



# **LAO PEOPLE'S DEMOCRATIC REPUBLIC**

Peace Independence Democracy Unity Prosperity

**MINISTRY OF AGRICULTURE AND FORESTRY**

## **Community Livelihood Enhancement and Resilience “CLEAR” Project (P178545)**

# **CONTINGENT EMERGENCY RESPONSE MANUAL**

**Draft Version for Public Consultation**

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**Poverty Reduction Fund (PRF)**

This component (CERC) will have an initial zero value but may be financed during the project to allow for an agile response to an eligible crisis or emergency. The three village types are equally eligible to CERC in the event of an emergency crisis. CERC activities are predefined to be adapted to type I villages in order to prioritize food security and safe water. They provide emergency staple food and equipment for safe drinking water. Critical agricultural inputs and tools are provided in time to restart production during the following agricultural season.

### **A9.1 Introduction**

This document is prepared as an addendum to the ESMF of the Community Livelihood Enhancement and Resilience Project – CLEAR (P178002). It describes additional information on the environment and social safeguard (ESS) requirements for the implementation of the proposed activities. Poverty Reduction Fund (PRF) of the Ministry of Agriculture and Forestry (MAF) will be the project owner. Project Management Unit (PMU) under RPF will be the CERC Implementing Agency and responsible for guiding and coordinating all CERC activities which are chaired by the Deputy Prime Minister.

The guidance and procedures included in this CERC ESMF should be considered in the Emergency Response Manual (ERM) that will be prepared during the project implementation, and will contain the environmental and social requirements in case CERC is activated. The guidelines and procedures included in this CERC Addendum takes into account the Bank's ESF requirement for the CERC (Bank's Guidance on CERC, October 2017) and potential activities that the CERC could finance.

### **A9.2 Identification of potential activities that are eligible for financing under Component 5**

The activities to be carried if the CERC Component 5 of CLEAR include: provision of goods, services, and works as identified in Table A8-1. The location of the contingency activities will be within project provinces. It is important to note that the activities or subprojects to be financed under Component 5 (CERC) avoid activities or subproject that are complex in terms of environmental and social aspects (for example land acquisition and/or resettlement). This is because CERC objective is to support immediate priority activities that are typically less than 18 months.

**Table 1 –Positive list of goods, services and works**

Items
<b>Goods</b>
<ul style="list-style-type: none"> <li>• ICT equipment and supplies</li> <li>• Cleaning supplies including hand hygiene and disinfectants;</li> <li>• Personal Protective Equipment (PPE) stockpiles, including masks, gowns and gloves;</li> <li>• Equipment and supplies for temporary housing/living during field data collection (gas stoves, utensils, tents, beds, sleeping bags, mattresses, blankets, hammocks, mosquito nets, kit of personal and family hygiene, etc.)</li> <li>• Lease of vehicles (Vans, trucks)</li> </ul>
<b>Services</b>
<ul style="list-style-type: none"> <li>• Consulting services related to emergency response including, but not limited to urgent data collection and installation of ICT equipment.</li> <li>• Technical Assistance in developing TORs for data collection companies.</li> <li>• Non-consultant services to deliver any of the activities described in the "Goods" section of this table (e.g., debris removal, dump trucks, drones survey)</li> </ul>
<b>Works</b>

<ul style="list-style-type: none"> <li>• Repair of damaged tertiary roads, irrigation system, good warehouses, food processing facilities</li> <li>• Small repair of project offices at district and provincial level.</li> <li>• Removal and disposal of debris associated with any above eligible activity.</li> </ul>
<b>Training</b> <ul style="list-style-type: none"> <li>• Conduct necessary training related to emergency response including, but not limited to the Implementation of the Emergency Action Plan (EAP) to be prepared when the CERC is activated.</li> <li>• Training on Rapid Needs Assessment and other related assessments, including those related to ESF instruments.</li> </ul>
<b>Emergency Operating Costs</b> <ul style="list-style-type: none"> <li>• Incremental expenses by the Government for a defined period related to early recovery efforts arising as a result of the impact of an eligible emergency. This includes, but is not limited to: operational costs<sup>1</sup> and rental of equipment</li> </ul>

### A9.3 Potential Environmental and Social (ES) Impacts

The environmental and social (ES) risks of this project are considered Low to Moderate. However, these E&S risk may change depending on the activities to be carried out under the CERC. The Project is expected to bring about significant socio-environmental and economic benefits to the target poor, vulnerable, and disadvantaged groups in the project villages. Most of the environmental risks and impacts are local, temporary, and mitigatable through implementation of appropriate measures set forth under project's ESMF (See ESMF for details).

