



**THE REPUBLIC OF UGANDA**

**MINISTRY OF WATER AND ENVIRONMENT**

**IRRIGATION FOR CLIMATE RESILIENCE PROJECT  
(ICRP)**

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**TERMS OF REFERENCE FOR**

**SUPERVISION OF ENVIRONMENTAL AND SOCIAL  
SAFEGUARDS FOR CONSTRUCTION  
OF MATANDA IRRIGATION SCHEME IN KANUNGU  
DISTRICT**

**JULY 2023**

## **1. INTRODUCTION**

The Government of Uganda (GoU) has received financing from the International Development Association (IDA) for the implementation of the Irrigation for Climate Resilience Project (P163836) (ICRP). The project will provide farmers in the project areas with access to irrigation and other agricultural services, and establish management arrangements for irrigation service delivery.

The project has three components: Component 1. Irrigation Services; Component 2. Support services for agricultural production and value-chain development; and Component 3. Institutional Strengthening and Implementation Support.

### **1.1 Component 1: Irrigation Services**

Access to irrigation is critical to allowing farmers cope with climate variability, to increase yield and intensification, and diversify towards higher value crops. Component 1 aims at providing farmers with irrigation water across various irrigation models, classified around the size of irrigation development as per the National Irrigation Policy, spanning across the country. Component 1 comprises three sub-components.

#### **(i) Sub-component 1.1 on Large and Medium-scale Irrigation.**

Large (>1,000 ha) and Medium (100 to 1,000 ha) scale irrigation schemes are established when an important water source is available in conjunction with a sizable irrigable area, offering the chance of developing economies of scale for marketing and value addition. As water might not be directly accessible across the whole irrigable area, and/or as the water source might be at a certain distance from the irrigable area and/or variable over the year, off-farm infrastructures (i.e. dams, diversions weirs, transmission pipes or canals, distribution networks) are required. The project will construct new irrigation schemes; support the development and strengthening of management model of irrigation schemes; and develop studies for future irrigation schemes.

#### **Matanda irrigation scheme**

One of the irrigation schemes to be constructed under component 1 is the Matanda Irrigation scheme located in Kanungu District in south-western Uganda.

The preparation of the detailed designs is still ongoing and nearing completion. Two dam alternatives are being considered and these include: (a) 18.6 McM capacity gravity dam 24m high (from bed level) with crest length of 142m irrigating up to 4,420 ha, and (b) 35.9 McM capacity gravity dam 30m high (from bed level) with crest length of 202m irrigating up to 9,000 ha.

The project is envisaged to develop the irrigation infrastructure limited to 2,200 hectares of irrigated agricultural land under the ICRP. The irrigation infrastructure for the extra command area beyond 2,200 ha shall be constructed under future financing.

## **(ii) Sub-component 1.2 on Small and Micro-scale Irrigation.**

Small (5 to 100 ha) and Micro (<5 ha) scale irrigation schemes are smaller in size, relying on a nearby water source mobilized with simple and relatively low-cost infrastructure, making it possible for farmers to take charge of irrigation development and management. The project will pilot public support for the construction of farmer-led small and micro scale irrigation schemes around the two new irrigation schemes and in areas close to Kampala characterized by high marketing potential, adopting a value chain approach.

## **(iii) Sub-component 1.3 on Integrated Catchment management.**

It will develop and implement integrated catchment management interventions for the two new irrigation schemes, to improve the sustainability of the schemes, including the restoration/reforestation activity in Rwoho CFR.

## **1.2 Component 2: Support Services for Agricultural Production and Value-Chain Development**

Component 2 aims to support farmers carrying out on-farm irrigation, accessing production and value addition knowledge and skills, and developing sustainable market access. Component 2 will comprise of two sub-components.

### **(i) Sub-component 2.1 on On-farm Production and Productivity**

It will provide support to farmers and farmers' groups for production and productivity improvement at the farm level in the new irrigation schemes, in existing irrigation schemes, in small and micro irrigation schemes as well as in the area of the proposed future irrigation scheme.

### **(ii) Sub-component 2.2 on Value Addition and Market Linkages**

It will provide support to farmers' groups for value-chain development and strengthening and establishment of market linkages. *Component 3. Institutional Strengthening and Implementation Support*

## **1.3 Component 3 will support institutional strengthening**

in irrigation, tariff structures, and prerequisites for financial sustainability; and (ii) capacity building, training and study tours.

The Ministry of Water and Environment therefore seeks the services of a firm to supervise and monitor implementation of Environment and Social Safeguards for Matanda irrigation Scheme Infrastructure (dam, pipeline, and irrigation network).

## **2. OBJECTIVES OF THE CONSULTANCY**

The objective of this assignment is to support the MWE in-house team to supervise and monitor implementation of Environmental and Social Safeguard requirements of Government

of Uganda and the World Bank during the construction of Matanda Irrigation Scheme dam and infrastructure.

### **3. SCOPE OF WORK**

#### **3.1 General Environmental & Social Safeguards Supervision**

The Environmental and Social Safeguards Consultant will work closely with the Resident Engineer to supervise and monitor environmental and social safeguards implementation, ensuring full compliance to national and World Bank requirements. The consultant will guide implementation of the requirements following award of the works contract, right from mobilisation, execution of civil works and completion of the civil works, through the Project Coordinator/s at MWE and MAAIF.

#### **3.2 Safeguards supervision**

Following award of the contract, the safeguards supervising consultant will work closely with the Engineering supervising consultant (Resident Engineer) to ensure that E&S requirements are systematically implemented in construction activities. The primary safeguards supervision, enforcement and directing shall be the responsibility of the Engineering Supervising Consultant (Resident Engineer), the safeguards consultant shall undertake secondary supervision that will include assessing and ensuring integration of E&S requirements in project activities, assessing effectiveness of mitigation measures in the ESIA and ESIP, reviewing reports submitted by the Engineering Supervising Consultant and notify the project coordinator/ contract manager for any perceived E&S deficiencies and if needed will advise the project coordinator/ contract manager on the actions to be taken by the supervising consultant to bring the contractor to compliance with requirements.

The safeguards consultant shall report to the project coordinator and the contract manager, the project coordinator shall organise a commencement meeting with the safeguards consultant at the beginning of this assignment, the meeting will include an extended briefing on supervision of E&S Requirements between the two parties and clarification on their responsibilities. Issuing of instructions to the contractor shall be the sole responsibility of the Engineering supervising consultant.

##### **3.2.1 Task 1: Review of Contractor's Plans at pre- construction appraisal phase**

Reviewing and providing guidance on the general form and content of environmental and social aspects of method statements at pre-works meeting(s). The construction contracts will require the Contractor to seek prior approval of the Engineering Supervising Consultant in relation to a number of aspects which have environmental and social implications. The approval for proposals and plans regarding the siting, nature, designs and scope of base-camp facilities are done at this stage and should be guided by environment and social safeguards procedures, some aspects of temporary works approval may also have environmental implications, for example temporary diversion of watercourses, de-watering arrangements and silt control during drainage works construction. The Contractor should be given guidance concerning the general form and content of environmental and social aspects of method

statements by the Safeguards Consultant jointly with the Engineering Supervising Consultant at pre-works meeting on site. The Engineering Supervision Consultant shall undertake Primary/ initial review whereas the Safeguards Consultant shall undertake secondary/quality enhancement review of the said documents. Safeguards Consultant shall provide his comments through the Project Coordinator.

### **3.2.2 Task 2: Review of Contractor's Environmental and Social Implementation Plans (ESIP)**

- (i) The contractor will be required to prepare an Environmental and Social Implementation Plan based on the (ESIA) (ESMP) and any other environmental and social aspects of design conditions of the contract and on emerging conditions on site.
- (ii) The ESIP will be prepared under the direct supervision and guidance of the Resident Engineer, after which it will be submitted to the safeguards consultant for further review. The Safeguards consultant shall review and provide comments to the ESIP and ensure that the ESIP is comprehensive and fit for purpose. The consultant shall then forward the ESIP to MWE for final review and clearance. The Contractors' ESIP will be a primary mechanism for the Contractor's Safeguards team to monitor environmental and social aspects of project works. The Safeguards Consultant should therefore ensure that this key document links environmental and social mitigation measures/ activities to construction works. The Consultant will ensure regular review and updating of this Plan.
- (iii) The ESIP shall include; Labour force Management, HIV and STI's Management Plans, Child Protection Plans, Waste Management Plans, Community and Workers Health and Safety and Environment Management Plans (HSE), Gender Based Violence Management Plans, Traffic Management Plans, Burrow and Clay sites Management Plans, Stone Quarry Management Plans (Stone aggregates acquisition plan), Erosion Management Plans, Contractors Camp Management Plan, Grievance Management Plans, Physical Cultural Resources (PCR) plan, restoration plans among others as enlisted in the ESIA and may be required by the client;
- (iv) Risk Assessment and reporting; the consultant shall use advanced risk assessment techniques, for example Failure Modes and Effects Analysis (FMEA) or any other appropriate method to identify the potential environment health and safety risks associated with construction works, potential consequences of each risk and effects on other components or equipment, the possibilities for detection and preventive/ mitigation measures. The Risk Assessment shall be regularly reviewed and updated in relation to the works schedule.
- (v) Review of ToRs, environmental and social assessments for the Contractor's auxiliary sites and material sources.

### **3.3 Task 3: Compliance Assessment/ Monitoring**

- (i) The safeguards Consultant shall carry out regular compliance assessment with MWE Safeguards team to determine whether on going works comply with Uganda's

environmental and social laws and regulations as well as conforming to relevant international standards and best practices, especially the World Bank Environmental and Social Safeguards Policies, and Environmental Health and Safety Guidelines.

- (ii) The Consultant shall also provide compliance assistance to contractors, sub-contractors, supervising engineers, MWE, staff on site etc. Compliance assistance and assessments aim at supporting, monitoring, evaluating and reporting on works adherence to the relevant national and international environmental and social safeguards requirements.
- (iii) Compliance inspections/assessments shall be carried out frequently (at least once every week for the first six months, then twice every month for six months, and afterwards once every month) to ensure that teams on site are given the necessary compliance assistance to implement mitigation measures and to ensure recommended improvements are implemented in a timely manner. The frequency of monitoring will be determined by the registered compliance levels and risks encountered during implementation. Monitoring may be more frequent than indicated here in the ToR. Compliance assessments and inspections shall also cover wider environmental and social matters not directly concerned with actual construction such as Contractors' base-camps, off-site temporary storage and temporary work areas and any other axillary structures, including materials sites (stone aggregates, clay extraction, gravel sites, etc). This monitoring will also include cross cutting issues such as HIV/AIDS, Covid 19 awareness and mitigation, gender mainstreaming and occupational health and safety and any other environment and Social Safeguard issues. Procedural guidelines for conducting compliance assessments shall be agreed upon with MWE safeguards team.
- (iv) The Consultant will undertake performance review as a means of reinforcing the Supervision Engineer Consultant's and contractor's commitment to environmental and social management, as well as a means of drawing their attention to safeguards, and assisting in the resolution of, outstanding environmental and social related issues during construction. The Safeguards Consultant shall regularly undertake these reviews to ensure that environmental and social aspects are fully addressed.
- (v) The Consultants shall plan and facilitate environment health and safety trainings at least once a year for the Engineering Supervising Consultants team, Contractors team, and Government Counterparts (Kanungu District LG), including augmenting the onsite Tool-Box Meetings at different work fronts.

