Government of the Republic of the Union of Myanmar

National Community Driven Development Project

Environmental and Social Screening and Assessment Framework

(October 2012)

1. Introduction

1. In a speech on June 19, 2012, President Thein Sein announced a “people-centered” approach to develop the rural areas in Myanmar. This approach empowers communities to determine their own development path. It also emphasizes transparency and accountability in the use of funds. The Government has requested the World Bank’s technical and financial support in order to assist in the design and implementation of people-centered development through a National Community Driven Development Project.

2. Pursuant to World Bank Operational Policy (OP) 8.00 (Rapid Response to Crises and Emergencies), the Government has adopted this Environmental and Social Screening and Assessment Framework (ESSAF). The ESSAF establishes a mechanism to 1) determine and assess potential environmental and social impacts of the selected sub-projects at the time of their planning, and 2) set out mitigation, monitoring and institutional measures to be taken during the implementation and operation of the sub-projects to eliminate potential adverse environmental and social impacts, offset them, or reduce them to acceptable levels. More detailed information, including sample forms, are included in the project operations manual.

2. Project Development Objective

3. The project development objective is to enable poor rural communities to benefit from improved access to and use of basic infrastructure and services through a people-centered approach and to enhance the Government’s capacity to respond promptly and effectively to an eligible crises or emergency. The objective will be achieved through: (i) financing community-identified rural infrastructure investments; (ii) strengthening the capacity of communities in partnership with local authorities to effectively identify, plan and implement their development priorities; and (iii) facilitating the participation of the poor and vulnerable, both women and men, throughout the project cycle at the community level.

3. Project Description

Implementation Arrangements

4. The project is implemented at three main levels: the community (village and village tract); the township, and the union. In addition, the region/state level authorities play a coordination and oversight role. The Department of Rural Development (DRD) is the implementing agency for the project. Responsibilities include: overall compliance with the provisions of the project operations manual, the procurement of consultancy services for technical assistance and institutional support, communications and outreach, capacity development of all project stakeholders, monitoring and evaluation, and consolidated reporting. The secretariat also supports the Steering Committee for inter-ministerial coordination related to the project. Table 1 summarizes the entities involved in project implementation at the various levels.
<table>
<thead>
<tr>
<th>Name</th>
<th>Membership</th>
<th>Main Functions</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Union Level</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Steering Committee</td>
<td>Inter-ministerial committee</td>
<td>Oversees implementation, approves selection of townships</td>
<td>Exists</td>
</tr>
<tr>
<td>Department of Rural Development Project</td>
<td>Project director, technical and administrative staff; NGO/firm</td>
<td>Overall project implementation, monitoring</td>
<td>Established by Grant effectiveness</td>
</tr>
<tr>
<td>Secretariat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Township Level</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Township Aid Management Sub-Committee</td>
<td>Includes relevant technical agencies</td>
<td>Provides oversight and linkage between village tract and township plans; brings in support from technical agencies, endorses first development plan from each village tract</td>
<td>Exists</td>
</tr>
<tr>
<td>Department of Rural Development Project</td>
<td>DRD head, administrative and technical staff, NGO/firm, community facilitators</td>
<td>Provides implementation support, design and screening of sub-projects, facilitating annual social audits</td>
<td>Established at the beginning of the first year of operation in the respective townships</td>
</tr>
<tr>
<td>Secretariat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Village Tract</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Village Tract Forum</td>
<td>Forum has 2 members from each village (one man and one woman); representative of population groups in the tract; village tract administrators and village heads as advisors; supported by community facilitator</td>
<td>Preparing village tract development plan; sub-project approval; managing block grants;</td>
<td>Established at the beginning of the first year of operation in the respective townships</td>
</tr>
<tr>
<td>Finance Sub-committee</td>
<td>3-4 persons selected by village tract forum members based on transparent criteria</td>
<td>Keeping books for sub-projects, making payments to contractors, vendors and laborers</td>
<td>Established by the village tract forum upon its inception</td>
</tr>
<tr>
<td><strong>Village</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Village Implementation Committee</td>
<td>Elected by villagers; representative of population groups in the village, including women and marginalized groups; supported by village volunteer and community facilitator</td>
<td>Identifying priority needs, participating in sub-project design and screening</td>
<td>Established at the beginning of the first sub-project in the respective villages</td>
</tr>
<tr>
<td>Monitoring sub-committee</td>
<td>3-4 persons selected from village implementation committee</td>
<td>Monitoring implementation of sub-projects including safeguards; providing periodic reports to village</td>
<td>Established by village implementation committee upon its inception</td>
</tr>
</tbody>
</table>
Components

5. The project comprises five components, as elaborated below. Each component includes specific activities that seek a gender balance as well as to empower women.

**COMPONENT 1: COMMUNITY BLOCK GRANTS (US$52.2 MILLION)**

6. The project finances three annual block grants of on average US$27,000 each to about 640 village tracts for priority community level infrastructure.

Selection of Project Locations

7. The project operates in 15 townships. The primary criterion for selecting the participating townships is poverty; additional criteria are absence of external funding and commitment by the regional government to the objectives of the project, as specified in the project operations manual. With regard to the selection process, a first prioritization is undertaken by the Region/State Governments, followed by confirmation at the union level by the Ministry of National Planning and Economic Development and the Ministry of Border Affairs. Thereafter, the Steering Committee approves the selection before the list of selected townships is sent to the World Bank for no-objection.

