

Government of the Republic of the Union of Myanmar

Peaceful and Prosperous Communities Project

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

Version 1

November 2019

Executive Summary

Environmental and Social Management Framework for Peaceful and Prosperous Communities Project

Summary Description of Project

The Peaceful and Prosperous Communities Project (PPCP) would support increased quality of services and economic opportunities for vulnerable rural communities in conflict-affected areas of Myanmar, including by building mechanisms to foster engagement and collaboration between communities, ethnic armed organizations (EAOs), and governments at the township, state and union levels. During project design stage, multiple stakeholder consultations with different engagement methods were conducted in states and townships to identify overall needs and project design options. The project proposes to start in two townships in each of three conflict affected states in the Southeast of Myanmar – Kayin, Kayah, and Mon- and ultimately aims to expand to a total of 20 conflict-affected townships in several states and regions.

The project has four components: Component 1: Mechanisms to strengthen collaboration (US\$8 million); Component 2: Improving basic infrastructure and services (US\$143 million); Component 3: Improving rural livelihoods (US\$79 million); and Component 4: Implementation support (US\$20 million). The proposed project will support basic infrastructure investments at village and village tract levels, joint government-EAO service delivery, particularly in the areas of health and education, and rural productive activities at community level. These areas of project support would be the main focus of the environmental and social safeguard procedures that are outlined in this Environmental and Social Management Framework (ESMF). The project will also support technical assistance, training, and capacity building of Government and ethnic service providers, as well as incidental operating costs.

The Department of Rural Development (DRD) of the Ministry of Agriculture, Livestock and Irrigation (MOALI), will lead project implementation at union level. At the state/region level, Chief Ministers will play a leading role, together with relevant EAO representatives, in ensuring that project implementation is feasible and effective at sub-national level. In addition, at sub-national levels (states/regions and townships), the State/Region Governments would oversee implementation of components 2.2 (medium-size infrastructure) and 2.3 (service support grants). At township level, project implementation will be led by DRD for component 2.1 (village level infrastructure) and all of component 3 (rural livelihoods) and by State-Region Government for component 2.2 (village-tract infrastructure). Other technical departments would be engaged depending on the nature of locally prioritized investments.

Representatives of EAOs will participate in township and state/region level decision-making mechanisms that ensure that investments identified under the project meet the needs and priorities of these groups and the communities that they support. A Union-level steering committee made up of senior officials from key technical ministries and policy institutions of Government (including the State Counsellors Office and the National Reconciliation and Peace Center) will be constituted to provide strategic leadership and overall project guidance.

Purpose of the ESMF

This ESMF provides the appropriate methods and tools to support PPCP project implementing agencies and staff in identifying and managing potential environmental and social risks and impacts to the project. The document aims to assist Government to avoid, minimize and mitigate any negative impacts that the project might otherwise cause. The ESMF also identifies a “negative list” of activities that would be ineligible for financing under the PPCP for those instances where negative impacts cannot be mitigated. Lastly, the document outlines the general policies, guidelines and procedures to ensure that the PPCP will be implemented in line with the applicable World Bank safeguard policies and Government of Myanmar national laws.

Relevant National Laws and World Bank Safeguards Policies Triggered

The key national environmental related laws such as Environmental Conservation Law and Rules, EIA Procedure, Protection of Biodiversity and Protected Area Law, Forest Law and Rules, Pesticide Law, etc. and the key national social related laws such as Ethnic Rights Protection Law, Constitution of Myanmar, Protection and Preservation of Cultural Heritage Regions Law, etc. are fully considered for the PPCP.

The proposed project also triggers the following World Bank Operational Policies (OP) relating to environment and social safeguards: Environmental Assessment (OP 4.01), Natural Habitats (OP 4.04), Pest Management (OP 4.09), Indigenous Peoples (OP 4.10), Physical Cultural Heritage (OP 4.11), Forest (OP 4.36) and Projects on International Waterways (OP 7.50). This ESMF is formulated to prevent execution of subprojects with significant adverse environmental or social impacts in particular directly from the investments (subprojects) financed under component 2 as well as indirectly from the activities supported under component 3.

Management of Environmental and Social Risks

The PPCP ESMF will be applied to the PPCP bearing in mind the following principles:

- a. The project and subprojects environmental and social risks and impacts will be screened and assessed, and identified potential negative environmental and social impacts should be avoided, minimized and mitigated;
- b. All people who reside in a township, without regard to legal status of their land ownership or ethnic background, are eligible for the protections provided in this ESMF;
- c. Ethnic groups should be meaningfully consulted and have access to project benefits in a culturally appropriate manner;
- d. Loss in livelihoods associated with or caused by the project should be prevented and, where unavoidable, minimized and fully compensated;
- e. Avoid, minimized and mitigated the indirect negative impacts resulting from livelihood support activities (e.g. use of pesticides);

- f. Potential risks to communities/contractors/project staff and consultants due to project activities from possible landmine contamination shall avoided, minimized and mitigated;
- g. Economic and physical displacement will be avoided and involuntary land acquisition or physical relocation of households is not allowed under the project;
- h. No one should lose more than 10 percent of the productive assets under the project. Designs will be adjusted, or alternative locations will be sought, if any household may lose more than 10 percent of the productive assets under the original design;
- i. Implementation of subprojects will commence only once voluntary donation procedures are fully completed; and
- j. The capacity of DRD and State-Region/GAD to manage environmental and social impacts should be strengthened.

At subproject level, the ESMF would be operationalized through the following four steps: (i) identification of subprojects, (ii) screening of potential impacts and determination of applicable safeguard instruments, (iii) developing of safeguard instruments, and (iv) implementation of safeguard instruments, and supervising, monitoring and evaluating their application.

Sup-project identification for all components begins with the Participatory Social Assessment (PSA) that provides the key socio-economic information on each village and supports the consultative and prioritization process that will lead to approved subprojects. It is at this stage of the subproject cycle that the “negative list” of the PPCP is applied to ensure that no ineligible project activities are considered. As part of this process, communities develop a Village Development Plan and a Village Tract Development Plan (VTDP), which is reviewed and endorsed by township authorities and EAO representatives. This VTDP serves as the Indigenous People Plan (IPP) for those villages where ethnic groups are present.

At the screening stage, the identified subprojects are subject to a review based on a safeguard screening form attached to this document. Based on this screening, the most relevant safeguard instruments (formats for which are also attached to this ESMF) are identified and prepared for each subproject. These instruments include: Environmental Code of Practices (ECoPs), Pest Management Plan (PMP), Environmental Management Plan (EMP), Physical Cultural Resources Management Plan (PCRMP), Chance Find Procedures (for physical cultural resources and landmines), and a Voluntary Land Donation form.

The implementation of safeguard instruments is primarily the responsibility of the relevant community groups (e.g., Village committees for infrastructure subprojects at community level, the executing agency for infrastructure subprojects at village tract level, and the management committee/group for livelihood related subprojects). The supervision, monitoring and evaluation of safeguard instruments would be performed by the Village Tract Project Sub-Committee and Village Monitoring Sub-Committee for community level infrastructure subprojects, a Technical Supervision and Safeguards Consultant for village tract level infrastructure subprojects, and management committees of the livelihoods group for livelihood related subprojects with the support of PPCP project staff-- Community Facilitators, Infrastructure Facilitators, Livelihood Facilitators, and village volunteers. Lastly, the World

Bank reviews the use of safeguards screening forms, environmental management plans, voluntary donations and the use of the ECoPs on a random basis and carries out field trips as part of supervision missions to verify safeguard compliance in line with ESMF and other relevant project documents. The Bank also oversees independent technical evaluations of subproject implementation that reviews the application of safeguard measures.

Grievance Redress

The project will establish a grievance handling mechanism (GHM) that will allow beneficiaries and stakeholders at all levels of project implementation to lodge complaints or provide recommendations or suggestions regarding all aspects of the project to project management for subsequent action. The PPCP GHM will build on the successful system that has been established under the National Community Driven Development Project (NCDDP), adapted to the particular context of the PPCP, including working in predominantly ethnic areas and where EAOs have greater influence.

Structure of ESMF

This document is structured as follows: Section 1 provides an overview of the PPCP including project components, and the project's institutional and implementation arrangements; Section 2 outlines the project's stakeholder engagement process and grievance handling mechanisms; Section 3 summarizes the relevant national laws and World Bank safeguard policies that apply to the PPCP; and Section 4 outlines the principles and approaches for applying the relevant safeguard policies to the PPCP. In addition, this ESMF includes a number of annexes that guide and inform the application of the various safeguard policies and procedures for the project.

List of Acronyms and Abbreviations

Term	Explanation	Term	Explanation
ACW	ASEAN Committee on Women	FPS	Facilitating Partners
ACWC	ASEAN Commission on Protection and Promotion of the Rights of Women and Children	FPTT	Facilitating Partner Township Team
ASEAN	Association of South East Asian Nations	GAD	General Administration Department
AZ	Archaeological Zone	GHM	Grievance Handling Mechanism
BHC	Beta Hexachlorocyclohexane	GoM	Government of Myanmar
BPfA	Beijing Declaration and Platform for Action	HCB	Hexachlorobenzene
CBOs	Community-Based Organizations	ICPD	International Conference on Population and Development
CDD	Community Driven Development	IED	Improvised Explosive Devices
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women	IEE	Initial Environmental Evaluation
CF	Community Facilitator	IMAS	International Mine Action Standard
CHDN	Community and Health Development Network	INGOs	International Non-Governmental Organizations
CITIES	Convention on International Trade in Endangered Species of Wild Fauna and Flora	IPP	Indigenous People Plan
CNA	Chinn National Army	IPPF	Indigenous Peoples Policy Framework
CSOs	Civil Society Organizations	KDHW	Karen Department of Health and Welfare
D.D.T	Dichloro diphenyl-trichloroethane	KNLA-PC	Karen National Liberation Army-Peace Council
DANM	Department of Archaeology and National Museum	KNPP	Karenni National Progressive Party
DDG	Danish Demining Group	KNU	Karen National Union
DFAT	Department of Foreign Affairs and Trade	LBVD	Livestock Breeding and Veterinary Department
DFID	Department for International Development, Australia	LDF	Lahu Democratic Front
DKBA	Democratic Karen Buddhist Army	LFs	Livelihood Facilitators
DOA	Department of Agriculture	M&E	Monitoring and Evaluation
DOF	Department of Fisheries	MAG	Mines Advisory Group
DPs	Development Partners	MIFER	Ministry of Investment and Foreign Economic Relation
DRD	Department of Rural Development	MIS	Management Information System
EA	Environmental Assessment	MNCWA	Myanmar National Committee for Women's Affairs
EAOs	Ethnic Armed Organizations	MOALI	Ministry of Agriculture, Livestock and Irrigation
ECOPs	Environmental Code of Practices	MOE	Ministry of Education
EDB	Ethylene Dibromide	MOECAF	Ministry of Forestry and Environmental Conservation
EIA	Environmental Impact Assessment	MOEE	Ministry of Electricity and Energy
EMP	Environmental Management Plan	MOHS	Ministry of Health and Sports
ESMF	Environmental and Social Management Framework	MONREC	Ministry of Natural Resources and Environmental Conservation
EU	European Union	MPs	Members of Parliament
FD	Forest Department	MSC	Monitoring sub-committee
FERD	Department of Foreign Economic and Department	MSDP	Myanmar Sustainable Development Plan
		MZ	Monument Zone

Term	Explanation
NCDDP	National Community Driven Development Project
NDF	National Democratic Front
NGO	National Governmental Organization
NRPC	National Reconciliation and Peace Center
O&M	Operations and Maintenance
OP	Operational Policy
PCP	Pentachlorophenol
PCR	Physical Cultural Resources
PCRMP	Physical Cultural Resources Management Plan
PDO	Project's Development Objective
PHI	Pre-harvest Interval
PIC	Prior Informed Consent
PMP	Pest Management Plan
POM	Project Operation Manual
POP	Persistent Organic Pollutants
POPLA	Pa' O People Liberation Army
PPCP	Peaceful and Prosperous Communities Project
PPD	Plant Protection Division
PRB	Pesticide Registration Board
PSA	Participatory Social Assessment
PSLF	Palaung State Liberation Front
PVC	Polyvinyl chloride
PZ	Protected and Preserved Zone

Term	Explanation
SCO	State Counsellor's Office
SHAs	Suspected Hazardous Areas
SSDF	Shan State Development Foundation
TDLG	Township Democracy and Local Governance
IFs	Infrastructure Facilitators
TIG	Township Implementation Group
TSSC	Technical Supervision and Safeguards Consultant
UACD	Uppsala Armed Conflict Dataset
UNDP	United Nations Development Programme
UNESCO	United Nations Education, Scientific and Cultural Organization
USAID	United States Agency for International Development
USC	Union Steering Committee
UV	Ultra Violet
UXO	Unexploded Ordnance
VDP	Village Development Plan
VLD	Voluntary Land Donation
VMSC	Village Monitoring Sub-Committee
VC	Village Committee
VSP	Village Subproject
VTDP	Village Tract Development Plan
VTC	Village Tract Committee
WB	World Bank

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1. Background and Scope of ESMF

1.1. Project Overview¹

1.1.1. Project Description

1. The Peaceful and Prosperous Communities Project (PPCP) seeks to address the significant and historical underinvestment in public infrastructure, services, and support for market-oriented activities in areas of Myanmar that have suffered from long-running conflicts. In so doing, the project directly contributes to the first pillar of the Myanmar Sustainable Development Plan (MSDP) on peace and stability, including by securing and further fostering Union-wide peace (strategy 1.1); promoting equitable and conflict-sensitive socio-economic development across all regions and states (strategy 1.2); enhancing good governance and institutional performance (strategy 1.4); and promoting increased engagement of all people and open communication with government (strategy 1.5). The proposed project would support increased quality of services and economic opportunities for vulnerable rural communities in conflict-affected areas of Myanmar, including by building mechanisms to foster engagement and trust between communities, ethnic armed organizations (EAOs), and governments at the township, state and union levels.

1.1.2. Project Development Objective

2. **The project's development objective (PDO)** is to increase access to basic infrastructure and improve the quality of existing infrastructure facilities depending upon the priorities of project communities. The indicators used to measure progress toward achieving the PDO are:
 - Households with increased access to improved infrastructure due to the project (%);
 - increase agricultural production (%);
 - satisfaction of communities, ethnic armed organizations and Government stakeholders with project-supported activities (%);
 - increased involvement by communities and ethnic organizations in local development planning (number).

1.1.3. Project Components

3. The project has four components as follows:
 - a) **Component 1: Mechanisms to strengthen collaboration** (US\$8 million). This component would seek to establish mechanisms for building trust and collaboration between government, EAOs and communities to facilitate collaboration on components 2 and 3, and to allow the PPCP to achieve scale and sustainability.

¹ This section of the ESMF draws from the World Bank Project Appraisal Document (PAD). In the event of any differences or discrepancies between these two documents, the PAD would take precedence.

Activities under this component are grouped under three sub-components. The first would support the establishment of joint planning and decision-making mechanisms at union, state and township levels, including a union-level multi-stakeholder forum to include representatives of the union government, Chief Ministers of participating states, and EAO leadership to review results under the PPCP, identify lessons learned and provide policy directions. Mechanisms for joint EAO-Government engagement and planning under the project will also be strengthened at the state/region and township levels, building on existing models. The second sub-component would support on-going and enhanced stakeholder engagement with a particular focus on local civil society groups, including youth and faith groups, communications and outreach activities, and the establishment of effective feedback loops and joint accountability mechanisms, including through a grievance handling mechanism. The third subcomponent would establish mechanisms for regular monitoring, reflection and adaptive learning, including a project management information system that allows for public access to project data, social audits and other feedback mechanisms. The component would finance training, consultant services, equipment, communications materials and incidental operating costs associated with meetings, materials, learning events, and information systems, etc.

- b) **Component 2: Improving basic infrastructure and services** (US\$143 million). This component would support community-centered, demand-driven processes of identifying and implementing basic infrastructure investments at village and village tract levels, and activities that would indirectly support joint government-EAO service delivery particularly in the areas of health and education. The component will have three distinct parts: sub-component 2.1 will finance four rounds of block grants for village-level infrastructure (including small roads, bridges, water systems, off-grid electrification or grid extension support, rehabilitation and expansion of schools, health clinics or other community buildings, etc.); sub-component 2.2 will finance medium-size inter-village or village tract infrastructure (similarly for roads, bridges, water systems, etc., but of larger scale than under sub-component 2.1); and sub-component 2.3 will finance grants for activities that would help to improve joint service provision between Government and ethnic service providers (ESPs) through training, capacity building, communications or systems improvement particularly in the areas of health and education. Sub-component 2.3 would be implemented by NGOs or other agencies that have recognized expertise and are trusted by both ESPs and government departments. This component would finance block grants for sub-projects executed by villages, civil works (for sub-component 2.2), goods, consultant services and incidental operating costs. The joint decision-making mechanisms to be established under component 1 would support the approval and oversight of these sub-components, and would seek to foster linkages with other Union and state/region government programs to ensure sustainability in basic service delivery as well as in delivering high quality complex infrastructure such as electrification.
- c) **Component 3: Improving rural livelihoods** (US\$79 million). This component would support rural productive activities that increase economic opportunities for conflict-affected communities, with activities grouped into two sub-components. The first would support activities that focus on on-farm and off-farm technical training, provision of extension services, entrepreneurial support, inputs and information. The

second sub-component would aim to increase access to finance through grants and training to establish village development funds (VDFs) that would be managed by village committees in accordance with procedures agreed upon with the World Bank. The VDFs would operate as community level revolving funds that provide micro-credit to village-based businesses. While allowing for flexibility in defining the final guidelines, the VDFs will follow some core principles including: approval of loan by the village VDF committee, use of funds for rural business purposes (i.e., not for consumption), priority involvement of female-headed households, minimum and maximum number of members (with an estimated average of 10), use of prevailing revolving credit rates of interest to ensure sustainability of the fund, etc. Based on preliminary assessments of the potential project areas, the types of local micro-enterprises that may be supported include tractor services for land preparation and harvesting, seed nursery and seed propagation services, and livestock banks, etc. The component would finance block grants for component 3.1 beneficiaries (based on approved livelihood group proposals) and for the VDFs, consultant services (for training and extension support), other training costs, and incidental operating costs.

