

Environmental and Social Safeguards Framework

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Version**

**Republic of the Philippines:
Mindanao Trust Fund –
Reconstruction and Development Program**

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ABBREVIATIONS & ACRONYMS

AF	Additional Financing
ARMM	Autonomous Region in Muslim Mindanao
BDA	Bangsamoro Development Agency
BDP	Bangsamoro Development Plan
CDD	Community-Driven Development
CDR	Community-Driven Reconstruction
CFSI	Community and Family Services International
CMO	Central Management Office
CO	Community Organizer
CV	Community Volunteer(s)
DENR	Department of the Environment and Natural Resources
EA	Environmental Assessment
ESMP	Environmental and Social Management Plan
ESSC	Environmental and Social Screening Checklist
ESSF	Environmental and Social Safeguards Framework
FPIC	Free, Prior and Informed Consent/Consultation
GPH	Government of the Philippines
IDP	Internally Displaced Person
ILO	International Labor Organization
IP	Indigenous People
IR	Involuntary Resettlement
LGU	Local Government Units
MinLand	Mindanao Land Foundation
MILF	Moro Islamic Liberation Front
MTF-RDP	Mindanao Trust Fund-Reconstruction & Development Program
MTT	Municipal Technical Team
M&E	Monitoring and Evaluation
MSC	Multi-Sectoral Committee
OP	Operational Policy
PMT	Project Management Team
PO	People's Organization
PPA	Program Partnership Agreement
RIE	Regional Infrastructure Engineer
RMO	Regional Management Office
SP	Subproject
TF	Trust Fund
TFR	Trust Fund Recipient
WB	World Bank

Part A

**INTRODUCTION TO THE PROJECT &
THE ESSF**

Mindanao Trust Fund-Reconstruction and Development Program Environmental and Social Safeguards Framework¹

I. Background

1. The more than three decades of intermittent conflict in certain areas in Mindanao have resulted in the destruction of infrastructure, population displacement, deferred development, and a lack of trust among people at the local level and between communities and the state. The vast opportunities for economic growth in Mindanao will largely remain untapped for as long as stable and lasting peace in the island is not attained.
2. In 2003, with prospects for peace significantly improving in Mindanao between the Moro Islamic Liberation Front (MILF) and the Government of the Philippines (GPH), the latter explored with the World Bank (WB) various financing modalities for a post-conflict situation. The preferred instrument was a World Bank administered multi-donor Mindanao Trust Fund (MTF) to support post-conflict reconstruction and development in Mindanao to catalyze resources and improve donor coordination and impact for post-conflict reconstruction and development.
3. Launched in March 2006, the MTF is guided by the findings and recommendations of the multi-donor Joint Needs Assessment of 2005. It finances the operations of the MTF-Reconstruction and Development Program (MTF-RDP), which features intensive participation of Bangsamoro stakeholders in planning, management and implementation of reconstruction and development initiatives, including the creation of sustainable livelihoods.
4. This Additional Financing (AF) would support the restructuring and scale up of the parent project through the following: (i) additional funding for ongoing community-driven development and community-driven reconstruction activities in the existing 65 villages in 21 municipalities where the program is current operating, (ii) assist the Bangsamoro Development Agency (BDA) to prepare a Bangsamoro Development Plan (BDP) and (iii) support for the operational costs of the Project Management Team of the MILF as its contribution to the joint Government of the Philippines-MILF “Sajahatra Bangsamoro” program, which was launched by President Aquino and MILF Chairman Al Haj Murad in February 2013.
5. This document presents the environmental and social safeguards framework (ESSF) for MTF, which aims to ensure that the GPH and WB policies on environmental and social safeguards are met and all activities supported under the MTF are environmentally and socially sound and sustainable.

¹ Embedded in the Program Operations Manual. September 20, 2012 Version

II. Project Objectives

6. The primary objective of MTF is to improve social and economic recovery in conflict-affected communities of Mindanao through activities, which promote confidence building, peace and demand-driven governance.
7. Major indicators/outcomes are:
 - Improved social communication to rebuild trust between diverse (conflicting) groups,
 - Improved access to basic services and economic opportunities,
 - Improved decision-making and development processes that are inclusive, participatory, gender sensitive and non-conflictual,
 - Improved capacity of the Bangsamoro Development Agency to plan, manage and implement local development activities, and,
 - Improved capacity of People's Organizations (PO) to plan, manage and implement local development activities.

III. Project Description

8. The MTF is a multi-donor facility to support reconstruction and development in conflict-affected areas of Mindanao in the Philippines. Funds are delivered through recipient-executed Trust Funds – so far to the Mindanao Land Foundation (MinLand), Community and Family Services International (CFSI) and the International Labor Organization (ILO). .
9. Under detailed Program Partnership Agreements (PPA) between the Trust Fund Recipients (TFR) and the BDA, the main aim of the project is to support community-development and sustainable livelihood interventions for socio-economic recovery in conflict-affected areas of Mindanao. The second core objective is to build the capacity of the BDA, as the main implementing organization at the community level.²
10. In addition to the recipient-executed activities, Bank-Executed Trust Funds have been established for program management, monitoring and evaluation and capacity-building for program partners.
11. The Program employs the community-driven development (CDD) approach and as such is expected to finance a wide range of small community-based infrastructure subprojects such as: (i) Level I and/or II water systems; (ii) small post-harvest facilities including fishing and farming machinery and tools, warehouses and solar driers; (iii) access roads; (iv) village health centers; (v) small bridges; (vi) small-scale food processing facilities; and (vii) productive

² The BDA is the development arm of the Moro Islamic Liberation Front (MILF) and was established in 2001 pursuant to the Tripoli Agreement between the Government of the Philippines and the MILF. It has essentially been built up from scratch by the Mindanao Trust Fund program.

assets and core shelters for Internally Displaced Persons (IDP). The Program also supports technical assistance and capacity-building on economic development in conflict-affected areas of Mindanao. Thus, it supports studies, consultants, training and workshops on economic development issues.

