

# ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK

Local Climate Adaptive Living Plus (LoCAL+)

West Africa (Mali, Niger, Burkina Faso, Côte d'Ivoire)

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### Objectives and benchmarks of the Environmental and Social Management Framework

#### 1.1. Objectives

This document outlines the Environmental and Social Management Framework (ESMF) of the West African Development Bank (BOAD) programme: "National Financing Mechanism for Local Climate Adaptive Living (LoCAL) — West Africa (Mali, Niger, Burkina Faso, Côte d'Ivoire)" hereinafter referred to as the "programme". It sets forth the standards, procedures, processes and methods that are considered core components, and acts as the reference document for the programme's Environmental and Social Management System. The ESMF aims to minimize adverse environmental and social impacts resulting from programme preparation and implementation, and to promote the integration of environmental and social aspects into decision-making processes at the activity level, including the investments to be implemented locally under the programme, hereinafter referred to as "the projects".

#### **1.2.** Regulatory benchmarks

The ESMF has been developed in accordance with internationally recognized standards and procedures – of the International Finance Corporation (IFC), the World Bank and the Green Climate Fund (GCF) – and in alignment with the policies and procedures of BOAD on the environmental and social management of the projects financed.

In accordance with the "Operational Policies and Procedures of West African Development Bank Intervention for Environmental and Social Management in the Financing of Projects", the environmental and social (E&S) risks and impacts considered under the due diligence processes take account of (in addition to the regulations of the countries of intervention) the rules, good practices and guidelines of international organizations such as: (i) the United Nations Convention on Environment and Development; (ii) the United Nations Convention on the Elimination of All Forms of Discrimination against Women; (iii) the United Nations Universal Declaration of Human Rights; (iv) the International Labour Organization international conventions on human rights and labour law; (v) the World Bank policies, safeguard guidelines and other relevant documents on environmental and social issues; (vi) the IFC safeguard policies on environmental and social issues; (vii) international good industry practices published by major industry associations on environmental and social issues; etc.

In particular, the following environmental risks and impacts will be taken into account:

- Environmental risks: related to community security; related to climate change and other cross-border and global risks and impacts; any real threat to the protection, conservation, preservation and restoration of natural habitats and biodiversity; related to ecosystem services and the use of living natural resources, such as fish and forests.
- Social risks and impacts: threats to human security caused by the escalation of personal, community or inter-state conflicts, crime or violence; risks that the programme's impacts will disproportionately affect individuals or groups who, due to their particular circumstances, are likely to be disadvantaged or vulnerable; any prejudice or discrimination against individuals or groups resulting from access to development resources and programme benefits, particularly for those who are likely to be disadvantaged or vulnerable; adverse economic and social

<sup>&</sup>lt;sup>1</sup> https://www.ifc.org/wps/wcm/connect/24e6bfc3-5de3-444d-be9b-226188c95454/PS\_English\_2012\_Full-Document.pdf?MOD=AJPERES&CVID=jkV-X6h

impacts related to involuntary deprivation of land or restrictions on land use; risks or impacts related to land and other natural resource tenure regimes and their use, including (where relevant) potential programme impacts on land-use patterns and regulatory provisions on land tenure, land access and availability, food security and land values, and any other associated risks related to conflict and disputes over land and natural resources; impacts on the health, safety and well-being of workers and communities affected by project activities; risks affecting cultural heritage.

The International Finance Corporation's Performance Standards (PS) are the key benchmark for assessing the programme's environmental and social risks (see table below). GCF currently uses these standards, pending the development of its own.

IFC Performance Standard	Description and objectives	Applicability to the programme
PS 1: Assessment and management of environmental and social risks and impacts	<ul> <li>To identify and evaluate environmental and social risks and impacts of the programme.</li> <li>To adopt a mitigation hierarchy to anticipate and avoid, or where avoidance is not possible, minimize, and, where residual impacts remain, compensate/offset for risks and impacts to workers, affected communities, and the environment.</li> <li>To promote improved environmental and social performance of activities through the effective use of management systems.</li> <li>To ensure that grievances from affected communities and external communications from other stakeholders are responded to and managed appropriately.</li> <li>To promote and provide means for adequate engagement with affected communities throughout the project cycle on issues that could potentially affect them and to ensure that relevant environmental and social information is disclosed and disseminated.</li> </ul>	The activities implemented in the course of the programme may have E&S impacts. Activity planning must include the identification of E&S risks and outline appropriate mitigation measures. Particular emphasis is placed on stakeholder engagement.
PS 2: Labour and working conditions	<ul> <li>To promote the fair treatment, non-discrimination and equal opportunity of workers.</li> <li>To establish, maintain and improve the worker-management relationship.</li> <li>To promote compliance with national employment and labour laws.</li> <li>To protect workers, including vulnerable categories of workers such as children, migrant workers, workers engaged by third parties and workers in the client's supply chain.</li> <li>To promote safe and healthy working conditions, and the health of workers. To avoid the use of forced labour.</li> </ul>	YES When implementing the measures, the different stakeholders must respect the appropriate working and employment conditions.
PS 3: Resource efficiency and pollution prevention	<ul> <li>To avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities.</li> <li>To promote more sustainable use of resources, including energy and water.</li> </ul>	YES The E&S risk characterization must identify the possible adverse impacts of any kind of pollution

IFC	Description and objectives	Applicability to the programme
Performance Standard		
	To reduce project-related greenhouse gas (GHG) emissions.	on communities, including the use of natural resources.
PS 4: Community health, safety and security	<ul> <li>To anticipate and avoid adverse impacts on the health and safety of the affected community during the project life from both routine and non-routine circumstances.</li> <li>To ensure that the safeguarding of personnel and property is carried out in accordance with relevant human rights principles and in a manner that avoids or minimizes risks to the affected communities.</li> </ul>	YES The E&S risk characterization for each activity must consider health, safety and community security aspects throughout the project cycle.
PS 5: Land acquisition and involuntary resettlement	<ul> <li>To avoid, and when avoidance is not possible, minimize displacement by exploring alternative project designs.</li> <li>To avoid forced eviction.</li> <li>To anticipate and avoid, or where avoidance is not possible, minimize adverse social and economic impacts from land acquisition or restrictions on land use by (i) providing compensation for loss of assets at replacement cost and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.</li> <li>To improve, or restore, the livelihoods and standards of living of displaced persons.</li> <li>To improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.</li> </ul>	NO The measures to be implemented will not involve the displacement of persons.
PS 6: Biodiversity conservation and sustainable management of living natural resources	<ul> <li>To protect and conserve biodiversity.</li> <li>To maintain the benefits from ecosystem services.</li> <li>To promote the sustainable management of living natural resources through the adoption of practices that integrate conservation needs and development priorities.</li> </ul>	YES There is a focus on biodiversity conservation and the protection of natural resources, both when selecting measures and when defining their implementation modalities.
PS 7: Indigenous peoples	<ul> <li>To ensure that the development process fosters full respect for the human rights, dignity, aspirations, culture, and natural resource-based livelihoods of indigenous peoples.</li> <li>To anticipate and avoid adverse impacts of projects on communities of indigenous peoples, or when avoidance is not possible, to minimize and/or compensate for such impacts.</li> <li>To promote sustainable development benefits and opportunities for indigenous peoples in a culturally appropriate manner.</li> <li>To establish and maintain an ongoing relationship based on informed consultation and participation with the indigenous peoples affected by a project throughout the project's life cycle.</li> <li>To ensure the free, prior, and informed consent of the affected communities of indigenous peoples</li> </ul>	YES Planning and implementation of measures are carried out through a participatory process that seeks to involve the most vulnerable communities, including minorities and indigenous peoples.

IFC Performance Standard	Description and objectives	Applicability to the programme
	when the circumstances described in this Performance Standard are present.  • To respect and preserve the culture, knowledge, and practices of indigenous peoples.	
PS 8: Cultural heritage	<ul> <li>To protect cultural heritage from the adverse impacts of project activities and support its preservation.</li> <li>To promote the equitable sharing of benefits from the use of cultural heritage.</li> </ul>	YES The preservation of cultural heritage, including tangible artefacts and sites and intangible forms of culture, will be taken into account when identifying E&S risks for the planned activities.

Project leaders (local governments and private sector) will follow the guidelines and procedures set out in this ESMF for E&S review, timing, and disclosure of documents, as well as all applicable guarantees. The baseline E&S standards for this programme will be the IFC Performance Standards and the associated guarantees and guidelines in this ESMF, which will be used as a minimum benchmark. Where national legislation provides for additional guarantees that go beyond or exceed the IFC Performance Standards, the national standards will apply in addition to those set out in this document.

#### **1.3.** Criteria for categorization of activities

The process of categorizing activities according to their level of potential impact is central to the environmental and social management process, as it sets out the requirements for the assessment and management of environmental and social factors.

The categories defined by GCF – which are applicable to this programme – are presented below;<sup>2</sup> BOAD internal procedures on project categorization are in line with GCF categorization, as stated:

#### **Direct financing**

#### Category A:

- o GCF: activities with potential significant adverse environmental and/or social risks and/or impacts that are diverse, irreversible, or unprecedented.
- BOAD: activities with potential significant adverse environmental and/or social impacts that are sensitive, diverse, or unprecedented. These effects can be felt in an area larger than the sites or facilities subject to physical works.

