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

For UNDP-supported, GEF-financed project in Rwanda:

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| **Project Title:** | Supporting a Green Economy - Decoupling Hazardous Waste Generation from Economic Growth in Rwanda | | |
| **UNDP-GEF PIMS ID number:** | 6482 | **GEF ID number:** | 10373 |
| **Country:** | Rwanda | | |
| **Implementing Partner:** | Rwanda Environment Management Authority (REMA) | | |
| **Management Arrangements:** | National Implementation Modality (NIM) | | |
| **GEF-7 Focal Area/Non-Focal Area:** | Chemicals and Waste | | |
| **Co-financing:** | XXXX | **Total Project Cost:** | XXXX |
| **CEO Endorsement/Approval** | XXXX | **Expected Project Start Date:** | XXXX |

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| --- |
| **Public Consultation/Disclosure Notice** |
| Date: **XXXX** |
| The United Nations Development Programme (UNDP) is requesting feedback on the attached draft Environmental and Social Management Framework and associated Social and Environmental Screening Procedures for this project.  Comments and questions can be sent to the following address: |
| United Nations Development Programme  **Physical Address**:  **Tel**:  **Fax**:  **Email**:  **Website**: |
| **The last date for receiving of comments is XXXX** |

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# Executive Summary

This Environmental and Social Management Framework (ESMF) was developed for the UNDP-supported, GEF-financed project “*Supporting a Green Economy - Decoupling Hazardous Waste Generation from Economic Growth in Rwanda*”.

This ESMF has been prepared for the submission of the UNDP project proposal to the GEF for the purposes of assisting in the assessment of the project’s potential environmental and social impacts. Preliminary analysis and screening conducted during the project development phase via UNDP’s Social and Environmental Screening Procedure (SESP) identified potential social and environmental risks associated with project activities including, in particular, upstream activities such as ban on the import of new POPs and mercury-containing products and applying a Polluter-Pays-Principle System, pilot demonstrations and disposal activities associated with PCBs, POPs pesticides, HHPs and mercury-containing products. This screening resulted in the identification of thirteen risks, nine of which were considered of “Moderate” significance while four were considered “Substantial”, resulting in an overall social and environmental risk categorization of “Substantial” for the Project.

This ESMF has been developed based on this project risk categorization to specify the processes that will be undertaken by the Project Management Unit for the additional assessment of potential impacts and identification and development of appropriate risk management measures, in line with UNDP’s Social and Environmental Standards.

This ESMF identifies the steps that will be followed during the inception phase of the project:

1. Strategic social and environmental assessments for upstream activities associated with new legislation and strategies;
2. Environmental and Social Impact Assessments for the demonstration pilots that have been defined; and
3. Based on the assessment, preparing and approving appropriate management plans for avoiding, and where avoidance is not possible, reducing, mitigating, and managing adverse impacts, via preparation of Environmental and Social Management Plans.
4. Incorporation of environmental and social criteria when designing the pilots to minimize potential risks. Once defined, a SESP will be undertaken to determine the level of assessment and management required.

This ESMF also details the roles and responsibilities for its implementation and includes a detailed budget and monitoring and evaluation plan.

# Abbreviations and Acronyms

|  |  |
| --- | --- |
| EIA | Environmental Impact Assessment |
| ESIA | Environmental and Social Impact Assessment |
| ESMF | Environmental and Social Management Framework |
| ESMP | Environmental and Social Management Plan |
| FSP | Full Sized Project (GEF) |
| GEF | Global Environment Facility |
| GEFSEC | Global Environment Facility Secretariat |
| GRM | Grievance Redress Mechanisms |
| MOE | Ministry of Environment |
| PCB | Polychlorinated Biphenyls |
| PIF | Project Identification Form (GEF) |
| PIR | GEF Project Implementation Report |
| PMU | Project Management Unit |
| POPs | Persistent Organic Pollutants |
| PPG | Project Preparation Grant (GEF) |
| REMA | Rwanda Environmental Development Authority |
| SECU | Social and Environmental Compliance Review Unit (UNDP) |
| SES | Social and Environmental Standards (UNDP) |
| SESP | Social and Environmental Screening Procedure (UNDP) |
| SRM | Stakeholder Response Mechanism (UNDP) |
| UNDP | United Nations Development Programme |
| UNDP-GEF | UNDP Global Environmental Finance Unit |

# Introduction

This Environmental and Social Management Framework (ESMF) was developed for the UNDP-supported, GEF-financed project “S*upporting a Green Economy - Decoupling Hazardous Waste Generation from Economic Growth in Rwanda*”.

The project aims to support the Government of Rwanda and its private and public sector in decoupling hazardous waste generation and harmful releases from economic growth by enhancing the introduction of the 4R approach (Reuse, Reduce, Recycle and Recovery) in priority industries and economic sectors, while at the same time enhancing private sector-led national waste treatment capacity to ensure the sound management of wastes, generate income, create jobs, and protect human health and the environment.

## Project Description

Through its four components, the project will provide global environmental benefits in terms of reduction and elimination of chemicals of global concern and their waste including 122 metric tons (MT) of PCBs and PCB-contaminated waste, 3 MT of POPs pesticides, 44 MT of non-POPs pesticides, 35,000 MT of PBDE-containing waste (equivalent to 35 MT of PBDEs), and 1 MT of mercury (Hg); 24.5 gTEQ of emissions of POPs to air from point and non-point sources reduced and avoided; and direct benefits to at least 150,000 women and 150,000 men.

Project Implementing Partner: Rwanda Environment Management Authority (REMA)

**Component 1: Establishment of an enabling policy/regulatory framework to create (financial) incentives for the sound management of chemicals, the introduction of safer alternatives, minimization of hazardous waste generation and its environmentally safe treatment**

**Outcome 1:** **Creation/improvement of the regulatory framework, tools and (financial) incentives that allow private sector and government to improve the management of chemicals and hazardous wastes**

***Output 1.1: Approval of drafted PCB Law facilitated***

*Activity 1.1.1: Review, revise, and submit for approval the PCB Law*

This project activity will relaunch the approval process of the PCB Law to ensure the sound management of PCBs in the future and adherence to the PCB guidelines by PCB holders. It will support the review, revision, and approval process of the PCB Law.

***Output 1.2: POPs/Hg legislative/regulatory framework strengthened to support the phase-out of mercury/POPs and products that contain them, and support the introduction of safer alternatives***

*Activity 1.2.1: Undertake a legislative/regulatory assessment and draft and submit for approval regulatory text on the control of new POPs and Hg and Hg-containing products, listed in Part 1 of Annex A of the Minamata Convention*

This project activity will undertake a comprehensive legislative assessment to identify which legislative and regulatory gaps exist and how to address these gaps as early as possible. This will be followed by drafting the regulatory measures related to import, phase-out, management, disposal and/or treatment as well as environmental standards for POPs/Hg in various media, including the facilitation of the introduction of safer alternatives, and a ban on the import of (i) new POPs, (ii) Hg-containing products listed in Annex A of the Minamata Convention, and (iii) other hazardous products and waste as appropriate. This activity will also take into account and address the possibility of importing waste (such as PBDE-containing plastic) and recyclable materials from neighbouring countries for environmentally sound treatment in Rwanda.

***Output 1.3: Regulations/guidelines on the handling/treatment of priority hazardous waste streams developed and disseminated***

*Activity 1.3.1: Undertake a regulatory and guidelines assessment and draft and submit for approval regulatory text/guidelines on the management and treatment of hazardous waste streams, in particular those which contain POPs/Hg*

This project activity will undertake a review of the related regulatory framework and internationally available guidelines and draft regulations/guidelines on the management and treatment of hazardous waste streams, in particular those which contain POPs/Hg. This will include an assessment and identification of the existing gaps and needs regarding required guidelines and needs for enforcement.

***Output 1.4: Industry incentives introduced to generate less (hazardous) waste***

*Activity 1.4.1: Develop and operationalise a Polluter-Pays-Principle system, best performer awards programme, and other incentives*

This project activity will design a Polluter-Pays-Principle system (and other measures as appropriate to transfer costs for remediation and pollution management to waste generators), building on related text in the Law N°48/2018 of 13/08/2018 On Environment. This will be followed by technical validation of the Polluter-Pays-Principle system, submission for approval, and operationalisation. This project activity will also design a “best performer awards” programme for industries/SMEs that achieve resource efficient and cleaner production, to provide market-based incentives for adoption of environmentally sound practices. This project activity will also conduct an assessment of existing and potentially feasible economic instruments in Rwanda and elsewhere to finance the long-term management, collection, recycling, and treatment/export of priority product/waste streams. This will include an assessment of the national regulatory framework, import tax levies and other measures such as tax breaks and green procurement, and legal revisions as required. This will be followed by technical validation of the programme, submission for approval, and operationalisation. Other measures such as tax breaks and green procurement will also be designed, followed by technical validation of the programme, submission for approval, and operationalised to provide incentives for polluters to reduce environmental releases and wastes.