- d) **Component 4: Implementation Support** (US\$20 million). Activities under this component will support effective project management systems for financial management, procurement, social and environmental safeguards management at the union, state and township levels, as well as supervision and coordination between implementing agencies, regular reporting on project implementation, annual audits, etc. This component would also include a robust project evaluation system to measure overall project impact, and to support specialized studies to inform Government and the World Bank on specific issues that are fundamental to the project's performance. The component would finance small civil works (for minor repairs of Government offices), goods (office equipment, furniture and vehicles), consultant services, training costs, and incidental operating costs.

1.1.4. Project Target Areas and Selection Process

4. **The project would initially focus on the Southeast region of the country where political dialogue between government and EAOs is well-established, ceasefire agreements have generally held, and recovery and development activities have been expanding and delivering on results.** Overall, it is estimated that the PPCP would cover 20 conflict-affected townships. The project proposes to start in two townships in each of three conflict affected states in the Southeast – Kayin, Kayah, and Mon. While incidents of violence have reduced over time in these states, large segments of the population, and the economic and social dynamics in this area of the country, remain conflict-affected and vulnerable to relapsing back into violent conflict. After two years of project implementation, it is proposed that the project take stock of progress and experiences, as well as reviewing the state of the peace process, to determine the next phase of project expansion, including potentially to other states/regions. It is expected that an additional six townships would be added by the third year, and the remaining eight townships covered under the project by no later than the fourth year of implementation. This approach implies that the project would have a duration of seven years.

5. **An estimated two million people in approximately 20 townships are ultimately expected to directly benefit from project investments and support.** Within a township, the project will cover all villages (both registered and unregistered) for equity purposes and operational efficiency. Returnees would also be eligible for support under the project per normal operational procedures. It is projected that the infrastructure and processes supported under component 2 will benefit all residents of the estimated 20 townships, while the livelihoods support under component 3 will directly benefit at least 60 percent of households in the target townships, with an additional 25 percent of households benefitting indirectly.

6. **Within conflict affected States and Regions, townships will be selected on the basis of poverty, impact of conflict, and operational accessibility.** The selection criteria – including State/Region government commitment as reflected in willingness to co-manage and cost-share activities, openness of EAOs to facilitate implementation, clustering of townships to improve efficiencies, among others. The targeting process will draw on data from the multi-dimensional disadvantage index developed jointly by the Department of Labor and the World Bank. A shortlist of qualified townships would be reviewed, and final selection confirmed by government and local stakeholders based on a consultative approach agreed to between the Government and the World Bank.

7. **The participation of a given EAO group would be based on recognized roles and responsibilities for communities within the selected townships.** This is critical for the purposes of ensuring access to all geographic areas that the project intends to cover. Relevant EAOs would be identified through an independent process of township conflict assessment that would be carried out by the World Bank, which would include an assessment of areas of influence, relations with communities, and other relevant issues. This screening would then be discussed with local government authorities and stakeholders to confirm its accuracy and to identify the most relevant interlocutors to engage in the project. Some form of agreement must be in place between the Government and participating EAOs that would ensure the safety and security of any project related personnel and World Bank staff and consultants.²

Table 1 Overview of PPCP Components and Implementing Departments

Component/ Sub-component	Activity	Financing	Implementing Agency
Component 1: Mechanisms to Strengthen Collaboration (\$8m, of which \$7m IDA)			
1.1. Joint planning and decision-making mechanisms	<ul style="list-style-type: none"> • Joint Gov-EAO mechanisms at Union, State and Township level 	\$2m	DRD & State Gov.
1.2. Accountability and feedback mechanisms	<ul style="list-style-type: none"> • Communications and civil society engagement • Grievance handling mechanisms • Social audits 	\$5m	DRD & State Gov.

² All relevant project documentation including the ESMF will be updated based on the final agreements reached by World Bank management in relation to EAO engagement under the project.

Component/ Sub-component	Activity	Financing	Implementing Agency
1.3. Monitoring and adaptive learning	<ul style="list-style-type: none"> Knowledge exchanges Study tours 	\$1m	DRD & State Gov.
Component 2: Improving Basic Infrastructure and Services (\$143m, of which \$115m IDA)			
2.1. Community-level infrastructure	<ul style="list-style-type: none"> Four annual rounds of community prosperity grants Community capacity building and facilitation 	\$90m	DRD
2.2. Connective infrastructure	<ul style="list-style-type: none"> Medium size infrastructure grants (\$25-\$100k) Community capacity building and facilitation 	\$45m	State Gov.
2.3. Service support grants	<ul style="list-style-type: none"> Managed at state level to foster collaborative service delivery Capacity building and facilitation 	\$8m	State Gov.
Component 3: Improving Rural Livelihoods (\$79m, of which \$60m IDA)			
3.1. On and off farm technical training, extension services, inputs	<ul style="list-style-type: none"> Extension services and start-up grants for farmers Skills training and start-up grants for off-farm; labor migration information Community capacity building and facilitation 	\$46m	DRD
3.2. Access to finance	<ul style="list-style-type: none"> Establishment or expansion of village development funds (VDFs) including start-up capital and training Community capacity building and facilitation 	\$33m	DRD
Component 4: Implementation Support (\$20m, of which \$18m IDA)			
4.1 Implementation Support	<ul style="list-style-type: none"> Project operations Strengthening systems and capacities of implementing departments Audits 	\$20m	DRD & State Gov.

1.2. Institutional and Implementation Arrangements

8. **As a multi-sectoral and multi-leveled project, the institutional and implementation arrangements of the PPCP are inherently complex.** The complexity of the project reflects the wide-range of development needs that face the communities affected by conflict in Myanmar, and the need to engage at all levels of government and EAO authority to ensure effective implementation. Nonetheless, the project design has sought to concentrate responsibilities for key project functions in a lead ministry department and areas of investment at the level of township and below. This concentration of implementation responsibility and project investments reflects the predominantly rural nature of the challenges facing conflict affected communities and will improve the likelihood of successful implementation. Table 1 below presents the project by components, key activities, estimated costs and implementation departments.

9. **The Department of Rural Development of the Ministry of Agriculture, Livestock and Irrigation (MoALI) will oversee the implementation of component 2.1 (community level infrastructure) and all of component 3 (rural livelihoods support).** MoALI is currently successfully implementing a number of World Bank-financed projects, and both the rural development and agricultural services departments have a staffing presence in all of Myanmar's townships. Moreover, the Department of Rural Development (DRD) has established a unique track record in leading government engagement with EAOs during its implementation of the NCDDP. Building on this implementation capacity and existing relationships with EAOs will allow the project to begin implementation quickly. At Union level, the project is overseen by the Director General (DG) of DRD, and is supported by a management team consisting of a Deputy DG (finance), two directors (technical and procurement), and one deputy director (technical infrastructure) that oversees a capable team of staff and consultants who have been successfully managing the NCDDP for the past six years. DRD would also take direct responsibility for specific activities under component 1 including the project's grievance handling system, the management information system (MIS), communications materials, and facilitating social audits and annual stakeholder reviews of project progress. At township level, DRD would draw on expertise from other MoALI line departments (particularly the Departments of Agriculture, Fisheries, and Livestock).
10. **DRD will contract with Facilitating Partners (FPs)—generally international or large national NGOs-- to provide assistance to help initiate project implementation and build capacity of government counterparts during the initial project period.** This will help to accelerate start up, augment technical capacities of implementing departments and would also help mitigate potential concerns on the part of EAOs regarding Government extension into areas under mixed or EAO control. In certain instances, FPs might work with and through local CBOs with local knowledge, networks, and trust to facilitate access and operations in communities in such areas.
11. **The office of the Chief Minister of each participating state or region would be responsible for managing component 2.2 (intermediate level infrastructure) and component 2.3 (service support grants).** This office, which is supported by the General Administration Department at state/region level, would establish a State/Region Implementation Unit that would be staffed with state/region level personnel with relevant project management skills. As the states and regions of Myanmar have almost no experience with directly implementing World Bank financed activities, these implementation units would be supported by a state/region technical support teams contracted under the project to ensure application of relevant fiduciary and safeguard requirements. State/region governments also would be responsible for activities under component 1 of the project. This would include facilitating the regular joint Government-EAO mechanisms for consultation, discussion and decision making at township and state/region levels, and working closely with DRD on key component 1 activities such as the grievance system and MIS in order to extend these systems to cover components 2.2 and 2.3. The state/region government would also be responsible for ensuring engagement with line departments for other services to be supported under the project—including the relevant departments of health, education (social affairs), energy, forestry, etc. These

line department will support the State/Region Implementation Unit to implement the subprojects relevant to their specific areas of technical expertise, in accordance with department procedures and requirements/specifications.

12. **Given the close link between the project and the ongoing peace process, strategic leadership and guidance for the project will be provided at the Union level by a steering body consisting of key policy and technical ministries.** This Union Steering Committee (USC) would include representatives of the National Reconciliation and Peace Center (NRPC), State Counselor's Office, the Ministry of Investment and Foreign Economic Relations, Ministry of Union Government, Ministry of Agriculture, Livestock and Irrigation, Ministry of Education, of Health and Sports, other line ministries involved in project implementation and representatives of state/region governments participating in the project. This steering committee would help ensure continued consistency between the peace process and the project's efforts, approve the PPCP's overall operational procedures, ensure appropriate coordination across sectors and between levels of government, review annual project progress, and advise on opportunities for enhanced support of the peace process and for possible project expansion. Two broad stakeholder platforms would be supported under the project to facilitate feedback. These are (i) an annual EAO Forum to facilitate discussion of experiences and lessons learned both within and outside of the project, and (ii) an annual multi-stakeholder review that would specifically review project implementation process and results to inform any changes or adaptations for future implementation.
13. **Multiple structures or mechanisms would be created or enhanced at state/region and township levels to support coordination, governance and feedback.** At state/region level three inter-agency mechanisms are envisioned to support implementation: a state/region policy and coordination committee (the State Implementation Committee), a state/region implementation meeting that would directly involve EAOs, and specific sectoral working groups. All three mechanisms would be supported under component 1 of the project. At township level, the project would enhance the existing government structure to formally involve EAOs in local level planning discussions. Consultation and stakeholder review structures would also be put in place to support feedback and transparency under the project. These structures include township stakeholder consultation meetings and annual multi-stakeholder reviews, and state/region sectoral sub-committees or working groups. Table 2 below present the various structures proposed to support the project.

1.3. Scope of the ESMF

14. As the specific locations of subprojects are not known at this stage, a framework approach has been adopted to assess the potential environmental and social impacts and risks of the activities resulted from the subprojects. This Environmental and Social Management Framework (ESMF) outlines policies and provides procedures to prevent or minimize environmental and social impacts as a result of project activities.
15. A separate social assessment for the project has been undertaken to understand the potential for risk and impacts as a result of project. The assessment also addresses

the need to ensure benefits reach all groups including ethnic groups when they are present in the project area. As part of the subproject, identification process and participatory social assessments will be undertaken both to inform screening and understand activity related social risks. With the support of community facilitators (CFs), free, prior and informed consultations will be conducted with villagers, including ethnic groups, leading to broad community support for the proposed subprojects.

16. This ESMF is structured as follows: Section 1 provides an overview of the PPCP including project components, and the project's institutional and implementation arrangements; Section 2 outlines the project's stakeholder engagement process and grievance handling mechanisms; Section 3 summarizes the relevant national laws and World Bank safeguard policies that apply to the PPCP; and Section 4 outlines the principles and approaches for applying the relevant safeguard policies to the PPCP. In addition, this ESMF includes a number of annexes that guide and inform the application of the various safeguard policies and procedures for the project.

Table 2: PPCP Summary Coordination and Oversight structures

Level	Body	Membership	Key Responsibilities
Union	Union Steering Committee (USC)	NRPC, SCO, President's Office, MIFER, MoUG, MoALI, MoHS, MoE, MoNREC, MoBA	<ul style="list-style-type: none"> • Set strategic direction of project and ensure consistency with peace process • Approve expansion into new states • Approve overall project operational procedures • Mobilize additional financing if project is extended beyond original scope
	Annual Multi-Stakeholder Forum	Union representatives, Chief Ministers, EAO representatives, MPs, CSOs, other stakeholders	<ul style="list-style-type: none"> • Review annual results of project • Recommend changes to operational procedures • Identify and share lessons across townships, states, and stakeholders
	EAO Coordination Forum	EAO representatives	<ul style="list-style-type: none"> • Exchange experiences and identify common issues to be addressed • Develop recommendations for Multi-Stakeholder Forum
State/Region	State Coordination Committee (SCC)	Chief Minister, relevant State/Region officials	<ul style="list-style-type: none"> • Oversight and coordination of project • Submission of decisions and recommendations to union level
	State Implementation Meeting	Chief Minister, relevant State/Region Government officials, EAO representatives	<ul style="list-style-type: none"> • Discuss and recommend project-related actions at state level, including service grants and medium size infrastructure investments • Review project progress • Resolve questions of access or other issues that might delay implementation
	Annual Multi-Stakeholder Forum	Gov, EAOs, CSOs, community reps., MPs	<ul style="list-style-type: none"> • Review annual project results and provide feedback on implementation • Recommend changes to operational procedures for subsequent approval • Identify and share lessons across townships and stakeholders
	Sectoral Coordination Meeting	Gov and EAO sectoral representatives	<ul style="list-style-type: none"> • Exchange experiences and enhance coordination • Identify areas for support and resolve issues that constrain service delivery • Propose applications to the service grants window
Township	Township Implementation Committee (TIC)	Township Administrator, relevant Government department officials	<ul style="list-style-type: none"> • Oversight and coordination of project at local level • Endorsement of Village Tract Development Plans (VTDPs) • Recommend medium-size investment grants for State approval
	Township Implementation Meeting	Gov, EAO representatives, VTAs	<ul style="list-style-type: none"> • Review and recommend for approval village tract development plans • Develop township investment plans for medium-size investment grants • Review project progress and grievances received at township level
	Annual Multi-Stakeholder Forum	Government, EAOs, CSOs and community representatives	<ul style="list-style-type: none"> • Review annual results and provide feedback on project implementation • Share implementation experiences across villages and stakeholders

2. Stakeholder Engagement

2.1. Consultation and Disclosure

17. This section provides a summary of the engagement activities undertaken as part of the preparation of the project and specifically for the ESMF as well as outlining the principles for engagement for managing environmental and social risks as part of implementation.
18. Overall, through August 2019, the PPCP task team and consultants have conducted approximately 100 separate consultations on overall needs and project design options and elements with over 800 individuals representing approximately 70 groups.³ These consultations have been conducted in six central locations (Yangon, Nay Pyi Taw, Hpa-an, Mawlamyine, Loikaw, Taungoo,), seven townships (Bilin, Thandaunggyi, Thandaung, Leiktho, Hlaingbwe, Kyainseikyi, Hpasauung and Hpruso) and related communities where the project is likely to be implemented, and in three cities in Thailand (Chiang Mai, Mae Hong Son and Mae Sot).
19. Engagement methods to date have included: one-on-one meetings; formal and informal group presentations; focus group discussions; key informant interviews; and the sharing of information on the project. The approach and format of the consultations took into consideration cultural appropriateness, and barriers to language, literacy, and participation.
20. Stakeholder groups consulted with include:
 - **Potentially affected and beneficiary communities and their representatives:** More specifically, this group consists of women, men, youth and elders from different ethnic groups (Kayin, Mon, Pa-O, Shan and Kayah/Karenni). Most villages are predominantly of one ethnic group but a few visited are composed of two or more groups. In addition, some villages visited include specific ethnic groups who are living outside of their main state (e.g., a Mon village in Kayin State, Kayin village in Mon State, Shan village in Kayah State, etc.) These consultations involved approximately 500-550 community members from eighteen villages from eight townships of Mon, Kayin and Kayah States.
 - **Village/Township government:** Representatives from GAD at different levels such as village administrator and/or village tract administrator and/or township administrator and members from TIG, officials from DRD, GAD, Livestock, Agriculture, and Members of Parliament. A total of 10 meetings were conducted in eight townships in Mon, Kayin and Kayah States.
 - **State government:** Chief Minister, cabinet members, sectoral department directors that include Social Welfare, Energy, Finance, Budget, GAD, DRD, and Energy. Six state-

³ These groups include approximately 500 community members (beneficiaries), 90 facilitators (project staff working on rural development), 40 members of Ethnic Armed organizations and their service provision groups, and over 200 government staff members, UN and other development partner staff, members of INGOs and CSOs, etc.

level consultations took place in the capitals of the three initial target States for the PPCP-- Hpa-An, Mawlamyine and Loikaw.

- **Union government:** Consultations have been carried out with representatives of the ministries of Planning and Finance, of Home Affairs, of Security and Border Affairs, of theDRD, Department of Agriculture (DOA), Department of Foreign Economic and Development (FERD), (SCO), the upper and lower houses of Parliament (Amyotha HluFPw and Pyithu HluFPw), and the NRPC. A series of consultation (3-5 times) meetings were conducted with FERD, SCO, NRPC and DRD for implementation arrangements and other project details. A multi-ministerial consultation workshop was also conducted with 20 senior level government representatives (Director to Director General) in Nay Pyi Taw.
- **Civil society:** Civil society organizations and networks, youth organizations, women organizations, and human rights organizations were consulted in Yangon, Mon, Kayin and Kayah States. At least two large group consultation meetings (15-30 people) were carried out in Hpa-An and Loikaw, one large group meeting in Mawlamyine and Yangon and about 10-15 bilateral meetings in Mawlamyine, Hpa-an and Loikaw.
- **Representatives from several EAOs:** About 40 in all from the NMSP, KNU, Karen National Liberation Army- Peace Council (KNLA-PC), Democratic Karen Buddhist Army (DKBA), Karenni National Progressive Party (KNPP)⁴ at district, state and higher levels, and their “ethnic service providers” (Karen Department of Health and Welfare--KDHW), Coomunity and Health Development Network (CHDN), Shan State Development Foundation (SSDF)) based in potential project townships and along Myanmar-Thailand border (at headquarters of several EAOs) have been consulted.
- **Extension staff of the NCDDP working in likely project areas:** About 90 facilitators including CFs and IFs working in NCDDP project areas of conflict-affected townships in Mon, Kayin and Kayah States.
- **Development partners:** Representatives of several development partners at national level who make up the Southeast Myanmar Working Group and the Development, Humanitarian and Peace Support Group (EU, USAID, DFID, Swiss, New Zealand, DFAT, Sweden, etc.), and members of UN-INGO coordination groups in Mawlamyine, Hpa-An, and Loikaw have been consulted.

A more detailed summary of these consultations carried out to date are found in the Annex of the Social Assessment of the PPCP.