#### Category B:

- GCF: activities with potential mild adverse environmental and/or social risks and/or impacts that are few in number, generally site-specific, largely reversible, and readily addressed through mitigation measures.
- BOAD: a proposed project is classified as Category B if the negative impacts it may
  have on human populations or areas important from the point of view of the
  environment wetlands, forests, grasslands and other natural habitats, etc. are
  less severe than those of a proposed Category A project. These impacts are very
  local in nature and few are irreversible.

<sup>&</sup>lt;sup>2</sup> GCF, Decisions of the Board – Seventh Meeting of the Board, annex 1; GCF, Sustainability guidance note: screening and categorizing GCF-financed activities, August 2019

#### Category C:

- GCF: activities with minimal or no adverse environmental and/or social risks and/or impacts (see box below).
- BOAD: a proposed project is classified as Category C if it is likely to have minimal or no adverse environmental impacts.

Activities considered to be risk level C according to the GCF categorization include:<sup>3</sup>

- Capacity development, planning support, institutional development and strengthening, advisory services, communication and outreach, and early warning and other monitoring systems
- ➤ Household-level facilities and production within an already built-up area and with no additional footprint (basic post-harvest processing, rainwater harvesting, pico- to microscale renewable energy, retrofit renewable energy systems and energy efficiency and conservation, smallholder agroforestry, and small-scale climate-resilient agriculture) and
- Small-scale rural and urban community-based projects; village-level rural water supply and drainage (including smallholder farm irrigation such as drip irrigation, shallow wells, etc.), rural energy, small-scale infrastructure (including in-situ rehabilitation, upgrading, and maintenance of existing public facilities where waste will not be an issue), small-scale community-based watershed and habitat management and rehabilitation, climate-resilient agriculture, soil and water conservation, and community forest management activities.

BOAD also outlines a Category D, for projects that contribute to improving the environment and/or social context.

#### Finance through intermediaries

This section addresses the categorization of activities whose implementation requires financial intermediation. These activities are divided into three levels of risk:<sup>4</sup>

- ➤ High level of intermediation I1: when an intermediary's existing or proposed portfolio includes substantial financial exposure to activities with potentially significant environmental and/or social risks and/or impacts that are diverse, irreversible or unprecedented.
- Medium level of intermediation I2: when an intermediary's existing or proposed portfolio includes significant financial exposure to activities with potential mild adverse environmental and/or social risks and/or impacts that are few in number, generally site-specific, largely reversible, and readily addressed through mitigation measures.
- ➤ Low level of intermediation I3: when an intermediary's existing or proposed portfolio includes financial exposure to activities that generally have minimal or negligible adverse environmental and/or social impacts.

BOAD classifies a proposed activity as Category FI (Financial Intermediary) if BOAD invests funds through a financial intermediary in subprojects that may have an adverse impact on the environment (giving loans to financial intermediaries) – which may be the case under the proposed programme (output 4).

<sup>&</sup>lt;sup>3</sup> GCF, 2018, Guidelines for the Environmental and Social Screening of Activities Proposed under the Simplified Approval Process

<sup>&</sup>lt;sup>4</sup> GCF, 2018, Guidelines for the Environmental and Social Screening of Activities Proposed under the Simplified Approval Process

#### 2. National institutional frameworks

As noted above, where national legislation provides for additional guarantees that go beyond or exceed the IFC Performance Standards, the national standards will apply in addition to those set out in this document.

The environmental policy of the four countries was identified, with a focus on legislative, regulatory and normative texts that address the management of the impacts and risks likely to result from implementing this programme — including texts on public consultation obligations — and the corresponding international texts ratified by these countries. In particular, legislation on Environmental and Social Impact Assessments (ESIAs) was identified, to ensure that this ESMF is aligned with national guidelines.

The main reference texts are as follows:

#### Burkina Faso

- Law No.008-2014/AN, constituting the framework act on sustainable development in Burkina Faso
- National Environmental Policy
- Decree N° 2013-406/PRES, promulgating law CN°006-2013/AN on the Environmental Code of Burkina Faso

#### Côte d'Ivoire

- Law No.96-766 of 3 October 1996, on the Environmental Code, establishes the principle of carrying out an Environmental Impact Assessment for any development project likely to have an impact on the environment (art. 39)
- Decree n° 96-894 of 8 November 1996, establishing the rules and procedures regarding the environmental impact assessments of development projects
- Order n° 972 of 14 November 2007 on the implementation of the decree on provisions for improving the quality of ESIA reports and strengthening National Environment Agency (Agence Nationale de l'Environnement – ANDE) activities

#### Mali

- o Law No.91-47/AN-RM on the Protection of the Environment and Living Conditions
- Decree 03-594 PRM, Environmental Impact Assessment; Decree 08-346/P-RM of 26 June 2008 on the ESIA.
- National Environmental Protection Policy

#### Niger

- Law No.98-56, constituting the framework law on Environmental Management
- o Ordinance n° 97-001 on the institutionalization of environmental impact assessments
- Ordinance n° 2010-09 on the Water Code of Niger

All four countries have put in place national environmental action plans and have made the adoption of legislation on ESIAs a political priority. The process is not yet complete in some States, despite the support provided by BOAD. On the specific issue of gender mainstreaming, please refer to the Gender Study attached to the file.

### 3. Introduction to the programme

#### **3.1.** Programme objectives

The programme aims at promoting climate-resilient communities and the local economies in the four target countries (Fund-level Impact), by empowering local governments and stakeholders with improved access to adaptation finance, knowledge and know-how to deliver climate-resilient investments that ensure the resilience of local livelihoods and systems, thereby contributing to the alignment of the targeted countries with Paris Agreement objectives, national sectoral targets, and specific SDG targets. The enhanced institutional, technical and financial capacity of local governments and stakeholders will increase the share of climate-compatible investments in the key sectors of intervention, especially in climate resilient and diversified livelihoods options (ARA 1.0), health and wellbeing, water and food security (ARA 2.0), infrastructure and built environment (ARA 3.0), ecosystems and eco-system services (ARA 4.0).

To deliver its objectives, the programme builds on the combined experience of the UNCDF-hosted Local Climate Adaptive Living Facility (LoCAL), implemented in 14 countries, and BOAD's expertise in climate-focused blended financing instruments in West Africa. LoCAL is a standard mechanism that channels climate finance to local governments in LDCs and in developing countries. Its operates through a performance-based climate resilience grant system (PBCRG), which consists of financial topups to cover the additional costs of making investments climate resilient and/or of new investments for adaptation, while ensuring programming and verification of local adaptation expenditures. The implementation of the PBCRGs is mandated to local governments, which will leverage on communal structures and deconcentrated state services to perform their functions and will be empowered to act as adaptation champions for the communities they serve. The LoCAL mechanism will be deployed in conjunction with dedicated Blended Finance Facilities in each country that will strengthen existing institutions/structures dealing with private sector financing to design and deploy dedicated adaptation revolving windows to the benefit of a wider range of local private sector actors. The programme aims at testing and proving the concept for integrated approaches and financing instruments to subnational adaptation finance, leveraging both on public and private sector key actors at the local level to enable systemic responses to climate change threats.

#### 3.2. Programme rationale

Local governments enjoy a privileged position that allows them unique insight into the diversity and complexity of local systems and community realities. They are best placed to identify the needs and priorities of local communities and to develop targeted solutions, getting stakeholders to engage with locally appropriate interventions. These include innovative solutions to mobilize more resources, for example through innovative public-private partnerships.

However, given their high level of vulnerability to climate change – in ND-GAIN rankings,<sup>5</sup> Côte d'Ivoire ranks 145th, Burkina Faso 161st, Mali 166th, Niger 175th – the four target countries share the following common challenges:

The climate changes that are expected will affect, in particular, communities that are highly dependent on access to local natural resources and on their climatic and environmental conditions. These conditions are exacerbated in remote areas due to the lack of essential services.

<sup>&</sup>lt;sup>5</sup> The University of Notre Dame's Country Index ranks 181 countries according to their vulnerability to climate change, as well as their ability to increase resilience and their readiness to leverage private and public sector investment for adaptation measures

- Local governments' expertise is playing an increasingly significant role in the implementation of infrastructure and services in sectors that are sensitive to climate change. Yet communities lack the (financial and technical) capacity to implement appropriate solutions due to a lack of appropriate budget allocation at the national level. This results in unfunded mandates, the inability of local governments to absorb the additional costs of climate change adaptation, and a lack of funding for private and public-private climate projects.
- Mobilizing resources to finance investments at the local government level is one of the most challenging aspects of local development including for adaptation-related investments.

#### **3.3.** Programme components

#### **3.3.1.** Activity plan

The predefined activity plan is as follows:

# <u>Component 1: The awareness and response capacities of local governments, local actors and communities are strengthened and promote local adaptation responses</u>

#### Output 1: Awareness of climate change risks and impacts is enhanced at the local level

- Activity 1.1. Assessments of local stakeholders' needs for tailored awareness-raising and capacity building, including on use of and access to climate data and information, climate riskinformed local planning and budgeting, participatory and gender-sensitive decision-making process, execution, monitoring and reporting of resilience building initiatives, are undertaken.
- Activity 1.2. Sensitization activities are organized with key local stakeholders and delivered according to the identified needs. Based on findings from activity
- Activity 1.3. A local outreach and communication strategy is developed and implemented

## Output 2: Climate data availability and access are improved for risk informed local decision making

- Activity 2.1. Localized analyses of climatic risks, looking at local hazards, exposure and vulnerabilities are conducted.
- Activity 2.2. Local Information Systems for Adaptation (LISA), in complement of existing early warning systems and climate information services, are set up in each target local government.