***Output 1.5: Extended Producer Responsibility (EPR) framework developed and introduced to finance treatment of priority waste products/streams***

*Activity 1.5.1: Develop and operationalise an EPR framework*

This project activity, in consultation with the government and private sector, will review the findings of the hazardous waste inventory and database (Output 2.1) to identify target waste streams/products, as outlined above and in particular those that cannot be avoided. This will be followed by the design of an EPR framework that finances the treatment/disposal of priority waste streams/products and creates financial incentives for entities to become involved in the collection, management, and disposal/treatment of more difficult waste streams that cannot be avoided.

***Output 1.6: Capacity of the Customs administration strengthened to identify hazardous waste at entrance and act on it with adequate measures in cooperation with REMA***

*Activity 1.6.1: Develop and implement a Customs strengthening strategy*

This project activity will develop a comprehensive strategy to support Customs to prevent the import and use of banned or to-be-banned products (e.g. PCBs, PBDE), Hg-containing products listed in Part 1 of Annex A of the Minamata Convention, banned pesticides (POPs, HHP/PED), and other hazardous products and waste. This will address the identification of hazardous products and waste potentially entering the country, standard operating procedures (SOPs), and solutions, such as the establishment/strengthening and use of interim storage of suspected items. This will be coordinated with REMA in order to take appropriate action in case of suspected irregularities. This will be followed by technical validation of the strategy, submission for approval, and implementation. This will include the development of guidance materials and recurrent training programmes for customs officers. This will be undertaken in cooperation with the World Customs Organization, which has introductory on-line courses available for customs administration officers on chemicals and waste-related MEAs (such as the Green Customs Initiative’s modules).

The development and implementation of the strategy will be informed by undertaking a training needs assessment (guided by the Social and Environmental Standards (SES)) and a post-training assessment to ensure that the information has been delivered to the participants as required and will have a meaningful impact on their job performance.

**Component 2: Minimize hazardous waste generation through the introduction of safer alternatives and cleaner (production) processes in selected industries and priority sectors**

**Outcome 2: Data that contributes to a reduction in hazardous waste generation and releases from selected industries and other priority sectors achieved and safer alternatives is strengthened**

***Output 2.1: Web-based hazardous waste inventory and database (with a focus on chemicals and waste-related Conventions) and web/phone-based monitoring tool for private sector/ enforcement entities established***

*Activity 2.1.1: Develop and implement a web-based hazardous waste inventory and database*

This project activity will design a web-based hazardous waste inventory and database (accessible by computer and mobile phone) in partnership with the relevant private sector and enforcement agencies. It will build on REMA’s current “Waste Information Management System (WIMS)”, which is hosted on REMA’s website, but is not widely applied. The system will enable collected information and data to be uploaded and managed in a centralised system and relevant private and public sector stakeholders will be required to report on waste generation, releases, and transfers for treatment (in coordination with the legal requirements established in Component 1). The system will also facilitate the enforcement entities to better monitor industry activities and provide government ministries with access to an up-to-date detailed hazardous waste inventory to inform policy, support, and future interventions to achieve reductions in hazardous waste generation and releases.

**Outcome 3: Technical capacities of industries and major hazardous wastes generators strengthened to develop and implement innovative and environmental best practices**

***Output 3.1: Selected industries and priority economic sectors (e.g. agriculture, textile, paint, healthcare) supported in avoiding/reducing the generation of (hazardous) waste and releases through the introduction of cleaner production practices and safer alternatives (e.g. to POPs/Hg/chemicals of concern)***

*Activity 3.1.1: Design and undertake demonstration pilots to avoid/reduce the generation of (hazardous) waste and releases through the introduction of cleaner production practices and safer alternatives*

This project activity will include the following regarding support to avoid/reduce the generation of (hazardous) waste and releases including POPs, Hg, and other chemicals of concern: (i) Building on the data from the hazardous waste inventory and database, undertake an assessment of priority sectors regarding their practices and capacity, followed by technical validation and submission for approval; (ii) develop hazardous waste reduction and management plans for the key sectors (including introduction of safer alternatives and cleaner production practices to support the phase-out of Hg, POPs, HHP-containing products/chemicals and reducing UPOPs releases), followed by technical validation and submission for approval; and (iii) design and implement pilot interventions on cleaner production and safer alternatives in selected industries and priority economic sectors. This will also include the development and provision of guidance and training to the relevant stakeholders and develop the capacity of the Cleaner Production Centre/NIRDA to replicate successes across the entire sectors, among others.

*Activity 3.1.2: Safely handle and dispose of Hg-containing products*

Regarding the healthcare sector, this project activity will also support the healthcare facilities in Rwanda to phase-out Hg-containing medical devices and introduce Hg-free devices. This will include the following: (i) coordinate with MIA implementation regarding an assessment of Hg-containing healthcare products and waste; (ii) develop a national strategy for phasing -out Hg-added thermometers and sphygmomanometers in healthcare, followed by technical validation and submission for approval; (iii) implement the national strategy for phasing out Hg-added thermometers and sphygmomanometers in healthcare; and (iv) as part of implementation, provide guidance and training at the healthcare facilities on the collection, separation, handling, and disposal of Hg-containing wastes, the selection, use, and calibration of Hg-free alternative, and green procurement (using training methods developed and improved under the Global Biomedical Waste Project and the African Regional Biomedical Waste Project implemented by UNDP). The project will also support the procurement of the Hg -free medical devices (alternatives will be selected in consultation with the Ministry of Health and procurement departments of selected hospitals).

This project activity will also support the following regarding other Hg-containing products: (i) coordinate with MIA implementation regarding an assessment of Hg-containing products and waste; (ii) develop a national strategy for phasing-out priority waste streams including e-waste, batteries, and CFLs (in coordination with the healthcare sector products strategy), followed by technical validation and submission for approval; (iii) implement the national strategy; and (iv) as part of implementation, provide guidance and training to relevant stakeholders (including Enviroserve and electronic workshops) on procurement of alternatives, collection, handling, transport, and environmentally sound interim-storage of Hg-containing wastes.

Support will also be provided to Enviroserve to establish sustainable collection channels and procurement of appropriate equipment for storage and treatment/recycling of Hg-containing e-waste and to Depot Kalisimbi Ltd regarding the collection, storage, and treatment of Hg-containing products.

Activity 3.1.3: Safely handle and dispose of PBDE-*containing* plastics

This project activity will include the following: (i) undertake sampling and analysis of stockpiled PBDE-containing plastics as needed; develop a management plan for PBDE-containing plastics, including cost-effective options for its elimination, with a preference for a domestic service provider (i.e. CIMERWA or Depot Kalisimbi Ltd), followed by technical validation and submission for approval; (ii) safeguard stored stockpiles; (iii) explore and where applicable facilitate import of PBDE-containing plastic from neighbouring countries; (iv) undertake disposal of at least 3,500 MT of (stockpiled) PBDE-containing plastics in Rwanda (including possible import from neighbouring countries; subject to confirmation of national capacity for environmentally sound disposal; see Activity 5.2.1); and (v) undertake continuous implementation of the management plan for PBDE-containing plastics including the introduction of safer alternative products. Domestic storage and disposal aspects will be assessed under Activity 5.3.1 (regarding improving capacity of existing hazardous waste interim storage facilities) and Activity 5.2.1 (as part of the facility-specific environmental performance assessments).

Support will also be provided to establish sustainable collection channels, including incentives to facilitate easy take-back schemes, and procurement of appropriate treatment/recycling equipment.

**Component 3: Improve private sector and institutional capacity for the sound environmental treatment and disposal of hazardous waste streams**

**Outcome 4.1: Increased capacity of the private sector and government entities to sustainably handle and treat: (i) existing stockpiles of hazardous and obsolete chemicals; and (ii) various hazardous waste streams which cannot be avoided**

***Output 4.1: Remaining PCB-containing equipment and oil phased out/disposed of***

*Activity 4.1.1: Safely handle and dispose of remaining PCB-containing equipment and oil*

This project activity will include the following: (i) Review and update the comprehensive PCB inventory and database undertaking sampling and analysis of transformer oil as required; (ii) establish disposal plan and a long-term agreement with CIMERWA to enable incineration of PCB-contaminated oil (up to 1,000 ppm) or Depot Kalisimbi Ltd if appropriate, and if needed issue a tender for services for disposal abroad; (iii) phase-out and undertake safe pre-treatment of PCB-contaminated transformers and oil still in use (including testing of the drained and rinsed transformers currently stored at the interim PCB storage facility to ensure that they can be safely scrapped or returned to service after refilling with new transformer oil, or alternatively, if PCB levels prove too high, to support another rinsing cycle); (iv) safeguard stored equipment and waste; (v) undertake disposal of PCB-contaminated equipment, oil, and waste in Rwanda or exported as required (see Output 4.3 regarding export procedures). Domestic storage and disposal aspects will be assessed under Activity 5.3.1 (regarding improving capacity of existing hazardous waste interim storage facilities) and Activity 5.2.1 (as part of the facility-specific environmental performance assessments).