8. The village tract is the operational level of the project. All village tracts in the selected townships are covered for equity purposes.

Planning Cycle

9. The cycle for developing the village tract development plans contains four steps (Chart 1 on next page):

- First, community facilitators supported by village volunteers use a range of participatory methods to help villagers to identify their priority needs, the priority interventions to meet these needs (captured in a village development plan), and the priority groups that benefit from these interventions, including the poor and marginalized groups.

- Second, the village tract forums review the respective village development plans and prioritize the interventions against the needs of the tract and the available funding envelope in a 3-year village tract development plan. This plan also lays out how the various population groups in the tract benefit from the priority sub-projects, as well as operations and maintenance considerations of the sub-projects. In this regard, the village tract development plans includes at least one sub-project per year to directly respond to the priority needs expressed by women.
Third, the township aid management sub-committees review the village tract development plans against existing sector plans and other known assistance to the township and endorse the first development plan of each village tract.

Fourth, the village tract forums report back to the villagers. If there is a complaint with regard to the priorities presented in a village tract development plan, the village tract forum will be required to re-assess the priorities and submit a revised plan to the township level for endorsement, as warranted.

Community facilitators and village volunteers assist the villagers and village tract forums in the preparation of their plans. They also ensure that separate consultations are held with women and men in the villages so as to identify their respective needs and priorities. They are in turn assisted by the DRD township offices and the non-governmental organizations (NGOs) or firms supporting them. As secretariat to the township aid management sub-committee, the DRD office facilitates the deliberations of this committee.

The village and village tract development plans are updated annually in advance of the next allocation cycle. The villagers and village tract forums re-evaluate their needs and adjust the priority interventions as necessary. The township aid management sub-committees endorse significant deviations from a previous tract development plan (as detailed in the project operations manual) but otherwise receive the updated plans for information only. In case of any complaint about the updated village tract development plan, the village tract forums are required to re-assess the priorities and submit a revised plan.

Village Sub-project Implementation

The DRD engineers at the township level are responsible for the technical design of sub-projects. The infrastructure to be financed will be based on an open menu and typically
include small feeder roads, foot-paths and bridges, small dykes, drinking water systems, class rooms and health centers.

13. The village monitoring sub-committees supervise the implementation of the sub-projects and authorize payments to the contractors and laborers. The village procurement sub-committee is responsible for the procurement of goods, works and services, assisted by the DRD engineer. However, financial management and contracting is undertaken by the village tract finance sub-committee.

14. Sub-projects may cover more than one village within a tract. A village tract forum may select a sub-project from within its annual allocation that directly benefits more than one of its villages. In this case, the DRD engineer prepares the sub-project in consultation with the forum members, community facilitators and village volunteers. The village tract forum reviews and approves the sub-project. The monitoring sub-committees of the benefiting villages jointly supervise the implementation of the sub-project and authorize payments to the contractors and laborers.

15. Sub-projects may also cover more than one village tract within a township. These sub-projects are likely to be of small to medium size. They are also prepared the DRD engineer but approved by the township aid management sub-committee and supervised by the monitoring sub-committees of the benefiting villages. The tract forums agree the apportionment of the sub-project cost between their annual tract allocations. In case of a dispute, the township aid management sub-committee supports the tract committees to reach a mutually agreeable solution. The community facilitators and village volunteers of all tracts and villages involved assist in preparing and supervising the sub-project.

16. There is no community counterpart contribution in cash or in kind required for any of the sub-projects. Labor services rendered by community members are remunerated based on the going village wage rate for day labor. The rates are reviewed on a regular basis by the township DRD office.

Sub-project Eligibility

17. During the first year of operation in each township only a ‘positive list’ of sub-projects is eligible. To allow a learning-by-doing approach, sub-projects eligible for funding in the first year of operation in each township are simple to design and implement. These include small works for the rehabilitation or minor extension (but no new construction) of community infrastructure that use a standardized design, and for which procurement needs from outside the tract are minimal. The first year positive list presented in Table 2 and is included in the project operations manual.\(^1\)

<table>
<thead>
<tr>
<th>Eligible sub-project categories</th>
<th>Clarifications and limitations on eligible categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Rural health center</td>
<td>Rehabilitation or minor extension of existing facilities</td>
</tr>
<tr>
<td>2 School buildings</td>
<td>Rehabilitation or minor extension of existing facilities</td>
</tr>
<tr>
<td>3 Rural roads (roads connecting villages, and between villages and township)</td>
<td>Rehabilitation or maintenance of existing roads within existing alignment, small bridges and culverts</td>
</tr>
</tbody>
</table>

\(^1\) Additional criteria are listed in Table 3.
### Eligible sub-project categories