#### **3.4 Task 4: Routine Supervision Monitoring and Reporting**

- (i) The Safeguards Consultant shall undertake routine monitoring in order to assess efficiency in implementation of mitigation actions, the consultant will continue monitoring indicators in the ESIP to determine whether the mitigation measures are effective or to determine what further mitigation measures may be required. The Consultant will adopt the safeguards monitoring format in the ESIA report for thematic areas and any other specific format as will be agreed upon with the client.

- (ii) The Consultants' monitoring shall begin right away and continue throughout the construction phase. One important aspect of this monitoring shall be to assess the effectiveness of the mitigation measures suggested, where they are found lacking, appropriate new actions to mitigate any adverse effects shall be undertaken. Construction works specialist audits shall be undertaken regularly to compliment monitoring and inspections. The findings of the monitoring and specialist audits will be discussed in the monthly site meetings and included in the monthly and quarterly reports submitted to the Client.
- (iii) The Safeguards Consultant jointly with the Engineering Supervising Consultant shall ensure that continued non-compliance by the contractor is subjected to punitive measures as may be defined in the Construction Contract; this may include a daily fine or retention of monies through the Interim Payment Certificate (IPC). The Safeguards Consultant shall closely work with the Engineering Supervising Consultant in developing and maintaining a Safeguards Compliance Tracker which will be used to assess the Contractor's response to and implementation of corrective instructions issued by the Resident Engineer.
- (iv) Identify and analyse trends in relation the different construction related incidents through analysing health and safety data and reporting. Track general health and safety performance and compare with set targets. Conduct timely incident investigations to discover root causes and come up with measures to prevent re-occurrence.

### **3.5 Task 5: Project Completion reports**

- (i) Following completion of project works, the consultant shall ensure that the final Environmental and Social Completion reports are prepared with input from the Contractor and assistance from the Resident Engineer/ Engineering Supervising Consultant. The report shall detail how the environmental and social issues have been addressed during the course of the project and how the ESIP and decommissioning plans have been implemented and complied with, including rehabilitation of Burrow pits and all ancillary facilities.
- (ii) The report should demonstrate that the project has taken all practicable measures to ensure that the provisions made in the project ESIA reports are complied with and that borrow pits, quarries, stockpile areas, camps and other work areas (as appropriate) have been rehabilitated in accordance with the National Laws and World Bank Safeguard policy requirements. The report shall be submitted to the Client for review and clearance.

### **3.6 Other Tasks**

The consultant shall also do the following:

- 1) provide overall Environmental and Social Safeguards Management oversight and ensure that Environment and Social Safeguards are systematically implemented in construction activities;
- 2) review relevant parts to ESIA, NEMA approval conditions to become familiar with the Project and the baseline E&S conditions prevailing before works commence;

- 3) ensuring and guiding preparation of the Contractor's Environment & Social Implementation Plan (ESIP) relevant to the C-ESMP and monitoring its implementation;
- 4) prior to the Engineering Supervising Consultant's authorization for the Contractor to commence works, the safeguards consultant shall verify that the Contractor has done the following;
  - (i) established an environmental health and safety management systems and procedures in accordance with the works contract;
  - (ii) mobilized the necessary E&S team (according to the qualifications specified in the contract) and sufficient facilities, tools, and equipment to comply with the E&S Requirements of the Contract;
  - (iii) the necessary environmental and social consents and permits are in place, and that the Contractor fully understands the requirements;
- 5) the consultant shall establish a monitoring regime for environmental parameters e.g. water quality, air quality, air, noise and vibrations, fish biodiversity as required in the NEMA approval conditions;
- 6) ensure that the Contractor undertakes environmental and social assessments for all construction works support infrastructure;
- 7) map out sensitive environmental and social receptors like wetlands, forests, PCR, trading centers, schools and hospitals for regular monitoring;
- 8) liaise with the Resident Engineer to conduct safety hazard identification and ensure construction safety management;
- 9) ensure that the contractor establishes, implements and maintains a safety management system, ensure internal reporting of accidents, conduct investigations of all accidents to prevent a recurrence or to identify weaknesses in the safety management system and to inform risk assessment reviews;
- 10) ensure that safe systems of work are in place for all construction works and related activities, ensure that workers and the communities are kept safe with special focus on potentially hazardous activities. The following systems should be established by the contractor for all potentially hazardous activities;
  - (i) systems of control of work permits,
  - (ii) system of control of works at height;
  - (iii) systems of control of break into ground or structures;
  - (iv) systems of control of works in confined spaces (chambers, tanks, pits, silos, trenches) or any other hazardous activity;
- 11) conduct internal audits at planned intervals to evaluate whether the contractor's management system conforms to: national health and safety requirements, World Bank



Policies & guidelines and any other international best practices, ensure that the system is effectively implemented and maintained;

- 12) liaise with the Resident Engineer to ensure the adequate supervision and training of contractor's workers especially, drivers and machine operators, ensure adhering to site rules or procedures for safe operation of machines and the control of traffic;
- 13) the Consultant shall ensure that all provisions in the contractors (ESIP) and all statutory requirements including all conditions of approval in the NEMA certificate, health and safety requirements are implemented;
- 14) ensure that all activities by the Contractor and the Resident Engineer are designed to include avoidance of potential social, environmental and health and safety risks,
- 15) ensure management of grievances from both the affected communities and workers through (i) Working with the Resident Engineer to address project related grievances (ii) monitoring/verification of measures put in place to prevent and address issues related to GBV and Violence against Children;
- 16) provide guidance to the contractor, Resident Engineer and other stakeholders on matters of implementation and documentation of compliance related to health safety and environmental mitigation measures;
- 17) ensuring that each activity related to the project including subprojects is subjected to the Environmental and Social Safeguards management procedures;
- 18) ensure that quality safeguards reports are prepared by the contractor as per formats and content agreed, review and provide comments to improve the reports, ensures the reports capture the following information; health and safety incidents minor, major and severe, all diseases, illnesses and dangerous occurrences or accidents, liaise with the Resident Engineer to report all incidents within 24 hours of their occurrence, in accordance with the World Bank's Environmental and Social Incidents Reporting Toolkit (ESIRT)/ guidance note;
- 19) prepare and submit health and safety incident reports, monthly and quarterly Compliance Assessment reports and any other report as may be requested by the Client;
- 20) participate in Monthly site meetings technical visits and any other missions and work closely with all stakeholders in ensuring the Project's compliance with relevant environmental and social policies of Uganda and the World Bank;
- 21) undertake other actions related to environmental and social aspects of the Project, as may be instructed by the client/ contract manager from time to time, in order to ensure full compliance of the Project with national and international environmental and social standards;
- 22) management and Enforcement of safeguard requirements in establishment, operations and decommissioning of all ancillary structures related to the project;
- 23) working with the Resident Engineer, certifying the contractors 'compliance to safeguards by stating what was done, confirming the costs, penalties and fines that should be deducted from the contractors' invoice before payment;

- 24) support the process of execution of Environmental and Social Audits under the project both annual and closure audits.
- 25) ensure that the contractor prepares restoration and decommissioning plans for all work sites, workers' camp, borrow pits and other ancillary facilities, prior to the end of the construction phase.
- 26) Monitoring of the Biodiversity and Ecological Flow Management Plan for the Project.

### **1.9 Fish Monitoring**

The ESIA notes that dam construction, river diversion and interception will have potential impacts on river flow regime, water quality, riverine and riparian ecosystem, resulting in negative impacts on fish and its habitats. Due to these potential threats, and since river systems are physically and ecologically dynamic, and susceptible to other environmental variations there is need for proper monitoring of dam construction to safeguard the river ecosystem integrity, fisheries biodiversity and the dependent ecosystem services.

The consultant will do the following;

- 1) Review designs for temporary and permanent hydraulic structures (river diversions) and ensure provisions for fish friendly movements and migration, where feasible, the hydraulic characteristics of river diversion channels be designed to be as fish friendly as possible;
- 2) review the ESIA, fisheries biodiversity and monitoring plan, analyze the different bio-physical -chemical water quality and environmental conditions of the affected river sections upstream and downstream propose the most appropriate practical interventions to be implemented by the contractor;
- 3) monitor soil erosion and silt runoff into the river, ensure that the contractor applies proper construction practices and pays diligent attention to erosion control near the river banks to minimize problems of turbidity in the river and threats to fish. The consultant shall carefully monitor the wash load upstream and downstream of the dam construction site(s) and give guidance on preventive steps to be taken to avoid mortality or undue stress among downstream fish stocks;
- 4) identification of the changes in the general water quality and fisheries biodiversity, identification of the most affected species, habitat losses and based on these, identify the possible intervention and recommend remedial actions.