12. Under this Additional Financing the MTF will move beyond CDD to support two new activities as part of the MTF's response to the October 2012 Framework Agreement on the Bangsamoro between the Government of the Philippines (GPH) and the Moro Islamic Liberation Front (MILF): (i) Operational Support for the Sajahatra Bangsamoro program; and (ii) Technical Assistance for the Bangsamoro Development Plan.
13. *Sajahatra Bangsamoro*: is the first joint GPH-MILF development program and is seen by the parties as a "peace dividend" to translate the Framework Agreement on the Bangsamoro into tangible benefits on the ground. The program is fully funded and delivered through government line agencies, particularly the Departments of Health, Education and Agriculture, the Technical Education and Skills Development Authority and the Commission on Higher Education. Sajahatra supports health, education and livelihood activities such as health insurance, scholarships and community infrastructure for targeted communities and individuals in conflict-affected areas of Mindanao. As a counterpart to the implementing government agencies, the Moro Islamic Liberation Front will establish a Project Management Team (PMT) to identify sites and beneficiaries, engage in joint communications with government and monitor and oversee implementation. World Bank assistance through the Mindanao Trust Fund will support the operational costs of the PMT, including salaries, transport and office costs. Training and capacity-building support will also be extended to the PMT personnel.
14. *Bangsamoro Development Plan*: led by the Bangsamoro Development Agency, the Bangsamoro Development Plan is identified in the Framework Agreement on the Bangsamoro as a major output to identify key development priorities and an investment program to meet these needs in Bangsamoro areas. The planning process will be inclusive and will seek to support the establishment of legitimate institutions to provide citizen security, justice and jobs, drawing on the World Development Report 2011 on Conflict, Security and Development. World Bank assistance through the Mindanao Trust Fund will support consultant costs, data gathering and analysis, public consultations and publication costs for the Plan.
15. Under this Additional Financing phase, the component structure will be maintained as follows:
 - a) Block Grants: Block grants are provided to People's Organizations at the village level to fund community-driven development activities according to subprojects identified by the communities themselves. Two types of activities are included under this component: (a) Community-Driven Development (Small Infrastructure, Livelihood, Productive Asset Subprojects and Core Shelters for Internally Displaced Households); and (b) Strategic Investments to Support Peace and Development: Funding for undertaking investments

beyond the community level would be provided, if benefits accruing to the communities are judged to be substantial. Strategic investments are likely to fall into one of two categories: (i) inter-barangay, municipal and provincial subprojects; or (ii) technical assistance and feasibility studies for larger scale subprojects.

- b) Capacity & Institution Building: This component covers: (a) technical support for implementing partners; (b) implementation and operating costs for local partners and support for communities and people's organizations; and (c) workshops and studies. Based on a detailed capacity-building plan, this component mostly builds the capacity of the Bangsamoro Development Agency (BDA), local government units, people's organizations and selected non-government organizations to plan, implement, monitor and evaluate development and livelihood interventions. This component includes funding for the operational costs of BDA; capacity-building for LGU and private sector partners; and social mobilization and capacity-building for people's organizations.
- c) Monitoring, Evaluation, Secretariat Support and Supervision: This component supports rigorous monitoring and impact evaluations for the program and M&E capacity development for BDA. The component also funds Secretariat costs for the World Bank to oversee and manage the MTF, including regular reporting, appraisal of funding proposals, financial oversight and regular supervision.

IV. Project Location and Salient Physical Characteristics

- 16. The total project universe is the 3,000 poor *barangays* in 150 municipalities affected by the conflict between the GPH and the MILF. These municipalities and barangays were identified by the Joint Coordination Committee on the Cessation of Hostilities (JCCCH) of the negotiating panels, based on a 2005 Joint Needs Assessment conducted by the WB, BDA and development partners. So far, the project has covered 215 barangays in 79 municipalities. This Additional Financing will extend support in the existing ongoing 65 barangays across 21 municipalities. These are selected based on poverty, conflict-affectedness, accessibility and local government commitment and support.
- 17. The project target areas are among the poorest communities in the Philippines and are subject to repeated patterns of violence and associated displacement. Between 2000 and 2010, for instance, displacement affected 82 percent of people in Maguindanao province, one of the main target areas. Forty-five percent of people in Maguindanao reported the destruction of their house in the same period. These factors can lead to relatively low levels of social cohesion within communities and a deficit of trust between citizens and the state.
- 18. While mostly targeting Muslim communities, the potential target areas of the project include mixed communities that are home to Mindanao's so-called "tri-people" (Muslims, Christian settlers and Indigenous Peoples). Thus, IPs could be included as project beneficiaries.