<table>
<thead>
<tr>
<th>Category</th>
<th>Clarifications and limitations on eligible categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Rural water supply</td>
<td>Construction or rehabilitation of deep/shallow well; rainwater harvesting; pipelines from natural springs or surface water sources</td>
</tr>
<tr>
<td>5 Rural electrification</td>
<td>Solar panel and charge station, pico hydro (&lt;10kw), solar street lighting, biogas charge station, diesel generator (&lt;15 kilovolt-amps), biomass generator (&lt;15 kilovolt-amps)</td>
</tr>
<tr>
<td>6 Community recreation centers</td>
<td>Rehabilitation or minor extension of existing facilities, including child care center, telecommunication center</td>
</tr>
<tr>
<td>7 Rural markets</td>
<td>Rehabilitation or minor extension of existing facilities</td>
</tr>
<tr>
<td>8 Small scale irrigation</td>
<td>Rehabilitation (&lt;100 hectares) or minor extension of existing facilities or new construction (&lt;25 hectares)</td>
</tr>
<tr>
<td>9 Sanitation facility</td>
<td>Rehabilitation or minor extension of public latrines, small scale waste treatment and disposal facilities, etc.</td>
</tr>
</tbody>
</table>

18. During the second and later years of operation in each village tract, all types of sub-projects are eligible for funding, including small new construction activities, except those included in a ‘negative list’ (Table 3):

#### Table 3: Negative List of Sub-Projects for Year 2 and Beyond

<table>
<thead>
<tr>
<th>Sub-projects are not eligible for funding if they:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 *)</td>
<td>are not included in the village tract development plan;</td>
</tr>
<tr>
<td>2 *)</td>
<td>exclude the poor or marginalized population groups;</td>
</tr>
<tr>
<td>3 *)</td>
<td>do not provide equal pay for equal work for women and men;</td>
</tr>
<tr>
<td>4 *)</td>
<td>include the payment of compensation for asset loss from the proceeds of the World Bank Grant;</td>
</tr>
<tr>
<td>5</td>
<td>finance private goods;</td>
</tr>
<tr>
<td>6 *)</td>
<td>do not meet the required technical and quality specifications as specified in the project operations manual;</td>
</tr>
<tr>
<td>7 *)</td>
<td>have a negative environmental or social impact that cannot be adequately mitigated;</td>
</tr>
<tr>
<td>8 *)</td>
<td>are financed, or scheduled to be financed, by the Government or other development partners;</td>
</tr>
<tr>
<td>9</td>
<td>contain the purchase or use of drugs, military equipment or other potentially dangerous materials and equipment; or</td>
</tr>
<tr>
<td>10 *)</td>
<td>are implemented using forced labor.</td>
</tr>
</tbody>
</table>

*) These criteria also apply to the positive list for year 1.

19. The negative list is also specified in the project operations manual. The Government and the World Bank review the positive and negative lists periodically and update them, as needed, based on the experiences gained during implementation and consultations with community facilitators and DRD staff.

**Operations and Maintenance of Sub-projects**

20. The project operations manual requires an operations and maintenance plan for each approved sub-project. Minor repairs are undertaken by the villagers; major repairs and maintenance are undertaken by the relevant Government department at the township level. The community facilitators and village volunteers assist the village implementation committees in setting up operations and maintenance committees and establishing a village maintenance fund through voluntary contributions.

**COMPONENT 2: FACILITATION AND CAPACITY DEVELOPMENT (US$14.1 MILLION)**

21. The project invests heavily in local facilitation and capacity development by financing:
- Technical assistance and institutional support for DRD at the union and township levels by NGOs/firms with a previous track record of implementing community driven activities.
- The hiring of community facilitators to support sub-project implementation and the village tract forums and village implementation committees.
- The development and implementation of a grievance redress mechanism. Particular attention is paid to simplicity, accessibility and confidentiality. The mechanism also includes the monitoring of labor practices under the funded sub-projects.
- The development of training materials, including: project and sub-project management, including financial management and procurement; participation; technical manual (environmental codes of practice); assessment and mitigation of potential negative environmental and social impacts; monitoring and evaluation; communication, transparency and accountability, incorporating World Bank fraud and corruption guidelines; guidance on voluntary land donations; and gender equality.
- Continuous training events for Government staff at the township, state and union levels as well as of members of the village implementation committees and village tract forums.
- Training and periodic refresher training of the community facilitators and village volunteers as well as the DRD engineers.

**COMPONENT 3: KNOWLEDGE AND LEARNING (US$1.7 MILLION)**

22. The project tests a new approach to community development in Myanmar, with a view to demonstrating its replicability and scalability. To this end, the project invests in knowledge generation and learning beyond its stakeholders. Activities that are funded are exchange visits, workshops, and development marketplaces.

23. DRD organizes regular exchange visits of different types. These include visits between village tracts and townships supported by the project to enable village tract forum members and Government staff involved in the project to learn from each other. They also take project stakeholders to other community-based projects within Myanmar. Lastly, there are visits for project stakeholders to community driven development projects in other ASEAN countries, as well as other regions. All these visits serve to help stakeholders appreciate the similarities and differences in approaches, enhance their own performance, and make suggestions for improving the design and implementation of the proposed project.