### **3.8 Water quality monitoring.**

The consultant will undertake independent water quality random-sample monitoring along sections of River Kiruruma affected by construction works to document and verify baseline water quality conditions as required in the project ESIA approval conditions, monitor, document changes and make recommendations through MWE to the Engineering Supervising Consultants and contractor to ensure that water quality remains within acceptable standards

where possible; review of the ESIA and other project related documents to internalize the requirements and the scope of the Water quality monitoring;

- 1) identify and map out works related sources and nature of potential contaminants of River Kiruruma water within the sections affected by construction activities, recommend feasible mitigation actions to the Engineering Supervising Consultant;
- 2) determine and document the physio-chemical and biological parameters of the water quality within the river sections affected by construction works;
- 3) establish a water quality monitoring program and document the following parameters on a monthly basis with regard to the standards below and any other parameters as may be required in the ESIA approval conditions;

<b>Parameters</b>	<b>Limits</b>
PH	Refer to ESIA
Temperature	Refer to ESIA
BOD	Refer to ESIA
EC	Refer to ESIA
COD	Refer to ESIA
Phosphorous	Refer to ESIA
Nitrogen as Nitrate total	Refer to ESIA
Nitrate	Refer to ESIA
Nitrite	Refer to ESIA
Ammonia Nitrogen	Refer to ESIA

- 4) employ standard water quality assessment methods to generate reliable and dependable conclusions and recommendations to guide construction activities;
- 5) record observations of significant importance both in the field and laboratory to support the credibility of the monitoring and assessments. Sample Laboratory Analysis shall be done in recognized reputable laboratory, preferably Ministry of Water and Environment laboratories of Entebbe or Fort Portal with supporting certificates of analysis;
- 6) water quality Sampling methodology; the consultant shall use conventional standard sampling procedures for purposes of maintaining high integrity of samples to yield reliable results. The sampling shall be guided by the Matanda ESIA Report, “The sampling therefore shall fulfil the following criteria;
  - i) The data obtained must be reproducible by others following the same sampling and analytical protocols;
  - ii) Documentation must be available to validate the sampling procedures. The data must have a known degree of accuracy and precision;
- 7) document and compile Water Quality Assessment reports, make recommendations and guide the Resident Engineer on all water quality related aspects during construction;
- 8) Noise and vibration monitoring as per NEMA approval conditions.

#### 4.0 QUALIFICATION OF THE FIRM

Experience of the consultancy firm in at least Three (3) similar assignments in Safeguards Supervision on large infrastructure projects (Water Reservoirs/Dams, Irrigation schemes, Water Supply systems, Road Construction and Hydropower projects within the last 10 years).

#### 5.0 REQUIRED COMPETENCE OF THE CONSULTANT

The Consultant is expected to set up a supervision team, of permanent staff, with expertise in major areas including a Team Leader responsible for managing the assignment and coordinating the contributions of all others. In addition, the Consultant team will include multidisciplinary experts with expertise in the following disciplines, summarized below:

- 1) Environmental Safeguards Expert (Team Leader)
- 2) Occupational Health and Safety Expert (1)
- 3) Biologist/Ecologist (1)
- 4) Sociologist (1)
- 5) Hydrologist (1)
- 6) Noise and Air Quality expert (1)

#### List of required personnel with minimum qualifications

Key Personnel	Specific Qualifications	Minimum Experience
Environment Specialist/ Team Leader	Master's degree in an Environment related discipline; Environmental Science, Environmental Engineering or Natural Resource Management, Possession of an Environment Practitioner's certificate from NEMA Uganda as Team Leader, is a requirement. Be able to prepare and present information clearly and concisely (both oral & written) and have superior report writing skills	At least 10 years of progressively senior experience in Managing ESIA studies, supervising Safeguards in large and complex infrastructure development projects, familiarity with World Bank Environment and Social Safeguards Policies and Environment and Social Framework is a necessity as will be evidenced from similar works (in large and complex infrastructure development projects) carried out and Financed by the World Bank  At least (04) assignments on Environment and Social Safeguards Supervision.
Occupational Health and	Master's Degree in Health & Safety Management, Health and	Must have at-least five (5) years' related experience working in

<b>Key Personnel</b>	<b>Specific Qualifications</b>	<b>Minimum Experience</b>
Safety Expert	<p>Safety Engineering, Health Safety and Reliability Engineering and Fire Safety Engineering.</p> <p>Possession of Occupational Health and Safety Certification from a recognized Institution such as NEBOSH/OSHA, etc is a requirement.</p>	<p>health and safety in infrastructure development projects, demonstrated understanding of OSH Management Systems and Industry Best Practice experience with the World Bank Environment, Health and Safety Guidelines and Social Policies is a requirement.</p> <p>At least 03 assignments in Supervision of Health and Safety in infrastructure projects.</p>
Biologist/ Ecologist	<p>A minimum of a Bachelor's degree (BSc) in Biology or related field, advanced degree in Aquatic Ecology or Fresh water biology/Ecology, Limnology, Fisheries, related field will be an added advantage.</p>	<p>Must have a minimum of Seven (7) years 'professional experience in the Fisheries related Assignments (ESIA &amp; Research), experience in Ichthyology and Aquatic Entomology/freshwater Biology of Tropical Africa, preferably including river systems in Uganda.</p> <p>Be able to prepare and present information clearly and concisely (both oral &amp; written) and have superior report writing skills.</p>
Social Expert	<p>Must hold a Bachelor's degree in Sociology, Social Sciences or related field. A master's Degree in related disciplines is a MUST with experience in community engagement and resettlement</p>	<p>Must have a minimum of 7 years professional experience working as a Sociologist, Community liaison expert, on Infrastructure projects in a rural Ugandan setting</p> <p>At least 5 assignments working with World Bank Projects and familiarity with World Bank Environmental Social Policies.</p>
Air and Noise Quality Specialist	<p>Advanced degree in Environmental studies / Chemistry or relevant field</p>	<p>A minimum of 5 years professional experience in Environmental Impact Assessments specifically Air and Noise Quality Assessment.</p> <p>At least 3 Assignments in Air and Noise Quality Assessments.</p>

<b>Key Personnel</b>	<b>Specific Qualifications</b>	<b>Minimum Experience</b>
Hydrologist	A Bachelor's Degree (BSc) in Civil Engineering, Hydrology or Agricultural Engineering Msc. in Hydrology Water Resources Management or water Resources Engineering.	At least (10) years' professional experience in hydrology studies and modelling on infrastructure projects.  At least five (5) years' experience in environmental impact assessments

### List of Required Personnel with Minimum Time Inputs

<b>Expert</b>	<b>General experience (years)</b>	<b>Specific experience (years)</b>	<b>Estimated Time input (Man- Months) for Safeguards Supervision for a 30m high Dam and 2,200ha irrigation area</b>	<b>Estimated Time input (Man- Months) for Safeguards Supervision for a 24m high Dam and 2,200ha irrigation area</b>
<b>1. Key Staff</b>				
Environment Management Specialist Project Manager/ Team Leader	15	5	30.0	25.5
Occupational Health and Safety Expert	5	5	38.0	32.0
Biologist/ Ecologist	8	5	26.0	22.0
Social Expert	7	5	38.0	32.0
Noise and Air Quality Expert	5	5	12.0	10.5
Hydrologist	5	5	12.0	10.5
<b>Total</b>			<b>156.0</b>	<b>132.5</b>

#### Note:

- The Team Leader, Environment Management Specialist, Biologist/ Ecologist, Occupational Health and Safety Expert and Sociologist, Air quality and Noise Expert shall work simultaneously on safeguards supervision for both the dam, ancillary facilities and Irrigation network.
- Key Staff must obtain a score of at least 75% upon Evaluation. Key Staff who obtain a score of less than 75% shall be replaced if the Consultancy firm progresses to negotiation stage.

All CVs including for Key experts shall be endorsed by the experts and the consultant's representative.

## 6.0 EXPECTED DELIVERABLES

ITEM	REPORT/ DOCUMENT TITLE	TIMELINE FOR SUBMISSION AFTER COMMENCEMENT	CONTENT	NO. OF COPIES
1	Pre appraisal report/ supervision and monitoring program	Two (2) months from the date of commencement	<p>Monitoring program for general safeguards supervision including water quality, air quality, noise, vibrations, fisheries and biodiversity. Safeguards reporting formats and siting safeguard aspects in the design of contractor's camps, scheme infrastructure and approvals.</p> <p>Any other project specific issues or unique mitigation requirements that are either not adequately covered or completely omitted from the Safeguards documents and the Works Contract.</p> <p>Comprehensive Environmental, Health and Safety Risk Assessment Report for construction works.</p>	4 copies to MWE
2	Review and approval of the Contractors ESIP and other safeguards planning/ management documents.	4 months after commencement of the assignment	<p>Contractors' environment and Social safeguards Policy,</p> <p>Contractors environmental and social management system for the project established in accordance with the works contract</p> <p>Mobilized the necessary E&amp;S team (according to the qualifications specified in the contract) and sufficient facilities, tools, and equipment to comply with the E&amp;S Requirements of the Contract;</p> <p>Acquired environmental and social consents and permits;</p> <p>Waste Management plans (the waste management hierarchy, hazardous waste handling)</p> <p>Plans for management of fragile ecosystems e.g. protected areas, wetlands, riverbanks, lakeshores, hilly and mountainous areas</p> <p>Biodiversity management plans,</p>	4 copies to MWE

ITEM	REPORT/ DOCUMENT TITLE	TIMELINE FOR SUBMISSION AFTER COMMENCEMENT	CONTENT	NO. OF COPIES
			Erosion and Sediment Control Management plans, Grievance Management system, HIV & AIDS prevention Plan, Contractors Camp Management Plan.  Approved Contractors safeguards implementation structure	
3	Safeguards Supervision and Monitoring reports	Every month (30 <sup>th</sup> of every month and 28 <sup>th</sup> for February)	Progress of contractor's implementation of safeguards activities linked to construction works, water quality, noise, air quality, summary, health and safety, social (HIV& AIDS) any other social and environmental issues of concern.  Compliance assessment findings indicating compliance status, corrective actions to be taken, responsible parties' time, frames, risk assessment. Incident & accident trend analysis.	4 copies to MWE
4	Environment and Social Safeguards Performance reports	Quarterly report (on the 30 <sup>th</sup> of every third month)	Environmental, Health and Safety Monitoring Report, Social Safeguards Monitoring report, Fisheries and Water Quality Monitoring report. Risk Assessment Reports, all internal audit findings.	4 copies to MWE
5	Construction works completion and site restoration report	By end of 24 months	Site restoration and final mitigation plans, closure audit findings, decommissioning report.	4 copies
6	Final Environment and Social Safeguards Supervision Report	One month after completion of defects liability period	Monitoring of the Ecological Flow Management Plan	4 copies



## **7.0 CAPACITY BUILDING**

For purposes of capacity building and ensuring adequate direct involvement of the client in delivering the final project objectives, the client will assign staff that shall be agreed upon with the consultant prior to commencement of the consultancy services.

The Consultant shall work with and train designated staff with the aim of developing capacity and knowledge transfer. Training will include key areas related to the assignment such as Environmental Health and Safety Inspections and Audits, Risk Assessment, Mapping. The training measures are aimed at improving the technical skills of the staff. The Consultant shall propose training topics in the technical proposal which will be further refined during implementation. For tendering purposes, the proposed number of staff to be trained is three (3).

The proposal shall include the proposed approach and methodology for the knowledge transfer throughout the assignment, the proposed training obligations of the consultant, the type and duration of training activities to be undertaken, the optimum number of participants in each training, methodology for monitoring and evaluation of trainees, and any post training support and resources. The consultant in consultation with the Client will organise site visits, inspections and witness testing.