19. Locations for Sajahatra Bangsamoro are still to be finalized by the government and the MILF, but are expected to cover up to 50 villages in the initial twelve months, with the prospect of expansion later. Individual benefits under Sajahatra Bangsamoro are expected to reach 11,000 people (for health insurance and cash-for-work programs). This is likely to include new locations, however, the program is not expected to trigger new safeguards policies, as the assistance will mostly cover training, livelihood support, health insurance and small-scale community infrastructure. Furthermore, WB support to this program will not include subproject investments, as it will be purely limited to funding for the operational costs and capacity-building for the MILF's PMT.
20. Data gathering for the Bangsamoro Development Plan will cover a selection of areas in the "Bangsamoro core territory" as identified in the Framework Agreement on the Bangsamoro. These are likely to include new areas for the Program, but the Bank's support is purely technical in nature, providing expertise on sectoral development issues (education, health, agriculture, etc.) plus operational costs for the Plan. Thus, no additional safeguards policies are expected to be triggered.

V. Purpose & the Structure of the ESSF

21. This ESSF lays down the general parameters and guidelines on safeguards for the MTF. It is designed to guide subproject implementers and the community-proponents to comply with the Program's environmental and social safeguards requirements.
22. The importance of safeguards and where these are applicable in the project preparation cycle are presented in this document. The roles of the various stakeholders in the development, implementation and monitoring of the environmental and social management plans are also discussed.
23. This document is divided into three parts, described as follows;
 - a. **Introduction to the Project and the ESSF.** This part details the context of the MTF, its objectives and the component structure. This section also discusses the scope of the program and the area covered.
 - b. **Safeguards Policies and Procedures.** This section enumerates the various policies of the WB on environmental and social safeguards. Detailed description of the specific safeguards policies of WB triggered by the MTF is likewise provided. The operational guidelines for safeguards requirements in relation to the project preparation cycle are presented in this section.
 - c. **Annexes and Forms.** This section presents the checklist and forms that will be used as safeguards documents during preparation, appraisal, implementation and monitoring of the various subprojects. These forms were updated to make them more user-friendly for the POs and will be continuously improved as needed (i.e., translation of the forms and instructions to local dialects).

Part B

SAFEGUARDS POLICIES & PROCEDURES

VI. Safeguards Policies Triggered under the MTF

24. The safeguards policies that apply to the MTF-RDP are: (1) OP/BP 4.01 Environmental Assessment; (2) OP/BP 4.10 Indigenous People; and (3) OP 4.12 Involuntary Resettlement. See the Table 1 below for the screening of the WB safeguard policies for MTF.

Table 1: Screening of WB Safeguard Policies

WB Safeguard Policies	Applicable to MTF?	
	Yes	No
Environmental Assessment (OP/BP 4.01)	√	
Natural Habitats (OP/BP 4.04)		√
Forests (OP/BP 4.36)		√
Pest Management (OP 4.09)		√
Physical Cultural Resources (OP/BP 4.11)		√
Indigenous Peoples (OP/BP 4.10)	√	
Involuntary Resettlement (OP/BP 4.12)	√	
Safety of Dams (OP/BP 4.37)		√
Projects on International Waterways (OP/BP 7.50)		√
Projects in Disputed Areas (OP/BP 7.60)		√

25. Communities choose their own subprojects based on open menu with a negative list that prohibits projects that would damage the environment (e.g., chainsaws, pesticides), support illegal activity (e.g., weapons) or involuntarily resettle people. Refer to **Annex 1** for the existing negative list menu.
26. Construction-related environmental impacts of the subprojects, such as an increase in dust and noise or vegetation loss, are minimal, temporary and easily mitigated. Thus, there is no change in the overall risk and the environment category “**B**” will remain the same for the AF.
27. To ensure compliance with safeguards requirements, all subproject proposals are required to have an assessment of impacts, using an environmental and social screening checklist (ESSC) that describes potential negative impacts. The ESSC (**See Annex 2**) contains specific instructions to the PO on what steps are required to mitigate the predicted impacts, including the formulation of an ESMP.
28. Mitigation of negative impacts from subprojects that are not on the negative list is addressed in the project design and in the subproject Environmental and Social Management Plans (ESMPs) consistent with this ESSF.
29. Specific ESMPs are developed for different types of small infrastructure projects (Irrigation and Water Management Structures, Buildings, Road Structures, and Water Supply). The ESMPs are shown in **Annex 3**.
30. Review and approval of the ESMPs are done by the Regional Management Office (RMO), TFR and by the Central Management Office (CMO).

31. **Table 2** presents the operational guidelines for environmental and social safeguards with respect to the project development steps of MTF.

Table 2. Operational Guidelines for Environmental and Social Safeguards

MTF-RDP Steps	Safeguards–Related Activities	Safeguards Document Output	Responsible Persons
Pre-Condition Phase: Project Staff Hiring	Designation of Safeguards Focal Persons		BDA ED
	Safeguards Orientation and Training for Safeguards Focal Person		WB Safeguards Specialists
Step 1: Institutional Preparation at Municipal Level	Safeguards orientation for Municipal Technical Team (MTT)		RMO/RIE with CO
	Designate focal person at the LGU level		
Step 2: Social Preparation & Community Planning	PO, with assistance of CO/MTT to include environmental and social baseline conditions in the base map and thematic mappings	TM (showing hazard areas; flood-prone areas; areas susceptible to landslide/ erosion)	PO with the assistance of CO/MTT
	Filling up of ESSC for each of the top 3 priority SP; Ensure proposed project is not in the negative list	ESSC (Table A2-1) for the priority proposed SPs	
Step 3: Subproject Project Preparation	Finalize the ESSC of the SP selected	Final ESSC for selected SP	PO with the assistance of CO/MTT
	Complete the environmental and social management plan (ESMP)	ESMP (Table A3)	
Step 4: Subproject Appraisal and Approval	Review and appraise the ESMP as part of the Subproject Proposal Package; Conduct quality review & recommend approval		TFR, RMO & CMO
Step 5: Subproject Implementation	Implement commitments in the ESMPs and conduct compliance monitoring	Same Approved ESMP filled up by the PO in Step	PO with the assistance of CO/MTT
Step 6: Subproject Completion, O&M and Exit Strategy	Monitor compliance of all subprojects to safeguards requirements		TFR, RMO & CMO

