholders.

2. GRM Principles

A Grievance Redress Mechanism (GRM) is proposed to address any complaints and grievances arising during the course of implementing the project. Members of the public may perceive risks to themselves or their property, or have concerns about the environmental performance of the project. Any concerns or grievances should be addressed quickly and transparently, and without retribution to the affected person (AP) or Complainant.

Primary principles are that all complaints and grievances are resolved as quickly as possible. It therefore follows that the resolution of complaints and grievances should be at the lowest possible level for resolution.

All minor land or property related complaints that can be resolved, should be resolved immediately on the site. The focus of the GRM is to resolve issues in a customarily appropriate fashion at community level and record details of the complaint, the complainant and the resolution.

GRM Objectives

The GRM has the following objectives:

1. Establish a prompt, easy to understand, consistent and respectful mechanism to support the receiving, investigating and responding to complaints or grievances from community stakeholders;
2. Ensure proper documentation of complaints or grievances and any corrective actions taken; and
3. Contribute to continuous improvement in performance of VIRIP through the analysis of trends and lessons learned.

GRM Definitions

An **affected person** (AP) is a person that is adversely affected temporarily or permanently as a result of sub-project works under VIRIP.

A **complaint** is a statement (verbal or written) or expression of displeasure that an impact or effect arising from a sub-project is unsatisfactory or unacceptable to the complainant. For the purposes of this RPF, a complaint is a concern about a minor impact or effect that is short term, low in risk, often temporary, that typically does not require an investigation but **does** require a specific response to remove or remediate the unsatisfactory or unacceptable impact or effect. Unresolved complaints may become grievances if not dealt with appropriately and within a short (typically 2 days but a maximum of 14 days) timeframe. Complaints able to be dealt with or resolved immediately can be referred to as minor complaints.

A **grievance** is a statement about an action, impact or effect arising from a sub-project that adversely affect the rights, health and/or well-being of an affected person or people to the extent that it forms legitimate grounds for grievance and if upheld, may result in compensation, legal action or a change to the sub-project in order to resolve the grievance. For the purposes of this RPF, a grievance will require specific response and potentially and formal intervention by supervisor or client for resolution and such resolution must be formally agreed and recorded. Grievances may be raised verbally or in

writing but must be reported using the Grievance Report Form which must be completed in every instance.

3 World Bank Requirements

The grievance process is based upon the premise that:

1. stakeholders are free to raise their concerns to relevant representatives at no cost or threat of any negative repercussions;
2. concerns arising from project implementation are adequately addressed in a timely and respectful manner; and
3. participation in the grievance process does not preclude pursuit of legal remedies under the laws of the country.

The VIRIP PST will manage the overall GRM, utilizing formal, informal and traditional grievance procedures suitable to the Vanuatu context. Generally, complaints and grievances will be resolved at the community level as much as possible under the management of the contractors and the Supervising Consultant (SC) representative. Assistance may be offered by the Ministry of Infrastructure and Public Utilities (MIPU) primarily through its Public Works Department (PWD) through the use of the local PWD Community Projects Officer (CPO) or in the case of complaints or disputes to do with school grounds, the Ministry of Education and Training (MOET) School Principal or the MOET Provincial Education Officer (PEO).

Grievances may be firstly referred to customary conflict mediation arrangements where appropriate, with the assistance of the Area Chief or so long as they are not directly affiliated with leaders who are party to the grievance. If the issue cannot be resolved at this level, it will be raised to the next level and so on.

The GRM aims to address all complaints received, regardless of whether they arise from real or perceived issues. Any stakeholder (man or woman) who considers themselves affected by the project activities will have access to this procedure at no cost or threat of any negative repercussions.

The statutory rights of the Complainant to undertake legal proceedings remain unaffected by participation in this process. The structures of the GRM will include women's representatives to allow female stakeholders to more easily make complaints or lodge grievances. The use of representatives is also available to any affected party and may be used in situations where the affected party cannot represent themselves (for example when the affected party is a child or disabled). Representatives can include but are not limited to women, youth, Church or Non-Government Organisation (NGO) representatives as seen as appropriate by the affected party.

4 Overview of the GRM Implementation

For all complaints and grievances associated with the project the following mechanisms will be used.