24. Additionally, the project establishes a gender network for community driven development to improve gender equality and women’s empowerment. The network includes the gender focal point at the township level, members of the village tract forums, the community facilitators, relevant township authorities, DRD and civil society groups. It facilitates social networking, sharing lessons drawn from project implementation, building capacity, better access to information, and enhanced outlook and confidence. DRD in cooperation with the Department of Social Welfare organizes periodic meetings of the gender network. The project also finances the production of a series of brief reports on gender lessons learned as input into policy and implementation discussions among the gender network members and other stakeholders.
COMPONENT 4: IMPLEMENTATION SUPPORT (US$12.0 MILLION)

25. This component finances the cost associated with DRD project management at the union and township levels. This includes staff and operating costs as well as goods and additional consultant services for monitoring and evaluation, reporting and communications as well as administration and logistical support for project implementation. In addition, the component finances:

- Undertaking independent financial audits in a sample of village tracts every year through the Auditor General’s Office.
- The commissioning of technical audits to ensure the quality of the civil works financed by the project.

COMPONENT 5: EMERGENCY CONTINGENCY RESPONSE (US$0 MILLION)

26. This provisional zero component is added to allow for the rapid reallocation of Grant proceeds from other components in order to provide preparedness and rapid response support to disaster, emergency and/or catastrophic events, as needed.

4. Applicable National Laws of Myanmar

Land Laws

27. Myanmar does not have a unitary land law but has several laws for different categories of land. All land belongs to the state under the current legal system, and land users receive certificates from the Settlement Land Records Department. The Land Acquisition Act (1894) provides certificates. When private land is acquired or private assets such as trees and standing crops are lost under public or private projects, compensation is paid at market value. The Act also provides that affected people with complaints can bring the case to court.

28. A new Farmland Law was recently adopted which introduced various reforms such as the recognition that farmland owners are able to sell, mortgage, lease, exchange, inherit or donate all or part of their farmland. There is also the requirement that compensation be paid for both land and buildings attached to it. As for non-agricultural land in rural areas, the Village and Town Act is under revision. The Vacant, Fallow and Virgin Land Management Law, which was recently adopted, defines legal provisions on unused land.

Ethnic Minorities

29. Myanmar is one of the most ethnically diverse countries in the region. Officially, there are 135 recognized ethnic minorities. About 69 percent of the country’s inhabitants are Bamar, while the remainder is made up of ethnic minorities, among whom the Shan are the numerically largest group (8.5 percent), followed by the Karen (6.2 percent); Rakhine (4.5 percent), Mon (2.4 percent), Chin (2.2 percent), Kachin (1.4 percent) and Kayah (0.4 percent). Shan State occupies the largest geographical area. Some ethnic minorities have linguistic and cultural affiliations with neighboring countries, others with the majority Bamar. For instance, Shan people speak Shan dialects which are related to Laotian and Thai; whereas Karen people speak a variety of Tibeto-Burman languages. The Rakhine are ethnically related to the Bamar but are culturally different, whereas the Mon people are ethno-linguistically related to Khmer.


Environment

30. An environmental law became effective on March 30, 2012 but regulations and standards have not yet been issued. There are also other laws with environmental policy implications such as the 1992 Forest Law and a number of international laws and conventions that Myanmar has ratified.

5. World Bank Operational Policies

31. The project triggers the following World Bank Operational Policies, namely, Environmental Assessment (OP 4.01), Indigenous Peoples (OP 4.10), and Involuntary Resettlement (OP 4.12). The environmental and social impacts stem from the investments (sub-projects) financed under component 1 (Community Block Grants).

OP 4.01: Environmental Assessment

32. This policy requires the environmental assessment of investments proposed for World Bank financing to help ensure that they are environmentally sound and sustainable. The depth and type of analysis depends on the nature, scale, and potential environmental impact of the proposed activities. The environmental assessment process takes into account the natural environment (air, water, and land), human health and safety, social aspects (involuntary resettlement, indigenous peoples, and cultural property), and trans-boundary and global environmental aspects.

OP 4.10: Indigenous Peoples

33. It is expected that ethnic minority communities are present in areas where the project is implemented. The project, thus, triggers OP 4.10. Consequently, participatory social assessments are conducted in all project villages. With the support of community facilitators, screening and free, prior and informed consultations are conducted with villagers, including ethnic minorities, leading to broad community support. The key principles, processes and procedures for the participatory social assessment, including the participation of indigenous peoples, are further refined in the project operations manual.

OP 4.12: Involuntary Resettlement

34. Most sub-projects finance the rehabilitation of existing, small-scale rural infrastructure or its minor improvement, and are unlikely to require acquisition of private land or loss of private assets. However, since sub-projects are developed on a demand driven basis, minor land acquisition or loss of assets cannot be fully ruled out. For this reason, OP 4.12 is triggered. Sub-projects are screened for land-related impacts and, if any land acquisition or asset loss is found to be unavoidable, measures to mitigate such impacts are developed and implemented. It is expected that almost all impacts be addressed through voluntary donations by the affected people. If their informed consent to donate assets is not obtained, an abbreviated Resettlement Action Plan (RAP) will be developed as per the policies and procedures laid out in the ESSAF. In exceptional cases where project impact is significant, a full RAP is developed.

6. Approach to Addressing Environmental and Social Safeguard Issues

35. The ESSAF provides general policies, guidelines and procedures to ensure that the proposed project is implemented in an environmentally and socially sustainable manner and
in line with the applicable World Bank safeguard policies. Specifically this ESSAF aims to achieve the following:

- Minimize potential negative environmental and social impacts;
- Enhance positive environmental and social impacts wherever possible;
- Ensure that ethnic minorities are meaningfully consulted and that they receive project benefits in a culturally appropriate manner;
- Prevent and, where unavoidable, fully compensate loss in livelihood associated with or caused by the project; and
- Develop the capacity of DRD to manage environmental and social impacts in partnership with the affected communities.