***Output 4.2: One PCB-contaminated site remediated***

*Activity 4.2.1: Remediate one PCB-contaminated site*

This project activity will include the following: (i) test the soil at Gikondo Industrial Park (which is located within a degraded wetland) for PCB contamination (and other locations, such as Kicukiro Nyanza (Kigali) and Nyamagabe (Southern Province); (ii) develop contaminated site remediation plans; (iii) undertake technical validation of the remediation plans, and submit for approval; (iv) undertake and finalise tender for service, with an international service provider, which includes the export of the excavated contaminated soil; and (v) implement the remediation plan, with the potential of testing and applying innovative bioremediation measures which could avoid costly export for treatment. An estimated 250 MT of contaminated soil will need to be excavated and disposed. Guidance and training will be provided to relevant stakeholders, such as REG and waste management enterprises, on all steps, from contaminated site analysis to remediation including excavation, collection, handling, repacking, transportation, cleaning of residual contamination, treatment, storage, and export.

***Output 4.3: Obsolete POPs and non-POPs pesticides disposed of***

*Activity 4.3.1: Safely handle and dispose of stockpiled obsolete POPs and non-POPs pesticides*

This project activity will include the following: (i) Undertake sampling and analysis of stockpiled pesticides as needed; (ii) establish disposal plan including tender for services (for an international service provider); (iii) undertake safe pre-treatment of stockpiled pesticides including recovery, excavation, packaging, and transport; (iv) safeguard stored stockpiles; (v) undertake disposal of stockpiled pesticides in Rwanda or exported as required. An estimated 80 MT of contaminated soil will also need to be excavated and disposed. This activity will also provide guidance and training for government institutions to support the export procedures of POPs pesticides (as required), as well as PCB- and Hg-containing waste to an appropriate facility(ies) abroad for environmentally sound disposal.

**Outcome 5: Capacity and environmental performance of hazardous wastes treatment facilities improved**

***Output 5.1: Potential for valorisation of priority waste streams assessed and initiated through engagement of research institutes/universities and private sector partners***

*Activity 5.1.1: Design and undertake demonstration pilots to valorise priority waste streams*

This project activity will include the following: (i) undertake a waste valorisation assessment of key waste streams (based on the outcomes of the hazardous waste inventory and database; Output 2.1) in partnership with interested private sector partners, research institutes, universities, and CPCIC/NIRDA, followed by technical validation and submission for approval; (ii) design and implement a waste valorisation challenge competition to raise awareness and generate innovative ideas from stakeholders such as SMEs, NGOs, individuals, and investors; and (iii) design and implement waste valorisation pilots, which include the enhancement of technical and financial capacity (facilitated by the engagement of investments including FONERWA and the private sector), consideration of industrial symbiosis[[1]](#footnote-1) arrangements, and informing the scale-up of waste valorisation concepts into viable economic activities. Guidance and training will be provided to relevant stakeholders, including public and private sector waste generators and waste management enterprises, to address all of the above steps.

One pilot will address PET recycling. Other priority sectors that may be addressed include the tea industry, paint industry, textile industry, automotive industry, pharmacies, food and beverage industry, construction sector, beauty industry, cosmetic industry, solar products, telecommunications, and healthcare sector. Potential waste streams that may be addressed include, among others: waste oil, plastics (PET and High Density Polyethylene (HDPE)), organic waste, paint waste, tires, textile waste, carton waste, glass, and wastewater. This may involve the following waste valorisation approaches, among others: compost and briquettes made from organic waste; production of alternative liquid and solid fuel (for CIMERWA cement plant) based on the use of organic waste and waste oils; methane gas capture from landfills; and generating energy from healthcare waste incineration. This activity will also take into account the possibility of, and procedures for, importing waste and recyclables from neighbouring countries for environmentally sound treatment in Rwanda.

This project activity will also develop an online waste management platform with a view to providing a one-stop shop solution that connects all actors in the waste management value chain to promote waste recovery in a larger circular economy context. The national waste management platform will include representation by the public, private, and NGO sectors.

***Output 5.2: Environmental performance of existing waste treatment facilities enhanced and national treatment capacity for hazardous waste increased (volume + diversification) through the introduction of new locally suitable disposal/treatment solutions***

*Activity 5.2.1: Design and undertake demonstration pilots to enhance national hazardous waste treatment capacity and environmental performance*

This project activity will include the following: (i) undertake facility-specific environmental performance assessments and identify process measures to reduce releases (uPOPs, heavy metals, POPs, Hg, and other hazardous substances); (ii) undertake waste treatment assessments for priority waste streams to identify interim storage needs, safekeeping measures required, and locally suitable disposal/treatment solutions for hazardous waste streams, including the potential for increasing the facilities’ capacity in terms of both volume and type of waste; and (iii) design, implement, and assess for viability demonstration pilots to test locally suitable disposal/treatment solutions for hazardous waste streams. Guidance and training will be provided to relevant stakeholders, including waste treatment facility operators (such as Enviroserve, CIMERWA, and DPMM Kalisimbi and Depot Kalisimbi Ltd), REMA, and others to address all of the above steps.

***Output 5.3: Capacity improved of existing hazardous waste interim storage facilities to handle additional hazardous waste streams***

*Activity 5.3.1: Assess and improve capacity of existing hazardous waste interim storage facilities*

This project activity will include the following: (i) based on the detailed hazardous waste inventory (Output 2.1) assess what types of wastes present or generated in Rwanda require interim storage at the national/regional level (while awaiting disposal/treatment); (ii) identify the type of measures that need to be put in place to ensure safekeeping of these wastes (e.g. capacity, occupational safety and health, environmental protection, security);   
(iii) develop an interim storage facilities upgrade plan including recommendations for capacity and type of interim storage required; (iv) undertake technical validation of the assessment and interim storage facilities upgrade plan and submit for approval; and (v) upgrade/expand existing interim storage facilities’ infrastructure and related management system to international standards and can accommodate the necessary hazardous waste streams. Guidance and training will be provided to relevant stakeholders including REMA and other relevant stakeholders to address all of the above steps.

**COMPONENT 4: Raise awareness to support behavioral change, capture and disseminate experiences, lessons-learned and environmental best practices**

**Outcome 6: Awareness raised on the sound management of POPs, Hg, and related wastes**

*Output 6.1: Awareness raised of 7,500 people (4,000 female and 3,500 male) on the sound management of POPs chemicals and Hg and related wastes through tailored training and awareness raising activities*

*Activity 6.1.1: Design and implement an awareness raising plan*

**Outcome 7: Project results sustained and replicated**

*Output 7.1: Results, lessons-learned, and best practices captured in knowledge products and disseminated at national, regional, and global level to support replication (including development and implementation of an awareness raising and knowledge management plan)*

*Activity 7.1.1: Develop and implement a knowledge management (KM) plan that extracts, compiles, and disseminates experiences, lessons-learned, knowledge and best practices including yearly lessons-learned reports, case study reports, and end of project*

*Output 7.2: M&E and adaptive management applied in response to needs and Mid-term Evaluation findings*

*Activity 7.2.1: Apply standard UNDP/GEF M&E and adaptive management processes in response to project oversight needs and Mid-term Evaluation findings*

*Activity 7.2.2: Implement the Gender Action Plan to mainstream gender throughout project activities*

*Activity 7.2.3: Develop and implement an ESIA and ESMP based on the SESP*

Project Duration: The duration of the project is 5 years (2022-2027).

## Purpose and Scope of this ESMF

This ESMF is a management tool to assist in managing potential adverse social and environmental impacts associated with activities of this GEF-financed project, in line with the requirements of UNDP’s SES. The implementing partner of the project and the relevant members of the Project Management Unit will follow this ESMF during project implementation and ensure the environmental and social risks and impacts are fully assessed and management measures are put in place prior to the implementation of the relevant project activities.

This ESMF identifies the steps for detailed screening and assessment of the project’s potential social and environmental risks, and for preparing and approving the required management plans for avoiding, and where avoidance is not possible, reducing, mitigating, and managing these adverse impacts. Its scope covers all project activities described in Section 1.1, which include co-financing in terms of in-kind contributions, grants and equity investment by various government agencies and the private sector needed to implement the project.

## Potential Social and Environmental Impacts

During the PPG phase, the UNDP SESP was used to identify potential social and environmental risks and positive impacts associated with this Project. The project was scrutinized as to its type, location, scale, sensitivity and the magnitude of its potential social and environmental impacts. All project activities were screened, including planning support, policy advice, and capacity-building, and site-specific, physical interventions. The screening highlighted the project intentions as they related to mainstreaming human rights, gender equality and women’s empowerment, accountability and environment sustainability.

In terms of positive impacts, the project will benefit population groups who are exposed to hazardous chemicals and waste in their work environment or due to their occupations, population groups living and/or working near contaminated sites, vulnerable groups such as informal workers engaged in recycling/waste management or the application of pesticides, and population groups which are particularly exposed. Boosted with the implementation of a communication strategy and a gender action plan, the project anticipates reducing the direct exposure to hazardous chemicals of 300,000 beneficiaries (150,000 female + 150,000 male). The project will also promote compliance with the Stockholm and Minamata Conventions which Rwanda is party to.

In terms of risks, the SESP identified a total of thirteen risks, nine of which have been assessed as having Moderate significance while four were rated Substantial; hence overall SESP risk categorization rating for the project is “Substantial”. The project document includes the SESP template that details the specific environmental and social risks identified. The risks mostly apply to project Components 1, 2,3,4 and 5 with one related to the overall project and its components.