21. The project design also has specific and detailed requirements for consultation and participation during the project cycle, including for representation of women and inclusion of ethnic and religious minorities, as applicable, and other vulnerable groups. These include participatory social assessments and wealth ranking in each participating village that are used to inform subproject designs, use of local languages for communicating project information, and requirements for minimum levels of

⁴ These are the five key EAOs operating in the initial area of project focus in the Southeast of the country.

community and female participation.

22. Formal in-country disclosure of the draft ESMF took place on 9 September 2019 and the draft Social Assessment on 10 September 2019. Stakeholder consultations on the draft instruments took place on October 2, 3, 22 and November 1, 2019 in Hpa-An (Kayin State), Mawlamyine (Mon State), Loikaw (Kayah State) and Naypyitaw respectively with representatives from Government, Members of Parliament, EAOs, NGOs, and civil society organizations. Relevant comments from these consultations have been incorporated in the revised instruments. Further consultations will be held, and adjustments to the ESMF made, as additional states or regions are engaged in the project, and when participating townships are identified. The draft ESMF, together with a translated summary and PowerPoint presentation in Burmese were shared prior to these consultations to enable informed consultation. Observations have been incorporated into the revised ESMF and records of the consultations are provided in Annex 10. The final version of the ESMF was disclosed publicly through the DRD's website on December 2, 2019, and World Bank external website on December 18, 2019.

2.2. Grievance Mechanism

23. The project will establish a grievance handling mechanism (GHM) that will allow beneficiaries and stakeholders at all levels of project implementation to lodge complaints or provide recommendations or suggestions to project management for subsequent action. The PPCP GHM will build on the successful system that has been established under the NCDDP. Detailed guidelines and procedures for the establishment and implementation of the GHM will be described in the project Operations Manual (OM) and will be made publicly available at the village level, including through posters (in major ethnic languages) and visual materials.

24. Any stakeholders including villagers, contractors, project staff, authorities, and other involved parties may file a grievance if they consider that their right to information is interfered with; that inappropriate intervention by an outside party is found; that fraud or corruption has taken place; that the rights and entitlements granted in this ESMF are violated; or that any of the project's principles and procedures have been violated.

25. Each village participating in the project will select two grievance focal points (a man and a woman) that serve as the first tier of the conflict/ grievance handling process. These focal points will be trained by the project and clear guidelines and procedures will be developed to support the processing of complaints locally and upwards through the levels of project management.

26. Grievances will be disclosed publicly, but anonymously, at village level unless the complainant self-identifies him/herself. There is no charge for filing a grievance. If the person filing the grievance is known, the grievance focal point will communicate the timeframe and the course of action to her/ him within 2 weeks of receipt of the grievance. All grievances, including anonymous cases, shall be responded to within 30 days and resolved within 90 days from the time the grievance was originally

received.

27. Following best-practice, the grievance handling system follows a 5-stage process: 1) intake, 2) sorting, 3) verification, 4) action, and 5) follow-up.
28. **Intake.** At the community level, the grievance focal points are usually the primary contact point for anyone wishing to file a grievance. If an individual prefers, grievances can be addressed to others involved in project implementation such as a village volunteer, Village or Village tract administrator, project facilitators (CFs, IFs, or LFs), village or village tract project committee members, staff of DRD, GAD or other township, state or Union officials. Grievances may be lodged using the following channels: 1) publicly during a project-related community meeting (to be captured by relevant facilitator); 2) verbal communication to the Village or Village Tract administrator/ Facilitator/ Township Grievance Handling Officer; 3) feedback boxes placed in each village; 4) a letter to Village Tract Level, DRD or GAD township office, Union Level (DRD or GAD), State-level facilitating partners, CSOs or NGOs at local, state or Union level; 5) e-mails to dedicated e-mail addresses for the project GHM; 6) a dedicated GHM phone line; or 7) to the dedicated project website or related Department or State government social media sites.
29. **Sorting and verification.** Sorting involves classifying grievances into their relevant categories, broadly separated into “core” and “non-core” grievances⁵ and identifying the most appropriate manner of resolution. Verification involves following up on the core grievances in particular to confirm the complaint and to identify the most suitable resolution. Township or state/region DRD or GAD staff will have the first-level responsibility for sorting complaints or submissions to the GHM. In the event the submission is made to a higher level, then either State or Union staff, as appropriate, together with relevant State facilitating partners, would verify if grievances submitted are valid, and identify solutions. Verification would normally include site visits, a review of documents, a meeting with the complainant (if known and willing to engage), and a meeting with those who could resolve the issue (including formal and informal village leaders).
30. **Action and Follow-up.** The village committee (VC) will communicate the decision made and the actions to be taken to address the grievance at the next village meeting. If the aggrieved person is known, the grievance focal point (or person with whom the grievance was filed) will communicate the action to her/him. The grievance focal point will seek feedback from the aggrieved person as to whether or not they deem the action proposed as satisfactory. If the action proposed is considered unsatisfactory, the aggrieved person may file a new grievance, which will be handled at the next higher project level. In principle, a final decision will be made by a Union Feedback Committee which includes DRD or GAD senior officials responsible for the project, with support from a specialized union-level grievance consultant. All grievances received through the GHM will be recorded in the project

⁵ Core grievances refer to those types of complaints that are considered serious by the project and cover accusations of fraud, corruption, abuse of power, failure to follow project guidelines or contracts, etc. Non-core grievances take the form of inquiries, suggestions and letters of appreciation.

management information system (MIS).

31. The GHM is supported by an information campaign and training. Community members in all project villages will be informed of the GHM and contact details will be shared at public meetings on multiple occasions. Brochures/ pamphlets and posters that describe the project and the grievance procedures will be adapted from those already in use under the NCDDP and will be made available to local communities and are posted on village notice boards and advertised on local radio/TV. Local languages will be used to the extent possible to ensure that all stakeholders including ethnic language speakers have access to the information.
32. The project's management information system (MIS) will collect and aggregate information on the number and types of grievances received, and the amount of time for resolution of each grievance. A summary of grievances will be reported on the publicly accessible project MIS and in the project's quarterly implementation progress reports and annual reports. An independent audit of the grievance handling system will also be undertaken during the life of the project to assess the efficacy of the mechanism and introduce improvements.
33. Information and capacity building support on the GHM will be provided to ethnic communities and areas where EAOs have influence in a way that is accessible to all ethnic groups. Adaptations that will be made include translation of documentation and information materials into major ethnic languages, use of trainers with local language skills or recruitment of translators to facilitate information exchange, and prioritizing the hiring of CFs and TFs from local populations. In terms of processes, local resolution procedures would also be incorporated into the GHM system where appropriate and methods of enhanced supervision will be also be used.

3. Policy and Regulatory Frameworks

3.1. Applicable National Laws of Myanmar

Environmental Protection

34. Myanmar's environmental and social legislation includes the **Environmental Conservation Law 2012**; **Environmental Conservation Rules 2014**; **the Environmental Impact Assessment Procedures (2015)**, **National Environmental Quality (Emission) Guidelines (2015)** and **National Environmental Policy (2019)**. The 2012 Conservation Law provides a general mandate for the former Ministry of Forestry and Environmental Conservation (MOECAF), the actual Ministry of Natural Resources and the Environmental Conservation (MONREC), to implement environmental conservation policies, to prescribe environmental quality standards, hazardous waste and waste management and pollution control, and to produce an Environmental Assessment System. The 2012 Conservation Law also gives MOECAF the mandate to protect cultural resources. The Environmental Conservation Rules and EIA Procedures were approved in 2014 and 2015, respectively. The EIA Procedures stipulate the procedures for performing Environmental Assessment (EA) such as Environmental Impact Assessment (EIA), Initial Environmental Examination (IEE), and Environmental Management Plan (EMP), content of the EA, review and approval process, monitoring, etc. Annex-A of EIA Procedures specifically defines type and size of activities requiring either IEE or EIA. Given the small-scale nature of the rural infrastructure to be supported under the project, it is unlikely that subprojects will require IEE/EIA under this notification. The New National Environmental Policy (2019) reaffirms the country's commitment to core environmental values and provides long-term guidance for government organizations, civil society, the private sector and development partners on the achievement of environmental protection and sustainable development objectives in Myanmar.

Natural Habitats

35. Current baseline data on the biodiversity inventories in national parks or protected areas (PAs) nationwide is poor. Some of the PAs have an operational or management plan including actions (as required by law), which needs to be implemented despite inadequate human, technical and financial resources. Human encroachment in PAs is common and requires intervention to limit it, but there is not yet a consistent conservation level followed or imposed in the entire country. **Protection of Biodiversity and Protected Area Law (2018)** defines the protected area categories including national park, geophysical exceptional area, natural reserves, and others. See Annex 9 for list of protected areas in targeted states.

36. **The Protection of Wildlife and Wild Plants and Conservation of Natural Areas Law (1994)** contains the legal provision for protecting rare and endangered flora and fauna species in Myanmar. It requires updating the list of permanently and temporarily protected species in accordance with the list of species identified by Convention on International Trade in Endangered Species of Wild Fauna and Flora

(CITIES). There is also no provision for protected fish species.

Pest Management

37. For the safe use of agricultural pesticides and plant pest management, *The Pesticide Law* (2016), *The Procedure Relating to Pesticide Law* (2016) and *the Plant Pest Quarantine Law* (1993) were enacted to be implemented under MOALI. The laws are enforcing to overcome the hazards of all living things and environment resulting from pest management within Myanmar. In 2018, Pesticide Registration Board announced the banned pesticides list which are categorized under Persistent Organic Pollutants (POP) list of Stockholm Convention and Prior Informed Consent (PIC) chemicals of the Rotterdam Convention, and the restricted pesticides list.

Ethnic Minorities

38. The Government recognises 135 separate ethnic groups referred to within the Constitution as “national races.” Major groups include Burman/Bamar, Shan, Karen/Kayin, Kachin, Chin, Rakhine, Mon and Kayah. The largest ethnic group is the Bamar (Burmese) people comprising about two-thirds of the population and who reside predominantly in the central and delta (seven) regions. Other national races or ethnic minorities account for about one third of the population and live mainly within the seven states. Aside from the 14 States and Regions, there are five self-administered zones: Naga (Sagaing Region); Danu (Shan State); Pa-O (Shan State); Pa Laung (Shan State); and Kokang (Shan State). There is also one self-administered division: Wa (Shan State). These six self-administered sub-national units are recognised in the 2008 Constitution (section 56) and are the result of earlier ceasefire agreements. Myanmar’s ethnic states occupy around 57 per cent of the total land area along most of the country’s international borders.⁶

39. *The 2008 Constitution* provides equal rights to the various ethnic groups included in the term national races and a number of laws and regulations aim to preserve their cultures and traditions.⁷ Myanmar national law sets out rights of ethnic races or nationalities to representation in State parliament.⁸ *The Ethnic Rights Protection Law*, of February 2015, contains sections guaranteeing minorities the right to study their language and literature, practice other elements of their culture and maintain their traditions.⁹ The National Land Use Policy recommends the recognition of traditional land use systems of ethnic minorities be provided in the new land law, with a suggested process of determining the type and area of those traditional lands; though as of mid-2018 the new law that would formally recognize these traditional rights has not been passed.

40. The Government of Myanmar (GoM) generally uses terms other than ‘indigenous peoples.’ In September 2007, Myanmar endorsed the United Nations Declaration on

⁶<http://www.tni.org/sites/www.tni.org/files/download/accesdenied-briefing11.pdf>, accessed 09 March 2015

⁷Republic of the Union of Myanmar, Ministry of Health, *Myanmar Essential Health Services Access Project Community Engagement Planning Framework*

⁸<http://www.myanmar-responsiblebusiness.org/pdf/SWIA/Oil-Gas/11-Ethnic-Minorities-Indigenous-Peoples.pdf>, accessed 09 March 2015

⁹ Myanmar Times, 23 January 2015, MPs prepare to debate proposed law on ethnic rights

the Rights of Indigenous Peoples, which among other things provides indigenous peoples the right to free and prior informed consent and notes that “*States shall consult and co-operate in good faith with the Indigenous Peoples concerned through their own representative institutions in order to obtain Free and Prior Informed Consent prior to approval of any project affecting their land or territories.*”

Gender

41. Key clauses within the **Constitution of Myanmar** that relate to women include: (i) Clause 348: “The Union shall not discriminate any citizen of the Republic of the Union of Myanmar, based on race, religion, official position, status, culture, sex and wealth”; (ii) Clause 349: Citizens shall enjoy equal opportunity in carrying out the following functions:(a) public employment; (b) occupation; (c) trade; (d) business; (e) technical know-how and vocation; (f) exploration of art, science and technology; and (iii) Clause 350: Women shall be entitled to the same rights and salaries as that received by men in respect of similar work.
42. Myanmar is a signatory to **the Convention on the Elimination of All Forms of Discrimination against Women** (CEDAW) (1997) and is committed to international policy initiatives to improve the situation of women, including the Millennium Declaration, the Beijing Declaration and Platform for Action (BPfA), and the International Conference on Population and Development (ICPD). The Association of South East Asian Nations (ASEAN) has established the ASEAN Commission on Protection and Promotion of the Rights of Women and Children (ACWC), and the ASEAN Committee on Women (ACW), of which Myanmar is a member.
43. The Ministry of Social Welfare, Relief and Resettlement, through the Department of Social Welfare, carries out social welfare services through preventative, protective and rehabilitative measures, with special attention to children, youth, women, persons with disabilities, and elderly persons. The Department of Social Welfare provides welfare services to vulnerable groups on the basis of social integration strategies.
44. The Myanmar National Committee for Women’s Affairs (MNCWA) has prepared a **National Strategic Plan for the Advancement of Women** (2013-2022), whose objective is that, “All women in Myanmar are empowered and able to fully enjoy their rights with the support of the Government of the Republic of the Union of Myanmar. Enabling systems, structures and practices are created for the advancement of women, gender equality, and the realization of women’s rights”. Of relevance, the 12 Priority Areas for the Plan include: women and livelihoods; women education and training; women and health; women and the economy; and women and the environment.

Cultural Heritage

45. The Ministry of Religious Affairs and Culture (MORAC) is the main authority dealing with physical and cultural resources in Myanmar.
46. **The Protection and Preservation of Cultural Heritage Regions Law** (2019) The law

provides definitions of cultural heritage resources to be protected or preserved under this law. The law provides definitions of; Ancient Monuments; Ancient Sites; Precinct of Ancient Monument; Ancient Monumental Zone; Ancient Site Zone; Protected and Preserved Zone; and Cultural Heritage Region. Also, the definition of cultural heritage resource levels to be protected under this law such as National Cultural Heritage, Cultural Heritage Region, Region where Cultural Heritage located, Ancient Monument and Ancient Monument Threatened Area are included.

47. The Act provides legal backing to the MORAC through restrictions on construction and extension as well as types of buildings allowed in the zones. The law specifically states that the MORAC must provide permission prior to the construction, renovation or extension of any building in Ancient Site and Ancient Monument Zones. The Protected and Preserved Zone will allow more types of development but these must also receive permission from the MORAC. The law was amended in 2011 to state that the expression “existed before 1886” should be changed to “that have existed for 100 years before the date on which the Department made enquiries as an ancient monument”.¹⁰
48. Additional detailed requirements (Disciplines) have been created under the 2019 Law to provide updated rules and regulations for controlling and ensuring acceptability of development within the existing and planned heritage zones. Each new set of regulations will supersede earlier versions and the Instruction Order No. 2/2014 and 3/2014 should be used as the current reference point for development controls in the Heritage Zones. The regulations prescribe rules to be abided by in the Monument Zone (MZ) and Ancient Site Zone, also known as the Archaeological Zone (AZ)/Protected and Preserved Zone (PZ), also known as Buffer Zone referring to Article 30 (b) of “The Protection and Preservation of Cultural Heritage Regions Law”.
49. Other laws on physical culture resources (PCR) protection and preservation include: ***The Protection and Preservation of Ancient Monuments Law*** (2015), ***The Protection and Preservation of Antiquities Law*** (2015), ***The Protection and Preservation of Antiquities Rules and Regulation*** (2016), ***The Protection and Preservation of Ancient Monuments Rules and Regulation*** (2016), and ***The Protection and Preservation of Cultural Heritage Region Law*** (2019) were stipulated simultaneously. Those laws provide definitions of Ancient Monument and Antiquities, roles and responsibilities of the MORAC in protecting, preserving, returning and accepting of ancient monument and antiquities. The chance find procedures are described in case of ancient monument and antiquities are found, prior permission requirements and penalties for violating the provisions of those laws.
50. ***Regional Cultural Heritage Conservation Laws*** were enacted with the purpose of protecting cultural heritage things, monuments, places within states and regions under the authority of State/Regional Governments. The respective regional/state laws were established in 2014 for Kayin State and 2013 for Mon State, with the purpose of preserving the national heritage from damages of disasters and human

¹⁰ Department of Archaeology and National Museum, Myanmar and UNESCO, Heritage Impact Assessment Report on Hotel Development in Bagan, February 2015.

actions, making citizens understand the value of preserving the heritage to preserve the heritage region, monuments and places by complying with the international commitment.

51. In target regions/states of the PPCP project, Table 3 below indicates the registered culture heritage zones.

**Table 2 List of Cultural Heritage Regions and Monument Zones
Nominated Zone in Target Areas**

No	Nominated Region	Type of Zone	Order No	Date of issue
1	Kyaik Htiyo Pagoda & Mountain Top area in Kyaik Hto Township, Mon State	Protected	4/99	11.10.99
2	Khaik Ma Yaw Township, Maw La Myaing District, Mon State Kha Yone Gu	Archaeological Monument, and Protected	1/08	13.6.08
3	Hpa-an Township, Kayin State Ya Thaey Pyan Gu	Archaeological Monument and Protected	2/08	16.6.08
4	Hpa-an Township, Kayin State Kawt Gun Gu region	Archaeological Monument and Protected	2/08	16.6.08

52. **Management Plan: Protection Status and Zoning (2013):** These rules and regulations apply to the Monument Zone only. The rules expanded on those of the 1994 Order described above and are the foundation for the 2014 Instruction Order.