All **complaints** about the project will be dealt with as presented within this VIRIP Grievance Redress Mechanism and should be recorded even if resolved immediately.

All **grievances** will be addressed by the VIRIP Grievance Redress Mechanism and a Grievance Complaint Form completed and forwarded to the PST.

Grievances involving compensation for (non-land) resources will be addressed using existing compensation rates developed by government agencies and currently in use for loss or damage due to infrastructure projects. These processes and compensation rates are set out in the VIRIP RPF.

Arrangements for Complaints and Grievances

Complaints

In practice, **complaints** can be made to anyone involved in VIRIP or perceived to be in authority including Ministers, Members of Parliament, Provincial Authorities, MIPU or VIRIP Officers. Irrespective of the initial receiver of the complaint, the following will happen for Contractor related Complaints:

- All Complaints will be communicated to and registered by the Contractor's nominated representative usually the Contractor's Community Liaison Officer (CLO) in the site daybook immediately upon receipt, including details of the Complainant, attempts to resolve the complaint, the resolution of the complaint and outcome.
- The complaints record or daybook will be made available for inspection by any authorised representatives of MIPU, including the SC.
- The Contractor will inform the MIPU representative or SC within 2 days of all complaints received including those that have been resolved.
- The SC supported by CPO or others may also assist the contractor in resolving a complaint.
- The Contractor will have a maximum of one week to resolve the complaint and convey a decision to the Complainant. The complaint and decisions on its resolution can be heard and agreed at the relevant local nakamal. Once resolved, the resolution should be entered accordingly into the site daybook and the SC informed of the outcome and details included in the next Contractor's report for review and analysis by PST.
- Should the Contractor or the Complainant not be satisfied with the proposed resolution of an issue or any aspect of communication around the issue, the matter will then be passed to the relevant PWD Divisional Manager or Provincial Education Officer as applicable and the PST for resolution.

- If the complaint escalates, that is becomes more serious over time or it appears that the Complainant may have a grievance as defined above or the complaint cannot be resolved through initial intervention and efforts by PST; **it must be recorded as a grievance and the procedure for grievance redress be followed.**

- Regular community representative meetings will be held for all VIRIP sub-project activities. These meetings will include consideration of all aspects of the VIRIP sub-project and include discussions on nuisance, analysis of complaints and confirmation of steps to prevent or reduce nuisance and confirmation that all complaints have been resolved. Inherent causes of complaints that cannot be resolved by changes to work practices or simple on-site solutions require to be referred to the PST for resolution.

- Any other complaints not necessarily relating to the Contractor shall be dealt with in the first instance by the CPO and or PWD Divisional Manager or Provincial Education Officer as applicable and recorded and sent to PST.

- Results of complaints records and meetings across VIRIP subprojects will be reviewed regularly by the PST to identify opportunities to reduce impacts of project activities and reduce complaints.

Grievances

- **All** grievances must be referred by the SC or Contractor directly to the MIPU or PWD or MOET representative for resolution and details recorded using a Grievance Report Form (refer Annex A).

- When a grievance is reported, it will be referred to the PST SS or Project Manager/Coordinator who will report the incident to the Chairman of the PIC who may delegate this responsibility to a suitable Officer until the grievance is resolved. The GRM process, responsibilities and timeframes is set out in the next section.

Important Notes

- Concerns, complaints and grievances from affected women, children or other disadvantage groups in the community may be raised by a representative on an AC's behalf and in the same manner as a community complaint or grievance.

- Concerns, complaints and grievances to do with the Contractor's activities within school grounds under VIRIP Part 2 shall be raised by the School Principal and dealt with in the same manner as a community complaint or grievance.

- Should a dispute arise that cannot be resolved and it is serious enough to prevent the project works taking place, then work will stop and the Contractor will be instructed to stop work on that element of the contract until the matter is resolved. This resolution may include handling through legal processes.

Community Consultation

The Contractor, supported by either PWD, MOET or SC will confirm with project stakeholders (including community representatives) details of the project works taking place. An agreement will

be sought that sets out the controls and measures to be adopted by the Contractor to minimise socio-environmental impacts of the project including but not limited to:

- Hours of work
- Noise
- Air Quality
- Waste management
- Location of construction camps
- Traffic management
- Public Health and Safety

The agreement will also identify and nominate the community representatives who are authorised to speak on behalf of the community members.

