



ISLAMIC REPUBLIC OF AFGHANISTAN

Ministry of Rural Rehabilitation and Development (MRRD)

And

Independent Directorate of Local Governance (IDLG)

**Environmental and Social Management Framework
(ESMF)**

For the

Citizens' Charter Afghanistan Project (CCAP)

August 2016

Executive Summary

The Citizens' Charter (CC) is a promise of partnership between the state and the communities. It is a foundation stone for realising the Government's development vision. The program is a whole-of-government effort to build state legitimacy and end fragmentation. The Charter is a commitment to provide all citizens in Afghanistan with basic services, based on community prioritisation. For the first time, Afghanistan's urban and rural community development programs will be joined under the same umbrella. The Citizens' Charter Afghanistan Project (CCAP) is one part of the larger Citizens' Charter National Priority Program, to be supported through the Afghanistan Reconstruction Trust Fund (ARTF) and the World Bank.

Project Objective

The proposed Project Development Objective of the CCAP is to improve service delivery through strengthened Community Development Councils and Clusters.

Project Components

1. Block grants for service delivery in urban and rural areas (including green spaces, water and sanitation, tertiary roads & renewable energy)
2. Institution building
3. Monitoring and knowledge learning
4. Project implementation and management

Implementation Arrangements

The Ministry of Rural Rehabilitation and Development and the Independent Directorate of Local Governance are the main Implementing Agencies (IAs) for the CCAP in rural and urban areas respectively.

Potential Environmental & Social Impacts

Sub-project activities envisaged under CCAP for rural and urban Afghanistan are expected to have no significant and negative environmental and social impacts. The CCAP sub-projects are placed in category B and relevant World Bank Policies, National Environmental Law and regulations are triggered for Safeguards.

The project is not expected to involve relocation and resettlement, since the Project intends to fund only small-scale rural and urban infrastructure. No activities will be supported that require involuntary land acquisition or the acquisition of land requiring the resettlement or compensation of more than 200 people.

The design for the proposed project defines a strategy, which will ensure that all social groups are included as beneficiaries directly and indirectly, and that their concerns are addressed in compliance with the requirements of World Bank relevant Safeguards Policies.

Policy and Legal Regulatory Environment

World Bank Operation Policies triggered in the CCAP

Safeguard Policies Triggered by the Project	Yes	No
Environmental Assessment (OP 4.01)	<input checked="" type="checkbox"/>	
Natural Habitats (OP 4.04)		<input checked="" type="checkbox"/>
Pest Management (OP 4.09)		<input checked="" type="checkbox"/>
Physical Cultural Resources (OP 4.11)	<input checked="" type="checkbox"/>	
Involuntary Resettlement (OP 4.12)	<input checked="" type="checkbox"/>	
Indigenous Peoples (OP 4.10)		<input checked="" type="checkbox"/>
Forests (OP 4.36)		<input checked="" type="checkbox"/>
Safety of Dams (OP 4.37)		<input checked="" type="checkbox"/>
Sub-projects in Disputed Areas (OP 7.60)		<input checked="" type="checkbox"/>
Sub-projects on International Waterways (OP 7.50)		<input checked="" type="checkbox"/>

The primary relevant national laws and legislations framing social and environmental issues which need to be considered in relation to the CCAP are:

- The Environment Law of Afghanistan (2007)
- The National Environmental Impact Assessment Policy (2007)
- The Law on Land Expropriation (2009)
- The Law on Managing Land Affairs (2008)
- The Land Policy (2007)
- The Law on the Preservation of Afghanistan's Historical and Cultural Heritages (2004)
- The Constitution of Afghanistan (2004)
- The Water Law (2009)

Incorporating lessons learned in Safeguards Compliance

The National Solidarity Program (NSP) has financed over 80,000 infrastructure sub-projects throughout Afghanistan during phases I, II, and III for over a decade. Due to the importance of safeguards, NSP paid special attention during the implementation of sub-projects, including the preparation of safeguards tools, capacity building, site supervision, and community monitoring. Grievance redress mechanisms and reporting mechanisms etc. were always in place. Several technical audits of NSP subprojects over the years found no problems with safeguards compliance. The CCAP will build on the safeguards arrangements and experiences of the NSP.

ESMF Objectives and Process

The ESMF framework approach provides for early identification of potential adverse impacts and also provides broad guidance for their effective mitigation.

The objective of the Framework is to help ensure that activities under the project will:

- Protect human health and safety;
- Prevent or compensate any loss of livelihood;

- Prevent environmental degradation as a result of either individual sub-projects or their cumulative effects;
- Enhance positive environmental and social outcomes; and,
- Ensure compliance with World Bank safeguard policies and Afghanistan Environmental Law and Regulations.

All proposed sub-projects prior to the design stage will go for a transect walk and site selection procedure to assure the feasibility of the expected sub-projects. The selected site will be properly studied from both environmental and social aspects. The findings will be shared with the communities during public consultation.

All proposed sub-projects will be screened to ensure that the potential environmental and social risks can be adequately addressed through the application of a typical Environmental and Social Management Plan if needed.