## Output 3: Capacities of local governments to plan, budget, implement and monitor for effective locally led adaptation are enhanced

- Activity 3.1 Capacities of local authorities for participatory and gender-sensitive adaptation planning is strengthened.
- Activity 3.2. Annual Investment Plans (AIPs) for adaptation are developed and/or integrated into local development plans and adaptation investments budgeted in line with local planning cycles.
- Activity 3.3. Local government capacities to execute and manage adaptation investments are strengthened and mechanisms for community- based contracting (especially for women's groups) strengthened.
- Activity 3.4. Local M&E to track adaptation investments are established and used by local governments to assess adaptation benefits.
- Activity 3.5. Target local governments are sensitized and trained on the LoCAL standard and PBCRG features

### Output 4: Local actors are supported to access blended financing instruments and to prepare bankable adaptation investments proposals in each target country.

Activity 4.1. Sensitization with relevant local stakeholders on access modalities to the Facilities
is undertaken.

- Activity 4.2. Tailored capacity building support in climate smart production and processing processes is delivered the eligible stakeholders.
- Activity 4.3. TA to eligible local actors is delivered to develop compliant and bankable investments proposals.

Component 2: Country-based financing mechanisms to access and channel climate finance at the local level are established and enable locally led climate resilience building investments in priority sectors.

Output 5: The PBCRG are deployed, allocations are transferred to local governments, and investments are implemented according to a pre-determined menu of eligible adaptation investments.

• Activity 5.1. PBCRG allocations are transferred to target local governments and investments are implemented in line with the menu of eligible adaptation investments.

Output 6: The PBCRG system is progressively institutionalised and attracts additional finance for the further scale up of the Facility

- Activity 6.1. Institutions are supported for the systematic adoption and operationalization of the mechanism. This activity is implemented through direct support via capacity building and institutional strengthening grants and ah-hoc TA to national anchor institutions in charge of the operationalization and management of the PBCRG system
- Activity 6.2. Institutional actors receive support for the mobilization of complementary financing (e.g. bilateral funding from bilateral and multilateral partners, and domestic resources) and direct access to international climate finance.

Output 7: Blended Finance Facilities are established and revenue generating adaptation investments are financed in line with the menu of eligible investments in each target country.

- Activity 7.1. The Blended Finance Facilities are set up and governance bodies established and operational. This activity will deliver specific TA for the set-up of Blended Finance Facilities in line with the AE procedures and standard to ensure compliance with GCF.
- Activity 7.2. Private sector-led adaptation projects are awarded and implemented in target local
  areas. Financial support in the form of (i) reimbursable and non-reimbursable grants and/or (ii)
  concessional loans and guarantees (provided by the partner financial organisations in a parallel
  form, and not financed by the GCF), will be delivered to local private sector actors over the
  lifespan of the programme.

#### **3.3.2.** Eligible investments

For each country, a menu of investments is defined, specifying eligible options for local intervention, taking into account the country-specific situation, namely: a) the challenges related to ecosystems, climate and resilience at the local level; b) the appropriate response at the local government level, considering their mandates and capacities — including their financial absorption capacity and procurement systems. The menu of eligible investment options is defined by the national steering committee, based on the lessons learned from previous implementation phases in the country and the cross-cutting expertise of the LoCAL programme. The menu is defined in line with national adaptation strategies — including the NDC — and associated action plans.

At the local level, each local government prepares an annual plan of adaptation activities, linked to the national menu of eligible investment options, in an inclusive and participatory manner (decentralized services, local council, population, civil society, support partners) for financing via the dedicated budget line (actions included in the local government's annual investment programme). These annual plans are broken down into a series of investment projects (hereinafter referred to as "projects") for which the ESMF must be applied.

The projects must fall within the scope of the local government's competences. These generally relate to four areas:

- Local government capacity-building in terms of managing climate change adaptation projects
- Providing services to the local population to develop climate change resilience/adaptation
- Building new climate-resilient infrastructure
- Upgrading existing infrastructure to increase its resilience to climate change (climate proofing)

The menu of eligible investments that will be financed under the programme through GCF proceeds can be found in Annexes 2 A2, 2 B2, 2 C2, 2 D2.

### 4. Characterization of the programme's environmental and social risks

#### 4.1. Categorization of activities

As described above, the programme activities are largely aligned with the GCF benchmark, at risk level C,6 namely:

- Awareness-raising and capacity-building, support for adaptation planning, technical support and institutional strengthening
- Small-scale community projects, support for production and conservation activities at the community level, adaptation of existing infrastructure in an already developed environment, or construction of small infrastructure with no significant additional adverse impact: investments (the "projects") that will be carried out locally, led by local governments or local private sector actors.

Proposed projects that are likely to generate impacts corresponding to Category B and are screened as so based on ESS and ESMF of the AE/GCF won't be financed under the programme.

Project leaders (local governments and private sector) will follow the guidelines and procedures set out in this ESMF for E&S review, timing, and disclosure of documents, as well as all applicable guarantees. The baseline E&S standards for this programme will be the IFC Performance Standards and the associated guarantees and guidelines in this ESMF, which will be used as a minimum benchmark. Where national legislation provides for additional guarantees that go beyond or exceed the IFC Performance Standards, the national standards will apply in addition to those set out in this document.

#### 4.2. Indicative list of potential risks for the activities financed under this programme

#### 4.2.1. Risk characterization

At the programme level, the main E&S risks concern the potential adverse environmental and/or social consequences of activities and projects carried out locally. The table below gives an overview of the main environmental and social risks related to the implementation of model activities. It takes as its starting point the list initially defined for Mali, which is representative of model activities and projects. Only measures involving the implementation of physical investments are taken into account. Suggested mitigation measures are specified in section 5.4. This table is a breakdown of risk 6, set out in the proposal: ("The projects implemented generate adverse environmental and/or social consequences.").

<sup>&</sup>lt;sup>6</sup> GCF, 2019, Sustainability guidance note: screening and categorizing GCF-financed activities & GCF, 2018, Guidelines for the Environmental and Social Screening of Activities Proposed under the Simplified Approval Process

Table 1. Main environmental and social risks

Sector	Examples of interventions	Potential environmental impacts – construction phase	Potential environmental impacts – operational phase	Potential social impacts – construction phase	Potential social impacts – operational phase
Food security	Testing of climate change-adapted farming practices  Development of irrigated areas  Control of insects that damage crops  Creation of irrigated areas to help women to develop market gardening	Environmental impacts related to construction work: pollution, dust, hazardous and non-hazardous waste management Impacts on biodiversity: landscape, ecosystems and habitats	Impacts on biodiversity: landscape, ecosystems and habitats Impacts on the quality of water resources Erosion and soil degradation Risks of chemical pollution	Risks related to labour and employment conditions Impacts of construction work on community health and safety (dust, pollution, noise etc.) Stakeholder engagement and participation of local communities	Risks related to labour and employment conditions Impacts on property titles and land use, involuntary displacement Stakeholder engagement and participation of local communities Impacts on cultural heritage (traditional practices)
Water resources	Development of lowlands and water points and deepening of wells, pools and watercourses  Drilling of boreholes  Development of reservoirs for erosion control and irrigation purposes  Creation of dykes and micro-dams to feed the water table  Maintenance of wells	Environmental impacts related to construction work: pollution, dust, hazardous and non-hazardous waste management Impacts on biodiversity: landscape, ecosystems and habitats	Impacts on biodiversity: landscape, ecosystems and habitats Impacts on the quality of water resources Erosion and soil degradation	Risks related to labour and employment conditions Impacts of construction work on community health and safety (dust, pollution, noise etc.) Stakeholder engagement and participation of local communities	Risks related to labour and employment conditions Impacts on property titles and land use, involuntary displacement Stakeholder engagement and participation of local communities Social risks related to access to water resources Impacts on cultural heritage (traditional
Forest resources	Restoration of degraded lands	Impacts on biodiversity: landscape,	Impacts on biodiversity: landscape,	Risks related to labour and	practices) Risks related to labour and

Sector	Examples of interventions	Potential environmental impacts – construction phase	Potential environmental impacts – operational phase	Potential social impacts – construction phase	Potential social impacts – operational phase
	Forest fire prevention and control measures  Reforestation and maintenance of young trees  Creation of village groves	ecosystems and habitats  Environmental impacts related to construction work: pollution, dust, hazardous and non-hazardous waste management  Fire risks	ecosystems and habitats Impacts on the quality of water resources Erosion and soil degradation (if practices are not adapted) Fire risks (if practices are not adapted) Risks of chemical pollution	employment conditions  Impacts of construction work on community health and safety (dust, pollution, noise etc.)  Stakeholder engagement and participation of local communities	employment conditions  Impacts on property titles and land use, involuntary displacement  Stakeholder engagement and participation of local communities  Social risks related to access to forest resources  Impacts on cultural heritage (traditional practices)
Energy	Promotion of improved stoves and alternative sources of energy for domestic use (including photovoltaic and solar microinstallations)	Environmental impacts related to construction work: pollution, dust, hazardous and non-hazardous waste management	Risks of chemical pollution (maintenance of solar panels)	Risks related to labour and employment conditions Impacts of construction work on community health and safety (dust, pollution, noise etc.) Stakeholder engagement and participation of local communities	Risks related to labour and employment conditions  Stakeholder engagement and participation of local communities  Social risks related to energy access
Health	Establishment of hygiene and sanitation infrastructure	Environmental impacts related to construction work: pollution, dust, hazardous and nonhazardous waste management	Impacts on biodiversity: landscape, ecosystems and habitats Impacts on the quality of water resources	Risks related to labour and employment conditions Impacts of construction work on community health and safety (dust,	Risks related to labour and employment conditions Stakeholder engagement and participation of