Forests

53. **The Myanmar National Forest Policy (1995)** focuses on six priority areas: (i) Protection of soil, water, wildlife, biodiversity and environment; (ii) Sustainability of forest resources to ensure a perpetual supply of benefits from forests for present and future generations; (iii) Basic needs of the people for fuel, shelter, food and recreation; (iv) Efficient use, in a socially and environmentally friendly manner, of the full economic potential of forest resources; (v) Participation of people in the conservation and use of forests; and (vi) Public awareness of the vital role of forests in the well-being and socio-economic development of the nation. Important tools in implementing the policy include the following: **Forest Law (2018)**, **Forest Rules (1995)**, **Protection of Wildlife and Wild Plants and Conservation of Natural Areas Law (1994)**, **Community Forestry Instructions (2019)**, **National Forestry Action Plan (1995)**, **Criteria and Indicators for Sustainable Forest Management (1999)**, **Format and Guidelines for District Forest Management Plans (1996)**, **National Code of Practice for Forest Harvesting (2000)**, National Framework for Environmental Law, Standard Operation Procedure for Boundaries and Forest Road Repair, Regional/State Laws for Village Firewood Plantations, and **National Forest Master Plan (2001-2030)**. Some of these tools/rules are currently under revision. Forest Law (2018) was enacted by repealing the previous Forest Law (1992). The current Forest

Law additionally considers about the recognition of forest and mangrove reservation by the Indigenous people and considers more environmental conservations aspects in forest management. The penalties are updated again to enforce the action. Community Forestry Instructions (2019) was updated aiming to support the nearby community with sustainably in ecology, environmental and social aspects.

UXO/Landmines

54. Myanmar is neither a signatory to the anti-personnel mine-ban treaty nor to the Convention on Certain Conventional Weapons yet. Myanmar does not have any law and regulation related to landmine management as well as the national mine action legislation or standards. Hence, the operators for landmine clearance have followed International Mine Action Standard (IMAS) and their own standard operating procedures. However, the Myanmar Mine Action Standard was still under the drafting stage. The EAOs (KNPP, NDF, LDF, POPLA, CNA, PSLF) signed the Deed of Commitment under Geneva Call for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action.

Other Relevant Laws

55. There are also other laws with environmental and social policies implications including Land Use Policy, sector laws such as Union and State/Region Electricity Laws, etc., as well as a number of international laws and conventions that Myanmar has ratified. It should be noted that the national environmental and social safeguards related laws and regulations are stated in this ESMF. The other relevant laws and regulations which are required to comply during the implementation stage of sub-projects such as occupational health and safety laws, labour related laws, laws related to child and women, etc. would be included in the Operation Manual.

3.2. World Bank Operational Policies

56. The proposed project triggers the following World Bank Operational Policies (OP): Environmental Assessment (OP 4.01), Natural Habitats (OP 4.04), Pest Management (OP 4.09), Indigenous Peoples (OP 4.10), Physical Cultural Heritage (OP 4.11), Forest (OP 4.36), and Projects on International Waterways (OP 7.50). The environmental and social impacts stem directly from the investments (subprojects) financed under component 2 of the PPCP as well as indirectly from the activities supported under component 3. The World Bank has categorised the project as Category B as per OP 4.01 as the environmental and social impacts are site specific, few are irreversible, and measures can be designed to mitigate impacts during project implementation. The ESMF includes a screening process to prevent execution of subprojects with significant adverse environmental or social impacts.

Table 3 Applicability of World Bank Safeguard Policies

WB Safeguard Policy	Triggered	Explanation
OP 4.01 Environmental Assessment	YES	<p>The project is rated as Category B as it will finance small-scale demand-driven infrastructure and livelihood interventions in rural communities, with limited and manageable footprint and impacts.</p> <p>The infrastructure to be financed will typically include small roads, village water supply systems, rehabilitation of classrooms and health centers etc. Temporary negative impacts will be related to typical small-scale construction activities. Specific investments that pose social or environmental risks that cannot be mitigated (degradation of natural habitats, protected forests, or cultural resources) would be included in the project's negative list of ineligible investments.</p> <p>Potential adverse impacts from project activities are expected to be site-specific with limited and manageable footprint. Any activities requiring land acquisition or restrictions on land use will not be eligible under the project.</p> <p>The project is considered high risk based on operating in conflict settings and potential exclusion of minorities and other vulnerable or disadvantaged groups or women, to decision-making processes and access to project benefits. A social assessment has been undertaken to understand the potential for risk and impacts as a result of project. The assessment also addresses the need to ensure benefits reach all groups including ethnic groups when they are present in the project area. The project will manage these risks by incorporating participatory and inclusive processes into the design of the project across all components. The subprojects under component 2.1 and 2.2 will be identified by communities and by village-tract representatives, with Civil Society Organisations (CSOs) and Ethnic Armed Organisations (EAOs) inputs. Livelihood groups at village level would identify livelihood subprojects under component 3.</p> <p>The specific project locations and activities in those locations are not known at this time. This ESMF has been prepared and which details how risks will be identified and managed during project implementation. The ESMF will apply to all subprojects at each stage of project implementation. The draft ESMF was formally disclosed in country on 9 September 2019 and the Social Assessment on 10 September 2019. Consultations on the instruments have taken place in Kayin, Mon, and Kayah States and the results of the consultations, to date, have been incorporated in this ESMF.</p>
OP 4.30 Performance Standards for Private Sector Activities	No	<p>This policy is not triggered as the project does not support any private sector led economic development that will be designed, owned, constructed and/or operated by a Private Entity.</p>

WB Safeguard Policy	Triggered	Explanation
OP 4.04 Natural Habitats	YES	This policy is triggered because of the potential negative impacts that subproject activities might have on natural habitats. While these activities are expected to be small scale and with overall limited impacts that can be adequately mitigated, the policy is triggered for precautionary reasons to ensure that any physical interventions (including those proposed in known reserved or declared national forests zones) will not adversely impact or lead to the degradation of critical or other natural habitats. This ESMF provides for the screening of potential project impacts and how safeguard issues under this policy should be addressed during project implementation.
OP 4.09 Pest Management	YES	The project will not promote the use of pesticides, insecticides and herbicides and other dangerous chemicals. However, the project's possible support of irrigation infrastructure and for rural livelihoods support might lead to an increased use of pesticides. This ESMF includes a procedure for screening/assessing potential use of pesticide and a simple pest management plan, as well as mandating training in integrated pest management, to ensure that the pesticides used have negligible or minimal impact on environment and people.
OP 4.10 Indigenous Peoples	YES	The policy is triggered since ethnic group communities are present in the project areas. A project level social assessment has been undertaken. The project will carry out free, prior, informed consultations with all villagers, including ethnic minority groups in the project areas, as part of project implementation to ensure broad community support for project activities. This process will be led by Community Facilitators employed and trained under the project, and guided by the Indigenous Peoples Planning Framework (IPPF), prepared as part of and included in this ESMF. This process will be embedded in the participatory social assessments and the village development planning process that underpins project support in all communities. As such, for those communities with ethnic minority groups that require an Indigenous Peoples Plan (IPP), the Village Tract Development Plan (VTDP) will meet the requirements and reflect a process of free, prior, and informed consultation of any ethnic groups at village level.
OP 4.11 Physical Cultural Heritage	YES	This policy is triggered due to the possibility of subproject implementation in, or in the vicinity of, a physical cultural heritage site. It is anticipated that impacts on physical cultural heritage from subprojects activities are likely to be minimal/limited, site specific and manageable because: (i) infrastructure works that the project will support are small-scale; and (ii) investments detrimental to cultural resources will not be eligible under the PPCP project. This ESMF includes guidance on screening, assessing and identifying measures to avoid or mitigate and monitor impacts on physical cultural resources, and on chance-find procedures.
OP 4.12 Involuntary Resettlement	NO	OP 4.12 has not been triggered as (i) the majority of the infrastructure that will be constructed/upgraded will be on existing footprints and therefore none or very little land would be required, (ii) if land is required this will be done through voluntary land donation (VLD) processes, and (iii) where assets may be present, those that can be moved or harvested will be,

WB Safeguard Policy	Triggered	Explanation
		<p>and those that can't be would also be treated as per the voluntary donation procedures.</p> <p>As part of the consultations undertaken during preparation, strong concerns were raised relating to adverse impacts from development, specifically in relation to land loss and displacement. Development in Myanmar's southeast has long been associated with extractive or large-scale infrastructure projects which have adversely impacted local populations. As such, a recurring message throughout consultations was to ensure that infrastructure development would be of a scale and nature that it would not cause land loss or displacement. To address these concerns the project would be designed so as to avoid involuntary resettlement. Under the project, any activities requiring land acquisition or restrictions on land use, which would trigger OP 4.12, will not be eligible for financing. The negative list excludes all activities requiring relocation and involuntary land acquisition. Voluntary donations are eligible only if a subproject can be implemented in another location than where it is planned and only for minor impacts and only for households benefiting from the sub-project. This ESMF includes procedures for screening of all activities for impacts on land, and procedures, including a protocol for VLD.</p> <p>Managing similar small land impacts through VLD or adjusting the site of subproject activities has been successfully applied under another Bank-supported project (NCDDP) by the government's lead implementing agency – DRD- for the PPCP. NCDDP has implemented more than 20,000 sub-projects with no land acquisition and which thorough monitoring and supervision has documented. DRD has successfully applied VLD procedures, resolved grievances as they arise, managed the re-siting of subproject locations, and has systems in place to document and report on this. In any instances when VLD and procedures are not acceptable to any affected household, the subproject would be re-sited or considered ineligible.</p>
OP 4.36 Forests	YES	<p>This policy is triggered because of the possibility that some villages to be supported under the project are within classified forests and that implementation of project livelihood activities in such villages may involve utilization of natural forests or plantations. Environmental impacts of such subprojects are expected to be minimal, site-specific and manageable. Since the project is designed to be community demand-driven, there is a possibility that the project may support community forest activities. Support would be limited to small-scale community forestry activities.</p> <p>Procedures for screening and managing potential impacts on forest and for promoting sustainable use of forests, which could include community forest activities, is included in this ESMF. An EMP would likely be required in case of sub-projects that involve community forest activities.</p> <p>In Myanmar, the 2018 Forest Law and the 2019 Community Forestry Instructions are the key regulations that provide a</p>

WB Safeguard Policy	Triggered	Explanation
		<p>framework of support for community forestry, including requirements on areas where community forests can be established, preparation of management plans of community forests, permission and prohibitions from the Forest Department, as well as reporting requirements. The management plan would cover, among others, establishment of forest plantation, conservation of existing forest, rules and regulation of user groups, and fund management. These requirements would be included in sub-project EMPs, as well as in the project operation manual. Activities that would cause significant conversion or degradation of critical natural forest areas will not be eligible for project support.</p>
OP 4.37 on Safety of Dams	NO	<p>This policy is not triggered as the project will not finance the construction of any new dams or the rehabilitation of existing dams including structural and or operational changes. The project will also not finance irrigation or water supply subprojects that will depend on the storage and operation of an existing dam or a dam under construction for the supply of water. The project may, however, finance small-scale water intake/diversion structures such as box or pipe culverts, weirs, water gates, etc. (not more than 1.5 m. in height) which are not classified as dams under OP 4.37.</p>
OP 7.50 Projects on International Waterways	YES	<p>This policy is triggered because the current project areas may include townships located along the River Thanlwin/Salween which rises on the Tibetan Plateau, and then flows for about 2,400 km to its mouth on the Gulf of Martaban. Therefore, the project will not finance any new sub-projects that may use water from any international waterway including the River Thanlwin or its tributaries in Kayah State and the northern part of Kayin State up river of where the Thanlwin meets the border of Thailand.</p> <p>However, the project may support: i) minor modifications/rehabilitation or expansion of existing schemes (i.e. small scale water supply or irrigation schemes or pico-hydropower) that might draw on the River Thanlwin or waters from its tributaries; and ii) new construction or the rehabilitation/expansion of existing schemes on Thanlwin tributaries downstream of the confluence of the River Moei with the River Thanlwin, where the Thanlwin changes its course to flow exclusively in Myanmar territory.</p> <p>Therefore, the project is not expected to adversely affect the quality or quantity of water flows to other riparian countries and will not be adversely affected by other riparian countries' possible water use. On this basis, the proposed project does not require riparian notification in accordance with paragraph 7(c) of OP 7.50, and the task team has secured an exemption to the riparian notification requirement (approved Sept 30, 2019).</p> <p>Given that the project will be expanded to cover other conflict-affected townships of the country that are not yet identified, a reassessment of the potential impacts on international waterways will be carried out when the areas of project expansion are identified. This will initially happen after</p>

WB Safeguard Policy	Triggered	Explanation
		approximately 2 years of project implementation. Adjustments to the restrictions or sub-project negative list of the environmental safeguard instrument would be made at that time.
OP 7.60 Projects in Disputed Areas	NO	This policy is not triggered as the project interventions are not in disputed areas and will be wholly within the borders of Myanmar.

4. Guiding Principles and Approach for Addressing Environmental and Social Risks and Impacts

4.1. Guiding Principles

57. This ESMF provides general policies, guidelines and procedures to ensure that the PPCP will be implemented in an environmentally and socially sustainable manner and in line with the applicable World Bank safeguard policies. Specifically, the ESMF aims to achieve the following:

- a) All people who reside in the township, without regard to legal status of their land ownership or ethnic background, are eligible for the protections provided in this ESMF;
- b) The project and subprojects environmental and social risks and impacts will be screened and assessed and identified potential negative environmental and social impacts should be avoided, minimized and mitigated;
- c) Loss in livelihoods associated with or caused by the project should be prevented and, where unavoidable, minimized and fully compensated;
- d) Potential risks to communities/contractors/project staff and consultants due to project activities from possible landmine contamination avoided, minimized and mitigated;
- e) Avoid, minimized and mitigated the indirect negative impacts resulting from livelihood support activities (e.g. use of pesticides).
- f) Economic and physical displacement will be avoided. Involuntary land acquisition or physical relocation of households is not allowed under the project;
- g) No one should lose more than 10 percent of the productive assets under the project. Designs will be adjusted or alternative locations will be sought if any household may lose more than 10 percent of the productive assets under the original design.
- h) Implementation of subprojects will commence once voluntary donation procedures are fully completed.
- i) Ethnic groups should be meaningfully consulted and have access to project benefits in a culturally appropriate manner; and
- j) The capacity of DRD and GAD to manage environmental and social impacts should be strengthened.

Special Measures to Ensure Full Participation of Marginalized Groups

58. **Ethnic groups.** In addition to the broad principles outlined above, in order to mitigate the risk that ethnic minority groups are not able to fully participate in project implementation and receive project benefits, the following special measures will continue to be employed by the PPCP:

- Recruitment of village volunteers elected from among ethnic groups who assist

the community facilitator throughout project implementation;

- Training of CF/IF to increase cultural awareness of issues related to ethnicity, religion and marginalization;
- Free, prior and informed consultations with ethnic groups of the village and village tract development plans;
- Involvement of ethnic groups in the decision-making process in the Village Tract Committee (VTC);
- Qualitative monitoring and beneficiary assessments focusing primarily upon societal dynamics and ethnic groups, women, and the most vulnerable, using focus group discussions and key informant interviews;
- Any engagement requirements including in information sharing will ensure that participation is inclusive and adopts approaches to address physical distance, language, literacy and other possible barriers;

59. These special measures are spelled out in the **Indigenous Peoples Policy Framework** (IPPF) of this project, shown in Annex 7. The IPPF has been prepared as part of the ESMF to provide guidance on the screening and planning process for subprojects, including requirements for site-specific social assessment and consultations and whether site-specific Indigenous Peoples Plans are required to address particular issues concerning ethnic minorities in the project area.

60. Guidelines on consultations and disclosure in ethnic languages will be developed as part of the PPCP's communications and outreach activities. In doing so, the project will take into account comments provided at safeguard consultation meetings under the NCDDP where participants emphasized the importance of using audio-visual materials to ensure that ethnic groups clearly understand the project and the protections provided under the ESMF.

61. **Women.** The PPCP will continue the practice of trained CF and village volunteers to organize separate meetings with women and men to identify their respective needs and priorities for the village development plan and document these in the project's management information system. For works performed for subprojects, there will be equal pay for equal work for women and men. Furthermore, the environmental and social safeguards screening for each subproject will include gender aspects. Safeguards plans prepared for the subprojects will include a review of gender aspects, and propose specific actions related to gender issues when warranted. The CF and village volunteers will also ensure that there are no restrictions on women's participation and that women are represented in the village implementation committee and various sub-committees, with women accounting for at least 50 percent of committee members.

4.1.1. Eligible Activities

62. The PPCP supports demand-driven, village-level, village-tract or intra-township level infrastructure, and community-based livelihoods activities. This means that activities supported by the project will be identified and proposed based on the perspectives

and priorities of beneficiaries and communities, taking into consideration technical feasibility and budget resources. Options for possible support, based on experiences from similar community-based projects in Myanmar, include the repair or construction of rural roads, bridges, jetties, water systems, sanitation facilities, schools, health posts, electrification, community centers, and other village, inter-village, or village-tract level public infrastructure. Eligible livelihood support includes financing of technical training and inputs for agriculture activities, marketing analysis and business training for rural enterprises, vocational training and basic inputs supporting off-farm economic activities, and information and support relating to migration opportunities, etc. **These indicated areas of potential support are not exclusive, and the project may finance other types of activities and investments that have been identified and prioritized by local communities.**

4.1.2. *Ineligible Activities*

63. While villagers and communities are open to select the project activities and investments that they believe can best address their priority needs, the PPCP includes some activities and subprojects that are considered ineligible and would not be financed under the project. These activities and subprojects shown in the table below primarily relate to investments that either go against the principles of the PPCP, Government of Myanmar national laws, or which are contrary to the World Bank’s environmental and social safeguard policies. The list of PPCP non-eligible activities for infrastructures and livelihood activities (referred to as the PPCP “negative list”) is also specified in the project Operations Manual. The World Bank will review this negative list with the PPCP project implementing agencies (DRD and GAD) periodically and update them, as needed, based on the experiences gained during implementation and consultations with beneficiaries, project staff and government representatives.