## **8.0 LIAISON WITH THE CLIENT**

MWE shall nominate an Officer who shall be the Clients Resident Supervisor, responsible for the day-to-day coordination and monitoring of the project activities. As such, the Officer shall closely work with the consultant during the supervision stages as well as the design stage to ensure that all the technical requirements of the project are fully met. In particular, the officer, under the guidance of the Contract Management Team leader, shall review and provide the Client's input, comments and guidance on the work plans, methodologies and reports prepared by the consultant for quality assurance and achievement of set objectives.

## **9.0 REPORTING AND SUPERVISION ARRANGEMENTS**

The Consultant will be directly supervised by the Water for Production Department on behalf of the Client reporting to:

The Project Coordinator – Irrigation for Climate Resilience Project

Attn: Eng. Henry Kizito

Ministry of Water and Environment

Plot 3-7, Kabalega Crescent, Luzira, Kampala, Uganda

E-mail: [henry.kizito@mwe.go.ug](mailto:henry.kizito@mwe.go.ug), [kizitohl@yahoo.co.uk](mailto:kizitohl@yahoo.co.uk),

Any other data formats shall be subject to prior approval by the client.

The Water for Production Department will ensure close coordination and participation of other Government Agencies and the World Bank to ensure information exchange.

## **10.0 FACILITIES TO BE PROVIDED BY THE CLIENT**

The MWE through the Project Coordinator will provide the following relevant documentation and information to the consultant required to carry out the assignment and also assist the firm to access institutions and stakeholders to carry out the assignment and access information: ESIA, Additional Surveys and Assessments & RAP documents, and the works contract most notably special and technical specifications, the contractors tender proposals relevant to management of E&S provisions and NEMA approval conditions of the ESIA.

## **11.0 DURATION OF THE ASSIGNMENT**

The duration of the consultancy services is expected to last maximum of 38 calendar months covering dam, pipe network conveyance construction. The supervision shall be disaggregated as follows: (i) safeguards supervision of the dam will last for Thirty-eight (38) calendar months; pre construction phase two (2) calendar months; dam construction phase (24) calendar months, completion audits and approvals (12 calendar months), (ii) Safeguards supervision of the pipe network will last for Thirty-Two (32) calendar months with two (2) calendar months for the pre-construction phase, eighteen calendar months (18) for the construction phase and 12 calendar months for completion Audits and approvals.

The estimated time input of 38 calendar months for safeguards supervision of the dam is based on the 35.9 million cubic meters capacity gravity dam 30m high (from bed level) with crest length of 202m irrigating up to 9,000 ha. In case the option of smaller dam is to be implemented, the estimated time input is 32 calendar months for safeguards supervision of 18.6 million cubic meters capacity gravity dam 24m high (from bed level) with crest length of 142m irrigating up to 4,420 ha.

It is the responsibility of the Consultant to establish a detailed work program within the above time estimates. The staff time inputs shall accordingly be provided in accordance with the Consultant's professional judgment and knowledge of the local conditions and needs.

The consultant shall take into account the following: safeguards supervision of pipe network will commence at about 6 months after, dam safeguards supervision commencement, the consultant should take this into account when preparing work plans and programs for this assignment

The above stated durations are to be understood as guidance and it is the responsibility of the consultant to establish a detailed work program within the above time estimates. The estimated staff time inputs should be provided in accordance with the consultant's professional judgment and knowledge of the local conditions and needs.

## **11. MWE's ENVIRONMENTAL AND SOCIAL POLICY AND CODE OF CONDUCT**

### **11.1 ENVIRONMENTAL AND SOCIAL POLICY**

The client has an Environmental and Social Policy that will be adhered to during the implementation of the project. The policy is provided in Annex 1.

### **11.2 CODE OF CONDUCT**

The code of conduct in Annex 2 has been set out to take into account considerations of Environment, Social and Health issues, Occupational Health and Safety of experts, client's and contractor's personnel and the community.

The Code of Conduct should be signed by each Expert to indicate that they have:

- i) received a copy of the code;
- ii) had the code explained to them;
- iii) acknowledged that adherence to this Code of Conduct is a condition of employment; and understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities.
- iv) The consultant is required to develop a code of conduct for their staff to adhere to. The code of conduct should be acceptable to the client.

## **ANNEX 1: ENVIRONMENTAL AND SOCIAL POLICY**

The Works' policy goal is to integrate environmental protection, occupational and community health and safety, gender, equality, child protection, vulnerable people (including those with disabilities), gender-based violence (GBV), HIV/AIDS awareness and prevention, wide stakeholder engagement, land acquisition and compensation of project affected persons in the planning processes, programs, and activities of the parties involved in the execution of the Works.

The Environment and Social Management Plan for the Project and the Contractor's Site-Specific Environment and Social Implementation Plan will be used for monitoring, continuously improving processes and activities and for reporting on the compliance with the policy.

The policy is derived from different international and/or national policies within legal frameworks some of which are highlighted below. It is expected that during the supervision of the works, the consultant will commit to;

- 1) apply good international industry practice to protect and conserve the natural environment and to minimize unavoidable impacts (National Environment Act 1995);
- 2) provide and maintain a healthy and safe work environment and safe systems of work as stipulated in the draft National Occupational Safety and Health Policy in the framework of the Occupational Safety and Health Act 2006;
- 3) protect the health and safety of local communities and users, with particular concern for those who are disabled, elderly, or otherwise vulnerable;
- 4) ensure that terms of employment and working conditions of all workers engaged in the Works meet the requirements of the ILO labor conventions to which the host count(Employment Act 2006 and Occupational Safety and Health Act 2006);
- 5) be intolerant of and enforce disciplinary measures for illegal activities. To be intolerant of, and enforce disciplinary measures for GBV, child sacrifice, child defilement, and sexual harassment (Employment Act 2006) ;
- 6) incorporate a gender perspective and provide an enabling environment where women and men have equal opportunity to participate in, and benefit from, planning and development of the Works (The Uganda National Employment Policy 2011, The National Equal Opportunities Policy 2006, Uganda Gender Policy);
- 7) work co-operatively, including with end users of the Works, relevant authorities, contractors and local communities;
- 8) engage with and listen to affected persons and organizations and be responsive to their concerns, with special regard for vulnerable, disabled, and elderly people;
- 9) provide an environment that fosters the exchange of information, views, and ideas that is free of any fear of retaliation;

- 10) minimize the risk of HIV transmission and to mitigate the effects of HIV/AIDS associated with the execution of the Works (The National HIV/AIDS and The World of Work Policy 2007);
- 11) Acquisition or restriction of land to mitigate unavoidable adverse social and economic impacts through incorporating compensation of project affected persons and community engagement throughout the works implementation.

## **ANNEX 2: CODE OF CONDUCT**

This code of conduct is to be followed by all Consultant's Experts. It should be read together with the Environment and Social Policy, the World Bank Group Environment Health and Safety Guidelines. The experts are expected should;

- 1) Be Compliant with applicable laws, rules, and regulations of the Republic of Uganda.
- 2) Be Compliant with applicable health and safety requirements to protect the local community (including vulnerable and disadvantaged groups), the Consultant's Experts, the Client's personnel, and the Contractor's personnel, including sub-contractors and day workers (including wearing prescribed personal protective equipment, preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment).
- 3) Not use of illegal substances
- 4) Be non-discriminatory in dealing with the local community (including vulnerable and disadvantaged groups), the Consultant's Experts, the Client's personnel, and the Contractor's personnel, including sub-contractors and day workers (for example, on the basis of family status, ethnicity, race, gender, religion, language, marital status, age, disability (physical and mental), sexual orientation, gender identity, political conviction or social, civic, or health status)
- 5) Have acceptable and appropriate interactions with the local community (ie), members of the local community (ies), and any affected person(s) (for example to convey an attitude of respect, including to their culture and traditions).
- 6) Avoid unethical and unbecoming behavior such as use of rude, abusive and obscene language, indecent dressing, hard supervision and sexual suggestive gestures which constitute sexual harassment (for example to prohibit use of language or behavior, in particular towards women and/or children, that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate). A child / children means any person(s) under the age of 18 years.
- 7) Avoid violence, including sexual and/or gender-based violence (for example acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion, and deprivation of liberty).
- 8) Avoid exploitation including sexual exploitation and abuse (for example the prohibition of the exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading behavior, exploitative behavior or abuse of power).
- 9) Promote protection of children (including prohibitions against sexual activity or abuse, or otherwise unacceptable behavior towards children, limiting interactions with children, and ensuring their safety in project areas).
- 10) Ensure sanitation requirements are provided like toilets are acceptable and approved and are gender sensitive (for example, to ensure workers use specified sanitary facilities provided by their employer and not open areas).

- 11) Avoid conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection).
- 12) Respect reasonable work instructions (including regarding environmental and social norms).
- 13) Protect and use any project property properly (for example, to prohibit theft, carelessness or waste).
- 14) Report any violations of this Code.
- 15) Ensure that there is non-retaliation against personnel who report violations of the Code, if that report is made in good faith.

## **Annex 3**





The Republic of Uganda

# **MINISTRY OF WATER AND ENVIRONMENT**

## **ENVIRONMENT AND SOCIAL SAFEGUARDS POLICY**

**Ministry of Water and Environment Plot 22/28  
Port Bell Road, Luzira P.O. Box 20026,  
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**2018**

## **Forward**

The Ministry of Water and Environment (MWE) prepared the Environmental and Social Safeguards (ESS) Policy Framework, to ensure that, in implementing development programs, positive social impacts are maximized while negative ones are minimized or avoided. Experience, has shown that different Entities encounter risks therefore the appropriate social safeguards should always be incorporated in their programmes.

Currently the MWE follows the Uganda Environmental Impact Assessment guidelines derived from the National Environment Management policy and Act (1994) as well as donor specific Environmental and Social Safeguard Frameworks (ESMF) as may be required by specific projects to address ESS issues arising from projects being implemented by the Ministry.

This framework will be applied to all projects/programmes funded by Government of Uganda, Development Partners including Climate Financing such as Adaptation and Green Climate Fund, for which the MWE has overall responsibility for monitoring their implementation. The Ministry at the same time will ensure transparency and accessibility of information, in addition to facilitating the resolutions of disputes with respect to environmental and social risks.

This ESS Policy Framework was prepared in a participatory manner involving all stakeholders, leading to ownership and readiness to implement it for sustainable social benefits.

I therefore, on behalf of the Ministry of Water and Environment and all executing entities wish to express our commitment and readiness to implement the ESS Policy requirements.