Sector	Examples of interventions	Potential environmental impacts – construction phase	Potential environmental impacts – operational phase	Potential social impacts – construction phase	Potential social impacts – operational phase
			Risks of chemical pollution	pollution, noise etc.)  Stakeholder engagement and participation of local communities	local communities
Infrastructure	Strengthening the maintenance mechanism for road transport infrastructure (rural roads) and sanitation infrastructure  Construction of resilient public facilities	Impacts on biodiversity: landscape, ecosystems and habitats  Environmental impacts related to construction work: pollution, dust, hazardous and non-hazardous waste management  Risks of chemical pollution	Impacts on biodiversity: landscape, ecosystems and habitats Impacts on the quality of water resources Erosion and soil degradation Risks of chemical pollution	Risks related to labour and employment conditions Impacts of construction work on community health and safety (dust, pollution, noise etc.)  Visual and architectural degradation  Noise  Stakeholder engagement and participation of local communities	Risks related to labour and employment conditions  Visual and architectural degradation  Stakeholder engagement and participation of local communities  Social risks related to access to infrastructure

#### **4.2.2.** Cumulative effects

Broadly speaking, the significance of the cumulative environmental effects of development projects is undeniable. However, current assessment and management techniques do not always allow for adequate prevention or control of such effects.

In addition to the direct environmental and social impacts caused by the activities, they may generate cumulative effects over the medium and long term – five to 10 years – as they interact with other practices and activities in the target areas. Effects that may not be significant when considered in isolation can prove to be significant when combined with other adverse effects. For example, even if the risk remains very low, a general improvement in the living conditions of populations as a result of the programme's activities could lead to changes in behaviour, and to increased and diversified demand, in turn leading to greater pressure on natural resources. Awareness-raising activities have a key preventive role to play here. Other preventive measures include the introduction of local

management and monitoring committees, and the development and deployment of land-use planning and management tools. Furthermore, secondary effects of water resource management interventions may include: additional pressure on natural resources, conflict over access to resources, potential aggravation of conflicts over the use of water resources, risk of aggravation of conflicts between farmers and herders, risk of waterborne diseases developing around water points, risk of increased use of pesticides, risk of restricting access of women and young people to the lands under management.

Given the effects that ever-increasing development activities have on natural resources and populations, BOAD requires that the projects it finances take into account the cumulative environmental effects resulting from interactions between the project's environmental effects, the execution of projects in a region or sector, and future activities and projects.

With regard to global and cross-border issues, the activities may affect resources and issues managed under international conventions and agreements, including issues related to climate change, biodiversity, restoration of degraded land, and forests. Where relevant, BOAD will ensure that projects integrate global and cross-border issues with recommendations for the implementation of development strategies nationally and within borrowing countries in various sectors. To this end, preference will be given to projects that promote the implementation of the international conventions to which they accede and BOAD's environmental and social policies, procedures and guidelines, including those related to global and cross-border issues.

However, given the low level of E&S risks from the activities and projects funded under the programme (see 3.1.), an analysis of cumulative effects at the subproject level is not required in advance of project planning. A cross-cutting synthesis at the local level will be carried out as part of the evaluation missions to identify the need for any adjustments.

For more information, see BOAD operational policy on accounting for cumulative effects in environmental and social assessments of BOAD-financed projects.

# 5. The programme's approach to environmental and social risk management

#### **5.1.** Guiding principles

Under this programme, good environmental and social practices will be adopted by requiring that the activities and projects financed comply with the guarantees of BOAD environmental and social policy, and with guidelines and standards that are in line with international best practices, such as the IFC environmental and social Performance Standards. BOAD requires that the actions financed undergo an ESIA appropriate to their risk category. This ensures that the projects are environmentally and socially sound and reliable, in order to facilitate decision-making.

As highlighted in 3.1, the activities and projects implemented under the programme are classified as Category C, which allows for a simplified risk assessment approach in line with the GCF benchmark and will refrain from financing higher risk category investments.

#### Documentation to be prepared by risk category

#### Category C

- National and international regulations in force in the countries of operation
- E&S risk assessment (following the simplified model provided by GCF attached as an annex)

In general, risks will be mitigated by assisting project leaders – local governments and private sector – to undertake feasibility studies and assessments, i.e. to identify potential environmental and social impacts and set out mitigation measures if necessary. Environmental and social safeguard clauses (referring to the obligation to comply with the regulations in force) will be included in local adaptation plans and in the commitment charters signed by project leaders, in line with BOAD safeguard policies and the framework for concerted cooperation between GCF and BOAD. Project leaders – local government and private sector – are responsible for integrating all costs related to the implementation of action plans and safeguard measures as appropriate. They are also responsible for the timely disclosure of all documentation concerning environmental and social aspects to BOAD.

Under the programme, BOAD may provide technical assistance to support the teams (project leaders and LoCAL team) in conducting additional specific studies, if necessary, and in developing corresponding action plans.

#### **5.2.** Procedures

The social and environmental risk assessment should address the following issues:

- identify and assess the social and environmental impacts, both positive and negative, in the project's area of influence, as well as the associated risks
- > avoid, minimize, mitigate or compensate for adverse impacts and risks to workers, affected communities and the environment
- ensure that affected communities participate appropriately in resolving problems that may affect them
- encourage improved social and environmental performance of the measures through the effective use of management systems

Compliance with assessment procedures enables BOAD to ensure the transparency and accountability of project leaders' actions and decisions on the one hand, and to support them in managing social and environmental risks on the other. It is important to note that the project leader is responsible for managing these risks and the social and environmental impacts in accordance with BOAD standards. At the same time, BOAD ensures that the activities financed are consistent with the provisions of the relevant standards. The procedures are integrated into the overall project assessment, risk financing and reputation, under the leadership of BOAD and in collaboration with the national LoCAL technical committee.

The following table summarizes the responsibilities and activities at each step of the process for verifying/validating the programme's management procedure for environmental and social impacts and risks. In accordance with BOAD requirements for project selection, once the project has met the eligibility criteria outlined in the menu of investments (project selection approved by the national LoCAL technical committee), the local government – or project leader – is responsible for carrying out E&S risk assessment and management in accordance with this ESMF and producing the corresponding documentation.

Table 2. Environmental and social impact and risk management procedure: overview

Project cycle phase	Actions	Responsibility	Specific clauses
Preliminary information	Preliminary information on E&S (incl. SEAH) requirements is shared with the project leader (local government, private sector) – sharing of the programme's Environmental and	National EE – information and standard clauses included in the manual and in training/technical support	The standard clauses to be included in letters of agreement/contractual documents for the different categories are as follows:  "The client must comply with
			national environmental and

Project cycle phase	Actions	Responsibility	Specific clauses
	Social Management Framework (ESMF)		social laws and the ESMF, which provides for measures to prevent, minimize, mitigate or compensate for adverse impacts and improve environmental and social performance, if deemed necessary by BOAD."
Identification of activities	Selection of projects in accordance with the menu of investments and the procedures in place	Project leader (local government, private sector)	
Validation of project eligibility	Compliance of the menu of investments with the BOAD Exclusion List (see annex 1) Verification of Category C E&S risk	Project leader (local government, private sector) with the support of the national LoCAL technical committee and UNCDF	
Instruction/assessments	Identification and preparation of E&S assessments (simplified approach for Category C, following the GCF format) and potential SEAH risks. Incorporation of conclusions/outcomes into feasibility study/rationale Verification of compliance with the national legislation in force All necessary assessments are conducted in line with the ESMF	Project leader (local government, private sector), with the support of LoCAL teams  Civil society organizations/non-governmental organizations (NGOs) (if applicable)	
Monitoring and control	Monitoring and evaluation through field visits, review of E&S and SEAH risk management is included in evaluation missions and review of the proper implementation of project Environmental and Social Management Plans, if relevant	National EE, as part of the annual assessment (annual performance assessment) with technical support from UNCDF (financing agreement). This requirement is part of the PBCRG mechanism. Minimum requirements include an annual inspection/audit prior to the annual performance assessment. Failure to comply with these requirements triggers corrective action.  National environmental regulatory authority (in the case of a Category B	Inclusion of a statement in the annual reports: "The community confirms that it has complied with local E&S guidelines, E&S protection standards and BOAD gender policy".
Report	Preparation of progress reports to be sent to and approved by the national environmental regulatory agencies and GCF	National EE with technical support from UNCDF, as part of the annual performance assessment	

Project cycle phase	Actions	Responsibility	Specific clauses

#### Environmental and social due diligence

The environmental and social due diligence (environmental and social assessment) carried out by the project team (local government and/or private sector) for each proposed activity is a key factor in the financing decision. This assessment is tailored to the project's nature and scale and is proportionate to the level of risk and the social and environmental impacts. The project leader must comply with BOAD operational policies, procedures and guidelines that relate, directly or indirectly, to the project. They may contact LoCAL teams to ensure better understanding and implementation of the procedures. In addition, during the project design phase, LoCAL teams help the project leader to carry out assessments in accordance with the provisions of BOAD operational policy. The project team and BOAD's organizational unit for legal affairs investigate any potential issues of project compliance with national legislation or international environmental treaties and agreements (as outlined in BOAD operational policy on ESIA).