**Substantial Risk**: Defined by UNDP’s SESP as *“Projects that include activities with potential adverse social and environmental risks and impacts that are more varied or complex than those of Moderate Risk projects but remain limited in scale and are of lesser magnitude than those of High Risk projects (e.g. reversible, predictable, smaller footprint, less risk of cumulative impacts).”*

The following are the project risks and their significance as identified in the completed SESP found in Annex 9.1:

* **Risk 1: Duty bearers, such as customs officials, enforcement officers and other government officials, may not have the capacity to meet their obligations in the Project (Moderate).** Customs Service Department officers and other government officials might not be adequately trained on their duties and responsibilities and may not be able to perform their functions properly and misinterpret new legislation implementing them improperly. – Associated Activity: 1.6.1 as well as overall project.
* **Risk 2: Risk to enterprise viability and worker employment, in the course of the transition to alternatives to new POPs and mercury-containing products and during the design of a Polluter-Pays-Principle system (Substantial).** Some enterprises, especially those with limited resources, may not be able to provide alternatives to banned new POPs and mercury-containing products or abide by standards in line with the Polluter-Pays-Principle system. – Associated Activities: 1.2.1 and 1.4.1.
* **Risk 3: Marginalized population relying on their income as informal waste-pickers, who are predominantly women, will have found their waste resources reduced (Moderate).** The project will promote more organized recycling of waste through the waste valorization pilots and this may result in certain cases in shifts from informal to formal waste management activities. There is thus a risk that marginalized population groups, predominantly women, relying on their income as waste-pickers, will have found their waste resources reduced. – Associated with Activity 5.1.1.
* **Risk 4: Affected stakeholders and marginalized groups may have grievances regarding selected contaminated site for remediation and companies involved in waste valorization or hazardous waste treatment (Moderate).** Some communities living near contaminated sites, existing disposal/treatment sites and industries treating hazardous waste may have concerns about the project. Associated with Activities 4.1.2 and 5.1.1.
* **Risk 5: The project could reproduce existing discriminations against women through excluding them from decision-making on project activities, benefiting from project outputs and capacity building initiatives (Moderate).** The Gender Analysis conducted found that there is an access gap in investments and entrepreneurship skills between men and women for medical waste disposal and incineration business. It also found that even though formalization of waste management increased community safety and stopped informal waste pickers, formal waste collection efforts excluded women from benefits that include wages and financial gain from the reuse of plastic containers and textiles. Associated with overall project.
* **Risk 6: Accidental release of PCBs, POPs pesticides, HHPs or mercury into the environment due to improper handling, storage, transport and treatment/disposal of these chemicals and exposing the workers as well as the local communities living nearby (Substantial).** Accidental releases of chemicals into the environmental would have a severe impact but are unlikely to occur in high amounts. – Associated with Activities 3.1.2, 3.1.3, 4.1.1, 4.2.1 and 4.3.1.
* **Risk 7: Contamination or damage to sites of cultural heritage, biodiversity or socioeconomic value to the local community from pilot demonstrations (Moderate).** The impact and likelihood of this risk can be better determined once the pilot sites and activities have been selected. – Associated with Activities 3.1.1, 5.1.1, 5.2.1 and 5.3.1.
* **Risk 8: Adopted legislation, guidelines, strategies and plans may lead to practices that could result in accidental release of PCBs, POPs pesticides, HHPs or mercury into the environment due to improper handling, storage, transport and treatment/disposal of these chemicals and exposing the workers as well as the local communities living nearby (Substantial).** This risk is not a direct result of project activities but may result from legal and policy instruments proposed by the project. Associated with Activities 1.1.1, 1.2.1, 1.3.1, 1.5.1 and Activity 3.1.2
* **Risk 9: Disruption to wetland where PCB-contaminated site will be remediated (Substantial).** Remediation of PCB-contaminated site will test bioremediation measures that may introduce alien invasive species to the wetland if the species is not properly selected. Associated with Activity 4.2.1.
* **Risk 10: Flooding of interim storage and waste treatment/disposal facilities for hazardous waste used during the demonstration activities (Moderate).** Sensitivity and sustainability of the project may be affected by the occurrence of natural disasters due to landslides, erosion, floods or extreme weather conditions or greater vulnerability thereto. Associated with Activities 5.2.1 and 5.3.1.
* **Risk 11: The project's demonstrative interventions for the elimination of PCBs may result in the increase of (or no reduction of) CO2 emissions** or other air emissions **due to current technologies for incineration treatment/destruction of PCBs (Moderate).** It is estimated that 122 tons of PCB oil will need to be disposed of as part of the project activities. The disposal method will be through co-incineration (of PCB under 1,000 ppm) at a local private enterprise (cement kiln) as has been done in the past under a previous GEF project. Otherwise, it will be exported. – Associated with Activity 4.1.1 .
* **Risk 12: As the project will lead to employment opportunities in hazardous conditions, risk exists of child labor, which is prevalent in the target country, as well as other practices in contravention to principles and standards of ILO fundamental conventions (Moderate).** Given the fact that the project will work with licensed, legitimate and reputable international and national hazardous waste operators, and activities will take place at specific sites with the control of Rwandan authorities, there is very little chance that children could be exposed to the Project’s activities and/or that child labor will be used for project activities, especially in regard to handling of chemicals. – Associated with Activities 3.1.1, 3.1.2, 3.1.3, 4.1.1, 4.2.1, 4.3.1, 5.1.1, 5.2.1 and 5.3.1.
* **Risk 13: The project may pose risks to occupational health and safety due to exposure to harmful chemicals during site remediation, transport and interim storage of chemicals and their treatment/final disposal. Workers may also be exposed to risk of accidents and physical injuries on the job (Moderate).** Workers could be exposed to chemicals and accident risks during implementation of the pilot projects and disposal activities but the probability that this exposure will be long term is unlikely. – Associated with Activities 3.1.1, 3.1.2, 3.1.3, 4.1.1, 4.2.1, 4.3.1, 5.1.1, 5.2.1 and 5.3.1.

# Legislation and Institutional Framework for Environmental and Social Matters

The Republic of Rwanda has adopted various policy, strategies and legal instruments to safeguard its environment under an institutional framework whereby environmental policies are prepared by the Ministry of Environment (MOE), regulation and enforcement are the responsibility of the Rwanda Environmental Development Authority (REMA), while Environmental Impact Assessment (EIA) is administered by Rwanda Development Board.

## National Legislation, Policies and Regulations

**Constitutional Provisions**

According to the Rwanda’s Constitution of 2003 (amended through 2015), all persons are equal before the law (Article 15) and discrimination of any kind or its propaganda based on, inter alia, ethnic origin, family or ancestry, clan, skin color or race, sex, region, economic categories, religion or faith, opinion, fortune, cultural differences, language, economic status, physical or mental disability or any other form of discrimination are prohibited and punishable by law (Article 16). Article 21 states that all Rwandans have the right to good health while Article 22 grants the right to live in a clean and healthy environment. All individuals in Rwanda, without any form of discrimination, have the right to equal pay for equal work (Article 30) and to form workers’ association (Article 31). Article 53 states that everyone has the duty to protect, safeguard and promote the environment and that the State ensures the protection of the environment.

**Environment**

The main environmental law in Rwanda is Organic Law No. 04/2005, which determines the modalities of protection, conservation and promotion of environment in Rwanda. Article 30 of the Law on Environment No. 48/2018 states that projects must undergo an EIA in accordance with a list and procedure provided through a ministerial order before implementation. These orders are as follows:

* Ministerial Order for establishing the list of projects that must undergo EIA, instructions, requirements and procedures to conduct EIA, 2019.
* Ministerial order relating to the requirements and procedure for EIA, 2018

Article 83 of Law No. 62/2008 putting in place the use, conservation, protection and management of water resource regulations provides penalties for pollution of water resources which include imprisonment and a fine.

As for air quality, Law No. 18/2019 governing the preservation of air quality and prevention of air pollution in Rwanda states in its Article 6 Prohibits the emission of chemicals, materials, gas or hazardous substances.

Relevant ministerial orders include:

* Ministerial Order establishing modalities of inspecting companies or activities that pollute the Environment.
* Ministerial Order determining the list of water pollutants, 2013.
* Ministerial Order establishing special regulations relating to burying toxic wastes, 2010.
* Ministerial Order preventing activities that pollute the atmosphere, 2010.

**Worker Rights and Anti-Discrimination**

Rwanda recently enacted Labour Law No. 66/2018 with the aim of aligning it to International Labour Organization (ILO) conventions. For example, the minimum age for employment is set at 16 years. Children between the ages of 13 to 15 years can do light work under an apprenticeship as long as the work does not have any detrimental effect on education, health and physical development or other aspects of child’s interest (Article 3). The law also sets the maternity leave through Articles 56 to 61 entitling women to 12 weeks of maternity leave.

Chapter V (Articles 77 – 82) of the Labour Law tackles occupational health and safety whereby the employer is required to maintain a safe and healthy work environment including the following conditions:

* Employer to ensure safe and healthy conditions in premises at employers cost.
* Occupational health and safety committee to be set up in organization.
* Personal protective equipment to be provided for hazardous work – instructions and verification for use.
* First-aid, firefighting and protective measures to be put in place.
* Employer required to fight and prevent occupational diseases including assessment and policy among others.
* Employer to declare occupational disease, accident and death to RSSB and labour inspector.