Table 4 Negative List of Activities for Infrastructure and Livelihood Subprojects

Subprojects Ineligible for Funding in PPCP	
1	Those not included in the village tract development plan endorsed by the TIG;
2	Those that are financed, or scheduled to be financed, by the government or other development partners;
3	Repairs to or construction of government offices or religious buildings;
4	The construction of any new dams or the rehabilitation of existing dams including structural and or operational changes; or ii) irrigation or water supply subprojects that will depend on the storage and operation of an existing dam, or a dam under construction for the supply of water;
5	That exclude the poor/marginalized population or otherwise vulnerable groups;
6	That do not provide equal pay for equal work for women and men;
7	Any activities that involve (a) the involuntary taking of land resulting in (i) relocation or loss of shelter, (ii) loss of assets or access to assets, or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (b) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons;
8	That include the payment of compensation for land or asset loss from the proceeds of the World Bank financing or other government sources;
9	That require land where the ownership of or access to is contested by two or more parties

Subprojects Ineligible for Funding in PPCP	
10	That include activities that cause or lead to child abuse, child labour exploitation or human trafficking or sub-projects that employ or engage children, over the minimum age of 15 and under the age of 18, in connection with the project in a manner that is likely to be hazardous or interfere with the child’s education or be harmful to the child’s health or physical, mental, spiritual, moral or social development;
11	That use forced labour;
12	That have negative environmental or social impacts that are irreversible, create cumulative impacts and/or cannot be adequately mitigated;
13	That involve activities affecting physical cultural resources such as graves, temples, pagodas, churches, historical relics, archeological sites, and other cultural structures;
14	New construction of subprojects, such as small-scale water supply, small-scale irrigation, or pico-hydropower generations facilities, that may use water from any international waterway including Thanlwin River or its tributaries in Kayah State and the northern part of Kayin State up river of where the Thanlwin meets the border of Thailand
15	Any new construction and/or rehabilitation in protected areas (PA), reserved forests (or proposed protected areas) or other natural habitats or areas of high national conservation level that could have the potential to cause significant loss or degradation of such natural habitats, unless specified as planned investments as part of the respective PA management plan. <i>Note: rehabilitation of existing infrastructure which has already been developed (e.g., existing paths or tracks for tourism purposes) is allowable if the respective subproject investment is in line with the park development/management plan, and subject to agreement of Union authorities.</i>
16	That involve development of new settlements or expansion of existing settlements in critical habitats, PAs or areas proposed for certain levels of national protection (e.g., reserved forests). <i>Note: Where settlements already exist, proposals for funding should be in compliance with any local regulations on land management and other provisions of the protected area management plan.</i>
17	That involve the purchase or use of drugs other than vaccines for animals, military equipment or other potentially dangerous materials and equipment, including chain saws, asbestos (including asbestos-containing materials), etc.;
18	Any illegal livelihood activities such as the trading of wildlife, illegal exploitation of natural resources, etc.
19	That involve activities of introduction of exotic or new flora and fauna species that are not permitted by responsible agency;
20	That involve activities of changing forest land into agricultural land or logging activities in primary forests;
21	That involve electro-fishing, fishing that uses poisons, chemicals and explosives, or gear that obstruct waterways;
22	That purchase or use of banned/restricted pesticides; insecticides; herbicides for agricultural/livelihood enhancement activities
23	Those in specific areas of known or suspected landmine contamination after risk screening process in Annex-5;
24	Pico hydro subprojects (>30kW) and bridge subprojects (> 10 meters) during the first year of subproject implementation in all township except those where the NCDP has been implemented.

4.2. Approach for Addressing Environmental and Social Risks of Eligible Activities

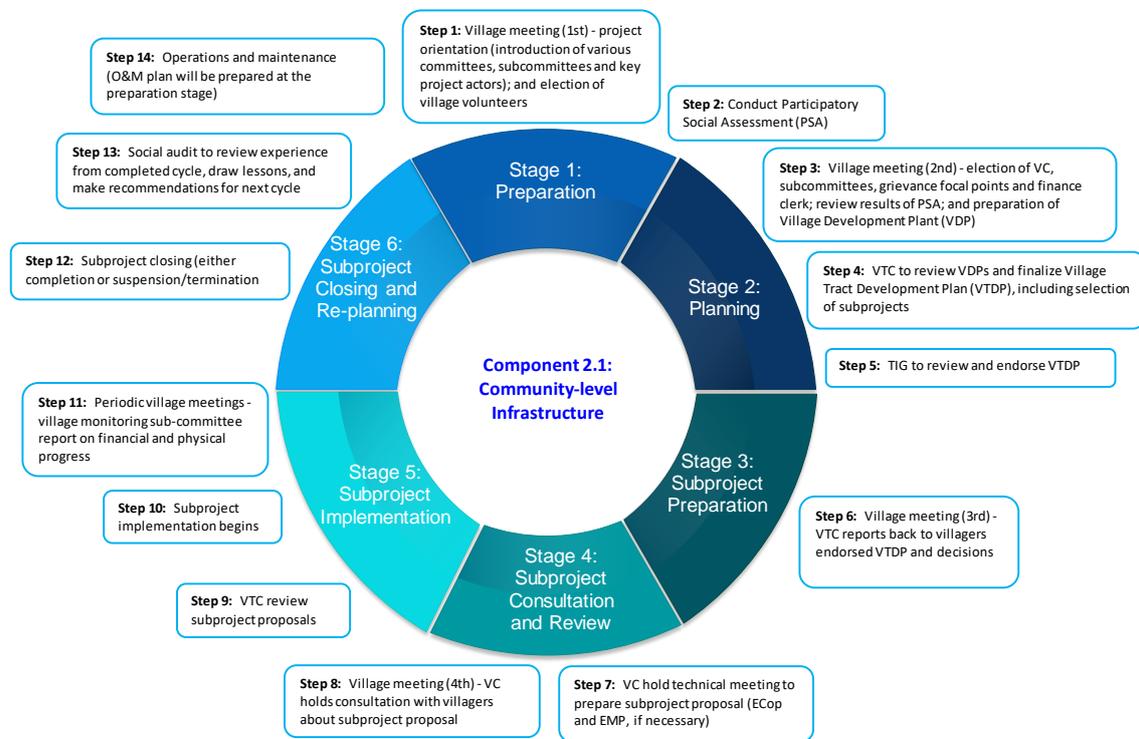
64. This section outlines the key steps to be followed under the project to ensure the proper application of the environmental and social safeguards policies and procedures. These steps follow the implementation cycle of the two project components—component 2 for infrastructure and component 3 for livelihoods—which are outlined below.

4.2.1. Subproject Cycles

65. The overall process and the specific steps, or activities, applied to identify and implement the project’s components are outlined in the diagrams below. The first diagram covers component 2 for infrastructure and the second diagram refers to component 3 for livelihoods.

66. The Department of Rural Development and the State Government/General Administration Department are responsible for overseeing the implementation of the subproject cycle for Component 2. DRD is responsible for component 2.1 and State/GAD is responsible for component 2.2 (component 2.3, which State/GAD will also oversee, will finance activities such as training, systems development, and other capacity building activities for service provision agencies and staff that generally do not trigger any of the World Bank’s safeguard policies).

Figure 1 Subproject Cycle for Infrastructure Activities (Component 2.1)



67. Component 2.1 community level infrastructure subproject cycle is composed of six stages with fourteen steps. **Stage 1: village preparation** orients and organizes the community about the project and conducts the participatory social assessment to gather basic socio-economic data for subsequent planning. **Stage 2: village development planning** supports the formulation of village committee (VC) and preparation of the village development plans (VDPs), consolidation of the village tract development plan (VTDP), and the review and endorsement of VTDP by the Township committee. **Stage 3: subproject preparation** involves the detailed subproject design, costing, and development of relevant safeguard instruments, as necessary, are prepared. **Stage 4: subproject consultation and review** involves follow-up consultations with villagers on the final subproject design and implementation plans, and the review of subproject proposal by VTC prior to fund release. **Stage 5:**

subproject implementation, the commencement of subproject implementation and the periodic village meetings for reviewing of financial and physical progress are included. **Stage 6: subproject closing and re-planning**, involves the closing (completion, suspension or termination) of subproject, the social auditing for the review on past experiences, and operation and maintenance for completed subproject are carried out.

68. Component 2.2 village-tract level connective infrastructure subproject cycle will be similar to component 2.1 cycle with some minor, but important differences. Steps 1 to 6 are identical with the exception that the designated Township committee will also be tasked with final approval of component 2.2 investments. However, the relevant roles and responsibilities for subproject design, implementation, and supervision are different, as follows. Subproject preparation (step 7) would be the responsibility of the relevant technical department at township level (e.g., a rural road or bridge would be designed by the Department of Rural Roads Development) that would be delegated responsibility to implement these works. A contracted Technical Supervision and Safeguards Consultant (TSSC) would ensure that the plans and cost-estimates met standards (step 8) prior to the relevant department seeking bids for the specific works (step 9). Bids would be evaluated by a committee of the technical department, with at least 2 community representatives (step 10) prior to final authorization to contract by State/GAD (step 11). In general, given the size of the works (possibly ranging from \$25,000 to \$75,000 for each subproject), it is assumed that they would be implemented by private contractors (step 12), that would be supervised and monitored by the TSSC and village committee monitoring teams (step 13) from the beneficiary villages. The final four subproject cycle steps for Component 2.1, regarding community reporting, monitoring, social audits and operation and maintenance arrangements, would apply in a similar fashion under Component 2.2.
69. DRD will take the lead in overseeing the implementation of component 3, with the support of relevant technical departments such as Agriculture (DOA), Fisheries (DOF) and Livestock (LBVD), Forestry (FD), etc. LFs are the key persons who will support the implementation of the livelihoods subprojects and will ensure that communities and livelihood groups comply with relevant environmental and social safeguards. Component 3 will follow a similar cycle and steps for the identification, planning, approval and implementation of subproject activities as with component 2, and where feasible will apply the same process and community structures. The subproject cycle for component 3.1 is shown in Figure 2 below.
70. The application of safeguard procedures for these two components are described in greater detail in the following sub-section.

4.2.2. Environmental and Social Safeguards Procedures and Responsibilities

71. From the perspective of the environmental and social safeguard requirements of the PPCP there are four key steps to be undertaken: (i) identification of subprojects (including confirming eligibility based on the PPCP negative list), (ii) screening of potential impacts and determination of applicable safeguard instruments, (iii)

developing of safeguard instruments, and (iv) implementation of safeguard instruments, and supervising, monitoring and evaluating their application. The specific activities and responsibilities for these key steps are detailed below, subdivided by infrastructure and livelihoods components. The environmental and social safeguard instruments that are referenced below-- Environmental Codes of Practice (ECOPs), Environmental Management Plan (EMP), Pest Management Plan (PMP), Chance Find Procedures, etc.-- are shown in the Annexes to this ESMF.

Step 1 -- Identification of Subprojects

Infrastructure Activities (Component 2)

72. The process of identifying infrastructure subprojects happens in stages 1 and 2 of the subproject cycle. The following steps and activities are critical in the process and include specific actions relating to the implementation of the ESMF.
73. ***Participatory Social Assessment (PSA)*** is conducted by the CFs and informs the screening for social aspects of the project, with specific reference to the presence of and consultations with ethnic groups. Guidelines for the conduct and details of the PSA process are found in Annex 7. The PSA will inform further discussions and consultations at village level (including separate male and female prioritization groups) to determine the priority infrastructure activities for the village. This list of priority activities will become the Village Development Plan (VDP).
74. ***Preparation of Village Tract Development Plans (VTDPs)***. At village tract level, all VDPs are consolidated and reviewed to ensure that agreed upon project operational procedures have been followed. Part of the review by the Village Tract Committee (VTC) will be to apply the negative list of ineligible subprojects (indicated above) to ensure that all subprojects are allowed. This VTC also identifies which of the village subprojects (for both components 2.1 and 2.2) will be submitted to the Township Implementation Group (TIG) for financing by the PPCP. This consolidated, reviewed and prioritized list of local infrastructure investments becomes the Village Tract Development Plan (VTDP). Because these plans reflect a process of free, prior, and informed consultation of any ethnic groups at village level they each represent the required **Indigenous Peoples Plans (IPP)** [cross reference to section on IPP) as required by the World Bank Policy (OP 4.10) on Indigenous Peoples.
75. ***Endorsement of VTDPs***. TIG will review the VTDPs against existing sector plans and other known township level assistance (NGOs, etc.) and endorse them accordingly. The TIG includes representatives from all technical departments present at township level and is therefore able to draw on relevant technical expertise as necessary. Prior to submission to the TIG, DRD and the Facilitating Partner Township Team (FPTT) will review the VTDPs to ensure that no ineligible subprojects are being proposed for support under the PPCP, and to identify any subprojects that may require special technical review (e.g., subprojects in protected natural or cultural heritage areas, etc.). If the project operates in the village located inside the protected cultural heritage zones, township PPCP office submit list of proposed subprojects including site plan to the Department of Archaeology and National Museum (DANM) for review

and approval. The DANM would review site plan, conduct field visits and provide recommendation and approval. If subprojects would locate or pass through forest land area, it is required to obtain the prior agreement with MONREC and subprojects shall comply with provisions of Environmental Conservation Law. If subprojects would involve change of land use such as new road alignment on farm land areas, township PPCP office submit list of proposed subprojects including necessary documents and site plan to Department of Agricultural Land Management and Statics (DALMS) for review and approval. Township PPCP office will then submit subprojects list to the TIG for review and endorsement. Copies of approved VTDPs in Myanmar language, and summaries of plans in main local language(s) are displayed at the village tract offices and on notice boards in all villages.

76. ***Amendment of village and village tract development plans (VTDPs).*** Villagers and the respective VTC will re-evaluate the development plans annually and adjust them as needed. The adjusted plans will be endorsed by the TIG if there are major changes. Each time the village and village tract development plans are updated, free, prior and informed consultations will be carried out with beneficiary communities and with ethnic groups to ensure their broad community support to the updated plans, in a manner described above.
77. The identification of subprojects under component 2.2 (inter-village and village-tract level infrastructure) will happen through the same processes at village, village tract and township levels, involving the same project staff and committees as with component 2.1. In addition to this, at township level, a special forum (that includes CSOs and EAO representatives) would be called to review and identify the recommended priority investments for support under sub-component 2.2. The township administrator and relevant technical department heads would participate in the forum and provide inputs on existing Government plans and technical feasibility of proposed subprojects. Based on the discussions and inputs, the representatives of the village tracts and EAOs would vote for their top priorities, based on estimated available budget. The final list of recommended sub-component 2.2 investments would require the approval of the State/Region Steering Committee. The timing of the township forum would be scheduled so as to feed into the State/Region Steering Committee meetings, or else, an ad hoc State/Region meeting would be arranged.

Livelihood Activities (Component 3)

78. The initial identification of livelihoods subprojects would draw on the PSA, as well as market analyses and skills needs assessments at township level to identify the most feasible livelihood options. These analyses would be carried out by the livelihood facilitators (LFs) and the Facilitating Partner (FP). The identified community livelihoods subprojects would be reviewed and endorsed by the community. VCs would review and endorse livelihood subprojects to (i) ensure that suitable and reputable input dealers were identified to support local groups, and (ii) seek synergies or opportunities for economies with related livelihood activities within connected geographic areas. Given the technical and economic nature of the livelihood subprojects, final review, assessment, and endorsement would be carried

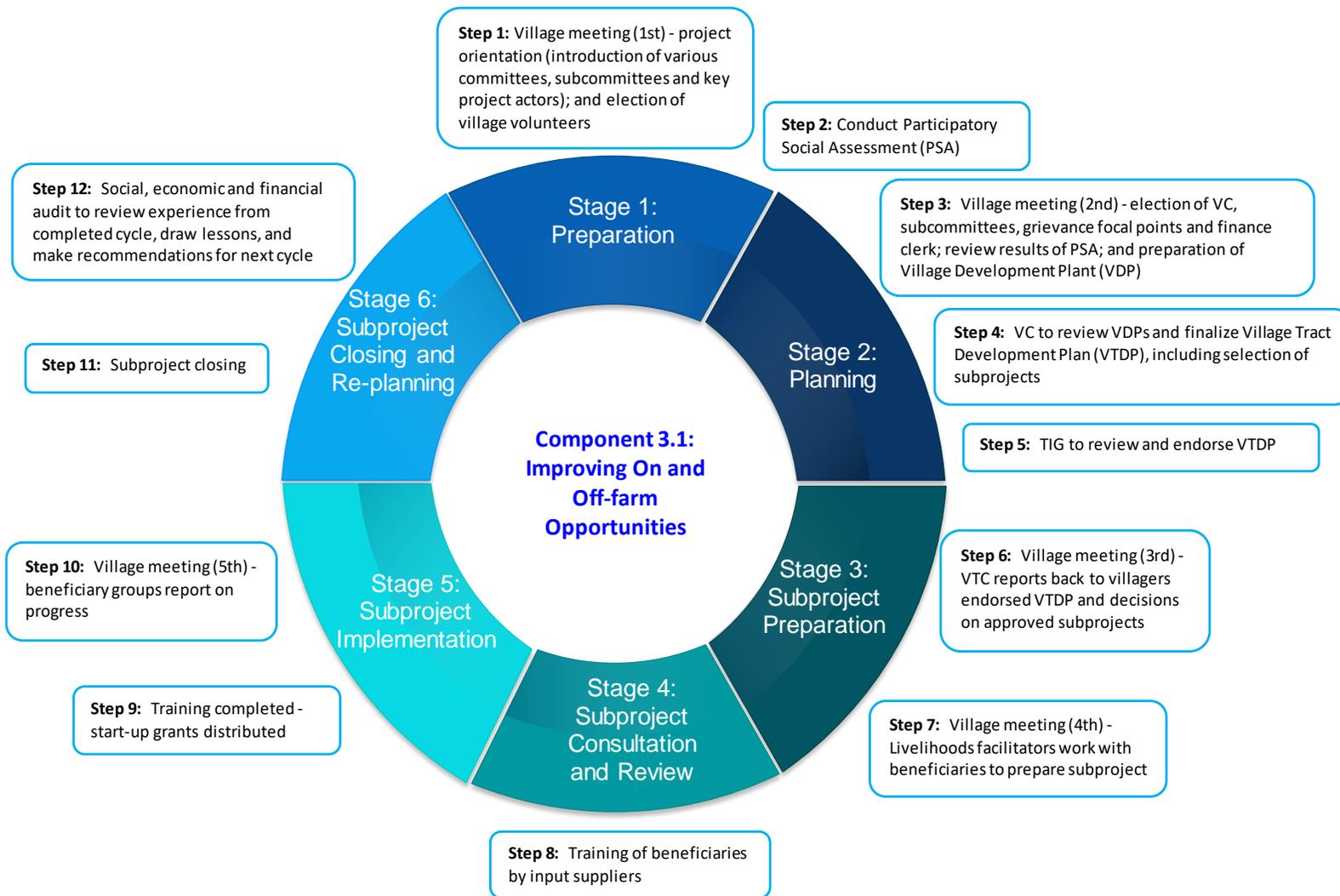


Figure 2 Subproject Cycle for Livelihood activities (Component 3.1)

out by the FP, with final approval resting with DRD (with technical input from relevant departments such as DOA, LBVD, etc.)