A. Environmental Assessment

32. The OP/BP 4.01 Environmental Assessment of the World Bank is consistent with the Philippine environmental policy under PD 1586 or the Philippine Environmental Impact Statement System. In general, most subprojects under the MTF-RDP are categorized as non-environmental critical projects and are exempted in securing environmental compliance certificates (ECC). For some community-based investments (CBIs) such as water supply and road improvement projects, there are screening criteria (mainly based on capacity and length) used by the Department of the Environment and Natural Resources (DENR)-Environmental Management Bureau in assessing whether a subproject will be required to secure an ECC. These criteria are listed in the Procedural Manual of the DENR AO 2003-30 of PD 1586.
33. Environmental issues in the MTF-RDP would relate primarily to impacts caused by small-scale infrastructure construction. The Program has an environmental screening mechanism that identifies prohibited subprojects (e.g. community roads into protected areas or procurement of pesticides) and those with adverse environmental impacts. The PO will be properly informed of the prohibited projects so that they will be guided accordingly at the outset of preparing the Community Investment Plan.
34. The existing environmental baseline conditions in the project area shall be assessed and evaluated fully during the social preparation and community planning so that the design and location of the proposed subproject will be environmentally sound and compatible with its surrounding environment. The CDD operations manual has a prescribed format of environment baseline description along with the household and barangay profile. These data will be integrated in the base map and thematic mapping of the program.
35. The PO, after coming up with a list of potential projects, will use the screening checklist to assess the viability of each project in terms of the environmental and social requirements. The screening checklist will be used as one of the decision-making tools in evaluating the feasibility of a subproject.
36. After screening and selecting the SP, the PO will fill out the ESMP template. The ESMP will describe the predicted negative environmental impact during the construction and operation phase of the subproject. The PO will be guided with the potential list of impacts that may occur when the project is implemented.
37. The impact may include on the water, air and social environments including occupational safety and health during construction. The PO, through the assistance of the MTT and CO may refer to available WB materials on sound engineering practices for construction.

B. Involuntary Resettlement

38. Land acquisition based on eminent domain will **not** be undertaken in the post-conflict context of the CAAs to obtain land for a community subproject. Thus,

subprojects involving involuntary land acquisition and resettlement (displacement) are on the negative list and **not** eligible for funding.

39. Land required for subprojects may be furnished through voluntary private land donations, voluntary private long-term leases at a nominal cost, transactions between willing-seller-willing-buyer, or access to use vacant community or government land. Private, community or government donations, long-term leases, and community purchases must be properly documented. The documents will be part of the subproject appraisal. Payment, if any, should be made by project partners such as the LGU or the PO as their local counterpart contribution.
40. Any activity that would involve voluntary land acquisition and/or resettlement requires an early special approval from the project management office (Central Management Office of BDA). In case agreement is reached with families regarding the transfer of land, a structure, or other assets, the agreed procedure required for the subproject to proceed would involve (i) an inventory of losses (**Annex Table A2-2: Land Acquisition Assessment**), (ii) a recording of the confirmation by each affected party that he/she has either willingly donated or accepted an agreed compensation for the asset in question (**Annex Table A2-3: Documentation for Transfer of Assets**), and (iii) release of the block grant installment upon documentation that compensation for losses has been provided as agreed. The Community Organizer (CO) should assist the PO regarding the two first steps, and the CMO would need to provide verification through sample field visits.

C. Indigenous Peoples

41. In 1997, the Philippine Congress passed Republic Act 8371 entitled the *Indigenous People's Rights Act*, which uses the term indigenous people's as the collective label for non-Christian and non-Muslim ethnic groups in the Philippines. In Mindanao, indigenous groups are collectively referred to as *Lumads*.
42. The Program approach aims at achieving the twin objectives of ensuring (a) free, prior and informed participation of indigenous peoples in the activities of the Program, so that they are in a position to receive culturally compatible social and economic benefits, and (b) that indigenous peoples are not adversely affected during the development process.
43. The Program design promotes equitable inclusion of ethnic/tribal indigenous peoples in decision-making and as beneficiaries. The procedure for selection of community volunteers from every *sitio* is expected to ensure that indigenous peoples are represented in the planning and eventually in the implementation stage if they decide to join the PO. The monitoring arrangements provide data that enables the program MIS to assess the inclusion of ethnic/indigenous peoples in multi ethnic/tribal communities. The data from the Barangay Profile (from Base Map and Thematic Map) should be cross-checked with the information on the composition of the PO and also on the inclusion of ethnic/indigenous peoples as beneficiaries in multi ethnic/tribal communities.

These three sets of data will be entered into the MIS to document the extent to which ethnic/indigenous peoples are involved in decision-making and benefit from specific subprojects. Program monitoring and evaluation will verify whether IP representatives participate in PO activities, and whether their planned inclusion as beneficiaries is realized during subproject implementation.