The Ministerial Order determining conditions for occupational health and safety, 2012 sets general and specific rules and regulations relating to health and safety at the workplace in order to ensure the safety, health and welfare of workers and protect them from workplace risks and hazards.

## International Agreements and Treaties

Rwanda is a signatory to several multilateral agreements and conventions that are relevant to the project. These include, but are not limited to, the following:

* Paris Agreement, 2016
* Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal, 2004
* United Nations Framework Convention on Climate Change, 2004
* Rotterdam Convention on the Prior Informed Consent, 2004
* Ramsar International Convention on Wetlands of International Importance,2003
* Cartagena Protocol on Biosafety to the Convention on Biological Biodiversity, 2003
* Stockholm Convention on Persistent Organic Pollutants, 2002
* C029 - Forced Labour Convention, 2001
* C182 - Worst Forms of Child Labour Convention, 2000
* Convention on Biological Diversity, 1995
* C087 - Freedom of Association and Protection of the Right to Organise Convention, 1988
* C098 - Right to Organise and Collective Bargaining Convention, 1988
* C100 - Equal Remuneration Convention, 1980
* C111 - Discrimination (Employment and Occupation) Convention, 1981
* C138 - Minimum Age Convention (Minimum age specified: 14 years), 1981

## C105 - Abolition of Forced Labour Convention, 1962UNDP’s Social and Environmental Standards

This ESMF has been prepared in line with UNDP’s Social and Environmental Standards (SES), which came into effect 1 January 2021. These standards underpin UNDP’s commitment to mainstream social and environmental sustainability in its programmes and projects to support sustainable development and are an integral component of UNDP’s quality assurance and risk management approach to programming. Through the SES, UNDP meets the requirements of the GEF’s Environmental and Social Safeguards Policy.

The objectives of the SES are to:

* Strengthen the social and environmental outcomes of Programmes and Projects
* Avoid adverse impacts to people and the environment
* Minimize, mitigate, and manage adverse impacts where avoidance is not possible
* Strengthen UNDP and partner capacities for managing social and environmental risks
* Ensure full and effective stakeholder engagement, including through a mechanism to respond to complaints from project-affected people

In accordance with the UNDP SES policy, the Social and Environmental Screening Procedure (SESP) has been applied to the project during the project development phase. In accordance with the UNDP SES policy, a SES principle or standard is ‘triggered’ when a potential risk is identified and assessed as having either a ‘moderate’, ‘substantial’ or ‘high’ risk rating based on its probability of occurrence and extent of impact. Risks that are assessed as ‘low’ do not trigger the related principle or standard.

The screenings conducted during project development indicate that all eleven social and environmental principles and standards have been triggered for the project due to ‘moderate’ and ‘substantial’ risks:

* Human Rights and Accountability (due to potential exclusion of marginalized people from decision-making that may affect them including new proposed legislation and locations of pilot demonstrations)
* Gender Equality and Women’s Empowerment (potential reproduction of gender discrimination at demonstration sites and in capacity building activities)
* Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management (potential disruption of habitats due to pollution from accidental leakages during transport of hazardous chemicals)
* Standard 2: Climate Change and Disaster Risks (due to potential flooding of interim storage and treatment facilities)
* Standard 3: Community Health, Safety and Security (due to the risk of exposure of communities to hazardous chemicals)
* Standard 4: Cultural Heritage (due to risk of damage to cultural heritage sites if pilot demonstrations are located near any)
* Standard 5: Displacement and Resettlement (due to potential physical displacement from pilot demonstrations if any are selected on inhabited lands and risk of loss of livelihoods for informal waste pickers during demonstration pilots)
* Standard 6: Indigenous Peoples (due to potential presence of indigenous peoples on land selected for performance of demonstration pilots)
* Standard 7: Labour and Working Conditions (due to potential loss of work opportunities at SMEs affected by new legislation, exposure of workers to hazardous chemicals during decontamination of pilot site and transport, treatment and disposal of chemical waste)
* Standard 8: Pollution Prevention and Resource Efficiency (due to potential accidental release of hazardous chemicals into the environment)

A summary of the risk significance under each SES principle and standard, and the project-level safeguard standards triggered by each project (indicated with ticks) are shown in **Table ‎1‑2**.

**Table ‎1‑2: Summary of safeguards triggered by the project and SES requirements**

| **Principle / Standard** | **Risk Rating** | **SES Requirement** |
| --- | --- | --- |
| **Overarching Principle: Leave No One Behind** | |  |
| Human Rights | **√**  **Substantial** | **SESA, ESIA, SEP, Training** |
| Gender Equality and Women’s Empowerment | **√**  **Moderate** | **GAP, ESIA** |
| **Sustainability and Resilience** | |  |
| Accountability | **√**  **Substantial** | **SESA, ESIA, SEP, Training** |
| **Project-level Standards** | |  |
| Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management | **√**  **Substantial** | **SESA, ESIA, SESP** |
| Standard 2: Climate Change and Disaster Risks | **√**  **Moderate** | **Exclusion list, SESP, ESIA, SESA** |
| Standard 3: Community Health, Safety and Security | **√**  **Substantial** | **SESA, ESIA, Exclusion list, SESP** |
| Standard 4: Cultural Heritage | **√**  **Moderate** | **Exclusion list, SESP, ESIA** |
| Standard 5: Displacement and Resettlement | **√**  **Substantial** | **Exclusion list, SESP, ESIA** |
| Standard 6: Indigenous Peoples | **√**  **Moderate** | **Exclusion list, SESP, ESIA, SESA** |
| Standard 7: Labour and Working Conditions | **√**  **Substantial** | **SESA, ESIA** |
| Standard 8: Pollution Prevention and Resource Efficiency | **√**  **Substantial** | **SESA, ESIA, SESP** |
| **Number of risks in each risk rating category** | |  |
| **High** | 0 |  |
| **Substantial** | 7 |  |
| **Moderate** | 4 |  |
| **Low** | 0 |  |
| **Total number of project risks** | 13 |  |
| **Overall Project Risk Categorization** | **Substantial** |  |
| **Number of safeguard standards triggered** | **11** |  |

More detailed information on project-specific risks is contained in the completed SESP completed found in Annex ‎9.1.

## Gaps in Policy Framework

Further analysis of the legal and policy frameworks that apply to Rwanda will be completed during the implementation of this ESMF (i.e. during the completion of the required assessment). At this stage, no gaps have been identified.

# Procedures for Screening, Assessing and Managing Social and Environmental Impacts

Based on the project risk categorization assigned to the project and its specific risks, the following procedures for screening, assessing and managing those risks must be undertaken during the project implementation. This work will commence during the initiation phase—three months after first PSC meeting—such that no project activity can start before the associated assessment has been undertaken and management plans are in place. They are described in the sections below.

The applicability of SES Standard 6 (on indigenous peoples) will be determined in the course of each assessment (SESAs, ESIAs, etc.) described below; where that Standard is confirmed (based on the UNDP SES), the equivalent of an Indigenous Peoples Plan will be developed and implemented, along with measures for Free, Prior and Informed Consent (FPIC), as needed for compliance with the SES.

## Strategic Environmental and Social Assessment for Upstream Activities

A Strategic Environmental and Social Assessment (SESA) will be undertaken during the following:

* Review of the PCB Law (Activity 1.1.1)
* Drafting of regulatory texts and guidelines for new POPs and Hg (Activity 1.2.1)
* Drafting of regulatory texts and guidelines on the management and treatment of hazardous waste streams (Activity 1.3.1)
* Developing the EPR framework (Activity 1.5.1)
* Developing the national strategies for phasing out Hg-added thermometers and sphygmomanometers in healthcare for Hg (Activity 3.1.2) and for phasing-out priority waste streams including e-waste, batteries, and CFLs.

The SESA will be carried out by independent experts in accordance with UNDP’s SES policy and the [UNDP SES Guidance Note on Assessment and Management](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Assessment%20and%20Management%20GN%20-%20FInal%20Nov2020.pdf) to identify and assess social and environmental impacts associated with the proposed regulations in a participatory manner with stakeholders as follows:

* 1. Identify social and environmental priorities to be included in planning and policy processes
  2. Assess gaps in the institutional, policy, and legal frameworks to address these priorities
  3. Identify potential adverse social and environmental impacts associated with policy options
  4. Engage decision makers and stakeholders to ensure a common understanding and broad support for implementation
  5. Formulate policy and institutional measures needed to close policy and legal gaps, address institutional weaknesses, and avoid adverse social and environmental impacts.

The SESA process will ensure that economic impacts on small and medium sized enterprises and their workers are taken into consideration in the decision-making process while developing legislative tools and strategies. It will consider the risk of accidental release of chemicals and worker exposure that may result from implementing the legislation and strategies at the national level and incorporate measures to mitigation them when they cannot be avoided. Any institutional and capacity gaps identified during this process will be addressed through the training that will be conducted for the specified activities.