36. All elements of the social assessment required under OP 4.10 and the approaches to ensure free, prior and informed consultations with ethnic minorities are part of the participatory social assessment and described in this ESSAF. The policies and procedures to mitigate social impacts due to loss of private assets are developed in this ESSAF in line with OP 4.12. A separate Indigenous Peoples Plan or Resettlement Policy Framework will not be developed under the project.

7. Key Steps

Step 1 – Identification of Sub-projects

37. Participatory social assessment, screening and identification of priorities at the village level. A series of village meetings is held in all beneficiary villages with the support of the community facilitator where a participatory social assessment is conducted and villagers identify priority needs, develop village development plans and elect village volunteers and their representatives to the village tract forum. The participatory social assessment also includes the screening for the presence of ethnic groups in the project area. If ethnic minority communities are found to be present, their socioeconomic conditions and participation in community decision making processes as well as their perspectives on the overall project approach will be assessed. Free, prior and informed consultations are also conducted with them to establish their broad community support to priority issues, village development plans and sub-projects to be proposed to the village tract forum.

38. Consolidation of village priorities in village tract development plans. The village tract forums consolidate the village development plans into village tract development plans which include the list of priority sub-projects. Free, prior and informed consultation of the village tract development plans and the consolidated priorities and sub-projects therein included are conducted with ethnic minorities present in the village tracts.

39. Endorsement of village tract development plans by township aid management sub-committees. The sub-committees review the village tract development plans against existing sector plans and other known assistance, and endorse them. Copies of approved plans are made available in the local language(s) at the village tract office and in places convenient to the local population in all villages that constitute the village tract. The summary of the approved village tract development plans, including the list of approved sub-projects, is described in a short brochure, posters and other information materials and displayed on notice boards in all villages as well as the village tract offices.
40. **Handling complaints.** The village tract forums report back to the villagers once the township aid management sub-committees have approved the village tract development plans. If there is a complaint with regard to the priorities presented in a village tract development plans, the village tract forums will re-assess the priorities and submit a revised plan to the township level for endorsement, as warranted.

41. **Amendment of village and village tract development plans.** Villagers and the respective village tract forums re-evaluate the development plans annually and adjust them as needed. The adjusted plans are endorsed by the township aid management sub-committee if there are major changes. Each time the village and village tract development plans are updated, free, prior and informed consultations are carried out with beneficiary communities and with ethnic minorities to ensure their broad community support to the updated plans.

**Step 2 – Screening of Potential Environmental and Social Impacts and Determination of Safeguards Instruments**

42. **Safeguard screening.** The DRD engineers, in partnership with the village tract forums, village implementation committee and community facilitators, carry out the environmental and social screening, using the screening sheet that is included in the project operations manual as part of the preparation of detailed designs.

43. **During the first year of project implementation in each township, using the year 1 positive list,** screening focuses only on confirming the eligibility of the proposed sub-project activities. For those sub-project activities that are eligible for financing in year 1, only the Environmental Code of Practice (ECoP) no. 1 is used to mitigate the potential impacts of these sub-projects (Table 4).

44. **For those activities eligible for financing in year 2 and beyond,** the environmental screening focuses on four areas: (i) based on the open menu, confirming whether the proposed sub-project is eligible for financing; (ii) using the screening form to determine potential impacts from the sub-projects; (iii) determining whether or not ECoP no. 1 or no. 2 suffices to mitigate these potential impacts; and (iv) identifying what additional mitigation measures, if any, beyond those contained in the ECoP may be needed to manage the impacts.

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Environmental management measures for activities in Year 1 focusing on eligible rehabilitation and minor extension works only (eligibility based on the Positive Lists)</td>
</tr>
<tr>
<td>2.</td>
<td>Environmental management measures for activities in Year 2 and beyond focusing on eligible small new construction works (eligibility based on the Open Menu)</td>
</tr>
</tbody>
</table>

45. **Environmental Management Plan.** If additional measures are required beyond what is already contained in the ECoPs, a simple Environmental Management Plan (EMP) is required. An EMP identifies potential site specific impacts that are not covered by the ECoPs and indicates when, by whom, and how the mitigation measure(s) are applied. A sample EMP is included in the project operations manual.

46. **The community facilitators provide the necessary technical guidance so that village tract forum members can review the safeguard screening sheet in line with the project**

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2 The Environmental Codes of Practice are specified in detail in the project operations manual.
operations manual and this ESSAF. The approved safeguard screening sheet in the local language is available with the detailed project designs in the beneficiary village(s). Furthermore, villagers are given the opportunity to address questions and concerns to members of the village implementation committees.

47. If the safeguard screening finds that some minor impact cannot be avoided, the village tract forums will develop measures to address this impact. No major impact beyond the loss of small numbers of trees, fences or other non-residential structures or the acquisition of small strips of private land is anticipated. Impact on private asset may be addressed either through: (i) voluntary donation or (ii) compensation at replacement cost. Proceeds from the World Bank Grant cannot be used for compensation.