44. Consensus of all IP members affected must be determined in accordance with their respective laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the subproject activity, in a language and process understandable to the community. The conduct of field-based investigation and the process of obtaining the Free, Prior and Informed Consent (FPIC) shall take into consideration the primary and customary practices of consensus-building, and shall conform to Section 14 (Mandatory Activities for Free, Prior and Informed Consent) of NCIP Administrative Order No.3, series of 2002.
45. The Program must ensure that none of its infrastructure or related projects will damage non-replicable cultural property. In cases where infrastructure projects (i.e., roads, water supply systems, irrigation canals, etc.) will pass through sites considered as cultural properties of the IPs, the Program must exert its best effort to relocate or redesign the projects, so that these sites can be preserved and remained intact. Subproject designs must at all times be consistent with the traditional and cultural practices of the IP group dwelling in the area.

C.1 Technical Assistance for IP Communities

46. The IPs shall participate in the identification and planning of subprojects located within their barangay or ancestral domains. In barangays where IPs are not dominant, or where the communities fall within the ancestral domains of IPs, the Project shall ensure that Technical Assistance is provided to enable the IPs to participate meaningfully in the planning process. This may mean deployment of competent and committed program partners/facilitators who can work with IP communities and ensure that IP prioritized plans and projects are integrated into the community investment plans. To better coordinate activities with IPs, BDA (and other Program partners) shall strive to forge partnership agreements with the Office of Southern Cultural Communities (OSCC) in Autonomous Region in Muslim Mindanao (ARMM) areas and the National Commission on Indigenous Peoples (NCIP) in non-ARMM areas.

C.2 Communication, Documentation, Participation

47. Meetings must be conducted in the local or native language. In addition, facilitators must use simple and uncomplicated process flows during these sessions.
48. Project implementers must adhere to the requirements for documentation of meetings conducted with IP communities, especially those pertaining to acquisition by subproject proponents of the FPIC. The BDA and implementing partners shall not proceed with subproject endorsements or appraisal processes,

unless the corresponding documentation of meetings with the IP communities is attached to the subproject proposals submitted for review/approval.

49. Where subprojects pose potential adverse impacts on the environment and the socio-economic-cultural-political lives of these IP communities, IPs must be informed of such impacts and their rights to compensation. Compensation for land and other assets to be acquired will follow the relevant section in this ESSF.
50. Should IPs grant their approval for such subprojects, affected IP communities must be part and parcel of development of mitigating measures. The BDA must ensure that action plans are drawn to be able to monitor and evaluate the implementation of such mitigating measures and compensation agreements, with the active involvement of the affected communities of IPs. The BDA, through their community organizers, should not allow any work to commence on any subproject, until a compensation package and/or the required rituals have been completed to the satisfaction of the Indigenous tribes affected.

VII. Safeguards Responsibility

51. The subproject compliance with environmental and social safeguards is the primary responsibility of the PO. Adequate orientation and coaching must be provided by the RMO through the CO/MTT to the POs on the significance of safeguards to subproject implementation and sustainability.
52. The CMO/RMO must conduct quality review of ESMPs. Once the community nominates a possible subproject, the PO and MTT will use the ESSC to flag potential safeguards issues. Where applicable, the appropriate mitigation measures will be proposed. The documentation will form part of the subproject proposal package submitted to the LGU MTT and MSC for review.
53. **Table 3** defines the roles and responsibility of the various stakeholders in ensuring that subprojects comply with all the environmental and social requirements.

Table 3. Safeguards Responsibility

Stakeholders	Responsibilities
PO	<ul style="list-style-type: none"> • Fill out ESSC • Develop, implement and report compliance with the ESMP
MTT	<ul style="list-style-type: none"> • Assist the PO to fill out ESSC • Assist the PO to develop the ESMP
MSC	<ul style="list-style-type: none"> • Appraisal & Approval of ESMP
RMO-RIE	<ul style="list-style-type: none"> • Quality Review Appraisal of ESMP
CMO	<ul style="list-style-type: none"> • Recommending Approval of ESMP • Monitor RMO Safeguard Compliance • Supervision and coaching of RMO safeguards focal persons

VIII. Grievance Redress System

54. The Grievance and Redress System (GRS) that BDA has developed intends to provide community residents with an avenue to express their grievances and seek resolution on whatever complaints, problems, and issues affecting subproject implementation including environmental and social safeguards issues they have at the *barangay*, municipal, and Program level.
55. The BDA RMO Team shall disseminate information to community stakeholders through forums and distribution of leaflets or flyers. It shall see to it that the concerns of aggrieved parties are attended to by proper authorities.
56. Safeguards related types of grievances and resolutions may include issues such as: (a) exclusion based on ethnicity or gender from decision making regarding project activities or as beneficiaries, (b) involuntary land acquisition without adequate consultation and compensation measures, where appropriate, (c) non-implementation of agreed mitigating measures during constructions, and other similar complaints.

IX. Safeguards Implementation and Compliance Monitoring

57. BDA and the TFRs shall ensure proper monitoring and evaluation of compliance with the ESMPs. This shall include capture of environmental and social safeguards data integrated into the M&E systems at RMO level, including monitoring arrangements to track compliance with safeguards policies, preparation of safeguards instruments, and implementation of safeguards activities in all stages of the subproject development.
58. The RMO/CMO shall likewise conduct supervision and in-house monitoring of implementation of safeguards instruments.
59. The ESMP templates contain the portion for the monitoring of safeguards compliance consistent with the mitigating measures committed prior to project implementation. At the minimum, there will be two monitoring periods, which will coincide with the submission of SP implementation reports to the RMO.