Step 2 -- Screening of Potential Environmental and Social Impacts and Determination of applicable Safeguards Instruments

Infrastructure Activities (Component 2)

79. **Safeguard Screening.** Once the TIG has endorsed the VTDPs, DRD engineers, in partnership with the VTC, VC, CFs and IFs, will carry out the environmental and social screening of proposed component 2.1 subprojects as part of the detailed subproject design process. This screening is focused on three areas: (i) using the screening form, that is included in Annex 1 as part of the preparation of detailed designs, to determine potential impacts from the subprojects; (ii) determining whether infrastructure ECoPs (Annex 2), and/or chance find procedure (Annex 3) suffice to mitigate these potential impacts; and (iii) identifying what additional mitigation measures, if any, beyond those contained in the ECoP may be needed to manage the impacts (through an EMP or other safeguard instrument).
80. Special attention would be given to screening for subprojects proposed in national parks, a protected cultural heritage area, a protected archaeological area or area of historical significance, reserved forests and/or areas of national conservation. All such subprojects would require the prior review and no objection of the World Bank. The PPCP will not support activities that involve development of new settlements or expansion of existing settlements in critical habitats, PAs or areas proposed for certain levels of national protection (e.g., reserved forests). The project can support activities in settlements that already exist in those areas. Subproject proposals should be in compliance with any local regulations on land management and other provisions of the protected area management plan. The project will also allow rehabilitation of existing infrastructure which has already been developed (e.g., existing paths or tracks for tourism purposes) if the respective subproject investment is in line with the park development/management plan, and subject to agreement of Union authorities.
81. The negative impacts of the project's small to medium sized subprojects will tend to be site specific and occurring only during implementation (e.g., noise, dust, soil erosion, waste management, water quality, health and safety, loss of trees, small land donations). These impacts can generally be avoided, managed or mitigated during subproject planning and construction. In addition, the cumulative impacts for the project as a whole at subproject sites and regionally are expected to be modest given their relatively small size (under \$75,000 in value) and the dispersion of resources across village tracts, townships and States/Regions. This step will also identify safeguards instrument that will be used for subproject implementation and monitoring including ECoPs, EMP and chance find procedures.
82. These relatively small-size rural infrastructure subprojects are very unlikely to require Initial Environmental Examination (IEE)/ Environmental Impact Assessment (EIA)

under Myanmar regulations. However, screening for IEE/EIA requirements has been included in the safeguards screening form (Annex 1). In case that an IEE, at most, is required, the additional procedure and process for IEE preparation and obtaining of environmental compliance certificate will be guided by procedures outlined in the Project Operation Manual (POM).

83. For component 2.1, the CFs and IFs will provide the necessary technical guidance so that VTC members can review the safeguard screening sheet in line with this ESMF. The approved safeguard screening sheet in the local language will be available with the detailed project designs in the beneficiary village(s).
84. For component 2.2, relevant technical departments are responsible for designing, ensuring technical specifications and implementing infrastructure subprojects, rather than IFs and communities (e.g., the Rural Roads Department would be responsible for an inter-village or village tract road or bridge prioritized under component 2.2). Therefore, in this case a TSSC would be hired at township level by the state/region government to both supervise implementation of component 2.2 works, and to ensure that relative safeguard procedures are applied by works contractors. Thus, the TSSC will be responsible for screening subproject proposals and identifying relevant safeguard measures, applying the same screening and safeguard instruments presented in the annexes to this ESMF.
85. All subproject proposals estimated to cost MMK 60 million (approximately US\$ 40,000) or more will be subject to World Bank prior review and no objection. This review would include relevant safeguard screening forms and instruments.

Livelihood Activities (Component 3)

86. For component 3, livelihoods screening using Form 1, would be done by LFs with the backstopping of DRD and the FPTT, and relevant technical departments of MOALI and others as needed. Similar to subcomponent 2.1, impacts of livelihood subprojects are likely to be very small-scale, widely dispersed, site specific, and manageable by simple ECOPs.

Voluntary Land Donation (VLD)

87. Impact on private assets may be addressed only through voluntary donation. Subprojects that require relocation or involuntary land acquisition are ineligible for financing under the PPCP. The Community Facilitator and the IFs, under the guidance of FPTT, will verify if all conditions of voluntary donations described below are met based on face-to-face meeting with affected people. **Proceeds from the World Bank financing cannot be used for compensation, and compensation from Government sources would render the sub-project ineligible.**
88. VLD can only be used for subprojects that could be implemented in another location in the event that all affected households are not in agreement with VLD, only for minor impacts (in general, 10 percent or less of the asset in question), and only for

households benefiting from the subproject. The relevant screening process will be undertaken by CFs, IFs and LFs (in the case of livelihoods activities). CFs would be required to ensure the “voluntary” nature of the donation, IFs (or LFs) would ensure that the level of donation does not exceed the 10 percent threshold. Other principles and procedures outline in Annex 8 would also be adhered to for this purpose.

89. To assess whether a potential donation is voluntary, it is necessary to ensure the owner(s) or user(s) of the land understand:

- What the land is going to be used for, by whom and for how long;
- That they will be deprived of the ownership or right to use the land, and what this really means;
- That they have a right to refuse to donate the land;
- Whether there are proposals which would allow other land to be used;
- What they will need to do to donate the land, and what costs are involved;
- The effect of the donation on their family, what they can do if they (or their family or heirs) want the land back.

90. Annex 8 provides details to follow on the process for VLD, namely on how to:

- Determine and document the appropriateness of VLD in the project context;
- Verify the requirements of the donation and the formalization of the donation;
- Carry out due diligence on the owners and users of land donated;
- Ensure appropriate consultation and disclosure;
- Establish informed consent of the person donating the land;
- Document the legal transfer of land donated; and
- Establish grievance redress mechanism.

91. DRD has effectively demonstrated its capacity to appropriately manage VLD cases across the more than 30,000 sub-projects financed to date under the NCDDP. This performance has been monitored closely by the World Bank, including through independent audits of the application of safeguard measures, and all outcomes have been found to meet agreed-upon safeguard standards and requirements and specifically no land acquisition. Nonetheless, the PPCP will include additional safeguard monitoring efforts including: a third-party monitoring agent for all investments under component 2.2 that is managed by state/region government, World Bank prior review of all sub-projects that are valued at more than \$40,000, quarterly monitor to identify abnormal variations on use of VLD with project and historical averages and conduct of additional in-depth reviews as needed, a bi-annual independent technical audit to confirm proper application of safeguard procedures, and a robust GHM that would be suitable to capture beneficiary complaints regarding VLD processes.

Step 3 – Development of Safeguard Instruments

i) Infrastructure Activities (Component 2)

92. The following environmental and social safeguard instruments have been designed based on experiences implementing a World Bank supported community-based program similar to the PPCP. These instruments seek to avoid, minimize, and mitigate the potential negative environmental and social impacts likely caused by PPCP subprojects. These instruments, the formats and detailed guidelines for which are presented in the annexes to this ESMF, are summarized below.

93. **Indigenous Peoples Plan (IPP).** As stated above, for the purpose of this project, the VTDP will serve as the IPP where ethnic groups are affected by the project within the village tract. Annex 7 presents the IPPF that, together with the annex on the participatory social assessment, further details how the VTDP will meet the requirements for an IPP. For the VTDP to serve as an IPP it would include the following information:

- a. *Affected ethnic groups.* The ethnic groups present in the VT, identified based on the Participatory Social Assessment conducted at the village level using the criteria described in this ESMF, will be described.
- b. Summary of the findings of the Participatory Social Assessment including the results of the free, prior, and informed consultation conducted with the affected ethnic groups, and the evidence of broad community support of the priority subprojects.
- c. A framework for ensuring free, prior, and informed consultation with affected ethnic groups during subproject implementation.
- d. Measures to ensure that ethnic groups will receive social and economic benefits that are culturally appropriate and that adverse effects on them will be avoided, minimized or mitigated.
- e. Estimation of costs to implement the VTDP including measures to mitigate negative impacts on ethnic groups and the source of fund to implement such measures.
- f. Grievance and monitoring mechanisms that apply to the overall VTDP.

94. The VTDP will be updated and the scope and the scale of impacts will be described for respective subprojects when designs are ready. The scale and scope of benefits, risks and impacts associated with subprojects will be explained to beneficiary communities at the community wide meetings at which broad community support would be sought and documented in the updated VTDP

95. **Environmental Codes of Practice (ECoPs).** The main environmental safeguards instruments used for infrastructure subproject implementation and monitoring are ECoPs. These are basic technical guidelines that inform communities and contractors of practical actions and steps to be used during subproject implementation to avoid, minimize and mitigate negative environmental and social impacts. A general ECoPs applicable to most small- to medium-scale infrastructure rehabilitation and construction is presented in Annex 2a. ECoPs that are specific to different types of infrastructure (roads, water systems, buildings, etc.) are shown in Annex 2b.

96. Environmental Management Plan (EMP). If additional impacts are envisaged for which specific mitigation measures are required beyond what is included in the ECoPs, a simple EMP should be prepared using Form 2 (see Annex 3). **A simple EMP in this ESMF is prepared as per the requirement of WB policy. On the other hand, the size, type and scale of subprojects under PPCP for community level subproject under component 2.1 are not categorized as the projects required EMP by EIA procedure stipulated under MONREC.** Subprojects that require EMPs include:

- a) Any bridges longer than ten (10) meters;
- b) Any new construction of a deep well (≥ 200 feet), irrigation, water supply network, small-scale wastewater treatment facility or small-scale solid waste management (including health waste) facility;
- c) Any rehabilitation of historical buildings or infrastructure with cultural property;
- d) Any subprojects in protected areas;
- e) Any subprojects greater in value than MMK 60,000,000 (including community contribution and/or other sources of financing).
- f) Any other subprojects that triggers the need for an EMP per the safeguards screening form (see PC 13, Annex 1);

97. In the case of Component 2.1, the EMP is prepared with the assistance of facilitating partners and/or DRD township PPCP offices, while under Component 2.2 the EMP is to be prepared by the TSSC. The EMP will identify potential site-specific impacts that cannot be adequately addressed through the application of the ECoPs. The EMP will also specify required monitoring, monitoring indicators and activities of the proposed mitigation measures as well as estimated costs to implement such activities.

98. Physical Cultural Resources Management Plan (PCRMP). If subproject screening finds that subproject is located inside or adjacent to protected cultural heritage zones or area of PCR significance, a simple, site-specific PCRMP will be prepared with the assistance of IFs, FPTT and/or DRD township PPCP offices, for component 2.1, and with the assistance of the TSSC for component 2.2. The PCRMP will include measures for avoiding or mitigating any adverse impacts on PCR, provisions for the management of chance finds and monitoring indicators, and take into account the country's overall policy framework and regulations in regard to PCR. **The DANM at relevant State and Region** will be contacted to review and provide recommendations on the PCRMP before construction commences. EMP form (Form 2: Annex-3) will be used to prepare PCRMP. In any subprojects the Chance Find Procedures described in Annex-4b shall be followed when culturally valuable materials are uncovered during excavation.

99. Risk Management and Chance Find Procedure for UXO/Landmine. Sub-project activities in specific areas of known or suspected landmine contamination are not eligible for support under the PPCP. For subprojects under component 2.1, 2.2 and component 3 that involve civil/physical works, suspected UXO/landmine prone areas, including those with histories of previous military use, will be screened by communities during subproject safeguards screening (see Form 1: Annex 1). If the

screening identifies potential risks, community will consider alternative sites or change subproject. More details of UXO/landmines screening and mitigation measures including “Chance Find Procedure for UXO/Landmine” are presented in Annex 5.

Livelihood activities (Component 3)

100. LFs will work with community groups to prepare required safeguards instruments, which for the most part will be ECoPs. Annex 2c presents a general set of ECoPs applicable to any type of livelihood activity, while Annex 2d presents ECoPs specific to particular types of livelihood activities (e.g., animal husbandry, community forests, etc.). DRD, with the support of the FP and relevant technical departments, will review these instruments to ensure that they meet technical standards.
101. **Pest Management Plan (PMP).** The preparation and application of a PMP is required in the event of any subproject supported under component 2 that would potentially increase the use of pesticides (such as with the rehabilitation or development of irrigation system) or under component 3 that would support agricultural productive activities that could also lead to an increased use of pesticides or agrochemicals. A sample PMP is attached in Annex 6. A PMP comprises the following four aspects: (i) application of government regulations on pesticide control, (ii) key impacts of pesticides and mitigation measures, (iii) training on safe use of chemicals and (iv) monitoring.

Step 4 – Implementation of Safeguard Instruments, Supervision, Monitoring and Evaluation

102. **Implementation of all relevant safeguard instruments for community-level (village) activities** (under components 2.1 and 3) would be the responsibility of the relevant group implementing the subproject (i.e., either the Village committee, or the management committee of the livelihoods group). These groups would be guided by the subproject agreement that will include the relevant safeguard instruments (depending on the nature of the subproject). For component 2.2, responsibility for implementing relevant safeguards instrument will rest with the executing agency that is responsible for the given subproject. The executing agency would, in general, hire contractors to carry out the works activities, and these works contractors would be responsible to ensure that the subproject safeguard measures are implemented.
103. **Supervision, Monitoring and Evaluation.** Supervision of the implementation of safeguards under components 2.1 and 3 would rest with the VTC and VC particularly the Village monitoring sub-committee or the management committee of the livelihoods group, in collaboration with CFs, IFs/LFs and village volunteers. During construction, normally on a monthly basis, the monitoring sub-committee will review actual versus planned activities (including safeguard related actions) using a village subproject monitoring form and submit the form to the VTC. Monitoring reports will be publicly displayed on the village notice board. Village subproject monitoring forms will capture information that is consistent with the project results framework the

Village Monitoring Sub-Committee (VMSC) organizes a village monitoring meeting about every two months or when major milestones have been achieved

104. **For component 2.2, the TSSC would supervise the works contractors to ensure that safeguard measures are being applied and followed.** The TSSC will review and report on the progress of implementation and any issues to the township administrator. Along with the TSSC, representatives of village monitoring sub-committees would also participate in supervising the work of component 2.2 contractors, and would provide inputs to the monitoring efforts of state/region government. The FPTT staff would monitor the quality of safeguard implementation under all components of the project and report to the TIPC at least on a bi-monthly basis during subproject implementation periods. In the case of specialized situations or requirements (such as with Physical Cultural Resources) for any of the components, DRD would facilitate the support and supervision of specialized agencies (e.g., DANM) to review safeguard instruments and monitor field-level implementation.

105. **The annual social audit that takes place in each village would also assess the outcomes of project activities and specifically review if the community or population has suffered any lasting negative impacts.** The state/regional PPCP secretariat staff will ensure that safeguards implementation status is included as part of the state/region progress reports, i.e. quarterly and annual report. The following performance indicators will be monitored and presented in the quarterly progress report:
 - a. The number of voluntary donation cases;
 - b. The total number of project beneficiaries/ affected people, broken down to ethnicity; and
 - c. Grievances submitted through various channels described below, and the current status.

106. **The World Bank reviews the use of safeguards screening forms, environmental management plans, voluntary donations and the use of the ECoPs on a random basis and carries out field trips as part of supervision missions** to verify safeguard compliance in line with ESMF and other relevant project documents. The Bank also oversees independent technical evaluations of subproject implementation that reviews the application of safeguard measures.

5. Safeguards Capacity Assessment and Capacity Building

107. An initial capacity needs assessment was undertaken to better understand and address social and environmental risk and impact as part of the project preparation. Support has been identified at different institutional levels, as outlined below.

- At the Union level, DRD will focus on ensuring the systems for managing environmental and social risk are in place and functioning including trainings. Current staff exists within the department at this level to support the implementation of the ESMF. These specialists may require specific training on key social and environmental safeguards instruments that are new under PPCP.
- At the State and Regional level, DRD takes the lead to disseminate information about safeguards to other State and Regional offices, and provides technical support to township offices including on infrastructure, monitoring and evaluation, safeguards and other issues. DRD/State-Region further facilitate aggregated reporting to the union level and monitor the implementation of the subprojects including safeguards in participating townships and support TIGs to resolve any implementation issues that cannot be addressed at the township level. All State and Region DRDs have experience based on NCDDP implementation but some additional capacity may be needed for the additional ESMF requirements under PPCP (especially relating to livelihoods and Landmines/UXOs), which would be financed and delivered by DRD/Union.
- The Township DRD undertakes technical review of sub-project proposals. Their roles also include revising standard documents, screening, use/referencing of safeguards instruments (ECoPs, EMPs, PCRMP, PMP, Landmine risk management) measurement of impact and production of detailed designs in consultation with villagers. They further monitor the quality of safeguards implementation under component 2.1 and 3 and report to the TIG at least on a monthly basis during subproject implementation periods. Those personnel who engage with villages, including on applicable safeguard policies such as minor repair and operational guidance during subproject implementation may need training on inclusive engagement. There is capacity to implement, however specific training may be required for implementation of Operations Manual, including applicable safeguards procedures, which is supported by DRD/Union and State (using a cascading training-of-trainers model). For component 2.2, the state/region government will contract out a supervision of safeguards to a technical consultant, TSSC, for each township. The contracted TSSC undertakes the initial environmental and social impact screening and propose mitigation measures, and they will later do the monitoring.
- At the Village Tract level, capacity building may be required for the VTC for: development of village tract development plan (VTDP) as IPP, selection of subprojects, application of the negative list of ineligible subprojects to ensure

that all subprojects are allowed, review and approval of subproject proposals, safeguards screening, voluntary donation form, as applicable, safeguards monitoring. This training is done by DRD/Union and State/Region trainers, together with the township Facilitating Partners.

- At the Village level the VC has decision-making authority for all aspects of subproject planning including participatory social assessment, review and oversight including safeguards monitoring. There is limited technical capacity and a significant gap in knowledge of applicable safeguard policies. The low literacy levels mean that training and capacity building will need to ensure that needs of the different groups in the community are able to participate in an informed way. Budget and capacity come from DRD/Union.
108. As part of project preparation, safeguards capacity building has been integrated into the project design. This includes financing for Union-DRD safeguards consultants, short-term technical assistance, materials and operating costs for safeguards trainings, technical assistance link to project components (through Facilitating Partners or supervision TA firm) as discussed in more details in section 6. Early in the first year of implementation, DRD will develop the detailed training capacity building plan to address the capacity constraints identified above. The PPCP will invest heavily in capacity development at all levels to ensure that subprojects are implemented in an environmental and socially sustainable manner and in line with ESMF requirements. The materials for training at the community level are simple (including simplified sections of the project operations manual kept at the community level for reference during subproject implementation), illustrated to be accessible also to community members who are illiterate (comics, illustrations and photos on grievance handling, fraud and corruption issues, and safeguard requirements).
109. In each of the participating townships, the initial months of operation will be devoted to capacity development. The DRD at the union level will take the lead in training DRD and FP staff at the township level, and township administration staff as appropriate. The township DRD offices and FPs thereafter train the community, CFs, TFs and LFs in safeguards under components 2.1 and 3. Only at this stage does the project cycle at the community level begin. CFs provide specific training for those villagers taking an active role in implementation, including the village volunteers and the members of the VTSC, village implementation committee and various sub-committees. Capacity development activities for community members project staff will be undertaken regularly and as needed, including refresher training and township cross-visits prior to each new annual block grant cycle. For this purpose, training materials prepared and updated under NCDDP will be used (and further improved, based on lessons learned and feedback from regular social audits) for the PPCP.