For Category C activities and projects, thorough environmental and social due diligence is not required; a simplified assessment will be produced that follows the simplified template provided by GCF (attached as an annex), and possibly supplemented with specific analyses on critical social issues such as gender analysis, institutional analysis or a brief environmental analysis.

For Category FI projects, environmental and social due diligence is focused on an in-depth analysis of the project leader's client portfolio (categorization portfolio). In order to facilitate the adoption of environmental and social procedures that meet BOAD requirements, additional attention will be paid to the financial intermediary's performance on environmental and social issues, policies, and procedures; its environmental and social capacity; the nature of the investments to be financed by BOAD; and its technical cooperation and capacity-building needs.

The national LoCAL technical committee is responsible for applying these procedures, with an assessment of the ESIA outcomes to validate project eligibility and a follow-up as part of the annual assessment process.

# **5.3.** Applicability of environmental and social safeguard policies and the capacity of stakeholders to implement them

#### **5.3.1.** Applicability

BOAD aims to promote sustainable and equitable development in all the operations it finances, to ensure that these operations contribute to poverty reduction, greater economic and gender equality, and improved preservation of biodiversity and natural habitats.

For E&S risk management, all individual activities to be financed under this programme must apply and comply with this ESMF, which includes BOAD procedures, in addition to the IFC Performance Standards. Activities must comply with the national regulations of the countries of implementation, including regulations on environmental and social issues. Where national legislative requirements regarding environmental and/or social safeguards exceed the IFC Performance Standards, the applicable national legislation shall take precedence. However, E&S regulations in the four countries of operation are sometimes incomplete or under development.

Project leaders (local governments and private sector) and LoCAL teams will receive technical assistance under this programme, to support them throughout the programme's life cycle and to

ensure that sufficient funds are allocated to implementing the relevant E&S action plans. For local government and private sector project leaders, technical assistance will focus on capacity-building through training sessions that help them to:

- Local governments
  - o carry out ESIAs and develop corresponding action plans
  - o reach financial closure for projects
- Private sector project leaders:
  - o initiate commercially viable projects
  - o carry out technical and financial feasibility studies to design bankable projects
  - develop a financial and commercial framework and a risk mitigation strategy for the projects
  - o carry out ESIAs and develop corresponding action plans
  - o reach financial closure for projects.

One of the programme's particular focuses is on supporting project leaders in integrating climate change considerations into activities: knowledge of the interdependence between climate change and development issues, access to relevant information on climate and operating modalities, and planning and integration of mitigation and adaptation into the project cycle and local planning.

For LoCAL teams, assistance will be provided during the creation and implementation of the programme's activity plan. This assistance will include:

- Support in selecting and developing local projects
- Support in project implementation: This will include support in monitoring the progress of programme implementation and monitoring of performance indicators; as well as ad hoc support, as needed, for environmental and social risk management; and implementation of the gender action plan, the indigenous peoples' action plan or other specific frameworks.

#### **5.3.2.** BOAD implementation capacity

BOAD has extensive experience in designing, implementing and managing projects in accordance with international good practices — prioritizing the fight against poverty and support for inclusive growth, in line with environmental and social standards, in a concerted effort to achieve the SDGs. To maximize programme impact, BOAD's institutional capacity will be further strengthened, in order to support the development of local projects that are environmentally sustainable and socially responsible. In all its operations, BOAD has a record of successful collaboration with governments, national environmental regulatory authorities, civil society organizations, and private stakeholders. Country ownership and the application of internationally recognized environmental and social safeguard measures, standards and procedures are fundamental principles in programme management.

#### **5.3.3.** Implementation capacity of other stakeholders

#### **5.3.3.1.** Local governments

The list of projects identified in each menu of investments at the country level falls within the local governments' field of expertise. The programme will provide capacity-building to the communities involved, to help them define and implement investments in compliance with the ESMF and broader environmental and social standards.

#### **5.3.3.2.** Private sector project leaders

At this stage, project leaders have not yet been chosen. They will be selected through calls for proposals, which will take into account their implementation capacity. The leaders selected will be local businesses in the target countries that have previous experience of similar projects but that need

capacity-building during their project's development phase. The programme will provide capacity-building to local private sector stakeholders, which will help them to structure their investments during the preparation phase of the investment project, in compliance with social and environmental standards and the ESMF.

#### **5.3.3.3.** Government agencies

The relevant government ministries and agencies will receive technical assistance to support them in making any adjustments that may need to be made to the regulatory and policy frameworks for programme implementation. This will mainly involve planning and budgeting of local resilience-building projects, as well as the framework facilitating the implementation of mixed finance products (PPP model) in the case of Mali.

The Environmental Guidelines (EG) EG-44 on Institutional Capacity-Building (see annex 6) define the general principles, regional specificities, tools and instruments based on BOAD's experience in institutional strengthening.

#### 5.4. Development of action plans

#### **5.4.1.** Mitigation measures

At the programme level, the main E&S risks were addressed as part of the programme design – as discussed in the proposal – as follows:

- Ecosystems and socioeconomic vulnerabilities are included in localized and spatial climate risk and vulnerability assessments.
- ➤ Environmental protection measures and incentives for participating in planning, implementation and monitoring are built into the PBCRG mechanism's design (in the form of minimum conditions for accessing grants at the local level and/or performance measures that affect the score and financial allocation for the following year).
- Specific requirements are imposed on local governments and project leaders to ensure that locally implemented activities and projects are aligned with the BOAD procedures presented in this ESMF. These requirements primarily take the form of standard clauses (see Table 2) integrated into local adaptation plans. Compliance with these clauses is assessed during performance evaluation missions.
- Technical assistance is provided to stakeholders, if necessary, to help them comply with the ESMF (see 5.3.4), with support for a simplified evaluation of activities and projects.

Table 3. Risk management table (GCF format<sup>7</sup>)

Summary of risks	Mitigation measures	Level of risk (low, medium, high) <sup>8</sup>	Responsible entity/person	Implementation schedule	Expected outcomes	Implementation cost/budget
Environmental risks: Impacts on biodiversity Impacts on the quality of water resources Erosion and soil degradation Environmental impacts related to construction work: pollution, dust, hazardous and non- hazardous waste management (including electronic waste), increased greenhouse gas emissions, etc. Risks of chemical pollution	The activities and projects must be selected from the menu of investments, which excludes polluting activities and prioritizes good practice, particularly with regard to agricultural activities and the protection of natural resources. Adverse effects will be prevented through compliance with national legislation in terms of environmental and social safeguards for the different types of interventions, as stipulated in the menu of investments and minimum conditions of access. Project-specific measures will be defined on the basis of the environmental and social assessments carried out in accordance with the ESMF.		Project leaders: local governments and private sector	Schedule aligned with local project delivery schedule (less than one year)	Prevention and minimization of potential impacts	cosypunger

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<sup>&</sup>lt;sup>7</sup> GCF, 2018, Guidelines for the Environmental and Social Screening of Activities Proposed under the Simplified Approval Process – annex 2

<sup>&</sup>lt;sup>8</sup> GCF, 2018, Guidelines for the Environmental and Social Screening of Activities Proposed under the Simplified Approval Process—annex 2/Risk significance. The probability of occurrence is the likelihood for a risk to occur and can be characterized in terms of the degree to which itwill happen (for example, the UNDP screening procedure uses "expected, highly likely, moderately likely, not likely, and slight"). The impact or magnitude of risks is the description of how severe the impacts would be if it were to occur (for example, "critical, severe, moderate, minor, and negligible"). A significance value of the risk (for example low, medium, high) can be obtained by combining the probability and impact values. The risk significance indicates the relationship between probability and severity or magnitude of impacts. The entities or organizations that will be implementing the proposed activities are best positioned to define the probability of occurrence and severity or magnitude of impacts. There is no single technique to determine the significance of risks nor will it apply in all situations. The entities and organizations that will be implementing the activities will need to determine which technique will work best for each situation. Determining risk significance would require an understanding of activities and locations, the urgency of situations, and objective judgment.

Summary of risks	Mitigation measures	Level of risk (low, medium, high) <sup>8</sup>	Responsible entity/person	Implementation schedule	Expected outcomes	Implementation cost/budget
Social risks/impacts Risks related to labour and employment conditions  • Impacts of construction work on community health and safety (dust, pollution, noise etc.)  • Visual and architectural degradation  • Noise  • Stakeholder engagement and participation of local communities  • Impacts on cultural heritage	Investments will be selected in consultation with local communities, including the most vulnerable, and activities will be designed so as not to have adverse impacts on these communities.  Investments will be able to be made by mobilizing local communities, including the most vulnerable; working conditions will be included in the process of contracting communities and/or companies, with a commitment to environmental and social safeguard clauses.  Activities that cause the displacement of persons are excluded from the scope of activities (menu of eligible investment options).  Project-specific measures will be defined on the basis of the environmental and social assessments carried out in accordance with the ESMF; an Environmental and Social Management Plan will be defined and implemented when needed.	Low level:  low level of occurrence: implementation procedures — including contracting conditions — will be defined in consultation with the communities in order to minimize potential impacts low level of impact given the scale of the projects and the selection procedures (local communities participate in project selection)	Project leaders: local governments and private sector	Schedule aligned with local project delivery schedule (less than one year)	Prevention and minimization of potential impacts	

#### 5.4.2. Measures on specific environmental and social issues

BOAD has developed an operational policy and targeted procedures to address the following issues:

- voluntary resettlement
- > indigenous peoples
- physical cultural resources
- natural habitats

Since the programme's model activities are Category C, these issues do not need to be addressed in depth. However, they will be integrated into the environmental and social assessment conducted at the project level, if relevant, and with reference to the corresponding guidelines adopted by BOAD. For more information, see BOAD's operational policy on assessing and addressing these specific issues.