Part C

ANNEXES AND FORMS

Annex 1: List of Negative Projects*

Negative List of Prohibited Subproject Investments

1. **Purchase of Weapons**
2. **Purchase of Chainsaws and explosives;**
3. **Financing of sawmills**
4. **Purchase of pesticides, insecticides, herbicides, asbestos and other potentially and dangerous materials and equipment;**
5. **Purchase of motorized fishing boats and equipment/materials related to dynamite fishing;**
6. **Road rehabilitation or construction into protected areas;**
7. **Use of funds to purchase or compensation of land;**
8. **Use of mangrove or coral reefs as building materials;**
9. **Projects requiring resettlement (displacement of people)**
10. **Consumption items or events;**
11. **Financing activities that have an alternative prior source of committed funding;**
12. **Purchase or repair of vehicles;**
13. **Financing of recurrent government expenditures (e.g. salaries for government and LGU staff)**
14. **Construction or repair and buying of equipment for government offices and places of worship;**
15. **Financing of political activities;**
16. **Salaried activities that employ children under 16 years;**
17. **Financing activities that unfairly exploit women or men at any age;**
18. **Financing international travel**

**Taken from the MTF-RDP, Operational Manual.*

Annex 2: Environmental and Social Screening Checklist Forms

General Instruction:

The PO shall fill out this form with the assistance of the MTT/CO. The filled out form shall be used as one of the decision-making tools in evaluating the feasibility of a proposed subproject. Please take note of the instructions listed in the last column. This will guide the PO in developing the ESMP.

Table A2-1. Environmental and Social Screening Checklist							
Type of Impact	Subproject 1		Subproject 2		Subproject 3		Specific Instructions for the Selected Subproject
	Yes	No	Yes	No	Yes	No	
1.0 Environmental Assessment							
1.1 Is there potential significant environmental impact (i.e., topsoil removal, erosion, siltation, vegetation loss, or reclamation, etc.)?							If yes, then identify the potential impact and provide specific mitigating measures in the ESMP.
1.2 Will the project have impact on the water quality of the nearby water body or water source?							
1.3 Will the project's implementation generate air pollution and other hazardous waste?							
1.4 Will the project be situated in critically protected area/watersheds?							If yes, secure necessary clearance from concerned agencies.
1.5 Is the project located in high-risk/geo-hazard area? Are there signs or indications that the area is susceptible to landslides, flooding or erosion?							Validate the risk or hazard associated based on the data from BM/TM & LGU.
1.6 Will the project's implementation involve or promote the use or increase the use of pesticides/herbicides?							If yes, then coordinate with the MAO & advocate integrated pest management to PO

Annex 2: Environmental and Social Screening Checklist Forms

Table A2-1. Environmental and Social Screening Checklist							
Type of Impact	Subproject 1		Subproject 2		Subproject 3		Specific Instructions for the Selected Subproject
	Yes	No	Yes	No	Yes	No	
1.7 Will there be cultural property/archaeological site affected by the project?							If yes, consult tribal leaders, elders, or appropriate agencies.
Comments (Indicate other potential environmental impacts or issues), if any:							
2.0 Involuntary Resettlement							
2.1 Will the subproject require land?							
If yes, indicate how much land in sq.m.?	m ²		m ²		m ²		
2.2 How will the land be acquired?							
a. Donation?							If yes, please fill up Annex Table A2-2 and Table A2-3 for the selected subproject.
b. Long-term lease?							
c. Willing seller / willing buyer?							
d. Available government land?							
e. Involuntary acquisition?							

Annex 2: Environmental and Social Screening Checklist Forms

Table A2-1. Environmental and Social Screening Checklist							
Type of Impact	Subproject 1		Subproject 2		Subproject 3		Specific Instructions for the Selected Subproject
	Yes	No	Yes	No	Yes	No	
2.3 Will there be losses of shelter?							
If yes, how many households will be affected?	HH		HH		HH		If yes, please provide mitigating measures in the ESMP.
2.4 Will there be losses of income sources and /or other assets?							
2.5 Will the losses of income sources and/or assets cause resettlement?							
Comments (Indicate other potential IR issues), if any:							
3.0 Indigenous People							
3.1 Are there indigenous peoples in the <i>Barangay</i> ?							Countercheck with TM on ethnicity. Countercheck with OSCC/NCIP data
If yes, how many are they in relation to total barangay population (proportion)?							
If yes, are they among the project beneficiaries?							
3.2 Was the principle of Free, Prior and Informed Consent (FPIC) observed?							Ensure consultation with IP community is conducted during the Social Preparation Stage in coordination with OSCC/NCIP

Annex 2: Environmental and Social Screening Checklist Forms

Table A2-1. Environmental and Social Screening Checklist							
Type of Impact	Subproject 1		Subproject 2		Subproject 3		Specific Instructions for the Selected Subproject
	Yes	No	Yes	No	Yes	No	
							Check Activity Report on Barangay-wide Orientation.
3.3 Will they be negatively impacted?							If yes, please provide mitigating measures in the ESMP.
Comments (Indicate other potential IP issues), if any:							

Annex 2: Environmental and Social Screening Checklist Forms

Table A2-2: Land Acquisition Assessment
(To be used to record information on all land to be acquired)

Name of Owner/ Occupant	Type of Land	Land Area (ha)	Other Assets	Estimated Value (PhP)	How Acquired?		Date of Planned Acquisition
					Whether Donation	Whether Purchased	

Is the land or house site used by someone else other than the owner?