Regular meetings will take place between the Contractor, PWD, MOET or SC representative and community representatives. The purpose of these meetings is to review that all minor complaints have been resolved and identify and if possible resolve any ongoing complaints or grievances.

All works under VIRIP are subject to an Environmental and Social Management Plan (ESMP) that has a set of conditions to be met by the Contractor. Any breaches of the ESMP conditions will also be entered into the daybook at the relevant site(s) and the resolution of the breach will be recorded.

The GRM does not deal with grievances relating to internal communication or disputes between the project team, Implementing Agency, other agencies; nor intra/inter-community conflicts that are not project-related.

Disclosure

In order for it to function as intended, the potential complainants must be aware of how to access the GRM. Therefore it is important that the GRM and how it functions are presented to potentially impacted parties. Key details requiring to be disclosed include:

- **How to make complaint**
  This includes the different methods of making a complaint or grievance (face to face, phone, email, through intermediary or representative).
- **Contact details**
  Where to complain to which will include contact details of people responsible for the specific sub-project as well as PST.
- **Responsibilities**
  Who is responsible for recording and resolving a complaint, (includes the responsibility of the complainant to be accurate and specific about their complaint). Timeframes for responding to complainant.

A summary of the GRM, including the information above will be displayed at every VIRIP work site and will also be distributed to communities in Bislama as well as English or French.

5 Grievances Procedure

The grievance resolution process includes four key stages – (i) Receive; (ii) Investigate/Enquire; (iii) Respond and Resolve; and (iv) Follow up/Close Out.

The intention is to resolve a complaint as quickly and at as low a level as possible to avoid a minor issue becoming a significant grievance. Unresolved complaints may be treated as grievances only if, in the opinion of the PIC Chairman that they fall within the definition of grievance under VIRIP.

Irrespective of the stage of the process, a Complainant has the opportunity to pursue the grievance through the court as is his or her legal right. A Complainant also has the right of recourse to the World Bank's Grievance Redress Service (GRS) at any time throughout the grievance resolution process.[14]

Receive

Relevant personnel in each project site (SC and Contractor) will be required to accept formal grievances and ensure avenues for lodging grievances are accessible to the public and affected persons. Avenues will include: face to face with the contractor, government representative or community representative, by telephone or in writing to the above or via email.

The first point of contact for all potential grievances from community members is usually the Contractor or CPO or School Principal. The grievance may be made directly by the aggrieved party or through the local chief or a community women's representative or for matters relating to school operations or on school grounds, the school Principal.

A grievance may also be made by directly to anyone involved in VIRIP or perceived to be in authority including Ministers, Member of Parliament, Provincial Authorities, MIPU or VIRIP Officers however the grievance must be passed to the Contractor for it to be formally recorded and received into the GRM.

Irrespective of the source, the Contractor will record all grievances on the Grievance Report Form (Annex A) and inform the SC immediately passing a copy of the form to the SC. Depending on the circumstance, SC may also fill out the Grievance Report Form with the Contractor. The grievance will be acknowledged within two days to the Complainant confirming that the grievance has been received and is under investigation.

Investigate / Enquire

The SC will investigate the details of and grounds for the grievance with assistance from the DM or PST if required. Additional support or information may be gathered from any other sources in order to more clearly describe the cause and effects of grievance, its level of urgency or severity and nd its relationship to VIRIP.

[14] GRS can be found at http://pubdocs.worldbank.org/en/223151434995262110/GRS-2015-Brochure-web.pdf

The SC may require that a community representative (chief or women's representative) supports the grievance in order to assist investigations and confirm details of the grievance.

Investigations may include site visits and meetings to determine: the scale and impact of the grievance and what options there may be for appropriate responses or resolutions.

Respond and Resolve

After investigation, all grievances will be responded to by VIRIP representative directly to the Complainant within one week after the completion of the investigation to discuss and identify potential resolutions. If additional time is needed, the Complainant will be advised of this in advance. Any other representatives that may be required by either the SC, PST or the Complainant to be present in order to provide input to developing an appropriate response or resolution.