# 6. Public participation, stakeholder engagement, and complaint resolution

#### **6.1.** Public participation and engagement

#### **6.1.1.** Types of engagement

BOAD's policy on ESIAs requires that local communities and local stakeholders – including NGOs present in the area – be informed and consulted in a practical manner when an ESIA is conducted. Communities can become involved in planning and implementing projects through consultation and participation. These two concepts differ mainly in the degree of influence that individuals can have in making or controlling decisions.

#### Consultation

Consultation involves inviting people to give their views on proposed projects and engaging them in dialogue. Rather than merely disseminating information, consultation is a two-way flow of information: from project leaders to populations and vice versa. Although governments have the prerogative to make decisions, this interaction and exchange, based on the principle of transparency, allows affected groups to influence decision-making groups by raising issues that should be considered when determining the project's scope, design, mitigation, and follow-up and management plans and when analysing alternatives.

#### **Participation**

Participation is a voluntary process whereby populations, including marginalized groups (poor people, women, indigenous peoples and ethnic minorities), meet with project leaders, local NGOs and sometimes experts to share their views, negotiate and guide decision-making on project design and management. Affected populations are more involved in decision-making than when they are only involved in consultations, and the exchange of ideas and information is still reciprocal. Social science expertise, communications staff and financial resources are key to implementing and expanding the process.

Community input is important for projects as it can help: i) improve understanding of the risks posed; ii) find alternative locations or develop alternative designs and mitigation measures to improve social and environmental measures; iii) gain a clearer picture of the values, advantages and disadvantages of different alternatives; iv) identify contentious issues; v) establish transparent implementation

procedures for proposed projects; vi) create accountability and; vii) develop a situation where communities feel in control of the project.

#### **6.1.2.** Implementation modalities

BOAD's operational policy on ESIAs states that the project leader must provide relevant information to foster meaningful consultation with local interest groups and NGOs. BOAD is responsible for confirming that measures to implement GCF guidelines – including the free, prior and informed consent of stakeholders and relevant grievance resolution mechanisms – have been incorporated into agreements with the implementing entities, including tender documents and contracts. It is also responsible for ensuring that all project elements, sub-elements and activities meet the requirements of this policy.

At the project level, the project leader will clearly define roles, responsibilities and powers and will appoint the staff responsible for implementing and monitoring stakeholder engagement activities and compliance with this ESMF. The operational policy on ESIAs requires that relevant groups and local NGOs are consulted at the following stages:

- When identifying the project category and setting out the project implementation modalities
- Upon completion of the draft ESIA report for Category B and C projects.

Information for the consultation between the project leader and indigenous/vulnerable peoples/groups must be provided in a timely manner and in a format that is meaningful and accessible to the groups consulted:

- > During the project preparation phase, the information is a summary of the project description and objectives and the potential adverse effects that may result from the project.
- For Category B projects, once the ESIA report on the project has been completed, a summary of its conclusions will be made available to interested parties, in a format and language that are appropriate to the groups consulted. Any consultation should focus on the issues that most affect at-risk populations. In addition, the project leader must display the ESIA report in a public place that is accessible to interested groups and local NGOs, to allow for consultation and comment.

If projects have significant E&S impacts, affected groups must be consulted in order to gather their views on the ESIA, including in the following cases:

- Projects involving involuntary displacement, namely most construction or land conversion projects.
  - Under the operational policy on involuntary resettlement, the development of resettlement projects and plans should involve public participation. If an ESIA is required, displaced persons will participate in the process (preparation and implementation of mitigation, management and monitoring measures, etc.).
- Projects for certain types of beneficiaries The poorest populations, indigenous peoples, women's or user groups and village groups may be considered as target groups. Given the circumstances, and for a project that requires an ESIA, it is important that these beneficiaries are involved in project design and implementation.
- ➤ Local development projects

  Since a project's success depends on the support of local communities, it is important that they participate in decision-making. Typical examples include rural infrastructure

development projects, social housing and urban infrastructure for community-based natural resource management, biodiversity conservation in areas with buffer installations, community-managed forestry development projects, and certain types of small credit operations.

Clarifying the "rules" at the outset of the consultation process fosters respect and trust between participants. It is therefore important to establish a consultation (or participation) framework to be followed during the ESIA, and which defines the content, timing, participants, location and method of the process. For example, the framework will identify the issues and schedule for project planning, which will enable various groups to be considered. If the project has already been mandated, it is important that this decision be clearly stated at the beginning of the process.

The environment in which the consultation process between participants takes place must engender respect, friendliness and trust for the individuals and groups present, who are able to express themselves freely. When selecting participants, the project leader should consider the representativeness of the teams or officers within the project organization, in order to disseminate information and ensure that the consultation process is a success. Officials must have, or receive, the authority to make firm commitments on matters directly related to the project's design and implementation. There are many ways to gather people's views and engage them in dialogue. Given that not all project issues are apparent prior to data collection, and that people are expected to be able to anticipate consequences of events they are not used to, there may be some meetings in which responses are requested and discussions take place in a way that project teams may not have anticipated.

Aside from consultation, public participation in project development is not an ESIA requirement, unless the project raises the issue of resettlement of displaced persons or affects indigenous peoples. However, public participation in decision-making strengthens the sense of ownership and responsibility. Therefore, depending on the case, public participation may be required during project preparation, and is generally recommended during implementation. Thus, the consultation undertaken during the environmental impact scoping assessment sets out the degree to which the affected groups will participate in project development or implementation. During project development, participation may help establish the framework for the ESIA and its implementation. Local NGOs or representatives of affected groups may participate in monitoring project implementation and evaluating the measures recommended by the ESIA.

Environmental and Social Management Plans that take into account consultation outcomes and are tailored to the local context and category of actions should be developed. They should seek to mitigate the risks and impacts associated with the planning and execution of project activities, in consultation with communities and local stakeholders, including a grievance resolution mechanism (see 6.3).

Table 4. Overview of the consultation process (project level)

Project cycle phase	Public consultation			
Preliminary information	Discussion between BOAD and National EEs on the scope and modalities of the consultation, including the establishment of a grievance management mechanism Identification of relevant local groups and NGOs and effective means of disseminating information at the local level (target communes)			
Identification of projects Validation of project eligibility	Thorough identification of affected groups and local NGOs Data collection on potential actions and risk identification, including public consultation			
Instruction/assessment s	Consultation process (notice to participants and rationale to be included in the assessment report) based on the outcomes of the ESIA on the communities and NGOs concerned			
Submission of project validation request	The assessment team (national LoCAL technical committee) must ensure that the project design and its mitigation plans address the various stakeholders' concerns. Appropriate engagement plans required for project implementation and assessment			
Monitoring and control	Assessment, taking into account the populations' opinions on the project impact			
Assessment report	Transparent implementation of the ESIA recommendations and, where appropriate, transparency in the participation of the communities and NGOs concerned			

#### **6.2.** Conflict management and resolution

#### 6.2.1. Guiding principles

A conflict management mechanism must be defined in advance and aligned with traditional mechanisms, to enable negotiations to be conducted and agreements reached to manage conflicts in communities that may be affected. The programme will conform to BOAD guidelines on grievance management. These include the Policy and Grievance Procedures Manual, the Manual of Policy and Procedures of Verification of the Conformity of the BOAD, Environmental Guidelines (EG) EG-07 on the involuntary resettlement of populations and EG-42 on social analysis issues for projects.

The grievance resolution mechanism will be proportionate to the potential risks and impacts of the project and will be accessible and inclusive. Where feasible and suitable for the project, the grievance resolution mechanism will use existing formal or informal mechanisms, supplemented as needed with project-specific arrangements.

a) The grievance resolution mechanism must respond quickly and effectively to concerns, in a transparent manner that is culturally appropriate and easily accessible to all project-affected parties, at no cost and without retribution. The mechanism, process or procedure will not prevent access to judicial or administrative remedies. The borrower will inform the project-affected parties of the grievance procedure in the course of its community engagement activities and will make publicly available a record documenting the responses to all grievances received.

b) Grievances will be handled in a culturally appropriate manner that will be discreet, objective and sensitive to the needs and concerns of the project-affected parties. The mechanism will also allow for anonymous complaints to be raised and addressed.