Name	Tenant	Informal Settler

How will land/structures/other assets be acquired (identify one):

- **Donation:** _____
- **Purchase** (willing seller-willing buyer): _____
- **Community / LGU Acquisition** (willing seller-willing buyer and/or accepting compensation to replace or repair asset): _____

Transfer of title:

- Ensure these lands/structures/other assets are free from claims or encumbrances.
- Written proof must be obtained (notarized or witnessed statements) of the voluntary donation, or acceptance of the prices paid, from those affected, together with proof of title being vested in the community, or guarantee of public access, by the title-holder.

Inform those donating or selling land/assets about the grievance mechanisms available.

Prepared by (PO Chairperson):

Reviewed by (Community Organizer)

Name and Signature/Date

Name and Signature/Date

Annex 2: Environmental and Social Screening Checklist Forms

Table A2-3: Documentation of Transfer of Assets

The following agreement has been made on _____ between the parties below:

1. That the Owner holds the transferable right of the asset described in the table below.
2. That the Owner testifies that the asset described in the table below is free of informal settlers or encroachers and not subject to other claims.
3. That the Owner agrees to transfer to the PO this asset for the construction and development of _____ for the benefit of the community and the public at large.

Type of Asset Transferred to the Community	Description of Asset	Agreed Compensation in Case of Sale
Residential or Agricultural land	Area in ha:	
House/structure to be demolished	Type and Area in m ² :	
Trees or crops affected		
Other asset		

(Either, in case of donation)

4. That the Owner will not claim any compensation against the grant of this asset.

(Or, in case of compensation)

5. That the Owner has received compensation against the transfer of this asset as per the table above.
6. That the Recipient shall construct and develop the.....and take all possible precautions to avoid damage to adjacent land/structure/other assets.
7. That both the parties agree that the.....so constructed/developed shall be public premises.
8. That the provisions of this agreement will come into force from the date of signing of this deed.

Name & Signature of Owner:
Name & Signature of Punong Barangay:

Name & Signature of PO Chairperson:
Name & Signature of PO Treasurer:

ANNEX 3: ESMP Templates

Table A3-1: Environmental and Social Management Plan (ESMP) for Access Path or Tracks

Name of the Subproject/PO/Location: _____

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
A. Environmental Assessment					
Will the project potentially trigger landslides during and after construction?					
Will the project contribute to air and noise pollution during construction period?					
Will there be pollution from associated activities like preparation of asphalt, crushing of aggregate, concrete mixing, etc.?					
Will there be increase in soil erosion downstream of channels being crossed by the project?					
Will there be disruption of aquatic ecosystem during construction due to excessive sediment, discharge of waste concrete or accidental spillage of oil & grease to nearby water bodies?					
Will there be risks of accidents due to construction activities?					
Will there be risk of accidents due to increased and faster traffic brought about by the project?					

ANNEX 3: ESMP Templates

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Will there be damage to cultural/archaeological sites/properties?					
Will there be uncontrolled increase and improper location of micro economic activities?					
Is the design sensitive to gender needs, age and disability?					
Will there be negative reaction of general public due to poor information about the project?					
Involuntary Resettlement					
Is there a need to acquire land for the project?					
Will there be losses of homes, other assets or land due to the project?					
Indigenous People					
Will IPs be impacted? (e.g. effect of the project on food gathering and other domestic work during construction and operation of the project; entry of migrants/lowland settlers in IP areas during construction and operation of the project)					

ANNEX 3: ESMP Templates

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Others (please specify other impacts on environment, people and IP)					

Project Preparation Phase:

Prepared by: _____
 Name/Position & Signature)

Date Accomplished: _____

Project Implementation Phase:

Project Construction Phase: Monitored by: _____ Date: _____
 (Name/Position & Signature)

Project Completion Phase: Monitored by: _____ Date: _____
 (Name/Position & Signature)

ANNEX 3: ESMP Templates

Table A3-2: Environmental and Social Management Plan (ESMP) for Buildings (School, Market Shed, Solar Drier, Warehouse, etc.)

Name of the Subproject/PO/Location: _____

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Environmental Assessment					
Will there be potential landslides during and after construction?					
Will there be pollution during construction activities (i.e., solid wastes, human wastes)?					
Will there be removal of vegetation or will there be potential loss of flora and fauna?					
Will there be potential risk for spread of water-borne diseases due to improper siting of construction equipment and facilities?					
Will there be potential increase in dust generation during construction?					
Will there be increase in noise due to construction activities?					
Will there be potential public and private property damage due to structural damage caused by substandard materials, nonconformance to project design?					

ANNEX 3: ESMP Templates

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Will there be potential damage to project due to wrong siting (prone to landslides, floods, volcanic eruptions etc.)?					
Will there be risks of accidents involving construction materials, pollution of watercourses and agricultural lands?					
Will there be damage to cultural/archaeological sites/properties or alteration or loss of natural resource like caves, water bodies, and landmarks?					
Is the design sensitive to gender needs, age and disability?					
Will there be negative reaction of general public due to poor information about the project?					
Involuntary Resettlement					
Is there a need to acquire land for the project?					
Will there be losses of homes, other assets or land due to the project?					
Indigenous People					
Will IPs be impacted? (e.g., effect of the project on food gathering and other domestic work during construction and operation of the project; entry of migrants/lowland settlers in IP areas during construction and operation of the project)					

ANNEX 3: ESMP Templates

Table A3-3: Environmental and Social Management Plan (ESMP) for Drinking Water Supply (Community ponds, open wells, piped supply or gravity schemes, including Level I, II and III WSP)

Name of the Subproject/PO/Location: _____

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Environmental Assessment					
Will there be submergence of areas due to water impoundment?					
Will there be safety hazards during construction?					
Will there be increase in solid wastes during project construction?					
Will there be potential for increased breeding of mosquito in case of inadequate drainage near water abstraction point / locations?					
Will there be pollution of the impounded water from leaves, dust and other nuisance due to open surface?					
Will there be unnoticed contamination of the water source or impoundment by wastes during operation?					
Will there be obstruction of natural flow of water when the source of water is developed?					
Will there be uncontrolled increase of micro economic activities in the area?					