48. Voluntary donation. The project allows community members who benefit from a sub-project to donate land and other private assets to the sub-project without compensation. It is expected that most project impact will be addressed through voluntary donation without any significant or long-term impact on livelihood. The following protocol will govern voluntary donation of private assets.

- Voluntary donation are an act of informed consent and affected people are not forced to donate land or other assets with coercion or under duress, or misled to believe that they are obliged to do so.

- Voluntary donation is allowed only if a sub-project can technically be implemented in another location than where it is planned – if a sub-project is location-specific by nature, land acquisition associated with such a sub-project cannot be considered as voluntary; rather, it is an act of eminent domain. In such cases, an abbreviated RAP or a full RAP, as applicable, is developed.

- Voluntary donation is allowed only for very minor impact that meets the following criteria:
  - The households contributing land or other assets are direct beneficiaries of the sub-project;
  - The total size of productive land owned by the affected household is more than 300m²;
  - The impact is less than 5 percent of the total productive assets owned by said household; and
  - No one has to be physically relocated.

- The affected people are fully informed that they have the right to refuse to donate land and instead receive compensation at replacement cost, and that a grievance redress mechanism is available to them through which they can express their unwillingness to donate. People are encouraged to use the grievance redress mechanisms if they have questions or inquiries, either in writing or verbally. Adequate measures are in place to protect complainants.

- The community facilitator, village representatives of village tract forums and the village implementation committee confirm through a face-to-face meeting that the affected people are indeed aware that they are entitled for compensation and knowingly agree to donate land or other assets without compensation. The minutes of this meeting, which include confirmation that all conditions for
voluntary donations provided in this ESSAF are met, are attached to the signed voluntary donation form.

- Once the informed consent of the affected people has been confirmed in writing, the village tract forum develops a voluntary donation form. Both the husband and the wife of the affected household sign the form in the presence of the community facilitator and the village implementation committee.

- The village tract forum reviews and approves the signed voluntary donation form, and keep one original, signed voluntary donation form for review by DRD and the World Bank. The affected household keeps another original, signed form.

- Implementation of sub-projects involving voluntary donation starts only once the village tract forum has approved the signed voluntary donation forms.

- Annual social audits carried out by the NGO supporting the DRD township offices verify the informed agreement of affected people.

49. Compensation at replacement cost. If affected people are unwilling to donate assets without compensation, or if impacts that go beyond the threshold for voluntary donations occur, village tract forums, with the support of the community facilitator, will develop an abbreviated RAP. A full RAP is developed only in the event that more than 200 people are affected by a sub-project, i.e., displaced either economically or physically.

50. Detailed processes and procedures for the preparation of an abbreviated RAP and a full RAP, including consultation and disclosure requirements and table of contents of these RAPs, are included in the project operations manual. Furthermore, the processes and procedures for voluntary land donation and involuntary land acquisition including grievance redress are summarized in a pamphlet in all applicable local languages and distributed in all participating villages.

**Step 3 – Development of Safeguard Instruments**

51. If the safeguard screening finds that land acquisition or loss of private assets is unavoidable and if voluntary donation does not apply, the village tract forum, with technical inputs from the DRD engineer and the support of the community facilitator, will prepare the applicable resettlement instrument. All village representatives receive safeguards training. Also, basic processes and procedures with regard to social and environmental safeguards are displayed at a notice board in all project villages.

52. When sub-project documents and applicable resettlement instruments are drafted, members of the village tract forum including the representatives from the beneficiary village, the DRD engineer and the community facilitator visit the sub-project site and carry out a half-day consultation with the village implementation committee. During the consultation meeting, the final sub-project documentation is presented together with the draft detailed

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3 The project operations manual contains a format for a voluntary donation form.

4 A sample involuntary land and assets acquisition agreement form is provided in the project operations manual.

5 The final sub-project documentation includes the detailed engineering design, cost estimates, civil works documents (bill of quantities (BoQ), draft civil works contact, etc.), screening forms, the ECoP (and EMP if required), operations and maintenance requirements and plans, minutes and record of attendance of consultations, and applicable the resettlement instruments.
design. Inputs from the village implementation committee are sought regarding whether or not all potential impacts are adequately covered and mitigated, and whether adequate measures are incorporated in the design to meet the special needs of affected people and disadvantaged groups, including in particular ethnic minorities. The final sub-project documentation that is submitted to the village tract forum for approval incorporates the inputs from villagers, and the result of the meeting is documented and kept in the project file.

53. The resettlement instruments developed for a sub-project are reviewed and approved by the village tract forum and endorsed by the Settlement and Land Record Department under the Ministry of Agriculture and Irrigation prior to its implementation. Copies of approved abbreviated RAP or RAP are made available at the village tract office and in easily accessible places in the villages where the sub-project is implemented, with a summary translated into the local language(s).

54. The environment safeguards instrument are the ECoPs. If additional mitigation measures are required beyond what is included in the ECoPs, a simple EMP will be prepared.

**Step 4 – Implementation of Safeguard Instruments, Supervision, Monitoring and Evaluation**

55. Each village tract forum is responsible for the implementation of the sub-project safeguards instruments including the ECoP (and EMP if required), voluntary donation forms, abbreviated RAP or full RAP, as applicable, according to the policies and procedures laid out in the ESSAF. The village tract forum ensures that no physical land acquisition or resettlement of affected people commences before an abbreviated RAP or RAP has been implemented, or before the voluntary donation form is signed by the affected household(s) and reviewed and approved by the village tract forum.