Alfred Okot Okidi  
**Permanent Secretary**

## Executive Summary

Currently, the Environmental and Social issues are being addressed basing on the National Environment Management Policy and other guiding documents including the Environment Impact Assessment (EIA) guidelines and other Tools developed by National Environment Management Authority (NEMA) while some projects have been using the World Bank Environment and Social Safeguards Policies and other donor -specific ES policies. These are normally actualized through development of Environment and Social Management Frameworks (ESMF) for specific projects and programmes. Other key existing laws and policies relating to the safety of environment and people are prescribed in the Uganda Constitution (1995), the National Environment Management Policy (1994), the Resettlement Policy, the Environment Management Act (1994), National Climate Change Policy (2015), National Gender Policy (2007), Equal opportunities Policy (2008), National Land Policy (2013), Water Policy (1997) among others.

In order to harmonize the current trend, MWE has developed an ESS framework based on 15

ESS principles. The Environmental and Social-Safeguards Framework (ESSF), document is intended to provide the general framework within which Government and Donor funded projects in the Ministry are to be implemented / executed, as far as consideration of Environmental and Social Safeguards are concerned. At this stage, all MWE's projects and other executing entities will be required to follow this framework to ensure that ESS aspects are adequately addressed. Where the need arises, project specific ESMF will be developed to ensure maximum benefits to the intended communities without compromising the 15 ESS principles.

The ESS is aimed to ensure that in implementing development programs, positive outcomes are maximized and negative outcomes are minimized. This framework will therefore ensure integration of environmental and social concerns in all stages of project development and all levels including national, district and local levels, with full participation of the people as means of minimizing environmental and social impacts. It will further ensure identification of key environmental and social issues/aspects that will affect or will be affected by the projects/programmes and ensuring that risks are screened against the 15 principles as well as specification of appropriate roles and responsibilities, and outlining the necessary reporting procedures, for managing and monitoring environmental and social concerns including compliance; grievance mechanism, and establishment of institutional capacity building requirements to successfully implement the ESS as well as monitoring to ensure compliance.

There are 15 principles which apply to MWE's ESS Policy which determine the scope of risk and impact assessments. Some principles always apply to all projects (\*), some may or may not be relevant for a specific project/programme. The ESS principles are;

1. Compliance with the Law\*-
2. Access and Equity
3. Marginalized and Vulnerable Groups-
4. Human Rights\*
5. Gender Equality and Women's Empowerment
6. Core Labour Rights\*
7. Indigenous Peoples
8. Involuntary Resettlement-
9. Protection of Natural Habitats

10. Conservation of Biological Diversity
11. Climate Change -
12. Pollution Prevention and Resource Efficiency-
13. Public Health
14. Physical and Cultural Heritage-
15. Lands and Soil Conservation-

At project formulation stage, each development project must highlight key environmental and social impacts both negative and positive impacts. For positive impacts enhancement measures are suggested whereas for negative impacts mitigation measures must be suggested to minimize these negative impacts on the environment and the communities in which the project is to be implemented.

The Ministry will screen all proposed projects and programmes to determine their potential to cause environmental or social harm, undertake Environmental and Social Assessments for all projects and programmes that have the potential to cause environmental or social harm and develop Environmental and Social Management Plans that identifies measures necessary to avoid, minimize, or mitigate the potential environmental and social risks and lastly monitor, evaluate and report to ensure that all environmental and social risks identified during project and programme assessment and design are adequately addressed during and after implementation. The framework also looks at Public Disclosure and Consultations as well as the grievance handling mechanisms.

## Acronyms

AF	Adaptation Fund
CCD	Climate Change Department
ESMF	Environmental and Social Management Framework
ESS	Environmental and Social Safeguard
EIA	Environment Impact Assessment GHG Greenhouse Gas Emissions
MAAIF	Ministry of Agriculture, Animal Industry and Fisheries
MWE	Ministry of Water and Environment
MEMD	Ministry of Energy and Mineral Development,
MFPEd	Ministry of Finance, Planning and Economic Development
NWSC	National Water and Sewerage Corporation
NDP-II	National Development Plan II
NEMA	National Environment Management Authority
NFA	National Forestry Authority
TPM	Top Policy Management
UNMA	Uganda National Meteorological Authority

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## 1.0 Introduction

The Ministry of Water and Environment (MWE) is a lead institution for the Water and Environment Sector. It is responsible for the overall coordination, policy formulation, setting standards, inspection, monitoring, and technical back-up and initiating legislation. It also monitors and evaluates sector development programmes to keep track of their performance as well as efficiency and effectiveness in service delivery.

The Water and Environment Sector encompasses managing water as a resource, establishing water infrastructure for development, harnessing weather and climate and promoting ecosystems and biodiversity resiliencies. **The Vision** is *"Sound management and sustainable utilisation of Water and Environment resources for the betterment of the population of Uganda."*

Its **Mission** is *'To promote and ensure the rational and sustainable utilisation, development and effective management of water and environment resources for socio-economic development of the country'*. The **Mandate** of the Ministry is derived from the Constitution of the Republic of Uganda (1995) and the Local Governments Act, CAP 243 and includes *initiating legislation, policy formulation, setting standards, inspections, monitoring, and coordination and providing back up technical support to water and environment sub sectors.*

### 1.1 Institutional Framework

The Ministry is comprised of three of Water Resources Management (DWRM), Directorate of Water Development (DWD) and the Directorate of Environmental Affairs (DEA). In addition, the Ministry is supported by stand-alone departments in support to the technical departments namely the Finance and Administration, Water and Environment Sector Liaison, Policy and Planning and the Climate Change Department.

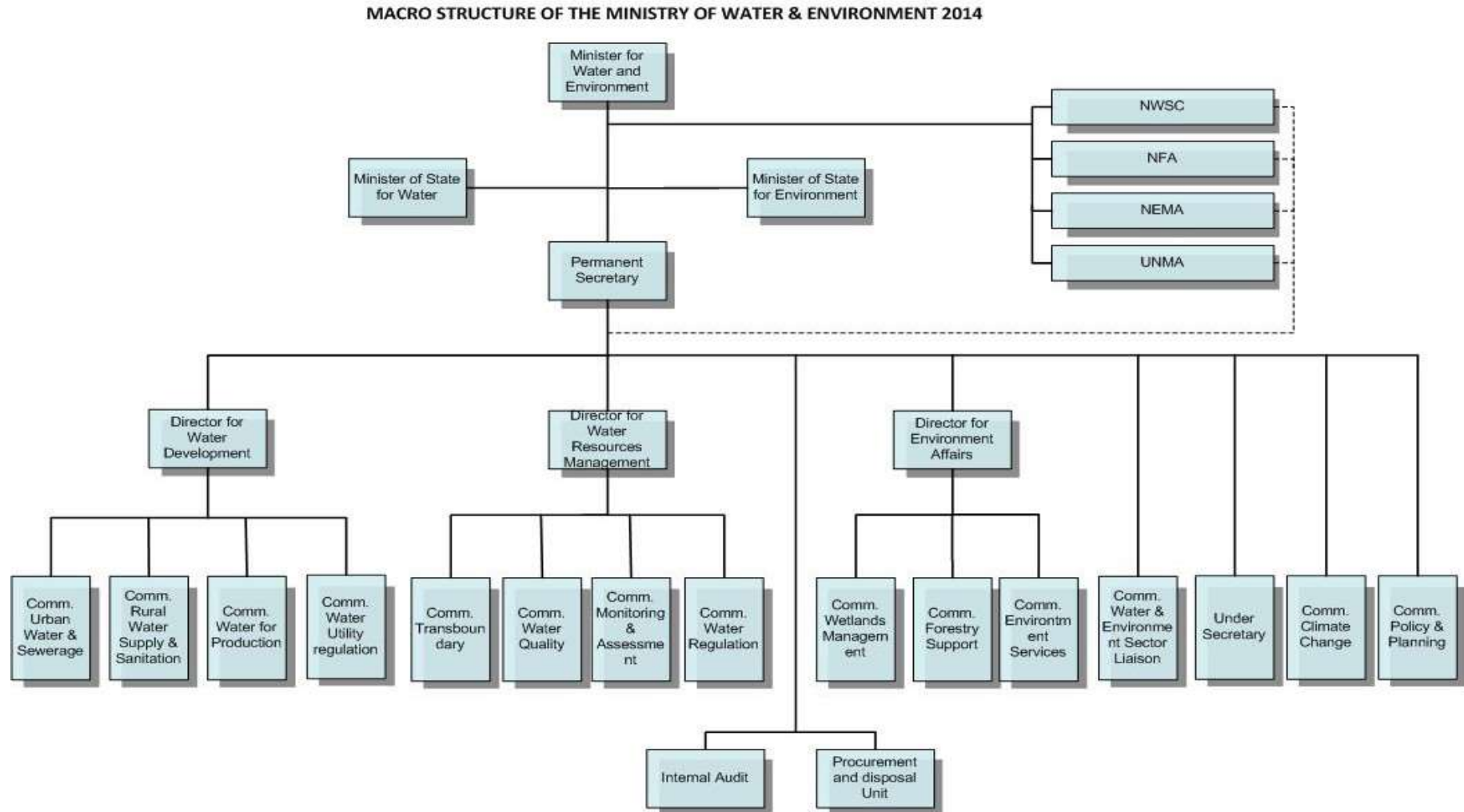
The ministry has affiliate semi-autonomous Institutions including the National Water and Sewerage Corporation which is a public and state owned utility currently providing water supply and sewerage services in large urban towns, the National Forestry Authority which is mandated to manage Central Forest Reserves and supply high quality forestry related products and services, the National Environment Management Authority responsible for ensuring sound environmental management practices for sustainable development as well as the Uganda National Meteorological Authority (UNMA) responsible for monitoring weather and climate, maintaining a climate database and providing regular advisories on the state of the weather and climate to government and any other clients including Agriculture sector, transport, disaster preparedness and the public. **(Figure 1)**. Other key stakeholders include the Local Government, Donors, Civil Society Organisations, Private Sector and Local Governments are key implementers in the delivery of services in the sector.

The sector is guided by the Top Policy Management (TPM) headed by the Senior Minister and assisted by two Ministers of State for Water and Environment respectively. In addition is the Water and Environment Sector Working Group (WESWG) that is chaired by the Permanent Secretary, assisted by two co-chairs persons representing Water and Sanitation donor group and Environment and Natural Resources donor group. The WESWG is responsible for the overall sector coordination, resource mobilization and allocation as well as reviewing of progress. The Water and Sanitation Sub-Sector Working Group (WSSWG) and the Environment and Natural Resources Subsector Working Group (ENR-



SWG) are responsible for the sector planning and priority setting, implementation, monitoring, supervision and management of their respective subsectors in support to the WESWG.