#### **6.2.2.** Tools and processes

A suggested design and planning process outline for a grievance resolution mechanism (GRM) is provided in annex 3. The mechanism provides for a Grievance Management Policy and Procedures Manual (GMPPM) as a formalized framework for receiving and addressing requests or complaints and resolving the problems of people affected by the BOAD-financed projects. The procedures provided for in the GMPPM will be implemented when those who have suffered a loss as a result of a BOAD-financed project bring complaints or grievances against BOAD. BOAD's grievance resolution process is intended to establish an effective dialogue between populations affected by the projects it finances and all interested parties, with a view to resolving the root problem(s) of a request, without attributing responsibility or fault to any party.

It will be based, as far as possible, on existing processes at the country, programme or project level. The process will operate as closely as possible to the project level and affected communities, although national grievance resolution processes may also be available and proposed either by the host country or, in some cases, by BOAD. Dispute resolution involves the voluntary participation of various stakeholders in a consensus-based grievance management process through mediation, conciliation, facilitation, negotiation or similar means. The reasons for participating in these processes can vary considerably, depending on the different contexts. Process facilitators must be able to use a wide variety of techniques and have a high degree of flexibility in terms of timing and methods.

Affected communities or other stakeholders affected by BOAD-supported programmes and projects will be able to submit grievances to BOAD through the channels established for this purpose, i.e. mail, email, fax or telephone. Given the nature of the grievance resolution process and its reliance on the voluntary and active participation of all stakeholders, the identity of the affected persons involved in the grievance process will generally not be kept confidential. BOAD will support the establishment, at the level of the projects or programmes it finances, of specific grievance resolution processes operated by the project leader or the host government.

#### **6.2.3.** Establishment of programme procedure

As part of the programme, the LoCAL technical committee will establish a grievance resolution mechanism at the national level, which will be passed to the local level as a procedure built into the adaptation plans.

# 6.2.4. Preventing risks of Gender-based Violence or Sexual Exploitation, Abuse, and/or Harassment (SEAH)

In line with GCF Revised Environmental and Social Policy, <sup>9</sup> the current programme defines "Sexual Abuse" as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. "Sexual Exploitation" on the other hand refers to any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to profiting monetarily, socially, or politically from the sexual exploitation of another. "Sexual Harassment" includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, that interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive environment in connection with financed activities.

The current programme recognizes the existence of risks and context specific factors related to gender-based violence (GBV) and Sexual Exploitation, Sexual Abuse and Sexual Harassment (SEAH) in all four targeted countries (see Annex 8 – Gender Assessment). Meanwhile, power imbalances and tensions over the control of resources between beneficiaries, potential movement of workers and stakeholders away from their homes as well as remote physical location of some investments (creating opportunities for the perpetration of SEAH) may negatively interact with contextual fragilities, increasing the risk of SEAH being perpetrated.

However, the small-scale and community-level nature of the activities, the participatory approach to activity design, application of the Gender Action Plan and the compliance with GCF and BOAD related gender policy mean that these risks remain low. They derive mainly from the presence of programme staff or consultants spending time in communities and from survivors and/or communities being unable to identify or report instances of SEAH. Therefore, specific capacity building activities and a Grievance Redress Mechanism will be developed to ensure that there is a common understanding of SEAH risks and to provide a survivor-centred and gender-responsive pathway to prevent and respond effectively to SEAH.

In accordance with the Green Climate Funds (GCF) Revised Environmental and Social Policy (ESP) (B.BM-2021/18) and Sexual Exploitation, Abuse and Harassment (SEAH) Risk Assessment Guideline, all programme activities will also be designed, implemented and monitored to ensure they are safe and prevent SEAH.

#### Key elements of the project's survivor-centred approach include:

- Empowerment and Agency: Survivors will be empowered by ensuring they have access to
  information about their rights, available support services, and the grievance redress process.
   Survivors will be provided with the opportunity to make informed decisions about how they
  wish to proceed with their grievance, including whether they want to pursue formal or
  informal resolution pathways.
- Confidentiality and Privacy: maintaining confidentiality and privacy throughout the grievance redress process is of the utmost importance. Measures will be put in place to safeguard the confidentiality of survivors' identities and the details of their grievances, while still ensuring transparency and accountability in addressing complaints.

 $<sup>\</sup>frac{9}{https://www.greenclimate.fund/sites/default/files/decision/bbm-2021/decision-bbm-2021-18-bbm-2021-18-decision-board-revisions-gcf-esp-reaffirm-fund-s-commitment.pdf}$ 

- Safety and Support: The safety and well-being of survivors will be paramount. Survivors will have access to appropriate support services, including medical, psychosocial, and legal assistance, as needed. Additionally, measures will be taken to protect survivors from retaliation or further harm.
- Trauma-Informed Approach: the approach will be informed by an understanding of the
  potential trauma experienced by survivors of SEAH. A supportive and non-judgmental
  environment will be created that recognizes the complex effects of trauma on survivors'
  experiences and responses.

The programme will further target women's participation in decision-making processes and in investments implementation and management. By design, LoCAL mainstreams inclusiveness (social equity) and gender considerations to ensure climate vulnerabilities are addressed considering specificities associated with gender-based inequalities. This is done through gender sensitive climate risk assessments, gender sensitive and participatory planning progress and promotion of gender-responsive investments. The Gender Action Plan (GAP) developed (annex 8) will be followed throughout the programme implementation to ensure compliance with GCF Gender Policy and ESS guidelines.

#### 7. ANNEXES

#### 7.1. BOAD definitions for environmental and social assessments

- 1. Environmental audit: an instrument to determine the nature and extent of all environmental areas of concern at an existing facility. The audit identifies and justifies appropriate measures to mitigate the areas of concern, estimates the cost of the measures, and recommends a schedule for implementing them.
- 2. Environmental and Social Impact Assessment (ESIA): an instrument to identify and assess the potential environmental and social impacts of a proposed project, evaluate alternatives, and design appropriate mitigation, management and monitoring measures.
- 3. Environmental and Social Management Plan (ESMP): an instrument that details
- (a) the measures to be taken during the implementation and operation of a project to eliminate or offset adverse environmental impacts, or to reduce them to acceptable levels; and (b) the actions needed to implement these measures.

The ESMP is an integral part of Category B ESIAs (irrespective of other instruments used).

- 4. Hazard assessment: an instrument for identifying, analysing and controlling hazards associated with the presence of dangerous materials and conditions at a project site. The Bank requires a hazard assessment for projects involving certain inflammable, explosive, reactive, and toxic materials when they are present at a site in quantities above a specified threshold level. For certain projects, the ESIA report may consist of the hazard assessment alone; in other cases, the hazard assessment is part of the ESIA documentation.
- 5. Project area of influence: the area likely to be affected by the project, including all its ancillary aspects such as power transmission corridors, pipelines, canals, tunnels, relocation and access roads, borrow and disposal areas, and construction camps, as well as unplanned developments induced by the project (e.g. spontaneous settlement, logging, or shifting agriculture along access roads). The area of influence may include, for example,
- a) the watershed within which the project is located; b) any affected estuary and coastal zone; c) offsite areas required for resettlement or compensatory tracts; d) the airshed (i.e. where airborne pollution such as smoke or dust may enter or leave the area of influence); e) migratory routes of humans, wildlife, or fish, particularly where they relate to public health, economic activities, or environmental conservation; and f) areas used for livelihood activities (hunting, fishing, grazing, gathering, agriculture, etc.), or religious or ceremonial purposes of a customary nature.
- 6. Regional Environment and Social Assessment: an instrument that examines environmental issues and impacts associated with a particular strategy, policy, plan or programme, or with a series of projects for a particular region (e.g. an urban area, a watershed, or a coastal zone); evaluates and compares the impacts against those of alternative options; assesses legal and institutional aspects relevant to the issues and impacts; and recommends broad measures to strengthen environmental management in the region. Regional Environment and Social Assessments pay particular attention to potential cumulative impacts of multiple activities.

- 7. Risk assessment: an instrument for estimating the probability of harm occurring from the presence of dangerous conditions or materials at a project site. Risk represents the likelihood and significance of a potential hazard being realized; therefore, a hazard assessment often precedes a risk assessment, or the two are conducted as one exercise. Risk assessment is a flexible method of analysis, a systematic approach to organizing and analysing scientific information about potentially hazardous activities or about substances that may pose risks under specified conditions. The Bank requires a risk assessment for projects involving the handling, storage or disposal of hazardous materials and waste, the construction of dams, or major construction works in areas vulnerable to potentially damaging natural phenomena. For certain projects, the Environmental and Social Impact Assessment report may consist of the risk assessment alone; in other cases the risk assessment is part of the ESIA documentation.
- 8. Sectoral Environment and Social Assessment: an instrument that examines environmental issues and impacts associated with a particular strategy, policy, plan, or programme, or with a series of projects for a specific sector (e.g. power, transport or agriculture); evaluates and compares the impacts against those of alternative options; assesses legal and institutional aspects relevant to the issues and impacts; and recommends broad measures to strengthen environmental management in the sector. Sectoral Environment and Social Assessments pay particular attention to the potential cumulative effects of multiple activities.