The severity of each grievance and subsequent course of action shall be determined by the relevant supervisor (contractor or engineer). If the issue is easily resolvable, (for example a grievance covered under compensation mechanisms under the RPF), the responsible parties should endeavor to address the issue directly on site. If the grievance is a more complex issue, it may require additional meetings and further investigation, and may need to be managed by the PST rather than the SC.

If a grievance is dismissed as groundless or resolved at any stage, the Complainant will be informed of their rights in taking it to the next stage. A copy of the decision is to be given to the Complainant in writing and a further copy sent to next level of authority to inform them of the complaint.

The records shall be kept and filed into the Grievance database managed by the PST. All responsible parties involved in the GRM process are to keep complete records of their activities. These records of the grievance redress mechanism will be monitored by the SC and PST and included in regular project reports.

If an agreement is not reached between the Complainant and the PST, the grievance will be escalated to the PIC for review and a final decision. If necessary, further action will be taken to resolve the issue. If the Complainant is still dissatisfied with the outcome, they may be referred to the legal process or use the RPS which is available at any stage to the Complainant. However courts should be the last avenue for addressing grievances.

Follow up/Close Out

A grievance is ***closed out*** when no further action can be or needs to be taken. All grievances should be ***closed out*** within the initial 30 days or as soon as possible thereafter and after all reasonable attempts to resolve the grievance have been attempted.

The response should communicate findings of the investigation and resolution, and seek approval from the Complainant. If the Complainant is satisfied with the outcome then the grievance is closed out and they provide their signature (or fingerprint) on the agreement as confirmation.

Should the Complainant either reject or appeal the outcome then the closure status will be recorded

Closure status will be entered into the Grievance database as follows:

- **Resolved** – resolution has been agreed and implemented and signed documentation is evidence of this.

- **Unresolved** – it has not been possible to reach an agreed resolution and the case has been authorised for close out by the PIC.

- **Abandoned** – cases where the attempts to contact the Complainant have not been successful for two months following receipt of formal grievance.

All grievances will be reviewed for opportunities to help identify and reduce future, similar occurrences across VIRIP subprojects.

Table: VIRIP Grievance Process below outlines the timeframes for each stage of the Grievance process.

Timeframe	Stage
Within 1 day	• Grievance reported to Contractor through nominated person by Complainant or community representative (School Principal for issues on school property) or if received via PST immediately upon receipt. • Contractor with support of SC prepares **Grievance Report Form** providing full details of the alleged grievance.
Within 2 days	• SC investigates and confirms details of the grievance and ensures that details are entered onto the **Grievance Report Form**. • SC confirms subject of the complaint is still relevant and contacts PST. • SC sends **Grievance Report Form** to PST. • PST logs grievance into the GRM register.
Within 7 days	• PST informs PIC Chairman and confirms who will have delegated authority to resolve grievance. • PIC delegate and PST representative meets with relevant parties, village leaders etc. • Depending on nature or severity of the grievance PIC delegate and PST representative attempt to identify acceptable resolutions. • Confirm resolution with Affected Party (or representative) and seek their approval or confirmation that the grievance is resolved. • Grievance closed out by PST in writing, PIC Chairman informed.

30 days	• If unresolved then Grievance including an update of all actions to date is or referred to PIC for further action. • Database updated by PST.
As soon as possible thereafter	• PIC undertakes further action. • If grievance remains unresolved the grievance can be closed out by PIC on behalf of the project. • Database updated by PST. • Complainant may initiate legal process through courts or through the GRS.

6 Institutional Arrangements

Project Support Team (PST)

The PST will be responsible for managing the GRM including updating the grievance database to track the progress of formal grievances for the duration of projects. This involves coordinating between key agencies on a regular basis.

The PST PMC is responsible for final oversight of community consultation and grievance management.

The PST SS responsible for initial oversight of community consultation and grievance management and will administer the grievance database.

Nominated PST staff will regularly update the grievance database in consultation with key agencies where Grievance Report Forms have been completed.

All project-related grievances should be captured in the database regardless of the agency they were raised with. For Part 1 sub projects, the PWD Divisions (Community Project Officers) and SC should be involved in the resolution of all project-related grievances that sit within their key functions. CPOs may also shall support other key agencies such as MOET and Provincial Education Officers (PEOs) for Part 2 Schools with adequate resources and staffing as necessary to ensure grievances are effectively resolved.