The environmental risks may include environmental impacts such as air, water pollution, vibration, noise – during rehabilitation of access roads, culverts. There is also risk of UXO, particularly for activities that involve digging of soil, excavation, removal of debris, etc. The social risks of this project are considered Low. However, it depends on activities implemented under the CERC. Potential social risks associated with Project activities include (a) lack of stakeholder and inclusive engagement and clear communication; (b) risks related to the labor and working conditions of project workers; (c) risk of exclusion and discrimination particularly of ethnic groups, including poor, vulnerable and disadvantaged groups; (d) risk of Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH), and Violence Against Children (VAC). These risks and impacts are low and could be addressed/ mitigated through implementation of measures proposed in ESMF and through consultation and coordination among affected community, local authorities, contractors, services providers, and consultants, using the principles set forth in SEP. The ES consultant will help the project to promote and provide means for effective and inclusive engagement with project-affected parties, as instructed in the SEP, throughout the project lifecycle.

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<sup>1</sup> As per Amended Financing Agreement, signed January 28, 2020 "Operating Costs" means the reasonable costs of goods and non-consulting services required for the day-to-day coordination, administration and supervision of Project activities, including leasing and or routine repair and maintenance of vehicles, equipment, facilities and office premises, fuel, office supplies, utilities, consumables, communication expenses (including postage, telephone and internet costs), website maintenance, translation, printing and photocopying expenses, bank charges, publications and advertising expenses, insurance, Project-related travel, subsistence and lodging expenses, and other administrative costs and costs of contractual staff directly related to the Project, but excluding salaries, bonuses, fees and honoraria of equivalent payment of members of the Recipient's civil service."

To ensure that adverse impacts will not occur given the nature of emergency, the items and the following activities are prohibited for financing under the Project:

1. Production and/or trading of tobacco or any products containing tobacco and alcoholic beverages;
2. Gambling, casinos and equivalent enterprises;
3. Production and/or trading in weapons and munitions;
4. Using asbestos as construction material;
5. Using raw material and/or hazardous & toxic (Bahan Berbahaya dan Beracun/B3) wastes in large quantities. The project cannot finance activities which uses, produces, stores or transports raw material and hazardous & toxic waste such as toxic substance, material which may cause fire or explosion;
6. Siting and/or actions which could potentially destroy protected and biodiversity sensitive areas, natural habitat and/or critical natural habitat. The Project cannot finance activities that is located within, adjacent to or traversing protected areas and biodiversity sensitive areas such as natural conservation areas, protected forests etc. or any activity which may alter the function or effectiveness of protected and sensitive areas, cause adverse impact to biodiversity and habitats. Further on protection of biodiversity and habitats, especially vulnerable and endangered species listed in the criteria and categories of the International Union Conservation of Nature (IUCN) Red List and Annex 1 and 2 of the Convention on International Trade Endangered Species (CITES). Additionally, the Project cannot finance any sub-project or activity which causes significant conversion and/or degradation of the natural habitat or any critical natural habitat environment including those of terrestrial, coastal and marine ecosystems that have High Conservation Value, essential ecosystem areas, significant biodiversity and / or protected conservation zones;
7. Siting and/or actions which could potentially destroy cultural conservation areas. The Project must not finance any project which degrades or destroys cultural value of a cultural conservation area, not only limited to artefact and cultural structure, but also locations considered sacred or having high spiritual value for local people. In the contract agreement with the contractor, there must be provisions and guideline concerning what measures must be taken if these artefacts and structures are found within the project site;
8. Siting and/or actions which could potentially result in land acquisition or involuntary resettlement under eminent domain principle. The project cannot finance activities that result in the forced evictions or physical or economic displacement of the affected communities, including indigenous and tribal peoples, and activities that may constrain or terminate access of local communities to land or resources that they traditionally use;
9. Using excessive timber, water and energy. The project cannot finance activities that utilize the excessive use of natural resources with large civil works;
10. Using timber from illegal logging. The Project must not finance infrastructure related to or support illegal logging;
11. Employment of child labor and forced labor and against national labor law and local labor regulation. The Project cannot finance activities involving any forms of child labor. Related to forced labor, the project cannot finance activities involving any forms of forced labor, and also trafficked persons, includes the practice of the bonded /indentured labor, excessive limitations of freedom of movement, excessive notice periods, physical punishment, use of security or other personnel to force or extract work from project workers, or other restrictions that compel a project worker to work in a non-voluntary basis. The Project also cannot finance activities involving work without formal contractual agreements that comply with GoL regulations, including with donors, intermediary and / or channelling agencies, and beneficiaries.
12. Production and/or trading in radioactive materials. This does not apply to the purchase of medical equipment, quality control (measurement) equipment and any equipment where the