#### 7.2. Exclusion list and programme criteria

BOAD, and this programme, will not finance the following projects:

- Production or trade in a product or activity deemed illegal under host country laws, regulations, international conventions and agreements, or subject to prohibitions, such as certain pharmaceuticals, pesticides/herbicides, substances harmful to the ozone layer, polychlorinated biphenyls (PCBs), fauna or products regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- Production or trade of arms and ammunition
- Production or trade of alcoholic beverages (excluding beer and wine)
- Production or trade of tobacco
- Gambling, casinos and equivalent companies
- Production or trade of products with an asbestos plug (asbestos-free). This does not apply to procurement and labour exploitation where the asbestos to cement ratio in asbestos cement sheets is less than 20 per cent.
- Drift net fishing in the marine environment using nets in excess of 2.5 km in length
- Production or activities involving harmful effects or exploitative forms of forced/harmful labour or child labour
- Production or activities negatively and disproportionately affecting women and girls, persons in vulnerable positions and situations and marginalized groups.
- Activities considered unsafe and risky in terms of Sexual Exploitation, Sexual Abuse and Sexual Harassment (SEAH).
- Category A projects according to BOAD procedures. A project is classified as Category A if it is likely to have significant adverse, sensitive, diverse or unprecedented impacts on the environment and society. These effects can be felt in an area larger than the sites or facilities subject to physical works.

# 7.3. Suggested format for the development of a project-level grievance resolution mechanism and related planning procedures

For each project to be financed under this BOAD-GCF programme, the grievance resolution mechanism will be established in accordance with the guidance provided in the BOAD Policy and Grievance Procedures Manual, the Manual of Policy and Procedures of Verification of the Conformity of the BOAD, Environmental Guidelines EG-07 on the involuntary resettlement of populations and EG-42 on social analysis issues for projects. I will also follow GCF's Revised Environmental and Social Policy (ESP) (B.BM-2021/18) as well as Sexual Exploitation, Abuse and Harassment (SEAH) Risk Assessment Guideline.

The first stage in designing a project-level grievance resolution mechanism is to determine its primary objective. This would generally be to resolve specific grievances in a manner that meets the needs of both the project management and the community, is survivor-centred and gender-responsive and adapted local variation. The scope of grievances that can legitimately be filed by the communities and/or individuals concerned should be defined in advance. This scope will generally cover most, if not all, of the issues raised in a typical environmental and social assessment: natural resources, pollution, cultural assets, land acquisition, income of resettled or displaced populations, welfare of vulnerable groups, SEAH, etc.

- 1. The scope, scale and type of grievance resolution mechanism required will be proportionate to the nature and scale of the potential risks and impacts of the project.
- 2. The grievance resolution mechanism may include the following elements: a) different means by which users can submit their grievances, including in person, by telephone, SMS, mail or email or via a website; b) a document in which grievances are recorded in writing and maintained in a database; c) publicly advertised procedures, specifying the length of time users can expect to wait for acknowledgement, response and resolution of their grievances; d) transparency about the grievance resolution procedure, governance structure and decision makers; and e) an appeals procedure (including the national judiciary) to which to refer grievances when the complainant party is not satisfied with the resolution.
- 3. The borrower may resort to mediation when users are not satisfied with the proposed resolution.

The second stage would be to design the grievance resolution mechanism as follows:

- Develop a pilot/preliminary structure.
- Choose ways to receive, record, assess and respond to grievances, taking into account language barriers/limitations and the need for anonymity if a complainant fears reprisals or in the case of submission from an authorized representative or civil society organization.
- Choose grievance resolution methods.
- Develop a means of tracking and monitoring grievances, i.e. a document in which grievances are recorded in writing and maintained in a publicly accessible database. The database should include information about the complaint and its resolution, including the remedial measures taken, taking into account that the identity of the complainant may remain anonymous upon request. This database and the independent GCF resolution mechanism must be made available to the different stakeholders.

- Publicly advertise procedures; identify the means for submitting grievances; specify the length of time that users can expect to wait for acknowledgement, response and resolution of their grievances; set out the transparency of procedures, and identify governance and decision-making structures.
- Develop the grievance resolution mechanism's infrastructure, including an appeals procedure to which unsatisfied grievances may be referred.
- Make information on other grievance resolution mechanisms available, including on the independent GCF grievance resolution mechanism, the BOAD grievance resolution mechanisms, and the grievance resolution mechanisms implemented by other entities.
- Review and refine the design, which may be done with the help of a specialized independent consulting firm (if resources are available).

In order to facilitate and improve grievance management, it will be important to establish a Grievance Resolution Committee (GRC) at the project level. GRC members must be qualified, experienced and competent individuals who can earn the respect and trust of affected communities. Gender balance is a key element in GRC composition. Suggested criteria for the constitution of the GRC could be:

- Knowledge of the project, its objectives and outcomes
- Technical knowledge and expertise to understand the project design and requirements
- Understanding of the social, economic and cultural environment and community dynamics
- Ability to digest the issues addressed and to actively contribute to decision-making processes
- Social recognition and status
- Balanced representation of men and women within the committee

The GRC team may also include members from local government authorities, NGOs or community representatives.

#### Procedures, means of complaint and time limits for project-level grievance mechanisms

As there is no single approach to grievance resolution, the best conflict solutions are generally found through mechanisms that take into account specific local issues, cultural context, local customs, conditions and project scope. The process for accepting or rejecting a complaint must be carefully designed to maximize interactivity and cultural sensitivity. The acceptance or rejection of a complaint is preceded by a discussion phase, during which the complainant and grievance resolution mechanism staff assess the grounds for the complaint. After this discussion, the complainant must be clearly and transparently informed whether the complaint is admissible or not. Acceptance/rejection of the complaint is based on the objective criteria displayed, including a written copy posted in a public place in an appropriate language.

If accepted, the complaint should be processed in several stages:

- The complaint is filed and labelled with an identification code that is immediately communicated to the complainant.
- The complaint is assessed (including severity of risk/impact).
- The response is prepared.
- The choice of grievance resolution approach is key.

There are four general approaches to choose from:

- 1 The project management proposes a solution.
- 2 The community and the project management make a decision together.
- 3 The project management and the community rely on a third party to decide.
- 4 The project management and the community rely on traditional or customary practices to find a solution.

#### A step-by-step guide to managing a grievance:

- 1. Receive and file the complaint.
- 2. Assess and validate the complaint.
- 3. Formulate a response.
- 4. Choose a resolution approach (see above) based on consultation with the affected group or individual.
- 5. Implement the approach.
- 6. Resolve the problems.
- 7. Monitor and assess the outcomes.
- 8. Draw lessons from the experience and communicate with all parties involved.

#### **7.4.** List of documents relevant to the ESMF

The following documents are available from: <a href="https://www.boad.org/politiques-procedures-directives/">https://www.boad.org/politiques-procedures-directives/</a>(some English versions are available at <a href="https://www.boad.org/en/policies-procedures-guidelines/">https://www.boad.org/en/policies-procedures-guidelines/</a>)

BOAD – Manual of Policy and Procedures of Verification of the Conformity of the BOAD, November 2013

#### **BOAD Environmental Guidelines:**

EG01 – Financial intermediary; EG02 – Natural sites; EG03 – Sustainable forest management; EG04 – Dams and reservoirs; EG05 - Land and water resource management; EG06 - River basins; EG07 -Involuntary resettlement of populations; EG08 - Indigenous peoples, tribes, lower castes and ethnic minorities; EG09 - Cultural heritage; EG10 - Integrated management of pests and use of agrochemicals; EG11 - Biological diversity; EG12 - Planting and reforestation; EG13 -Wetlands/marshes; EG14 – Coastal and shoreline management; EG15 – Natural disasters; EG16 – Flood prevention; EG17 – Irrigation and drainage; EG18 – Fisheries; EG19 – Agricultural production; EG20 – Livestock and grazing area management; EG21 – Arid and semi-arid areas; EG22 – Social problems in environmentally sensitive areas; EG23 - Tourism development; EG24 - Port infrastructure; EG25 - Oil refining; EG26 - Oil and gas pipelines; EG27 - Hydroelectric projects; EG28 - Electricity transmission networks; EG29 - Thermal energy projects; EG30 - Large-scale housing projects; EG31 - Solid waste and disposal systems (collection, treatment, recycling); EG32 - Hazardous materials management; EG33 - Agro-industry; EG34 - Food industry; EG35 - Fertilizer plant; EG36 - Chemical and petrochemical industry; EG37 - Cement industry; EG38 - Steel industry; EG39 - Non-ferrous metal industry; EG40 - Industrial risk management; EG41 - Public health and safety; EG42 - Social analysis issues of projects; EG43 – Induced development; EG44 – Institutional capacity-building - ESRM Sector Guide on Off Grid Standalone Solar for Financial Service Providers – ECOWAS Centre for Renewable Energy and Energy Efficiency (ECREEE), BOAD, ECOWAS Bank for Investment and Development (EBID)

#### **National frameworks:**

Republic of Mali – Law No.91-47/AN-RM on the Protection of the Environment and Living Conditions; Decree 03-594 PRM, Environmental Impact Assessment; National Environmental Protection Policy

Republic of Burkina Faso – Law No.008-2014/AN constituting the framework act on sustainable development in Burkina Faso; National Environmental Policy; Decree N $^{\circ}$  2013-406/PRES promulgating law N $^{\circ}$ 006-2013/AN on the Environmental Code of Burkina Faso

Republic of Niger – Law No.98-56 constituting the framework law on Environmental Management; Ordinance n° 97-001 on the institutionalization of environmental impact assessments; Ordinance n° 2010-09 on the Water Code of Niger

Republic of Côte d'Ivoire – Law No.96-766 of 3 October 1996, on the Environmental Code, establishes the principle of carrying out an Environmental Impact Assessment for any development project likely to have an impact on the environment (art. 39)