6. Budget for Implementing the ESMF

110. The costs associated with implementing the ESMF processes and safeguards instruments have been included in the project design. Capacity building and support to safeguard implementation is financed through both the technical assistance linked to component 2.1 (through Facilitating Partners), and under component 4 (where training funds are lodged). Specifically, component 4 covers the staffing (national consultants), short-term technical assistance, materials and operating costs (for the conduct of training) in support of ESMF implementation. Estimates for these ESMF implementation costs are drawn from existing NCDDP cost coefficients where ESMF implementation has been shown to be effectively supported. Similarly, Component 2.2 contains adequate support for safeguard screening and oversight through the project management and supervision TA firm that state/region government will recruit as part of the project. Component 2.3 focuses on training, systems development and capacity building for service provision agencies and staff, which would not involve significant safeguard issues.

ANNEXES

Annex 1: Form 1: Safeguards Screening Form

Annex 2: Environmental Codes of Practices (ECoPs)

Annex 3: Form 2: Environmental Management Plan (EMP)

Annex 4: Chance Find Procedure for Physical Cultural Resources

Annex 5: Risk Management and Chance Find Procedure for UXO/Landmines

Annex 6: Pest Management Plan (PMP)

Annex 7: Indigenous Peoples Policy Framework

Annex 8: Protocols and Procedures of Voluntary Donations

Annex 9: Protected Areas and Key Biodiversity Areas in Myanmar

Annex 10: Meeting of Public Consultations – input after consultations

Annex 1: Form 1: Safeguards Screening Form

The completed form (one is required for each subproject) is to be attached to the subproject proposal.

Region /State:	
Township:	
Village Tract:	
Village:	
Subproject:	
Subproject ID:	

Subproject description

Type (see eligible category)

Category (check one): Rehab Extension New work other

Scope:

Building road/bridge/jetty water supply rural electrification irrigation
 Sanitation other livelihood activities (Agricultural/Livestock/Household Manufacturing/ Other Services)

Cost estimate

Location (with GPS longitudes and latitudes, if available)

Beneficiaries

Number of villages served

Any other similar subproject/assistance in the same village? (Check one) Yes No

Environmental screening

Apply ECoPs to all village subprojects (VSP)

E0. Requirement of IEE or EIA

Is the proposed subproject (type, size/scale) entitled to perform IEE or EIA Study in accordance with Annex A of EIA procedure (2015)?

Yes No

If answer to any of above questions is 'yes', proposed subproject will require to conduct the determined IEE (or) EIA separate study prior to the commencement of the construction of subproject.

E1. Natural environment

(a) Briefly describe the vegetation/trees in/adjacent (within 0.5 km) to the subproject area

(b) Estimate and indicate where vegetation/trees might need to be cleared

(c) Are there any environmentally sensitive areas or threatened species (specify below) in/adjacent to the subproject?

-- Natural forests: Yes ___ No ___; if yes, ___ km from the subproject

-- National parks: Yes ___ No ___; if yes, ___ km from the subproject

-- Rivers: Yes ___ No ___; if yes, ___ km from the subproject

-- Lakes: Yes ___ No ___; if yes, ___ km from the subproject

-- Wetlands (swamps, seasonally inundated areas): Yes ___ No ___; if yes, ___ km from the subproject

-- Natural habitats of endangered species for which protection is required under Myanmar laws and/or international agreements: Yes ___ No ___; if yes, ___ km from the subproject

-- Others (describe): Yes ___ No ___; if yes, ___ km from the subproject

Will the subproject adversely affect the above specified area? Yes _____ No _____

Is there any possibility of the use of forest land/area for subproject: Yes ___ No ___

If answer to any of above questions is 'yes' and within 5 km distance from the subproject, mark VSP as having an impact on the natural environment:

Has an impact No impact

E2. River ecology

Is there a possibility that, due to installation of structures, such as weirs and other irrigation structures, the river ecology will be adversely affected? Attention should be paid

to water quality and quantity; the nature, productivity and use of aquatic habitats, and variations of these over time. Yes___ No___

Is there a possibility that, the quality of nearby river water will be adversely affected due to the agro-chemicals (e.g., pesticides) used in farmlands? Yes___ No___

If answer to any of above questions is 'yes', mark VSP as having an impact on river ecology:

- Has an impact No impact

E3. Protected areas

Does the subproject area (or components of the subproject) occur within/adjacent to any protected areas designated by government (national park, national reserve, ancient city, world heritage site, etc.)? Yes___ No___

If the subproject is outside of, but close to, any protected area, is it likely to adversely affect the ecology within the protected areas (e.g., interference with the migration routes of mammals or birds) Yes___ No___

If answer to any of above questions is 'yes', mark VSP as having an impact on the protected areas:

- Has an impact No impact

E4. Geology and soils

Based upon visual inspection or available literature, are there areas of possible geologic or soil instability (erosion prone, landslide prone, subsidence-prone)? Yes___ No___

Based upon visual inspection or available literature, are there areas that have risks of large scale increase in soil leaching and/or erosion? Yes___ No___

Is there any potential to have impact on soil due to agro-chemicals (e.g., pesticides) used in farmlands due to the consequences of subproject (e.g., development of irrigation system, agriculture related activities)?
Yes___ No___

If answer to any of above questions is 'yes', mark VSP as having an impact on geology and soils:

- Has an impact No impact

E5. Pollution during construction and operation

Will the subproject have potential to generate polluted wastewater? Yes ____ No ____

Will the subproject have potential to emit particulate matters, and emission gases? Yes ____ No ____

Will the subproject have potential to spill/infiltrate of materials (fuel, hazardous materials) into the ground? Yes ____ No ____

Will the consequences from subproject (e.g., increase in agro-chemical usage) cause contamination of air, groundwater or drinking water? Yes ____ No ____

If answer to any of above questions is 'yes' and additional mitigation measures other than those included in the ECOPs are required, mark VSP as having an impact on ground, water or air pollution:

- Has an impact No impact

E6. Invasive plant species along feeder road routes

Is the subproject likely to result in the spread of invasive plant species (along feeder road routes)? Yes ____ No ____

If answer to any of above questions is 'yes', mark VSP as having an impact on invasive plant species:

- Has an impact No impact

E7. Endangered species along feeder road routes

Is the subproject likely to result in an increased threat to endangered animal species (along feeder road routes)? Yes ____ No ____

If answer to any of above questions is 'yes', mark VSP as having an impact on invasive plant species

- Has an impact No impact

E8. Historical, archaeological or cultural heritage site

Does the subproject area occur within or in vicinity of the areas designated by the government as cultural heritage zones (Archaeological Zone(AZ), Monument Zone(MZ) or Protected and Preserved Zone(PZ)) or areas of physical cultural resources significance?

- Yes No

Based on available sources, consultation with local authorities, local knowledge and/or observations, could the subproject alter any historical, archaeological or cultural heritage site (pagodas, memorials and graves) or require excavation near same? Yes___ No___

If the answer to the any of above questions is 'yes', proceed to follow the chance find procedure for physical cultural resources.

If answer to any of above questions is 'yes', mark VSP as having an impact on historical, archaeological or cultural heritage site:

- Has an impact No impact

E9. Loss of crops, fruit trees and household infrastructure

Will the subproject result in the permanent or temporary loss of crops, fruit trees and household infra-structure (such as granaries, outside toilets and kitchens, etc)? Yes___ No___

If answer to any of above questions is 'yes', mark VSP as having an impact on crops, fruit trees and household infrastructure:

- Has an impact No impact

E10. Risk from existence of UXO/Landmines

Are there any areas with history of previous military use including old battle fields in the village areas Yes ___ No _____

Does the proposed subproject potentially locate in landmine contaminated area? Yes ___ No _____

If the answer to the any of above questions is 'yes', proceed to follow the UXO/landmine risk management and chance find procedure. All subprojects to follow UXO/landmines chance find procedure in case UXO/Landmines are unexpectedly uncovered during subproject implementation.

If answer to any of above questions is 'yes', mark VSP as having an impact on UXO/Landmine risk.:

- Has an impact No impact

E11. Adverse impacts on natural habitats

Will the subproject have adverse impacts on Natural Habitats that will not have acceptable mitigation measures? Yes___ No___

If answer to any of above questions is 'yes', mark VSP as having an impact on natural habitats:

Has an impact No impact

E12. Solid or liquid waste

Will the subproject generate hazardous solid waste or contaminated liquid wastes that requires additional mitigation measures other than ECoPs? Yes___ No___

If "Yes", does the subproject include a plan for their adequate collection, storage and disposal? Yes___ No___

If answer to first question is 'yes' and to second question is 'no', mark VSP as generating hazardous solid or contaminated liquid waste without proper waste handling system/plan:

Has an impact No impact

E13. Health and Safety

Will the subproject activities generate health and safety hazards which require additional measures other than those included in the ECoPs? Yes ___ No _____

If "Yes", describe nature of safety hazards identified.

If answer to any of above questions is 'yes', mark VSP as having an impact on health and safety.

Has an impact No impact

- ***If the answer to any of the above questions is 'Has an impact', prepare an Environmental Management Plan (EMP) that contains suitable mitigation measures. The EMP should refer to the Environmental Codes of Practice (ECoPs) to identify suitable mitigation measures.***

Social screening

S1. Land requirements

Is ownership of the land required for the subproject contested? Yes ___ No___

Will the subproject cause:

Temporary loss of land or resources for any families? Yes ___
No___

Permanent loss of land or resources for any families? Yes ___
No___

➤ If the answer is 'yes', will the land requirements cause?

Conflicts in water supply rights and related social conflicts? Yes ___
No___

Impediments to movements of people and animals? Yes ___
No___

Dislocation or involuntary resettlement of people? Yes ___
No___

Potential social conflicts arising from land tenure and land use issues? Yes ___
No___

Deterioration of livelihoods or living conditions of women or the poorest families in the subproject service area? Yes ___
No___

Other:

subproject

- If the answer is 'yes' to any of the above do not proceed in this area with the subproject activity.
- If the answers are NO to all then proceed to the guidance on Voluntary Land Donation.

S2. Accessing subproject benefits

Will the following groups in the village have access to and benefit from the subproject?

- Women: Yes___ No___
- Youth groups: Yes___ No___
- Ethnic minority groups: Yes___ No___
- Religious minorities: Yes___ No___
- Other groups (e.g. the poor, the elderly) Yes___ No___

- For each group: if the answer is 'yes', specify how it will benefit, and if it is 'no', explain why they will not benefit.

Will villagers be employed for the implementation of works? If so, will they be paid equally for the same work?

Yes___ No___

Name: _____

Position: Head, Village committee

Signature: _____

Date: _____

Annex 2: Environmental Codes of Practices (ECoPs)

1. INTRODUCTION

To manage and mitigate potential negative environmental impacts, the project applies Environmental Codes of Practice (ECoPs); outlined in this document. The ECoPs contain specific, detailed and tangible measures that would mitigate the potential impacts of each type of eligible subproject activity under the project. They are designed appropriately for the local conditions in Myanmar, simple, and readily useable by the local communities who are the main beneficiaries of the project.

The preparation of these ECoPs has benefited from practical examples of other World Bank-financed operations, including the National Community Driven Development Program (NCDDP).

The overall structure of ECoPs is described in the following Table.

Annex No.	Description
	Component 2: Infrastructure Subprojects*
2a	General ECoPs (or) General Guidelines applicable to most rehabilitation and construction activities
2b	Specific ECoPs (or) Technical Guidelines for infrastructure subprojects
	Component 3: Livelihood Support Subprojects
2c	General ECoPs (or) General Principles for any off-farm and household/livelihood activities
2d	Specific ECoPs (or) Technical Guidelines for common livelihood activities

* ECoPs for infrastructure are also applied for small civil works to be financed under component 4 (Implementation Support).

2. THE PROCESS: WHO, WHEN & HOW

The ECoPs are to be implemented by villages and/or contractors, with the support of village CFs/IFs/LFs and engineers of the Department of Rural Development (DRD) (or) with the support of technical/safeguards supervision firm and responsible staff of GAD at township level. While CFs will focus on the socialisation of the relevant Code and its adoption into community proposals, the technical or livelihood facilitators and DRD township engineers will be responsible for the adoption of the codes into their technical design for the subprojects. The adoption of these codes will be closely supervised and supported by the state/regional PPCP infrastructure team and DRD engineers at the union level.

The ECoPs will be adopted throughout the project cycle, mainly in step 3, 4, 5, 10 and 14 of project cycle (during proposal development stage and subproject implementation stage of subprojects). The adoption of ECoPs will be monitored through the Project's quarterly and

annual progress report submitted by the DRD at the Union level. One section of the report should be made available for assessing the application of this environmental management tool; this may include issue(s) or problem(s) in the field and measures or actions undertaken in solving the problem(s).

All subprojects under the Project shall apply this ECoPs. Specifically, this ECoP applies to all type of eligible investments and livelihoods activities (open menu) financed; these comprise small and medium -scale infrastructure rehabilitations/ new constructions based on an open menu, and typically include small feeder roads, foot-paths and bridges, small jetty, small dykes, water supply systems, rehabilitation of class rooms and health centres, and small-scale rural electrification. Each subproject proposal will adopt a relevant section of the ECoP. The list of subprojects in this ECoP will be updated as needed to cover additional activities as needed. Facilitation Partners (CFs, IFs, LFs, TSSCs) are responsible to ensure the adoption of this specific code into the proposal.

3. Environmental Codes of Practice

Annex 2a General ECoPs for Infrastructure Subprojects

<i>A. General Guidelines (applicable to most rehabilitation and construction activities)</i>	
Issue	Environmental Prevention/Mitigation Measures
1. Noise during construction	<ul style="list-style-type: none"> a) Plan activities in consultation with communities so that noisiest activities are undertaken during periods that will result in least disturbance. b) Use noise-control methods such as fences, barriers or deflectors (such as muffling devices for combustion engines or planting of fast-growing trees). c) Minimize project transportation through community areas where possible. Maintain a buffer zone (such as open spaces, row of trees or vegetated areas) between the project site and residential areas to lessen the impact of noise to the living quarters.
2. Soil erosion	<ul style="list-style-type: none"> a) Schedule construction during dry season. b) Contour and minimize length and steepness of slopes. c) Use mulch, grasses or compacted soil to stabilize exposed areas. d) Cover with topsoil and re-vegetate (plant grass, fast-growing plants/bushes/trees) construction areas quickly once work is completed. e) Design channels and ditches for post-construction flows and line steep channels/slopes (e.g., with palm frowns, jute mats, etc.).
3. Air quality	<ul style="list-style-type: none"> a) Minimize dust from exposed work sites by applying water on the ground regularly during dry season. b) Avoid burn site clearance debris (trees, undergrowth) or construction waste materials. c) Keep stockpile of aggregate materials covered to avoid suspension or dispersal of fine soil particles during windy days or disturbance from stray animals. d) Reduce the operation hours of generators /machines /equipment /vehicles as much as possible.

A. General Guidelines (applicable to most rehabilitation and construction activities)	
	<p>e) Regular maintenance of generators/machines/equipment/vehicles.</p> <p>f) Control vehicle speed when driving through community areas is unavoidable so that dust dispersion from vehicle transport is minimized.</p>
4. Water quality and availability	<p>a) Activities should not affect the availability of water for drinking and hygienic purposes.</p> <p>b) No soiled materials, solid wastes, toxic or hazardous materials should be poured or thrown into water bodies for dilution or disposal.</p> <p>c) Avoid the use of waste water pools particularly without impermeable liners.</p> <p>d) Provision of toilets with temporary septic tank.</p> <p>e) The flow of natural waters should not be obstructed or diverted to another direction, which may lead to drying up of river beds or flooding of settlements.</p> <p>f) Separate as best as possible concrete works in waterways and keep concrete mixing separate from drainage leading to waterways.</p>
5. Solid and hazardous waste	<p>a) Segregate construction waste as recyclable, hazardous and non-hazardous waste.</p> <p>b) Collect, store and transport construction waste to appropriately designated/ controlled dump sites.</p> <p>c) On-site storage of wastes prior to final disposal (including earth dug for foundations) should be at least 300 metres from rivers, streams, lakes and wetlands.</p> <p>d) Use secured area for refuelling and transfer of other toxic fluids distant from settlement area (and at least 50 metres from drainage structures and 100 metres from important water bodies); ideally on a hard/non-porous surface.</p> <p>e) Train workers on correct transfer and handling of fuels and other substances and require the use of gloves, boots, aprons, eyewear and other protective equipment for protection in handling highly hazardous materials.</p> <p>f) Collect and properly dispose of small amount of maintenance materials such as oily rags, oil filters, used oil, etc. Never dispose spent oils on the ground and in water courses as it can contaminate soil and groundwater (including drinking water aquifer).</p> <p>g) After each construction site is decommissioned, all debris and waste shall be cleared.</p>
6. Health and Safety	<p>a) When planning activities of each subproject, discuss steps to avoid people getting hurt. It is useful to consider:</p> <ul style="list-style-type: none"> • Construction place: Are there any hazards that could be removed or should warn people about? • The people who will be taking part in construction: Do the participants have adequate skill and physical fitness to perform their works safely? • The equipment: Are there checks you could do to make sure that the equipment is in good working order? Do people need any particular skills or knowledge to enable them to use it safely? • Electricity Safety: Do any electricity good practices such as use of safe extension cords, voltage regulators and circuit breakers, labels on electrical wiring for safety measure, aware on identifying burning smell from wires, etc. apply at site? Is the worksite stocked with voltage detectors, clamp meters and receptacle testers? <p>b) Mandate the use of personal protective equipment for workers as necessary (gloves, dust masks, hard hats, boots, goggles).</p> <p>c) Follow the below measures for construction involve work at height (e.g. 2 meters above ground);</p> <ul style="list-style-type: none"> • Do as much work as possible from the ground.