The SESA will be comprised of a concise report that summarizes the main findings and results of SESA, including (a) SESA stakeholder engagement process; (b) key social and environmental priorities and issues associated with chosen PPP; (c) institutional arrangements for coordinating integration of social and environmental issues into chosen PPP; (d) legal, regulatory, policy, institutional and capacity recommendations to address any identified gaps for managing the social and environmental priorities and implementing applicable social and environmental policies; (e) results of assessment of social and environmental risks/impacts associated with the implementation of the proposed regulations and NEEAP; (f) identification of measures (e.g. policies, institutional strengthening, governance reform) to address and manage anticipated adverse social and environmental risks and impacts, including a summary Action Matrix (see Table in Annex ‎9.2 of this ESMF for an indicative outline); and (g) where applicable, final or advanced draft of ESMF as framework for managing social and environmental risks during implementation of the proposed regulations or strategies.

## Environmental and Social Impact Assessment for Selected Pilots

Prior to the commencement of any of the selected pilots, a site-specific environmental and social impact assessment (ESIA) will be conducted in accordance with UNDP’s SES policy and the [UNDP SES Guidance Note on Assessment and Management](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Assessment%20and%20Management%20GN%20-%20FInal%20Nov2020.pdf). This applies to the following:

1. Safely handle and dispose of Hg-containing products (Activity 3.1.2)
2. Safely handle and dispose of PBDE-containing plastics (Activity 3.1.3)
3. Safely handle and dispose of remaining PCB-containing equipment and oil (Activity 4.1.1)
4. Remediate one PCB-contaminated site (Activity 4.2.1)
5. Safely handle and dispose of stockpiled obsolete POPs and non-POPs pesticides (Activity 4.3.1)

Each ESIA will be developed and carried out by independent experts in a participatory manner with stakeholders. The ESIA will further identify and assess social and environmental impacts of the project and its area of influence; evaluate alternatives; and design appropriate avoidance, mitigation, management, and monitoring measures.

1. Per the SES, the ESIA will assess project activities at the scale deemed appropriate for compliance with the SES.
2. The ESIA will identify environmental and social sensitive receptors within the activity’s area of influence.
3. It will address all relevant issues related to the SES Overarching Principles and Project-level Standards, as identified in the project’s SESP and any other issues identified in the course of the ESIA.

The output of the ESIA will be an ESIA report (indicative outline can be found in Annex ‎9.3 of this ESMF, and an environmental and social management plan (ESMP) for each activity. The ESMP will define desired social and environmental management outcomes and specify social and environmental indicators, targets, or acceptance (threshold) criteria to track ESMP implementation and effectiveness. It will also provide estimates of the human and financial resources required for implementation and monitoring and identify organizational structure and processes for implementation. An indicative outline of the ESMP can be found in Annex 9.4 of this ESMF.

Based on the findings of the ESIA, the ESMP will include a spill prevention and management plan, an occupational health and safety plan and any other plans required for SES compliance including potentially a Livelihoods Restoration/Action Plan. Any institutional and capacity gaps identified during this process will be addressed through the training that will be conducted for the specified activities.

## Design and Environmental and Social Screening for Pilot Demonstrations

Pilot demonstrations that have not yet been designed will incorporate SES criteria during the design process including assessment of sites for these activities. A list of exclusion criteria will be used to eliminate high risk sites. These will include sites with high cultural heritage value, inhabited sites, sites with high biodiversity values (such as protected areas) or sites used by indigenous peoples. This applies to the following activities:

1. Design and undertake demonstration pilots to avoid/reduce the generation of (hazardous) waste and releases through the introduction of cleaner production practices and safer alternatives (Activity 3.1.1)
2. Design and undertake demonstration pilots to valorise priority waste streams (Activity 5.1.1)
3. Design and undertake demonstration pilots to enhance national hazardous waste treatment capacity and environmental performance (Activity 5.2.1)
4. Assess and improve capacity of existing hazardous waste interim storage facilities (Activity 5.3.1)

Upon definition of each demonstration pilot, all sites and activities will be individually screened with the SESP template, in order to determine the level of assessment and management measures required. The pilots should not commence prior to this process and until the assessment has been conducted and the identified management measures are in place.

## Additional Screening

During implementation, the project will be re-screened with the UNDP SESP:

1. as prescribed by the project’s SESAs and ESIAs/ESMPs;
2. when determined necessary by the Project Manager (after consideration of the advice from PMU staff with responsibility for safeguards), the Project Board, or UNDP; and/or
3. when project circumstances change in a substantive or relevant way.

## Other Relevant Assessments and Plans

The findings of the SESAs and ESIAs will be used to update the project’s Gender Action Plan and Stakeholder Engagement Plan (SEP) as determined appropriate by the SESA/ESIA/ESMP consultants.

With support from the Project’s partners and REMA, all private sector actors that will be engaged in the project will be subject to a risk assessment to ensure their environmental and social compliance prior to engagement in any project activity. Private enterprises that will provide services within the project, such as waste service providers, shall also sign a safeguards commitment letter to implement all measures stipulated in the ESMF.

# Institutional Arrangements and Capacity Building

## Roles and Responsibilities for Implementing this ESMF

The roles and responsibilities of project staff and associated agencies in implementation of this ESMF are elaborated upon below.

*Note*: This ESMF does not cover the roles and responsibilities associated with implementation of the subsequent ESMP (and site-specific plans if any); those will be defined in the ESMP, as required per this ESMF.

**Implementing Partner** **(REMA):**

* Ensure that the required SESA, ESIA and ESMP are developed, disclosed for public consultation and approved, and management measures are adopted and integrated during project implementation;
* Report, fairly and accurately, on project progress against agreed work plans in accordance with the reporting schedule and required formats;
* Maintain documentation and evidence that describes the proper and prudent use of project resources in conformity to the signed Project Document and in accordance with applicable regulations and procedures (e.g. SES);
* Ensure all requirements of UNDP’s SES and national regulatory/policy frameworks and relevant international standards have been addressed;
* Hold responsibility and accountability to UNDP for overall management of the project, including compliance with UNDP SES.

**Project Board** (comprised of UNDP, REMA and MOE):

* Monitor implementation of this ESMF and compliance with national and international regulations, and UNDP SES;
* Decision making for the adoption of necessary measures including full integration of management measures within project Outputs and annual work plans;
* Establish and support Grievance Redress Mechanisms (GRM) to address any grievances;
* Provide strategic guidance to implementation of the Project including oversight for safeguards and the implementation of this ESMF.

**UNDP:**

* Provide oversight on all matters related to safeguards;
* Inform all the stakeholders and right-holders involved in, or potentially impacted, positively or negatively, by the GEF-financed project, about the UNDP’s corporate Accountability Mechanism (described below);
* Ensure that the Compliance Review and the Stakeholder Response Mechanisms are operational during the lifetime of the project;
* Ensure adhere to the SES for project activities implemented using funds channelled through UNDP’s accounts, and undertake appropriate measures to address any shortcomings;
* Verify and document that all UNDP SES requirements have been addressed;
* Provide technical guidance on implementation of this ESMF and administrative assistance in recruiting and contracting expert safeguards services (as required), and monitor adherence of each project to the ESMF and UNDP policies and procedures.

**Project Management Unit:**

* Supervise and manage implementation of measures defined in this ESMF;
* Assign specific responsibilities for implementation of this ESMF, including monitoring, and community consultations on the draft ESMP to a staff member(s) of the PMU;
* Maintain relevant records associated with management of environmental and social risks, including updated SESPs, assessments, evidence of consultations and FPIC, a log of grievances together with documentation of management measures implemented;
* Report to the Implementing Partner, the Project Board, and UNDP CO on the implementation of the ESMF;
* Ensure that all service providers are informed of their responsibilities for the day-to-day compliance with the ESMF.

As noted above, the SESA and ESMP will describe the roles and responsibilities in the implementation of those plans. Those new roles and responsibilities will be assessed and integrated, as appropriate, as part of the participatory decision making and implementation proceedings of the project.

## Capacity Building

Specialists with expertise in social and environmental safeguards will be engaged to support the completion of the SESA, ESIA and ESMP. These experts will support UNDP staff on safeguards responsibilities and approaches.

During project implementation, UNDP will provide advice to project team as needed to support the implementation of this ESMF and the resulting SESA and ESMP and pursuant measures.

The Project Board will have the final responsibility for the integration of the ESMF in the execution of the project. The integration of those plans will need to consider particular institutional needs within the implementation framework for application of the ESMF, including a review of the required budget allocations for each measure, as well as the authority and capability of institutions at different administrative levels (e.g. local, regional, and national), and their capacity to manage and monitor ESMF implementation. Where necessary, capacity building and technical assistance activities will be included to enable proper implementation of the ESMF.

# Stakeholder Engagement and Information Disclosure

Discussions with project stakeholders, commenced during the project development phase. A list of the stakeholders engaged in these consultations has been annexed to the Project Document. The project also has prepared a SEP Plan and Gender Action Plan, which are annexed to the Project Document, Annexes 7 and 9, respectively. These Plans will be followed to ensure that stakeholders have been engaged in project preparation and implementation, and particularly, in the further assessment of social and environmental impacts and the development of appropriate management measures. The project’s SEP will be updated during project implementation based on the assessments and management plans conducted in line with this ESMF, as needed.

Potentially affected stakeholders will be engaged during the implementation of this ESMF.