International Finance Corporation (IFC) considers the radioactive source to be trivial and/or adequately shielded;

13. Production and/or trading in any product or activity deemed illegal under host country laws or regulations or international conventions and agreements, or subject to international bans, such as pharmaceuticals, pesticides/herbicides, ozone depleting substances, PCB's, wildlife or products regulated under CITES;
14. Involving traditional mining practice which uses the prohibited substances, e.g., mercury, other radioactive substances;
15. Utilization of stone / minerals from illegal mining (unable to show a copy of the mining permit issued by the relevant agency);
16. Drift net fishing in the marine environment using nets in excess of 2.5 km. in length;
17. Involving activities that relates to infrastructure development located in international water area, disputed area, and/or on land that cannot prove clean and clear status;
18. Involving activities related to local political parties. The project will not finance any activities that support political activities such as political candidate's campaign;
19. Large civil works;
20. Procurement of hazardous substances in large quantities;
21. Land acquisition and resettlements;
22. Activities that may have adverse impacts on indigenous people; and
23. Other activities involving higher risks (e.g., traditional mining, industrial-based livelihood, large scale commercial plantation or excessive use of resources).

#### **A9.4 Environmental and Social Management**

When the CERC component is activated, ESF consultant will be engaged to carry out the following steps:

- Step 1 Application of the Ineligible/Negative Criteria List.** The prohibited activities for CERC under Section A8.3 will also be applied. Given that the CERC objective is to support immediate priority activities (18 months), CERC activities that involve physical resettlement will be avoided;
- Step 2 Identification of ES issues and preparation of mitigation plans.** Based on the results from Step 1, PMU will implement LMP and Community Health and Safety Plan (CHSP) for the CERC activities;
- Step 3 Implementation and M&E.** LMP and CHSP will be implemented. PMU will monitor the implementation on the ground and report the results to the WB.
- Step 4 Completion and Evaluation.** Once the CERC subprojects have been completed, PMU will assess the results before contract liquidation. Any pending issues and/or grievance must be solved before the subproject is considered completed. PMU will submit the completion report describing the compliance of safeguard performance and submit it to WB when required.

#### **A9.5 Institutional Arrangement for Project Implementation**

As mentioned above, PMU will lead the implementation with TA from consultants and will report to the CERC Implementing Agency, i.e., The National Disaster Prevention and Control Committee (NDPCC) who is responsible for guiding and coordinating all CERC activities under the chairmanship of the Vice Prime Minister. The Disaster Management Division within Ministry of Labor and Social Welfare is the lead coordinator. NDPCC will provide the inputs to PMU to prepare necessary documents to activate the CERC, including the declaration of disaster, the latest impact assessment of situation reports and the list of goods and works to be included in the Emergency Action Plan (EAP).

Figure 1 below presents organization arrangement for CERC as well as those for the ESMF addendum.

**Figure 1 – Implementation Arrangement for CERC**