The implementing agencies will ensure that all occupants of land and owners of assets located in a proposed subproject area are consulted. There will be gender-separate community meetings for each affected mantaqa/Gozar (urban infrastructure) or village (other sub-projects), to inform the local population about their rights to compensation and options available in accordance with attached guidelines for land acquisition and chance finds of archaeological sites. The CCP ESMP will establish a proper GRM mechanism for handling all grievances.

The ESMF was presented to stakeholders, including representatives from the Government of Afghanistan (MRRD, IDLG, MoE, MoPH, MAIL, NEPA & ANSA), civil society and members of urban and rural CDCs from Kabul and the surrounding provinces, at a consultation meeting held on 29th June 2016. There were no identified areas for disagreement within the ESMF, but all participants acknowledged the need for specific training for all stakeholders to understand the commitments and implementation of the ESMF, through the individual ESMPs, throughout the duration of the CCAP.

ESMF Institutional Arrangements

The overall responsibility of the project implementation rests with the Ministry of Rural Rehabilitation and Development (MRRD) in rural areas and the Independent Directorate of Local Governance (IDLG) in urban areas.

At the national level, MRRD will have an Environmental and Social Safeguards Unit (ESSU) with two staff (male or female); a Senior Environmental Officer and a Senior Social Officer. This unit will be responsible for all ESS issues within the overall ESMF and for ensuring the ESMF is operationalized at the field level through proper ESMPs.

At the regional level there will be one dedicated Environmental and Social Safeguards Officer (male or female) in each of the 6 regions. This staff person will be responsible to cascade the training received by the National ESSU to the ESS Focal Points/Senior Engineers in the PMUs. This person will also check a sample of the ESMPs received from the Senior Engineer in the PMU and will monitor a sample of the sub-projects for the implementation of the ESMP.

At the provincial level, one senior engineer (likely to be male) from the PMU will be nominated as the ESS focal point and assigned all ESS responsibilities. The senior engineer will approve all of the ESMPs and send a sample to the ESSU. He/She will also monitor sub-project implementation, based on the ESMP. The key decision making with regard to the ESMP will take place at the provincial level, with any queries affecting decisions referred to the National Unit.

At the district level, there will be one engineer (likely to be male) responsible to cover 20 CDCs. The district engineer will be responsible to conduct the transect walk and for the discussion with the community on the findings. The district engineer will then consolidate the ESMP with the inclusion of the social component provided by the Social Organisers. The engineer will monitor the implementation of the ESMP and submit quarterly reports.

Also at the district level, the FP will have 2 social organisers (1 male and 1 female) for every 20 CDCs. A key role of the 2 social organisers will be to work with the CDCs to ensure that the views and voices of the most vulnerable groups, especially female headed households and landless, are reflected in the selection and implementation of sub-projects.

At the national level, IDLG will have one Environmental and Social Safeguards Manager. She or he will be responsible for developing the training manuals and training the urban ESS staff. She or he will also receive and review all reports from the urban staff and address all queries that are received from the provinces.

In the 4 cities implementing the Citizens' Charter in Cities component, a Senior Engineer/ESS Focal Point (likely to be male) from the FP will be assigned the responsibility for the implementation of the ESMP.

In each city, there will be one engineer for 10 CDCs, responsible for the environmental part of the ESMP. The engineer will develop the environmental component of the ESMP, consolidate the ESMP with the inclusion of the social component provided by the Social Organisers, monitor its implementation and submit quarterly reports.

The FP will also have 2 social organisers (1 male and 1 female) for every 10 CDCs. These social organisers will be responsible to develop the social component of the ESMP, monitoring the social aspect of the ESMF and will also submit quarterly reports to the Senior Engineer.

As part of the social and environmental capacity building that will be provided for implementation of WB financed operations in Afghanistan, the Environmental Social Safeguards Unit at MRRD Headquarter and responsible staff at field level (MRRD, IDLG) will receive training in the application of the ESMF.

The overall responsibility for the enforcement of this ESMF rests with MRRD in rural areas and IDLG for urban areas. In order to ensure compliance, MRRD/IDLG or the FPs will be tasked to regularly monitor the implementation of the Environmental and Social Safeguards during construction phase. Monitoring of the implementation of mitigation measures related to significant impacts during the operation of sub-sub-projects shall be mainly the responsibility of CDCs/GC

and communities. The community participatory monitoring shall be extensively used in this regard, together with third party monitoring.

Monitoring and Evaluation

The overall responsibility for the enforcement of this ESMF rests with MRRD in rural areas and IDLG for urban areas. In order to ensure compliance, MRRD/IDLG or the IDLG FPs will be tasked to regularly monitor the implementation of the Environmental and Social Management Plan during construction phase. Monitoring of the implementation of mitigation measures related to significant impacts during the operation of sub-sub-projects shall be mainly the responsibility of CDCs/GC and communities. The community participatory monitoring shall be extensively used in this regard.

The PIU ESS officer will also monitor sub-projects for ESMP compliance and supervising the work of district ESS Focal Points. Similarly, the ESS Unit at CCAP HQ of both offices will also periodically conduct monitoring of sub-projects as an overall overseeing institution.

At provincial level, CCAP safeguards officers, together with CDC/GC, will continue to be responsible for monitoring the implementation of mitigation measures, set out in Environment and Social Management Plan (ESMP).