ANNEX 3: ESMP Templates

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Will there be negative impact to household from construction works and inconvenience in the use of river downstream for domestic work?					
Is the design gender, age and ability sensitive?					
Will the project benefit shared by all community members?					
Will there be damage to cultural/archaeological sites/properties or alteration or loss of natural resource like caves, water bodies, and landmarks?					
Will there be negative reaction of general public due to poor information about the project?					
Involuntary Resettlement					
Is there a need to acquire land for the project?					
Will there be losses of homes, other assets or land due to the project?					
Indigenous People					
Will IPs be impacted? (e.g., effect of the project on food gathering and other domestic work during construction and operation of the project; entry of migrants/lowland settlers in IP areas during construction and operation of the project; inconvenience in the use of river downstream for domestic work?					

ANNEX 3: ESMP Templates

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Others (please specify other impacts on environment, people and IP)					

Project Preparation Phase:

Prepared by: _____
 Name/Position & Signature)

Date Accomplished: _____

Project Implementation Phase:

Project Construction Phase: Monitored by: _____ Date: _____
 (Name/Position & Signature)

Project Completion Phase: Monitored by: _____ Date: _____
 (Name/Position & Signature)

ANNEX 3: ESMP Templates

Table A3-4: Environmental and Social Management Plan (ESMP) for Pier/Port Development

Name of the Subproject/PO/Location: _____

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Environmental Assessment					
Will there be localized clearing of vegetation and disturbance of marine life?					
Will there be safety hazards during construction?					
Will there be increase in solid waste generation during construction (i.e., due to improper disposal of material)?					
Will there be potential oil and grease contamination/oil spill from sea boats or motorized <i>bancas</i> ?					
Will there be obstruction of natural flow of water due to the construction of the pier?					
Will there be an increase in solid waste both on land and as floating debris?					
Will there be uncontrolled increase of micro economic activities in the area?					
Is the project design gender, age and ability sensitive?					
Will there be loss of livelihood due to limited access of area for fishing?					

ANNEX 3: ESMP Templates

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Will there be damage to cultural/archaeological sites/properties or alteration or loss of natural resource like caves, water bodies, and landmarks?					
Will there be negative reaction of general public due to poor information about the project?					
Involuntary Resettlement					
Is there a need to acquire land for the project?					
Will there be losses of homes, other assets or land due to the project?					
Indigenous People					
Will IPs be impacted? (e.g., effect of the project on food gathering and other domestic work during construction and operation of the project; entry of migrants/lowland settlers in IP areas during construction and operation of the project)					
Others (please specify other impacts on environment, people and IP)					

ANNEX 3: ESMP Templates

Project Preparation Phase:

Prepared by: _____
(Name/Position & Signature)

Date Accomplished: _____

Project Implementation Phase:

Project Construction Phase: Monitored by: _____ Date: _____
(Name/Position & Signature)

Project Completion Phase: Monitored by: _____ Date: _____
(Name/Position & Signature)

ANNEX 3: ESMP Templates

Table A3-5: Environmental and Social Management Plan (ESMP) for Irrigation/Watershed Management Structures (rehabilitation/construction of water retaining structures, new drains including erosion protection)

Name of the Subproject/PO/Location: _____

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Environmental Assessment					
Will there be reduced downstream water availability in the surrounding area?					
Will there be flood regime change due to the project?					
Will there be water logging (or unnecessary impoundment)?					
Will there be potential increase of use in pesticide?					
Will there be introduction of more nutrients in soil due to increase use of fertilizers?					
Will there be increase in salinity in the water due to the water retention?					
Will there be loss of livelihood due to loss of agricultural land?					
Will there be potential pollution from disposal of sediment accumulated in channels/structures?					
Will there be sedimentation in the channel or canals or in the area where water is impounded?					

ANNEX 3: ESMP Templates

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Is there a potential increase in the incidence of diseases such as dengue, malaria, etc. due to the impoundment of water?					
Will there be natural obstruction of natural flow of water?					
Will there be damage to cultural/archaeological sites/properties or alteration or loss of natural resource like caves, water bodies, and landmarks?					
Will there be negative reaction of general public due to poor information about the project?					
Involuntary Resettlement					
Is there a need to acquire land for the project?					
Will there be losses of homes, other assets or land due to the project?					
Indigenous People					
Will IPs be impacted? (e.g., effect of the project on food gathering and other domestic work during construction and operation of the project; entry of migrants/lowland settlers in IP areas during construction and operation of the project)					

ANNEX 3: ESMP Templates

Potential Impacts	Significant Impact Assessment		If significant impact is YES, Please indicate proposed mitigating measures	Compliance Monitoring (To be filled out only during project implementation)	
	Yes	No		During Construction	After Completion
Others (please specify other impacts on environment, people and IP)					

Project Preparation Phase:

Prepared by: _____
 Name/Position & Signature)

Date Accomplished: _____

Project Implementation Phase:

Project Construction Phase: Monitored by: _____ Date: _____
 (Name/Position & Signature)

Project Completion Phase: Monitored by: _____ Date: _____
 (Name/Position & Signature)