Project Implementation Committee (PIC)

The PIC membership contains the relevant agency membership for identification and confirmation of options for resolution from a GoV agencies perspective. This includes access to legal advice from the State Law Office.

The PIC Chairman will direct the PST to deal with all grievances in an appropriate manner and if necessary delegate members or others to assist or intervene directly in resolution activities.

Community Project Officer (CPO)

The Community Project Officers are PWD officers based in the provinces. Their responsibilities include community liaison for roading works in the provinces. For all Part 1 sub projects, the CPOs or equivalent, along with PST representatives will identify relevant community stakeholders potentially affected by project works. Because of the CPO role, it is anticipated that many complaints not made directly to contractor may be made via the CPO. The CPO, along with the SC will be responsible for clarifying complaints and verifying that agreed solutions to complaints are agreed to and implemented. CPOs may assist the resolution of complaints and grievances under Parts 2 (Schools) and Part 3 (Public Buildings) if required.

Affected Person or Complainant

The affected person (AP) or Complainant has the responsibility to fairly represent their concern and to do so through a community representative (women, church, youth or other) as well as through customary (Chiefs) or formal channels.

Community representatives

The community representatives have the responsibility to accurately and fairly represent the AP or Complainant's concerns as described to them. The community representatives for each community (either in a geographical location or of a particular interest such as women's or church representative) will be identified in advance as part of awareness raising and disclosure of the GRM and other VIRIP subproject elements to local communities.

Contractors

Contractors will be briefed on the GRM and are expected to follow its requirements as part of the oversight of their subprojects. The Contractor's representative (typically Site Engineer or CLO) will attend community sessions on GRM and safeguards awareness or training run by MIPU representatives.

The Contractor is responsible for logging all complaints and other safeguards non-compliance incidents in the site daybook (or equivalent) for inspection by the SC or MIPU representative. The Contractor is also responsible for ensuring that all minor complaints are dealt with and resolved directly without any undue delays.

7 Awareness raising and disclosure of the GRM

The PST will inform the PWD Divisions, MOET, the relevant provincial government agency representatives Provincial Government Councils, local councils of Chiefs, local Chiefs, communities, project teams, contractors and key agencies on the GRM.

Communities and potentially affected persons will be advised of the GRM in the early stages of engagement on a proposed subproject, and be made aware of:

- The potential impacts of the project and how these impacts are to be minimised;
- How they can access the GRM (i.e. key people and complaint forms);
- Who to speak to and how to make a complaint;
- Who to speak to and how to lodge a grievance;
- The timeframes for each stage of the process;
- The GRM being confidential, responsive and transparent; and
- Alternative avenues of dispute resolution where conflicts of interest exist.

8 Conclusion and Application of the GRM

This GRM is intended to be used throughout the VIRIP. While every effort has been made to ensure that the provisions of this GRM will lead to the equitable resolution of grievances arising from project activities, it is recognised that amendments may be required to the GRM in order for it to work across multiple projects in both roading, schools and public buildings.

It is intended that the GRM be reviewed if or when necessary to ensure that it can deal with a complex range of sub-projects in a manner that is appropriate and suits the social, cultural and legal situation in Vanuatu.

Once this document is publicly disclosed all the arrangements for dealing with complaints and grievances under VIRIP as set out under this GRM will be implemented.

A. Grievance Report Form

GRIEVANCE REPORT FORM

Received by: _____ **Date Received:** _____

Reported by: _____ **Database ID:** _____

Responsible Agency:_____ **Staff Name:** _____

Location:_____

	Village	**First Name, Last Name/ Prefers to be anonymous**	**Contact Details**
Complainant(s) Or Representative			
Chief			

Acknowledged by: _____ **Date Acknowledged:** _____

Description of Concern:

…….

Category:

Compensation / Land Access / Inadequate Notification/ Disruption to Business or Property / Property Damage / Irrigation / Boundary Dispute / Environmental Damage / Construction Activities / Safety Risk /Traffic / Other

Proposed Resolution or Feedback:

…….

Complainant satisfied with process? Yes ☐No ☐ Why not?……

Complainant satisfied with outcome? Yes ☐No ☐ Why not? ……..

Print Name (Complainant): _____

Signed (Complainant): _____ Date:_____

Signed (Recipient): _____ Date:_____

Copied to: _____