56. Village monitoring sub-committees, in collaboration with community facilitators and village volunteers, monitor the implementation of the safeguards instruments, including the ECoP (and EMP if required), voluntary donation forms, abbreviated RAP or full RAP. The village monitoring sub-committees confirm the proper application of the instruments and notify the village tract forum that a sub-project is ready for implementation. The implementation of sub-projects involving voluntary land donation, involuntary land acquisition or asset loss start only once this confirmation is given.

57. Throughout the implementation of a sub-project, the village monitoring sub-committees and village volunteers monitor any negative impacts that may arise. Community facilitators regularly visit villages and receive feedback. If villagers have any questions or grievances that cannot be answered at the community level, they are encouraged to seek clarifications and solutions through the project’s grievance redress mechanism.

58. Social audits are conducted on an annual basis and facilitated by the NGOs/firms supporting the DRD township offices. The community facilitators organize an open public meeting at the village tract; information on the meeting is posted in advance. The purpose of the social audit is to report back to the population living in the village tract on past year’s progress, the expenditures under the village tract development plan, and any financial and technical audit findings. The meeting is attended by the village volunteers, community facilitators, DRD staff and village tract forum members. It provides a public forum to present

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6 The Settlement and Land Record Department is responsible for compensation under the national legislation.
problems, and air any grievances or other issues people may have with the project. The community facilitator prepares minutes of the meeting that record the issues raised and how they will be addressed in the subsequent annual cycle. This information is included in the updated village tract development plan, submission of which to the DRD township office is a condition for the transfer of the next annual block grant allocation.

59. The village tract forums summarize environmental and social safeguard related activities in their monthly reports to the township DRD office. These reports also include a short report on any environmental mitigation plan, voluntary donation, abbreviated RAP or RAP that was completed during the reporting period.

60. The World Bank reviews the safeguards screening forms, environmental management plans, voluntary donations, abbreviated RAPs or full RAPs and the use of the ECoPs on a random basis and carries out field trips to verify safeguard compliance.

8. Special Measures to Ensure Full Participation of Ethnic Minorities

61. In order to mitigate the risk that ethnic minorities are not able to fully participate in project implementation and receive project benefits, the following special measures are employed:

- Recruitment of village volunteers elected from among ethnic groups who assist the community facilitator throughout project implementation;
- Training of community facilitators to increase cultural awareness of issues related to ethnicity, religion and marginalization;
- Free, prior and informed consultations with ethnic minorities for the village and village tract development plans;
- Involvement of ethnic minorities in the decision-making process in the village tract forum;
- Participation of ethnic minority representatives in village implementation committees and monitoring sub-committees;
- Qualitative monitoring and beneficiary assessments focusing primarily upon societal dynamics and ethnic groups, women, and the most vulnerable, using focus group discussions and key informant interviews;
- Use of local languages in the dissemination of project related information.

62. These special measures are spelt out in the project operational manual.

9. Institutional Assessment and Capacity Building

63. A capacity development needs assessment was conducted during project preparation; its results are presented in Table 3.
<table>
<thead>
<tr>
<th>Institution</th>
<th>Sub-project panning</th>
<th>Design</th>
<th>Review, appraisal and approval</th>
<th>Implementation</th>
<th>Operations and maintenance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DRD (union level)</strong></td>
<td>Responsibility</td>
<td>Master/schematic designs and documents, including ECoPs</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Staff</td>
<td>Engineers available</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical Assistance</td>
<td>Technical capacity adequate, additional engineer not required</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Training needs</td>
<td>Training on ESSAF, ECoPs, consultations, and documentation, etc. Training on ECOPS required</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>DRD (township level)</strong></td>
<td>Responsibility</td>
<td>Technical review of sub-project proposals</td>
<td>Revising standard documents, screening, use/referencing of ECoPs, measurement of impact, production of detailed designs in consultation with villagers</td>
<td>Yes</td>
<td>Yes – oversight monitoring</td>
</tr>
<tr>
<td>Staff</td>
<td>Engineers available (consisting of township sector engineers) but a significant gap in knowledge of applicable safeguard policies.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical Assistance</td>
<td>Technical capacity possibly adequate but may need to be strengthened, especially if the project increased their workload significantly. Community facilitators to assist the engineers on applicable safeguard policies and engagement with villagers, including on minor repair and operational guidance during the operational phase.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Training needs</td>
<td>Training of township engineers and community facilitators on ESSAF, ECoPs, consultations, documentation, etc. Training of and facilitation for township engineers and community facilitators on continuous engagement with villagers on operations and maintenance.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Village tract forum</strong></td>
<td>Responsibility</td>
<td>Development of village tract development plans, selection of sub-projects, review and approval of sub-project proposals, safeguards screening, voluntary donation form, abbreviated RAP or RAP, as applicable.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff</td>
<td>No technical staff or capacity and a significant gap in knowledge of applicable safeguard policies.</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Technical Assistance</td>
<td>Community facilitators provide continuous support throughout implementation, including on applicable safeguard policies.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Training needs</td>
<td>All members of the village tract forums on all aspects of the ESSAF, ECoPs, consultations, documentation, etc.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Village implementation committee</strong></td>
<td>Responsibility</td>
<td>Decision-making authority for all aspects of sub-project planning, review and oversight.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff</td>
<td>No technical staff or capacity and a significant gap in knowledge of applicable safeguard policies.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical Assistance</td>
<td>Community facilitators provide continuous support throughout implementation. DRD township engineers provide continuous support for the design, operations and maintenance of sub-projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Training needs</td>
<td>Key members of the village implementation committees on all aspects of the ESSAF, ECoPs, consultations, documentation, etc.</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
64. The project invests heavily in capacity development to ensure that the sub-projects are implemented in an environmental and socially sustainable manner and in line with the ESSAF requirements. The materials for training at the community level are simple (including simplified sections of the project operations manual) and translated into all applicable local languages.