As part of the stakeholder engagement process, UNDP’s SES require that project stakeholders have access to relevant information. Specifically, the SES (SES, Social and Environmental Management System Requirements, para. 20) stipulates that, among other disclosures specified by UNDP’s policies and procedures, UNDP will ensure that the following information be made available:

* SEP and summary report of stakeholder consultations;
* Social and environmental screening report with project documentation;
* Draft SESA, ESIA and ESMP;
* Final SESA, ESIA and ESMP;
* Any required social and environmental monitoring reports.

As outlined in the SES and UNDP’s Social and Environmental Screening Procedure (SESP), the type and timing of assessments and management plans vary depending on the level of social and environmental risk associated with a project as well as timing of the social and environmental assessment.

This ESMF (and project SESP) will be translated and disclosed via the UNDP Rwanda website in accordance with UNDP SES policy. The subsequent SESA, ESIA and ESMP will also be publicly disclosed via the UNDP Rwanda website once drafted, and finalized and adopted only after the required period for disclosure has elapsed.

These requirements for stakeholder engagement and disclosure will be adhered to during the implementation of this ESMF, and the subsequent implementation of the resulting ESMP.

# Accountability and Grievance Redress Mechanisms

Interested stakeholders may raise a grievance at any time to the Project Management UNIT, the Executing Agency (UNDP), Implementing Agency (REMA), or the GEF.

## UNDP’s Accountability Mechanisms

UNDP’s SES recognize that even with strong planning and stakeholder engagement, unanticipated issues can still arise. Therefore, the SES are underpinned by an Accountability Mechanism with two key components:

1. A Social and Environmental Compliance Review Unit (SECU) to respond to claims that UNDP is not in compliance with applicable environmental and social policies; and
2. A Stakeholder Response Mechanism (SRM) that ensures individuals, peoples, and communities affected by projects have access to appropriate grievance resolution procedures for hearing and addressing project-related complaints and disputes.

UNDP’s Accountability Mechanism is available to all of UNDP’s project stakeholders.

The Social and Environmental Compliance Unit (SECU) investigates concerns about non-compliance with UNDP’s Social and Environmental Standards and Screening Procedure raised by project-affected stakeholders and recommends measures to address findings of non-compliance.

The Stakeholder Response Mechanism helps project-affected stakeholders, UNDP’s partners (governments, states, CSOs, NGOs, businesses) and others jointly address grievances or disputes related to the social and/or environmental impacts of UNDP-supported projects.

Further information, including how to submit a request to SECU or SRM, is found on the UNDP website at: <http://www.undp.org/content/undp/en/home/operations/accountability/secu-srm/>

## Project-level Grievance Redress Mechanism

As described in the Project Document, the project will establish a project-level GRM at the start of implementation, as described in Section IV (refer to the Risks and Stakeholder Engagement sub-sections). The full details of these GRMs will be agreed upon during the Inception Phase, a process that will be overseen by the Project Manager with the Project Safeguards Specialist.

Further information on GRM can be found in the UNDP Guidance Note on Social and Environmental Standards - Stakeholder Engagement – Supplemental Guidance: Grievance Redress Mechanisms that can be found on the UNDP website at:

https://info.undp.org/sites/bpps/SES\_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/Supplemental%20Guidance\_Grievance%20Redress%20Mechanisms.pdf

# Budget for ESMF Implementation

Funding for implementation of the ESMF is included in the individual project budget. The estimated costs are indicated in **Table ‎7‑1** below. Costs associated with the time of PMU Staff coordinating the implementation of this ESMF are not shown, nor are costs for implementing the SESAs for upstream activities as they are included as part of those activities. Further detail is found in the budgets of the respective Project Document.

**Table ‎7‑1: Breakdown of Costs for ESMF Implementation**

| **Item** | **Budget Cost (USD)** |
| --- | --- |
| Project Officer (25% engagement to support Gender & SESP activities) | ??? |
| Contracted Company for ESIAs and ESMPs | 110,000 |
| Travel expenses for consultations | 2,500 |
| SESP Capacity building/training expenses | 7,500 |
| Audio-visual & print production expenses | 1,000 |
| **Total:** | **121,000** |

# Monitoring and Evaluation Arrangements

Reporting on progress and issues in the implementation of this ESMF will be documented in the project’s quarterly reports and annual Project Implementation Reports (PIRs).

Implementation of the ESMF will be the responsibility for the Project Team and other partners as agreed upon and described in the ESMP. The ESMF monitoring and evaluation plan is outlined below in **Table 2**.

**Table ‎8‑1: ESMF M&E plan and estimated budget**

| **Monitoring Activity** | **Description** | **Frequency / Timeframe** | **Expected Action** | **Roles and Responsibilities** | **Cost** |
| --- | --- | --- | --- | --- | --- |
| Track progress of ESMF implementation | Implementation of this ESMF and with results reported to Project Board | Annually | Required ESMF steps are completed in a timely manner. | Project Manager, with support from Project Officer | None |
| Development of SESA, ESIA and ESMP in line with project activities | Carried out after inception phase for validation of identified risks and mitigation measures, drafted in participatory manner | Quarters 1 and 2 of project implementation | Risks and potential impacts are validated with support of external consultants and participation of project team and stakeholders; management actions identified and incorporated into project implementation strategies | External service providers (environmental and social)  Project Officer  With guidance from UNDP and Project Manager | 110,000 |
| Implementation of mitigation measures and monitoring of potential impacts as per the subsequent ESMP | Permanent and participatory implementation and monitoring of impacts and mitigation measures, in accordance with ESMP | Continuous, once updated ESMP is in place | Implementation of ESMP and other measures  Monitoring of environmental and social risks, and corresponding management plans as relevant | Project Manager, UNDP CO, Project Officer, Site Coordinators | None |
| Learning | Knowledge, good practices and lessons learned regarding social and environmental risk management will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project. | At least annually | Relevant lessons are captured by the Project Team and used to inform management decisions. | Project Manager, KM/Communications Officer | None |
| Annual project quality assurance | The quality of the project will be assessed against UNDP’s quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project | Annually | Areas of strength and weakness will be reviewed and used to inform decisions to improve project performance | M&E Officer with support from Project Officer | None |
| Review and make course corrections | Internal review of data and evidence from all monitoring actions to inform decision making | At least annually | Performance data, risks, lessons and quality will be discussed by the Project Board and used to make course corrections | Project Board (considering stakeholders’ opinions) | None |
| Project report | As part of progress report to be presented to the Project Board and key stakeholders, analysis, updating and recommendations for risk management will be included | Annually, and at the end of the project (final report) | Updates on progress of ESMF/ESMP will be reported in the project’s annual GEF PIRs. | Project Manager | None |
| Project review | Project Board to will hold regular project reviews during which an updated analysis of risks and recommended risk mitigation measures will be discussed | At least annually | Any risks and/ or impacts that are not adequately addressed by national mechanisms or Project Team will be discussed by Project Board. Recommendations will be made, discussed and agreed upon. | Project Board  Project Manager | None |

# Annexes

## SESP (Annex 4 in ProDoc)

## Indicative outline of Action Matrix for SESA

UNDP Social and Environmental Standards:

Action Matrix for SESA – Indicative Outline

Please refer to the [UNDP SES Guidance Note on Assessment and Management](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Assessment%20and%20Management%20GN%20-%20FInal%20Nov2020.pdf) for additional information.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Table 9.1. Indicative sample of an action matrix for summarizing SESA recommendations, including measures to address anticipated social and environmental risks and impacts** | | | | | | |
| **Strategic Priority 1**  ***Example: Enhance community participation and benefits in sector X*** | | | | | | |
| **Priority reform area** | **Short term actions (1- 2 years)** | **Short term monitorable outcomes** | **Medium-term actions (3-5 years)** | **Medium-term monitorable outcomes** | **Long-term actions**  **(> 5 years)** | **Final outcomes** |
| *Women’s participation and employment in sector X* | *Establish mechanisms to enhance women’s participation in local government and in negotiations involving companies in sector X* | *Increase participation in negotiations Increase in female employment*  *Female participation in training programmes* | *Awareness programs for women’s rights*  *Refine and strengthen mechanisms for women’s participation* | *Significant increase in female employment and training programmes* | *Reformed procedures for promoting women’s participation in local and regional development* | *Gender differences significantly reduced in sector X and local and regional development processes* |
| *Community disputes with companies in sector X* | *Establish a dispute resolution mechanism on social and environmental issues that is accessible to community* | *Disputes between companies in sector X and local communities resolved more speedily with less conflict* | *Strengthen ability of Community representatives in use of mediation to resolve disputes*  *Strengthen ability of local governments and community representatives to investigate and motivate legal procedures against companies in sector X with poor social and environmental performance* | *Increase percentage of satisfactory settlements*  *Time taken to settle disputes declines* | *Extend and adapt dispute resolution system to other industries associated with sector X* | *Disputes reduced and managed effectively* |

## Indicative Outline of Environmental and Social Impact Assessment (ESIA) Report

UNDP Social and Environmental Standards:

ESIA Report – Indicative Outline

Please refer to the [UNDP SES Guidance Note on Assessment and Management](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Assessment%20and%20Management%20GN%20-%20FInal%20Nov2020.pdf) for additional information.