**Figure 1: Macro Structure of Ministry Water and Environment**



## **1.2 Strategic Objectives**

In order to achieve its vision, the sector is guided by the following strategic objectives in the implementation of its policies and programs;

- i. To provide safe water within easy reach and hygienic sanitation facilities based on management responsibility and ownership by users to 79 percent of the population in rural areas and 100 percent in urban population by the year 2020, with 95 percent effective use and functionality of the facilities.
- ii. To provide viable urban Water Supply and Sewerage/Sanitation systems for domestic, industrial and commercial uses.
- iii. To develop water supply for production/multipurpose use for socio-economic development, modernize agriculture and mitigate the effects of climate change.
- iv. To manage the water resources of Uganda in a wise, integrated, sustainable and coordinated manner so as to secure water of adequate quantity and quality to meet all social and economic needs of present and future generations.
- v. To promote a sustainable productive Natural Resource Base (NRB) and healthy environment for improved livelihoods, poverty eradication and economic growth.
- vi. To develop capacity and promote sustainable harnessing and use of climate and weather resources for socio-economic development of Uganda.'
- vii. To coordinate and ensure compliance with Government policy, legislation, standards and regulations in the Ministry of Water and Environment and the affiliated agencies/institutions implementing or supporting programs related to Water and Environment.

## **2.0 Justification for Environmental and Social Safeguards Framework**

The Ministry of Water and Environment has been implementing a number of projects and programs which inevitably affect the environment and vulnerable groups. Environmental and social issues have been addressed basing on the National Environment Management policy and other guiding documents including the Environment Impact Assessment (EIA) guidelines and other Tools developed by National Environment Management Authority (NEMA) while some projects have been using the World Bank Environment and Social Safeguards Policies and other donor ES policies. These are normally actualized through development of Environment and Social Management Frameworks (ESMF) for specific projects and programmes.

This Environmental and Social Safeguards Framework has been formulated to facilitate the MWE to effectively address the environmental and social issues for projects and programmes funded by the Adaptation Fund upon its accreditation in a harmonized and coherent manner in order to minimize negative Environmental and social impacts on the Environment and beneficiary communities during and after projects/programmes implementation.

## 2.1 Objectives of Environment and Social Safeguards Framework

This Environment and Social Safeguards Framework is to be used by the Ministry to ensure that all environmental and social safeguards are adequately addressed as required by the Adaptation Fund. The goal is to avoid unnecessary environment and social harm as a result of implementation of Adaptation Fund projects by the ministry which is a key requirement of the fund.

This Environment and Social Safeguards framework aims specifically at the following:

- i. To ensure integration of environmental and social concerns in all stages of project development and all levels including national, district and local levels, with full participation of the people as means of minimising environmental and social impacts
- ii. To identify key environmental and social issues/aspects that will affect or will be affected by the projects/programmes and ensuring that risks are screened against Adaptation Fund 15 principles;
- iii. To specify appropriate roles and responsibilities, and outlining the necessary reporting procedures, for managing and monitoring environmental and social concerns including compliance; and
- iv. To establish institutional capacity building requirements to successfully implement the ESS, with particular focus on monitoring framework for its implementation and compliance;

The following flow chart describes the process of ensuring that the ESS process is adhered to:

**Fig 1: Demonstration of the adherence to the ESS process**



### **3.0 Policy and Legal Framework**

This Environment and Social Safeguards Framework is aligned to the principles relating to the safety of environment, and the people as enshrined in various laws and policies including among others;

#### **3.1 The Constitution of the Republic of Uganda (1995)**

The overarching policy document for ESS in Uganda is the Constitution of the Republic of Uganda, 1995 states that:

- i. The State shall ensure gender balance and fair representation of marginalized groups on all constitutional and other bodies (Constitution of the Republic of Uganda, 1995, Chapter V).
- ii. The State shall take all necessary steps to involve the people in the formulation and implementation of development plans and programs which affect them (Constitution of the Republic of Uganda, 1995, Chapter X).
- iii. The State shall protect important natural resources, including land, water, wetlands, minerals, oil, fauna and flora on behalf of the people of Uganda (Constitution of the Republic of Uganda, 1995, Chapter XII).

#### **3.2 The National Environmental Management Policy (1994)**

The National Environment Management Policy is a multi-sector crosscutting policy that is found in nearly every other policy. The National Environment Policy overall goal is 'to encourage sustainable development by wise use of natural resources while enhancing environmental quality without compromising the ability of future generations to meet their own needs'. The policy has six policy objectives, 18 guiding principles, 14 cross-sector policies and 4 (four) sector policies. The key objectives of the Policy are to:

- i. Enhance health and quality of life through sustainable development, sound environmental management and wise use of natural resources;
- ii. Encourage participatory integration of environmental concerns in all development policies, planning, and activities at national, district and local levels;
- iii. Conserve, preserve and restore ecosystems and maintain ecological processes and life support systems, especially conservation of national biological diversity;
- iv. Optimize resource use and achieve a sustainable level or resource consumption;
- v. Raise public awareness, sensitization and advocacy for a linkage between environment and development;
- vi. Ensure individual and community participation in environmental improvement activities.

The key underlying principles that support the policy include: - every person has a constitutional right to a clean environment; sustainable natural resource use; security of land tenure; the use of environmentally friendly technologies; enforcement of environmentally friendly laws, involvement of gender and vulnerable groups, integration of environmental

concerns in all sectors, involvement of the communities in decision making and meeting international and regional obligations.

### **3.3 National Development Plan II (NDPII 2015-2020)**

The Policy is also consistent with the National Development Plan (NDP-II) for the period of 2015-2020 which highlights for the following: i) protecting, restoring, and maintaining the integrity of degraded fragile ecosystems; ii) increasing sustainable use of environment and natural resources; iii) increasing national forest cover and economic productivity of forests; iv) increasing the national wetland coverage; v) increasing the functionality and usage of meteorological information systems; and vi) increasing the country's resilience to the impacts of climate change. Furthermore, the NDPII also advocates for decent employment and labour productivity, provides social protection services, promotion of youth employment and participation, promote equality and women empowerment, and strengthening institutional capacity and redressing the imbalance and promoting equal opportunities for all.

### **3.4 The Local Governments Act, 1997**

The Local Governments Act, 1997 implements the government's decentralization policy. The Local Government Act devolves some functions from the Central Government to district. The most relevant sections of the Local Government Act are summarised below.

Section 31 (1) (b) of the Local Government Act provides that a local government shall within its area of jurisdiction 'provide services as it deems fit' except 'the functions, powers and services' reserved to the Central Government under Part I of the Second Schedule to the Local Government Act. Item 7 of Part II of the Second Schedule provides that the function of water resources management is reserved to the Central Government. Under the same Act, the general water resource management policy is a function reserved to the Central Government under the Local Government Act. Part II of the Second Schedule to the Local Government Act shows that supply of water is a decentralized function.

### **3.5 Legislative Framework for Environmental Assessment Category and its Processes within the Water and Environment sector.**

The National Environmental Act, 1995 is the principal law governing environmental management and conservation in Uganda. A number of supporting regulations are also applicable to water resources management and include:

- a. The Water Act, Cap 152, 1997;
- b. The Land Act Cap 227, 1998;
- c. The Water Resources Regulations, 1998;
- d. The Water (Waste Discharge) Regulations, 1998;
- e. The Environmental Impact Assessment Regulations, 1998;
- f. The National Environment (Waste Management) Regulations, 1999;
- g. The National Environment (Standards for Discharge of Effluent into water or on land) Regulations, 1999;
- h. The National Environment (Wetlands, River banks and Lake Shores Management) Regulations, 2000.
  - i. Draft Standards for Air Quality Management, 2007;
  - j. The National Environment (Noise Standards and Control) Regulations, 2003;
  - k. National Environment Instrument (delegation of waste discharge functions) 1999;
  - l. National Environment Notice (designation of Environmental Inspectors), 2000;

- m. National Policy for the Conservation and Management of Wetland Resources, 1995; and
- n. The National Environmental Management Policy, 1994;
- o. National Climate Change Policy (2015)

#### **Other relevant Laws and Policies include;**

Other laws and policies that are relevant to the implementation of this Environment and social framework include: The National Environment Act (1994), the National Irrigation Policy (2018), National Gender Policy (2007), Petroleum Supply Act (2003), Equal Opportunities Policy (2008), National Land Policy (2013), National Land Use Policy (2010) Employment Act (2006), Occupational Safety and Health Act (2006); among others.

### **4.0 Environment and Social Safeguard (ESS) Principles**

#### **4.1 Statement of Commitment**

This Environmental and Social Safeguards Framework of the Ministry of Water and Environment of Uganda highlights the importance of managing environmental and social performance for all Ministry supported or implemented projects and programmes. The Ministry of Water and Environment is committed to avoiding, minimizing, or mitigating adverse environmental and social impacts associated with its projects. All proposed MWE projects and programmes will be subject to review and screening during preparation, and they will be fully assessed, designed, implemented, monitored and reviewed accordingly to ensure that all environmental and social issues are adequately addressed. This requirement will be applied to all Government and Donor funded projects for which the Ministry has overall responsibility for management and results. The Ministry is also committed to ensuring transparency and accessibility of information, in addition to facilitating the resolution of disputes, with respect to environmental and social risks.

#### **4.2 Environment and Social Safeguard Principles**

This Environmental and social safeguards Framework is crucial for ensuring that the projects and programmes being supported or implemented by the Ministry do not unnecessarily harm the environment, public health or vulnerable communities. The Ministry shall ensure that all projects and programmes it designs and implements directly or through other organizations, agencies and lower local governments conform to the following environmental and social principles, although it is recognized that depending on the nature and scale of a project or programme all of the principles may not be relevant to every project or programme.

##### **4.2.1 Compliance with the Law\***

The Ministry of water and Environment as an implementing entity (IE) will provide, when relevant, a description of the legal and regulatory framework for any project activity that may require prior permission such as environmental permits, water abstraction /extraction permits especially during the construction of water Irrigation Schemes and water for production facilities.