65. In each of the participating townships, the initial months of operation are devoted to capacity development. The DRD secretariat supported by the NGOs/firms at the township level trains the DRD staff at the township level. The township DRD offices and NGOs/firms thereafter train the community facilitators in all relevant areas of the project operations manual. Only at this stage does the project cycle at the community level begin, starting with the first village meeting. The township DRD offices, the NGOs/firms and the community facilitators undertake specific training for those villagers taking an active role in implementation, namely the village volunteers and the members of the village tract forum, village implementation committee and various sub-committees. Capacity development activities for community members and DRD staff are undertaken regularly and as needed, including refresher training prior to each new annual block grant cycle.

10. Monitoring Arrangements

66. At the village level, monitoring sub-committees are elected to check on procurement, finances and sub-project implementation. They organize periodic village meetings to provide information on implementation progress to the community. The village monitoring sub-committee also plays a key role in monitoring the implementation of any environmental and social mitigation measures. Moreover, it is responsible for posting simple information on the project (names of people employed, location of sub-project, duration, wages paid to men and women, cost of materials, name and contact details of person to whom complaints can be sent, etc.) on a public notice board.

67. The township level is responsible for the regular monitoring of project activities against set work plans and schedules. Each month, the DRD township offices and NGOs/firms supporting them provide progress reports describing project cycle activities at the tract and village levels, training, results achieved, financial disbursements, and plans for the next period.

68. At the union level, DRD makes regular monitoring and supervision visits to project locations. DRD at the union level is responsible for reviewing township monthly reports, resolving management and implementation issues as they arise, and providing a learning feedback loop with townships. It also operates a management information system to monitor and document issues related to land donations and any environmental and construction. The union DRD office provides quarterly progress reports to the Steering Committee and the World Bank.

11. Grievance Redress

69. A grievance redress mechanism is established that aims to ensure that feedback is received, that the voices from the poor and marginalized groups are heard, and that the issues raised are resolved effectively and expeditiously. The details of the grievance redress mechanism are included in the project operations manual. The manual specifies the systems and requirements (including staffing) for the grievance redress “value chain”, from uptake,
sorting and processing and acknowledgement and follow-up, to verification and action, monitoring and evaluation, and finally feedback.

70. The grievance redress mechanism is carried out by the NGOs/firms hired at the union and township levels. To this end, the NGOs/firms recruit dedicated staff, as needed. Information on the grievance redress mechanism is disseminated widely in meetings and through pamphlets and brochures, specifically information on how and where to lodge complaints/grievances. The general public across the participating townships is also continuously sensitized about the mechanism. The NGOs/firms provide training to DRD staff at the union and township levels, the community facilitators and village volunteers, and the members of the village tract forums and village implementation committees. These actors also encourage villagers to seek clarification or remediation through the mechanism if they have any questions or grievances. The NGOs/firms report on findings and impacts during the annual multi-stakeholder reviews and social audits. Over time, the grievance redress function will be transferred to DRD.

12. Consultations and Disclosure

71. The ESSAF contains specific guidance and requirements for consultations with potentially affected people, consistent with the bottom-up approach and planning cycle of the project. The sub-projects are identified and proposed by the villagers and reviewed and approved by the village tract forums. The project design has specific requirements, including for representation of gender, ethnic and religious minorities, as applicable, and other vulnerable groups in the villages. Furthermore, as part of the technical design and safeguards planning, village tract forums and village implementation committees consult with the households potentially affected by a sub-project before the village tract forum approves it. These consultations are done in a culturally appropriate manner, documented and included in the sub-project documentation, and disclosed locally. Training to ensure these measures are properly understood and effectively implemented is provided to all relevant members of the village tract forums, village implementation committees and monitoring sub-committees, and DRD township staff.

72. World Bank policies require that the ESSAF be disclosed as a separate and stand-alone document by the Department of Rural Development in Myanmar in Myanmar language and at the World Bank’s Infoshop in English. Furthermore, sub-project documentation relating to the design and implementation of the safeguards instruments is disclosed in the local language(s) in the affected communities.

13. Budget for Implementing the ESSAF

73. The costs associated with implementing the ESSAF processes and safeguards instruments are included in component 2 (Facilitation and Capacity Development) and 4 (Implementation Support), and the costs of implementing the measures in the ECoPs and the benefits in any abbreviated or full RAP are included in the cost of each sub-project under component 1 (Community Block Grants).