An ESIA report should include the following major elements (not necessarily in the following order):

**(1) Executive summary:** Concisely discusses significant findings and recommended actions.

**(2) Legal and institutional framework:** Summarizes the analysis of the legal and institutional framework for the project, within which the social and environmental assessment is carried out, including (a) the country's applicable policy framework, national laws and regulations, and institutional capabilities (including implementation) relating to social and environmental issues; obligations of the country directly applicable to the project under relevant international treaties and agreements; (b) applicable requirements under UNDP’s SES; and (c) and other relevant social and environmental standards and/or requirements, including those of any other donors and development partners. Compares the existing social and environmental framework and applicable requirements of UNDP’s SES (and those of other donors/development partners) and identifies any potential gaps that will need to be addressed.

**(3) Project description:** Concisely describes the proposed project and its geographic, social, environmental, and temporal context, including any offsite activities that may be required (e.g., dedicated pipelines, access roads, power supply, water supply, housing, and raw material and product storage facilities), as well as the project’s primary supply chain. Includes a map of sufficient detail, showing the project site and the area that may be affected by the project’s direct, indirect, and cumulative impacts. (i.e. area of influence).

**(4) Baseline data:** Summarizes the baseline data that is relevant to decisions about project location, design, operation, or mitigation measures; identifies and estimates the extent and quality of available data, key data gaps, and uncertainties associated with predictions;assesses the scope of the area to be studied and describes relevant physical, biological, and socioeconomic conditions, including any changes anticipated before the project commences; and takes into account current and proposed development activities within the project area but not directly connected to the project.

**(5) Social and environmental risks and impacts:** Predicts and takes into account all relevant social and environmental risks and impacts of the project, including those related to UNDP’s SES (Overarching Policy and Principles and Project-level Standards). These will include, but are not limited to, the following:

*(a) Environmental risks and impacts*, including: any material threat to the protection, conservation, maintenance and rehabilitation of natural habitats, biodiversity, and ecosystems; those related to climate change and other transboundary or global impacts; those related to community health and safety; those related to pollution and discharges of waste; those related to the use of living natural resources, such as fisheries and forests; and those related to other applicable standards.[[2]](#footnote-2)

*(b) Social risks and impacts*, including: any project-related threats to human rights of affected communities and individuals; threats to human security through the escalation of personal, communal or inter-state conflict, crime or violence; risks of gender discrimination; risks that adverse project impacts fall disproportionately on disadvantaged or marginalized groups; any prejudice or discrimination toward individuals or groups in providing access to development resources and project benefits, particularly in the case of disadvantaged or marginalized groups; negative economic and social impacts relating to physical displacement (i.e. relocation or loss of shelter) or economic displacement (i.e. loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land or resource acquisition or restrictions on land use or access to resources; impacts on the health, safety and well-being of workers and project-affected communities; and risks to cultural heritage.

**(6) Analysis of alternatives:** systematically compares feasible alternatives to the proposed project site, technology, design, and operation – including the "without project" situation – in terms of their potential social and environmental impacts; assesses the alternatives’ feasibility of mitigating the adverse social and environmental impacts; the capital and recurrent costs of alternative mitigation measures, and their suitability under local conditions; the institutional, training, and monitoring requirements for the alternative mitigation measures; for each of the alternatives, quantifies the social and environmental impacts to the extent possible, and attaches economic values where feasible. Sets out the basis for selecting the particular project design.

**(7) Mitigation Measures:** Inclusion or summary of (with attachment of full) Environmental and Social Management Plan (ESMP) (see indicative outline of ESMP below.) The ESMP identifies mitigation measures required to address identified social and environmental risks and impacts, as well as measures related to monitoring, capacity development, stakeholder engagement, and implementation action plan.

**(8) Stakeholders.** Summarizes and links to project Stakeholder Engagement Plan or ESMP that includes plan for consultations. Includes summary of consultations undertaken for development of ESIA (see appendices).

**(9) Conclusions and Recommendations:** Succinctly describes conclusion drawn from the assessment and provides recommendations. Includes recommendation regarding the project’s anticipated benefits in relation to its social and environmental risks and impacts.

**(9) Appendices:** (i) List of the individuals or organisations that prepared or contributed to the social and environmental assessment; (ii) References – setting out the written materials both published and unpublished, that have been used; (iii) Record of meetings, consultations and surveys with stakeholders, including those with affected people and local NGOs. The record specifies the means of such stakeholder engagement that were used to obtain the views of affected groups and local NGOs, summarizes key concerns and how these concerns addressed in project design and mitigation measures; (iv) Tables presenting the relevant data referred to or summarized in the main text; (v) Attachment of any other mitigation plans; (vi) List of associated reports or plans. the main text; (v) Attachment of any other mitigation plans; (vi) List of associated reports or plans.

## Indicative outline of Environmental and Social Management Plan (ESMP)

UNDP Social and Environmental Standards:

ESMP – Indicative Outline

Please refer to the [UNDP SES Guidance Note on Assessment and Management](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Assessment%20and%20Management%20GN%20-%20FInal%20Nov2020.pdf) for additional information.

An ESMP may be prepared as part of the Environmental and Social Impact Assessment or as a stand-alone document.[[3]](#footnote-3) The content of the ESMP should address the following sections:

**(1) Mitigation:** Identifies measures and actions in accordance with the mitigation hierarchy that avoid, or if avoidance not possible, reduce potentially significant adverse social and environmental impacts to acceptable levels. Specifically, the ESMP: (a) identifies and summarizes all anticipated significant adverse social and environmental impacts; (b)describes – with technical details – each mitigation measure, including the type of impact to which it relates and the conditions under which it is required (e.g., continuously or in the event of contingencies), together with designs, equipment descriptions, and operating procedures, as appropriate; (c)estimates any potential social and environmental impacts of these measures and any residual impacts following mitigation; and (d) takes into account, and is consistent with, other required mitigation plans (e.g. for displacement, indigenous peoples).

**(2) Monitoring:** Identifies monitoring objectives and specifies the type of monitoring, with linkages to the impacts assessed in the environmental and social assessment and the mitigation measures described in the ESMP. Specifically, the monitoring section of the ESMP provides (a) a specific description, and technical details, of monitoring measures, including the parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and definition of thresholds that will signal the need for corrective actions; and (b) monitoring and reporting procedures to (i) ensure early detection of conditions that necessitate particular mitigation measures, and (ii) furnish information on the progress and results of mitigation.

**(3) Capacity development and training:** To support timely and effective implementation of social and environmental project components and mitigation measures, the ESMP draws on the environmental and social assessment of the existence, role, and capability of responsible parties on site or at the agency and ministry level. Specifically, the ESMP provides a description of institutional arrangements, identifying which party is responsible for carrying out the mitigation and monitoring measures (e.g. for operation, supervision, enforcement, monitoring of implementation, remedial action, financing, reporting, and staff training). Where support for strengthening social and environmental management capability is identified, ESMP recommends the establishment or expansion of the parties responsible, the training of staff and any additional measures that may be necessary to support implementation of mitigation measures and any other recommendations of the environmental and social assessment.

**(4) Stakeholder Engagement:** Summarizes and links to project Stakeholder Engagement Plan or outlines plan to engage in meaningful, effective and informed consultations with affected stakeholders. Includes information on (a) means used to inform and involve affected people in the assessment process; and (b) summary of stakeholder engagement plan for meaningful, effective consultations during project implementation, including identification of milestones for consultations, information disclosure, and periodic reporting on progress on project implementation. Require documentation of consultations (summaries including presentations, key points raised and responses provided, participation lists). Include information on project grievance mechanism (below) and on UNDP Accountability Mechanisms (SRM, SECU).

**(5) Grievance redress mechanism:** Describes effective processes for receiving and addressing stakeholder concerns and grievances regarding the project’s social and environmental performance.

Describe mechanisms to provide stakeholders and potential affected communities avenues to provide feedback or grievances, and receive responses, with regard to the implementation of specific activities, policies, or regulations.

**(6) Implementation action plan (schedule and cost estimates):** For all four above aspects (mitigation, monitoring, capacity development, and stakeholder engagement), ESMP provides (a) an implementation schedule for measures that must be carried out as part of the project, showing phasing and coordination with overall project implementation plans; and (b) the capital and recurrent cost estimates and sources of funds for implementing the ESMP. These figures are also integrated into the total project cost tables. Each of the measures and actions to be implemented will be clearly specified and the costs of so doing will be integrated into the project's overall planning, design, budget, and implementation.

1. Industrial symbiosis is the process by which wastes or by‐products of an industry or industrial process become the raw materials for another. (<https://ec.europa.eu/environment/europeangreencapital/wp-content/uploads/2018/05/Industrial_Symbiosis.pdf>) [↑](#footnote-ref-1)
2. For example, the Environmental, Health, and Safety Guidelines (EHSGs), which are technical reference documents with general and industry-specific statements of Good International Industry Practice. The EHSGs contain information on industry- specific risks and impacts and the performance levels and measures that are generally considered to be achievable in new facilities by existing technology at reasonable cost. Available at [www.ifc.org/ehsguidelines](http://www.ifc.org/ehsguidelines). [↑](#footnote-ref-2)
3. This may be particularly relevant where contractors are being engaged to carry out the project, or parts thereof, and the ESMP sets out the requirements to be followed by contractors. In this case, the ESMP should be incorporated as part of the contract with the contractor, together with appropriate monitoring and enforcement provisions. [↑](#footnote-ref-3)