##### **4.2.2 Labour Laws and Working Conditions**



Ensure that its projects and programmes comply with National labour laws and with the objectives of the International Labor Organization (ILO) Standards. This includes fully complying with relevant National legislation including: Employment Act (2006), Equal Opportunities Commission Act (2007), Occupational Safety and Health Act (2006) among others. This is triggered since the construction works will require the recruitment of a labour force to dig the trenches, lay pipes and undertake the required construction and rehabilitation works. As with all works related to water projects, these might expose employees to occupational safety risk and infections. This occupational safety risk will be mitigated through the selection and effective use of mechanical equipment and personal protective equipment. Work procedures, training, and awareness creation/sensitisation will be implemented.

#### **4.2.3 Access and Equity**

Projects and programmes implemented or supported by the Ministry shall provide fair and equitable access to benefits in a manner that is inclusive and does not impede access to basic health services, clean water and sanitation, energy, education, housing, safe and decent working conditions, and land rights. These Projects or programmes should not exacerbate existing inequities, particularly with respect to marginalized or vulnerable groups.

#### **4.2.4 Marginalized and Vulnerable Groups**

All projects and programmes implemented or supported by the Ministry shall avoid imposing any disproportionate adverse impacts on marginalized and vulnerable groups including children, women and girls, the elderly, indigenous people, tribal groups, internally displaced people, refugees, people living with disabilities, and people living with HIV/AIDS. During project or programme assessment the Ministry shall assess and consider particular impacts on marginalized and vulnerable groups. This includes fully complying with relevant national legislation including the HIV/ AIDS Policy 2011, and the National Policy Framework on Social Protection (November 2015) aimed at reducing social vulnerabilities.

#### **4.2.5 Human Rights**

The projects and programmes will be designed and implemented in a manner that will promote, protect and fulfil universal respect for, and observance of, human rights for all as recognized by the United Nations. The Ministry will undertake robust environmental and social due diligence so that its projects and programmes do not cause, promote, contribute to, perpetuate, or exacerbate adverse human rights impacts.

#### **4.2.6 Gender Equality and Women's Empowerment**

Projects and programmes implemented or supported by the Ministry shall be designed and implemented in such a way that both women and men (a) have equal opportunities to participate as per the Fund Gender Policy (refer to Adaptation Fund Gender Policy: Annex 4 for details); (b) receive comparable social and economic benefits; and (c) do not suffer disproportionate adverse effects during the development process. This includes fully complying with relevant national legislation including National Gender Policy, 1997; Equal Opportunities Commission Act; and Gender Seal that was launched in 2017 to recognize entities that adhere to gender equality standards. Like other Ministries, the Ministry of Water and Environment shall ensure that planning, budgeting and resource allocation

adheres to requirements of Gender Compliance by the Ministry of Finance, Planning and Economic Development.

#### **4.2.7 Indigenous Peoples**

Projects and programmes undertaken by the ministry shall avoid adverse impacts on indigenous peoples, and when avoidance is not possible, will minimize, mitigate and/or compensate appropriately and equitably for such impacts, in a consistent way and improve outcomes over time; promote benefits and opportunities; and respect and preserve indigenous culture, including the indigenous peoples' rights to lands, territories, resources, knowledge systems, and traditional livelihoods and practices.

All Ministry projects and programmes shall support the full and effective participation of indigenous peoples and the design and implementation of activities will be guided by the rights and responsibilities set forth in the United Nations Declaration on the Rights of Indigenous Peoples including, of particular importance, the right to free, prior and informed consent, which will be implemented by the Ministry all in applicable circumstances. It will ensure that all projects and programmes it implements or support are consistent with the rights and responsibilities set forth in the UN-Declaration on the Rights of Indigenous Peoples and other applicable international and National instruments relating to indigenous peoples. Uganda Resettlement I Land Acquisition Policy Framework, 2002.

#### **4.2.8 Involuntary Resettlement**

The ministry undertakes to avoid involuntary resettlement to the extent feasible, or to minimize and mitigate its adverse social and economic impacts. Projects and programmes shall be designed and implemented in a way that avoids or minimizes the need for involuntary resettlement. When limited involuntary resettlement is unavoidable, due process shall be observed so that displaced persons shall be informed of their rights, consulted on their options, and offered technically, economically, and socially feasible resettlement alternatives or fair and adequate compensation. It shall promote participation of displaced people in resettlement planning and implementation, and its key economic objective is to assist displaced persons in their efforts to improve or at least restore their incomes and standards of living after displacement. The Ministry shall promote fair and timely compensation and other resettlement measures to achieve its objectives and requires that all projects prepare adequate resettlement planning instruments prior to appraisal of proposed projects.

#### **4.2.9 Protection of Natural Habitats and Conservation of Biological Diversity**

The Ministry shall not design, implement or support projects and programmes that involve unjustified conversion or degradation of critical natural habitats, including those that are (a) legally protected; (b) officially proposed for protection; (c) recognized by authoritative sources for their high conservation value, including as critical habitat; or (d) recognized as protected by traditional or indigenous local communities. Also all projects and programmes shall be designed and implemented in a way that avoids any significant or unjustified reduction or loss of biological diversity or the introduction of known invasive species. The activities designed and implemented in a manner that will protect and conserve biodiversity and critical habitats, maintain the benefits of ecosystem services, and promote the sustainable use and management of living natural resources. This includes fully complying with relevant

national legislation including: Water Policy (1997), Environment Management Act (1994), National Climate Change Policy (2015), and National Forestry and Tree Planting Act 2003 among others.

#### **4.2.10 Climate Change**

During preparation of projects and programmes implemented or supported by the Adaptation Fund, Green Climate Fund and other Donors, the Ministry shall ensure that projects do not result in any significant or unjustified increase in greenhouse gas emissions or other drivers of climate change. This includes fully complying with relevant national legislation including, National Climate Change Policy (2015), and National Forestry and Tree Planting Act 2003 among other. For each sub-project, an assessment of the climate change impacts shall be evaluated using the INDC guidelines. This will help identify an appropriate adaptation action including relevant activities for each sub-project as well as capacity building needs for the Executing Agency.

#### **4.2.11 Pollution Prevention and Resource Efficiency**

This is triggered by the nature of the activities that are covered under both the construction and operation phases. There is handling of oil, management of faecal sludge that could pose. Use of equipment could also result in release of Greenhouse gases. The Ministry shall ensure that its projects and programmes are designed and implemented in a way that meets applicable international standards for maximizing energy efficiency and minimizing material resource use, the production of wastes, and the release of pollutants. It shall ensure that its projects and programmes promote more sustainable use of resources, including energy and water, reduce project or programme -related greenhouse gas (GHG) emissions, and avoid or minimize adverse impacts on human health and on the environment. This includes fully complying with relevant national legislation including: National Environment Act (1994), Petroleum Supply Act (2003). National Environment (Waste Management) Regulations, 1999. Water (Waste Discharge) Regulations, 1998 as well as the National Environment (Standards for Discharge of Effluent into Water or on Land) Regulations, 1999 among others.

#### **4.2.12 Public Health**

The Ministry shall ensure that its projects and programmes are designed and implemented in a way that avoids potentially significant negative impacts on public health. This includes fully complying with relevant National legislation including: Occupational Safety and Health Act (2006) and the Public Health Act 2000.

#### **4.2.13 Physical and Cultural Heritage**

The Ministry shall ensure that its projects and programmes are designed and implemented in a way that avoids the alteration, damage, or removal of any physical cultural resources, cultural sites, and sites with unique natural values recognized as such at the community, national or international level. Projects programmes should also not permanently interfere with existing access and use of such physical and cultural resources. It will ensure that its projects and programmes protect cultural heritage, support their preservation, and

promote equitable sharing of benefits from their use. This includes fully complying with relevant national legislation including: Institution of Traditional or Cultural Leaders Act (2011), Uganda Tourism Act (2008) and the Historical Monuments Act (1968).

#### **4.2.14 Lands and Soil Conservations**

The Ministry shall ensure that its projects and programmes are designed and implemented in a way that promotes soil conservation and avoids degradation or conversion of productive lands or land that provides valuable ecosystem services.

### **5.0 Organizational and Implementation Approach**

The Ministry of Water and Environment shall take the responsibility of ensuring that environment and social issues are mainstreamed in all its projects. The permanent Secretary of MWE with the support of the various Directors and Heads of Departments has the overall duty of ensuring that ESS are mainstreamed in all its projects/programmes implemented by the MWE and other executing agencies. Further, the ministry in collaboration with the NEMA shall ensure that proper EIAs are conducted and ESIA certificates issued. The NEMA will also conduct regular monitoring, reviewing in ensuring compliance with the ESSIESMF for all projects.

The MWE has a fully-fledged Department of Environmental Support Services (DESS) with a Senior Environment Officer (Policy, Planning and Research) designated to coordinate compliance to E&S policy formulation and implementation. In addition, MWE has a Water and Environment Sector Liaison Department (WESLD) mandated to coordinate issues of cross cutting nature including social community engagement, gender mainstreaming, HIV/AIDS mainstreaming, pro-poor initiatives among others. The aforementioned functions are coordinated by a Principal sociologist, who works closely with other Senior Sociologists and Sociologists deployed across all departments and projects. Under the ESS Policy Framework, the Departments of Environment Support Services (DESS) and Water and Environment Sector Liaison (WESLD) shall be the Coordinating Unit and shall ensure that projects and programmes in all the three Directorates namely; Directorate of Water Resources Management (DWRM), Directorate of Water Development (DWD), Directorate of Environment Affaires (DEA) and other Executing Entities adequately integrate and address Environment and social issues in their scope. It is envisaged that projects and programmes will develop specific Environmental and Social Management Frameworks (ESMFs) being guided by this policy, that will guide the implementation and monitoring of project specific mitigation measures. Specifically,

- > Under WESLD, the key technical personnel responsible for implementation of the social component of the ESSPF is the Principal Sociologist mandated to coordinate issues of cross cutting nature including social/ community engagement, gender mainstreaming, HIV/AIDS mainstreaming, pro-poor initiatives.

- > Under DESSS, the key technical personnel responsible for implementation of the Environment component of the ESSPF are the Assistant Commissioner and 3 Senior Environment Officers.

All Project Coordinators have a shared responsibility for implementation of ESS policies through Social and Environment Officers. Hence, according to the ESS Policy Framework each Directorate will be assigned Focal Point Officers (FPOs) responsible for all projects within the Directorate and shall make regular reports concerning the implementation of the Environmental Social Safeguards at each project to the above-mentioned Coordination Unit.

## **6.0 Integration Environment and social issues into projects and programmes**

Integration and implementation of environment and social issues into projects and programmes shall be guided by the following procedure/steps.

### **6.1 Screening of Environmental and Social Risks**

The Ministry shall ensure that all proposed projects and programmes are screened to determine their potential to cause environmental or social harm. The purpose of screening is to identify potential environmental and social impacts and risks, taking into consideration the AF 15 Principles of the Environment and Social Safeguards Policy above. The screening process shall consider all potential direct, indirect, trans-boundary, and cumulative impacts in the project's or programme's area of influence that could result from the proposed project or programme.

All proposed projects and programmes shall be categorized according to the scale, nature and severity of their potential environmental and social impacts. Projects or programmes likely to have significant adverse environmental or social impacts that are for example diverse, widespread, or irreversible shall be categorized as Category **A** projects/programmes. Those with potential adverse impacts that are less adverse than Category **4** projects and programmes, because for example they are fewer in number, smaller in scale, less widespread, reversible or easily mitigated shall be categorized as Category **B** whereas those projects and programmes with no adverse environmental or not have potential significant social impacts should be categorized as Category **C** or **D** respectively as described in table6.

The screening shall help in determining the extent to which the project or programme requires further environmental and social assessment, mitigation, and management. The results of the environmental screening shall be included in the project or programme proposals submitted by the Ministry to the Adaptation Fund.

**Table 6.1: Requirements for Screening/ Categorization of Projects**

Category	Description
Category A: ESSF	An EIA is normally required because the project may have diverse significant impacts. Projects in this category could include: water projects requiring water to a level more than 400m <sup>3</sup> in any period of twenty-four hours, or projects requiring using motorized pumps; storage dams, barrages, weirs, valley tanks and dams; river diversions and inter-basin water transfer among others.
Category B: ESSF	A limited environmental analysis is appropriate, as the project impacts can be easily identified and for which mitigation measures can be easily prescribed and included in the design and implementation of the project. Projects in this category could include: rural water supply, large earth reservoirs, but not located in very sensitive areas, big gravity flow schemes, all category one projects located in sensitive areas etc.
Category C: ESSF	Environmental analysis is normally unnecessary, as the project is unlikely to have significant environmental impacts. A project brief is enough. This could include project location in less sensitive areas or where many such schemes are in the same locality and their synergetic effects have potential impacts.
Category D: ESSF	Small projects which do not have potential significant impacts and for which separate EIAs are not required, as the environment is the major focus of project preparation. These could include borehole drilling, hand augured shallow wells, protected springs and earth reservoir construction.

## 6.2 Environmental and Social Assessment

The Ministry shall ensure that for all projects/programmes that have the potential to cause environmental or social harm (i.e. all Category A and B projects or programmes), the implementing entity shall prepare an environmental and social assessment that identifies any environmental or social risks, including any potential risks associated with the Fund's environmental and social principles outlined above.

The assessment shall (i) consider all potential direct, indirect, trans boundary, and cumulative impacts and risks that could result from the proposed project or programme; (ii) assess alternatives to the project/programme; and (iii) assess possible measures to avoid, minimize, or mitigate environmental and social risks of the proposed project or programme.

As general rule, the environmental and social assessment shall be completed before the project/programme proposal submission to the Adaptation Fund, Green Climate Fund and any other funding agency. In some Category A&B projects/programmes where the proposed activities requiring such assessment represent a minor part of the project, and when inclusion in the proposal is not feasible, a timeline for completing the environmental and social assessment before actual implementation begins shall be incorporated in the agreement between the Board and the Ministry following the project or programme approval, and reported through the annual project/programme performance report. A copy of the environmental and social assessment shall be provided to the funding entity as soon as the assessment is completed.

**Environmental and Social Management Plan.** The Ministry shall develop environment and social management plans for projects basing on the findings of the environmental and social assessments that identify those measures and actions, assessment shall be accompanied by an environmental and social management plan that identifies those measures necessary to avoid, minimize, or mitigate the potential environmental and social risks. The Ministry commits to develop and implement these plans for all projects and programmes under its docket and this will be reflected in routine reporting and monitoring Reports.

## **7.0 Monitoring, Reporting, and Evaluation**

The Ministry's and project specific Monitoring and Evaluation systems shall address all environmental and social risks identified during project or programme assessment, design, and implementation. Project or programme performance reports shall include a section on the status of implementation of any environmental and social management plans, including those measures required to avoid, minimize, or mitigate environmental and social risks. The reports shall also include, if necessary, a description of any corrective actions that are deemed necessary. The mid-term and terminal evaluation reports shall also include an evaluation of the project or programme performance with respect to environmental and social risks.

## **8.0 Public Disclosure and Consultation**

The Ministry shall identify stakeholders and involve them as early as possible in planning any project or programmes supported by the various funding agencies including AF and GCF. The results of the environmental and social screening and a draft environmental and social assessment, including any proposed management plans, shall be made available for public consultations that are timely, effective, inclusive, and held free of coercion and in an appropriate way for communities that are directly affected by the proposed project or programme. Ministry shall publicly disclose the final environmental and social assessment through the Ministry's website and hold stakeholders' meetings targeting all project-affected people and other stakeholders to disseminate the findings where feasible. Project or programme performance reports including the status on implementation of environmental and social measures shall be publicly disclosed. Any significant proposed changes in the project or programme during implementation shall be made available for effective and timely public consultation with directly affected communities.

## **9.0 Grievance Mechanism**

The Ministry shall establish Grievance handling mechanisms for all projects and programmes active at all levels. The communities to be affected or likely to be affected by projects or programmes shall be informed of the existence grievance and redress mechanism at the earliest opportunity of the stakeholder engagement process and in an understandable format and in all relevant languages. The details for sending complaints containing the contact information and the appropriate modes by which these will be received shall be provided by the Ministry and disseminated with other involved institutions.

The grievance and redress mechanism shall receive and facilitate the resolution of concerns and grievances about the environmental and social performance of projects and programmes and will seek to resolve complaints in a manner that is satisfactory to the complainants and other relevant parties that will be identified, depending on the nature of the complaint. The

Redress Mechanism will address the grievances and complaints filed by people and communities who may be or have been affected by the adverse impacts in connection to the potential failure's projects or programmes

The mechanism shall facilitate the resolution of grievances promptly through an accessible, fair, transparent and constructive process. It will also be culturally appropriate and readily accessible, at no cost to the public, and without retribution to the individuals, groups, or communities that raised the issue or concern. The mechanism will not impede the access to judicial or other administrative remedies that may be available through the country systems. The existing system of using the Ministry website and hotline will be explored. The Ministry will respond promptly to all such complaints in reference to the procedures provided in the Ministry's Clients Charter.



## Annex A: Glossary

1. **Adaptation** -Adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.
2. **Afforestation**- The direct, human-induced conversion of land that has been unfrosted for at least 50 years to forested land through planting, seeding and human induced promotion of natural seed sources; This is distinct from reforestation, which is defined as the conversion of land that has been unfrosted since at least 31 December 1989 to forested land.
3. **Climate change** -Any significant change in measures of climate, such as temperature, precipitation or wind, lasting for an extended period (decades or longer); This report refers to climate change induced by human activities that change the atmosphere's composition (e.g., burning fossil fuels) or the land's surface (e.g., deforestation, reforestation, urbanization, desertification, etc.).
4. **Cumulative impacts** - result from the incremental impact, on areas or resources used or directly affected by the project, from other existing, planned or reasonably defined developments at the time the risks and impacts are identified.
5. **Disadvantaged or vulnerable** - refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual group is also more likely to be excluded from unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so.
6. **Due diligence** in the context of environmental and social management system, means the process of investigating potential investments to confirm all facts, such as reviewing environmental and social safeguards, audits, assessments, and compliance before consideration of funding or entering into an agreement with another.
7. **Environmental and social assessment** means the assessment of environmental and social risks, impacts and opportunities undertaken by the accredited entities in a manner that follows good international industry practices, identifies best alternatives and allows for an integrated and balanced view of the environmental and social risks and impacts. This type of assessments may include specific impacts assessment, audits, and due diligence studies, among others.
8. **Environmental and social impact assessment (ESIA)** - refers to a process or tool based on an integrated assessment where the scale and type of potential biophysical and social impacts of projects, programs and/or policy initiatives, are predicted, acknowledged and evaluated. It also involves evaluating alternatives and designing appropriate mitigation, management and monitoring measures to manage the predicted potential impacts.
9. **Environmental and social management frameworks (ESMF)**- describes the roles and responsibilities and the processes to manage environmental and social risks and impacts including screening, preparation, implementation and monitoring of subprojects.
10. **Environmental and social impacts** - refer to any change, potential or actual, to (i) the physical, natural, or cultural environment, and (ii) impacts on surrounding community and workers, resulting from the activities to be supported.
11. **Environmental and social risk**- is a combination of the probability of certain hazard occurrences and the severity of impacts resulting from such an occurrence.
12. **Environmental and social management system (ESMS)**- refers to a set of management processes and procedures that allow an organization to identify, analyse, control and reduce the

environmental and social impacts of its activities in a consistent way and to improve performance in this regard over time. For the purposes of this document, "ESMS" refers to the environmental and social management system of MWE. When used in the long form, "environmental and social management system", it refers to the entities' management system.

13. **Environmental and social management plan (ESMP)** - refers to a document that contains a list and description of measures that have been identified for avoiding adverse environmental and social impacts, or minimising them to acceptable levels, or to mitigate and compensate them and usually the main output of the ESIA process.
14. **Environmental and social safeguards (ESS)** - refers to a set of standards that specifies the desired outcomes and the specific requirements to achieve these outcomes through means that are appropriate to the nature and scale of the activity and commensurate with the level of environmental and social risks and impacts. 11. **Involuntary resettlement** - means physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, including those that lead to loss of income sources or other means of livelihood), or both, caused by project-related land acquisition or restrictions on land use. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.
15. **Land acquisition**- refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way.
16. **Mitigation**- The reduction and or avoidance of emission of greenhouse gases into the atmosphere, through financing and implementing low-carbon technologies, programmes and projects.
17. **Mitigation hierarchy**- as described in the ESS standards that set prioritized steps for limiting adverse impacts through avoidance, minimization, restoration and compensation as well as opportunities for culturally appropriate and sustainable development benefits.
18. **Stakeholders**- refers to individuals or groups who: (a) are affected or likely to be affected by the activities; and (b) may have an interest in the activities (other interested parties). The stakeholders of an activity will vary depending on the details of the activity and may include local communities, national and local authorities, neighbouring projects, and non- governmental organizations.
19. **Greenhouse gas (GHG)** - Any gas that absorbs infrared radiation in the atmosphere, including (but not limited to) water vapour, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), hydro chlorofluorocarbons (HCFCs), ozone (O<sub>3</sub>), perfluorocarbons (PFCs) and sulphur hexafluoride (SF<sub>6</sub>).