A. General Guidelines (applicable to most rehabilitation and construction activities)

	<ul style="list-style-type: none"> • Do not allow people with the following personal risks to perform work at height tasks: eyesight/balance problem; certain chronic diseases – such as osteoporosis, diabetes, arthritis or Parkinson’s disease; certain medications – sleeping pills, tranquilisers, blood pressure medication or antidepressants; recent history of falls – having had a fall within the last 12 months, etc. • Only allow people with sufficient skills, knowledge and experience to perform the task. • Check that the place (eg a roof) where work at height is to be undertaken is safe. • Take precautions when working on or near fragile surfaces. • Clean up oil, grease, paint, and dirt immediately to prevent slipping; and • Where possible provide fall protection measures e.g. safety harness, simple scaffolding/guard rail for works over 4 meters from ground. <p>d) Keep worksite clean and free of debris on daily basis.</p> <p>e) Provision of first aid kit with bandages, antibiotic cream, etc. or health care facilities and enough drinking water.</p> <p>f) Keep corrosive fluids and other toxic materials in properly sealed containers for collection and disposal in properly secured areas.</p> <p>g) Ensure adequate toilet facilities for workers from outside of the community.</p> <p>h) Rope off construction area and secure materials stockpiles/ storage areas from the public and display warning signs including at unsafe locations. Do not allow children to play in construction areas.</p> <p>i) Ensure structural openings are covered/protected adequately;</p> <p>j) Secure loose or light material that is stored on roofs or open floors;</p> <p>k) Keep hoses, power cords, welding leads, etc. from laying in heavily traveled walkways or areas;</p> <p>l) If school children are in the vicinity, include traffic safety personnel to direct traffic during school hours, if needed.</p> <p>m) Control driving speed of vehicles particularly when passing through community or nearby school, health center or other sensitive areas.</p> <p>n) During heavy rains or emergencies of any kind, suspend all work.</p> <p>o) Fill in all earth borrow-pits once construction is completed to avoid standing water, water-borne diseases and possible drowning.</p>
7. Other	<p>a) No cutting of trees or destruction of vegetation other than on construction site.</p> <p>b) No hunting, fishing, capture of wildlife or collection of plants.</p> <p>c) No use of unapproved toxic materials including lead-based paints, un-bonded asbestos, etc.</p> <p>d) No disturbance of cultural or historic sites.</p>

Annex 2b. Specific ECoPs for Infrastructure Subprojects

Subproject Type	Environmental Prevention/Mitigation Measures
Buildings	

Subproject Type	Environmental Prevention/Mitigation Measures
In general,	<ul style="list-style-type: none"> a) Provide adequate drainage in the building's immediate surroundings to avoid standing water, insect related diseases (malaria, etc.) and unsanitary conditions. b) Include sanitary facilities such as toilets and basins for hand-washing. c) Restrict use of asbestos cement tiles as roofing. d) Tiled floors are preferred for easier cleaning and more hygienic.
Schools, community recreation centres (including: child care centres, telecommunication centres), rural health centres and markets.	<ul style="list-style-type: none"> a) Design of schools, community centres, markets should follow relevant requirements on life and fire safety required by Myanmar National Building Codes and relevant guidelines from the concerned Ministries. b) Schools/health centres: Maximise natural light and ventilation systems to minimise needs for artificial light and air conditioning; use large windows for bright and well-ventilated rooms. c) Health centres: <ul style="list-style-type: none"> • Provide adequate area for treatment, waiting area and patient's rooms, all of which should be well ventilated. • Include facilities for proper disposal of health and biological wastes (syringes, blood, etc.) • Install sufficient toilets and fire-fighting system d) Markets: <ul style="list-style-type: none"> • Tiled/paved floor is preferred for easy cleaning and maintenance. Slope floor for drainage. • Provide garbage/waste disposal that can be emptied regularly. • Separate the stalls/shops in the market for dry and wet produce/products. • Ensure the stalls/shops have covers/roof to avoid standing waters during rainy seasons. • Install sufficient toilets and fire-fighting system
Rural Roads, Bridges and Jetties	
Roads connecting villages, between villages and townships.	<p>General Considerations:</p> <ul style="list-style-type: none"> a) Control placement of all construction waste (including earth cuts) to approved disposal sites (at >300 m from rivers, streams, lakes, or wetlands). If we do have to dispose spent oil unexpectedly, we should use safe disposal method capable by rural community. For example- burning spend oil as fuel. b) Erosion control measures should be applied before the rainy season begins, preferably immediately following construction. Maintain, and reapply the measures until vegetation is successfully established. c) Sediment control structures should be applied where needed to slow or redirect runoff and trap sediment until vegetation is established. d) Avoid road construction in unstable soils, steep slopes and nearby river banks. Additional measures (see the section below) need to be applied should there be no alternatives for road alignments.
	<p>Protect slopes from erosion and landslides by the following measures:</p> <ul style="list-style-type: none"> a) Indigenous Species, fast-growing grass on slopes prone to erosion. These grasses help stabilise the slope and protect soil from erosion by rain and

Subproject Type	Environmental Prevention/Mitigation Measures
	<p>runoff. Locally available species possessing the properties of good growth, dense ground cover and deep root shall be used for stabilisation.</p> <p>b) Provide interceptor ditch, particularly effective in the areas of high intensity rainfall and where slopes are exposed. This type of ditch intercepts and carries surface run-off away from erodible areas and slopes before reaching the steeper slopes, thus reducing the potential surface erosion.</p> <p>c) For steep slopes, a stepped embankment (terracing) is needed for greater stability.</p> <p>d) Place a retaining wall at the lower part of the unstable slope. The wall needs to have weeping holes for drainage of the road sub-base, thus reducing pressure on the wall.</p> <p>e) Rocks (riprap) can be used in addition to protect the slope.</p> <p>f) Prevent uncontrolled water discharge from the road surface by sufficiently large drainage ditches and to drain water away from the down slope.</p>
Small bridges (less than 10 meters) and Jetty	<p>Erosion protection:</p> <p>a) The main method of slope and erosion protection is the construction of gabions (gravity walls that support jetties bankment or slopes which have a potential to slip) and ordinary stone pitching.</p> <ul style="list-style-type: none"> • The slope of gabions should be in the ratio of at least 1 vertical: 2 horizontals. Flatter slopes may be adopted depending on the site terrain. • The filling of the gabions should be from strong and competent rock which is laid very closely packed to maximize the weight. • Bracing wire should be used to prevent the gabion bulging out. The bracing wire should be placed at each third of the gabion height. • The gabions should be firmly anchored into the ground by founding the gabions below the expected scour depth level. • In cases where stone pitching is not provided, the top layer should be covered by soil to encourage the growth of grass and the stabilization of the slopes. <p>b) Stone pitching may be provided as the only erosion protection measure in those cases where the erosion potential is deemed minimal. Stone pitching is not very resistant to strong water current and is mainly used as the top finish on gabion walls.</p> <p>Water Quality and Fauna:</p> <p>a) Restrict duration and timing of in-stream activities to lower flow periods (dry season) and avoid periods critical to biological cycles of valued flora and fauna (e.g., spawning)</p> <p>b) Water flow diversion should be avoided; if it is impossible to avoid, impacts should be assessed and mitigation proposed.</p> <p>c) Establish clear separation of concrete mixing and works from drainage areas and waterways</p>
Culverts	<p>a) Remove all formwork from inside the culvert (after concrete has reached full strength). Formwork that is not removed will rot eventually, drop down and obstruct the free flow of water.</p> <p>b) Place large stones at the outlet of the culvert to prevent erosion.</p> <p>c) Keep the culvert inlets free from sand and gravel – the water must flow through the culvert.</p> <p>d) Build a sand trap upstream of the culvert to prevent accumulation at culvert inlets (sand traps will have to be cleaned periodically).</p> <p>e) Ensure that the water of the adjacent road sections can flow freely into the roadside ditch.</p>

Subproject Type	Environmental Prevention/Mitigation Measures
<i>Rural Water Supply</i>	
Wells (deep/shallow)	<ul style="list-style-type: none"> a) Site wells so that appropriate zone of sanitary protection can be established b) Equip with slab around the well for easy drainage, a crossbeam and a pulley to support the use of only one rope and bucket for collecting water. One rope and bucket is more hygienic for the well and water c) Install steel steps/rungs (inside wall of a deep well) for maintenance and in case of emergency. d) A groundwater well usually has a wide open water area. It is necessary to provide a cover/roof/wire mesh on top to protect this area from falling leaves or debris. e) Wells should always be located upstream of the septic tank soak-away. Build the soak-away as far away as possible from the well (minimum 15 m/50 feet) as it can influence the quality of the drinking water when it is too close. f) Before using a new water source, test water quality and when intended for potable purposes ensure water meets proposed National Drinking Water Standard (2014). Water quality should also be monitored in the case of all well rehabilitation.
Spring	<ul style="list-style-type: none"> a) Every spring capture should be equipped with a filter and a sand trap. Add a wall between the inflow and the outlet pipe to create chamber for settling out sand; build the wall with a notch (lowered section) for controlled flow. Sand must be cleaned out periodically (O&M). b) Collection basin for spring capture needs to have a perforated PVC pipe (holes diameter 2mm) to be used as a screen for the water intake. Alternatively, a short pipe with wire mesh (screen) around the open end should be provided. c) Collection basin needs to have a fence to protect the spring from public access and risk of contamination; and a roof/cover over the spring to prevent leaves or other debris from entering the basin.
Rainwater harvesting	<ul style="list-style-type: none"> a) Rainwater storage reservoir should be intact, connected to roof gutter system, with all faucets and piping intact. b) If distribution pipes are attached into the storage reservoir, install the distribution pipes 10cm above the storage/tank bottom for better use of the storage capacity. c) Cover must be fitted tightly onto the top of the storage reservoir to avoid overheating and growth of algae (from direct sunlight), and to prevent insects, solid debris and leaves from entering the storage tank. d) A ventilation pipe with fly screen should be placed in the cover to help aerate the tank/reservoir which is necessary for good water quality. e) Roof gutters need to be cleared regularly, as bird and animal feces and leaf litter on roofs or guttering can pose a health risk if they are washed into the reservoir tank. f) Reservoir tanks need an overflow so that in time of really heavy rain, the excess water can drain away. The overflow should be designed to prevent backflow and stop vermin/rodents/insects entering the system. A good design will allow the main storage tank to overflow at least twice a year to remove built up of floating sediment on the top of the stored water and maintain good water quality.
Installation / Rehabilitation of pipelines from Natural Springs	<p>Preventing contamination at water sources:</p> <ul style="list-style-type: none"> a) Build a structure with roof over the water source to prevent leaves or other debris from entering into the basin. b) A fence is needed to protect the water sources (springs particularly) from public access and risk of contamination. c) The sand/gravel filter traps sediment before the spring flow enters the collection chamber and has to be changed during periodical maintenance. <p>Pipe Laying:</p> <ul style="list-style-type: none"> a) PVC water transmission and distribution piping need to be buried underground (coverage 50cm minimum) to prevent pipe against external damage (e.g. passing vehicles, solar UV radiation, etc.). Exposing PVC pipe to UV radiation causes the plasticiser in the PVC pipe to evaporate causing loss of integrity and brittleness.

Subproject Type	Environmental Prevention/Mitigation Measures
	b) Pipe shall be laid in a straight line, over a constantly falling slope. c) When conditions do not allow piping to be buried (i.e. pipe is used above ground), then metal pipe must be used, and supported/braced as excessive movement may lead to leaks and breaks. d) Outlet pipes and fittings from water storage/basin shall not be PVC pipe due to exposure to solar UV/sunlight. Metal piping and fittings are preferred. e) When the distribution pipes are laying via forest area, the following considerations are needed: <ul style="list-style-type: none"> • The route must be considered with minimum effects of changing the existing situations of the forest as well as the least habitats area of the animals • Setbacks distances from important natural features (e.g. mineral licks, wildlife features such as nest, leks, dens, staging areas, lambing areas, calving areas) to conserve wildlife values should be kept, if necessary.
<i>Rural Electrification</i>	
Pico hydro (<30kw)	a) At genset installation, make sure that exhaust pipe ends at the wall side of shed, as the fumes in the shed are unhealthy for the operators. Avoid pointing exhaust pipe end toward nearby house or building to avoid air pollution impact to nearby resident.
Solar street lighting	a) Tidy wiring for easy maintenance and reduces the risk of accidents.
Diesel generator (<20kilovolt-amps)	a) Electrical cabling connections for street lighting need to be protected against rain to prevent short circuits. b) A concrete/steel pole foundation (min 80 x 80 x 100 cm) is essential for safe lighting and power distribution and a suitable size (minimum depth = 60cm) can be used for other pole foundation. c) Location of Generator: <ul style="list-style-type: none"> • Where possible consider a location that has less noise impact to nearby areas. Maintain a buffer zone, such as open spaces, row of trees or vegetated areas, between the generator set and residential areas to lessen the impact of noise to the living quarters. • Give priority to locations that are not prone to flooding. d) Grease traps or containers should be used to capture potential oil spillage from the diesel engine. The exhaust pipe from the diesel engine should be checked for its height according to relevant technical specifications.
Biogas charge station	a) Adequate level of maintenance is needed to prevent pipes getting blocked and leaking. b) No open flames should ever be used near a digester, and adequate ventilation is needed. c) When handling waste material, exercise appropriate precautions by using personal protective equipment to avoid contact with manure. Washing after working around the digester is recommended. It is particular recommended to wash hands before eating and drinking and before touching the eyes or other mucous membranes. d) Keeping the digester facility clean will reduce disease hazards as well as the spread of odors and fly and mosquito populations in the digester facility. e) Proper handling and disposal of spent waste material.
Biomass generator (<15 kilovolt-amps)	a) Biomass fuel storage should be located close to the boiler. Extended conveyance and elevation changes lead to increased technical complexity (with health and safety implications) and higher capital investment and maintenance costs. b) If ash from combustion of biomass generator can be used as fertilizer, it should be given to community with the best method to mix the ash with other compost. Otherwise, the ash should be buried to prevent impacts on air quality from dispersion or on nearby water sources. c) A storage facility for agricultural wastes should be stored in an area with the secondary containment to prevent any leaking to soil and potential impacts on water sources in the vicinity. A storage facility must be located at least 15 m from any watercourse and 30 m from any source of water for domestic purposes.

Subproject Type	Environmental Prevention/Mitigation Measures
	<p>If this recommended setback distance is not feasible, additional steps should be taken to ensure impacts from the storage waste pile are mitigated.</p> <p>d) Storage sites should be located at a level area and well drained. Low lying, poorly drained areas should be avoided to ensure there is no standing water.</p> <p>e) Surface run-off from the surrounding area should be directed away from the storage waste pile.</p>
<i>Small-scale Irrigation</i>	
Small-scale irrigation	<p>a) Masonry walls (along the road) or stone riprap should be built to prevent erosion on a sloped bank.</p> <p>b) May use bamboo as bank protection along the rice fields as the loads are low.</p> <p>c) A screen bar is essential in front of any inlet structure (upstream) to prevent large objects and debris blocking the irrigation canal.</p>
<i>Sanitation Facilities</i>	
Public latrines/toilets	<p>a) All toilets must have a septic tank made from non-permeable material such as concrete, plastic or fiberglass to provide primary treatment of fecal waste.</p> <p>b) PVC pipe used to connect pour-flush toilet to a septic tank must be buried underground or covered over (with cement) for protection and to prevent exposure to sunlight.</p> <p>c) Metal pipe is a preferred choice to be used as the gas vent pipe on septic tanks. Never use PVC pipe as it is unable to withstand long-term exposure to sunlight.</p> <p>d) A toilet should be at least 20 meters from water sources (well, spring, river).</p>
Small-scale waste treatment facilities	<p>Septic tanks:</p> <p>a) Septic tanks must have a vent pipe to prevent the build-up of gas inside the chamber and shall have a ‘manhole’ that provides access inside the tank if needed.</p> <p>b) Ensure that the septic tanks have two chambers: first chamber is for settling of sludge, and the second chamber is for aerobic treatment. These chambers will generally treat wastewater better. Partially treated septic tank effluent can pollute groundwater and surface water.</p> <p>c) Do not discharge septic tank effluent to an open drain or other surface water. The effluents need to be treated before final disposal. This may be achieved through: (i) an underground leach field, (ii) a vegetated leach field, or (iii) a pit for soaking away.</p> <p>d) Septic tanks must be inspected periodically and the accumulated sludge must be emptied (by pumped out) every few years for the tank to continue to function properly.</p> <p>Solid waste disposal (wastes from rural market):</p> <p>a) Solid waste depots/disposal need to be located on hard-standing areas that prevent waste entering surface or groundwater.</p> <p>b) Waste depots/storage/disposal should be contained, sealed and/or roofed/covered to prevent storm water contamination. Wastes need to be emptied regularly.</p>

Annex 2c. General ECoPs for Livelihood Support Subprojects

Subproject Type	Environmental Prevention/Mitigation Measures
<i>In general,</i>	
To minimize water pollution	<p>a) Avoid any activity causing excessive erosion and turbidity.</p> <p>b) Keep waste and hazardous materials (e.g. used batteries, used oils, etc.) away from surface water bodies, drinking water sources and do not dispose of waste in creeks or rivers.</p>

	<ul style="list-style-type: none"> c) Properly dispose contaminated wastewater and hazardous materials, if any, passing through conventional treatment process such as screening, settling, oil-water separation, etc. d) Avoid contamination of drinking water source (e.g. well) from inflow of waste materials and pollutants. e) Avoid-large-scale animal farming and aquaculture activities in water catchment area.
To minimize air pollution	<ul style="list-style-type: none"> a) Limit burning post-harvest waste material in close proximity to village b) Reduce dust generation through application of water where practical. c) Limit idling of vehicles, machineries equipment.
To minimize noise disturbance	<ul style="list-style-type: none"> a) Repair and maintain machineries for safe and quiet operation. b) Avoid emission of continuous/noisy sounds during working.
To minimize soil pollution	<ul style="list-style-type: none"> a) Store petrol / diesel on impermeable floor (e.g. compacted clay, concrete floor) and surrounded by an embankment or berm. b) Storage for hazardous materials including petroleum should be above ground and isolated. c) Establishing an appropriate disposal area for hazardous materials and waste where prevents hazardous material from leaching into the soil and surface water.
To minimize impact from non-agricultural waste generation	<ul style="list-style-type: none"> a) Collect waste systematically, store and dispose at appropriately designated dump sites, far away from households. b) Reuse and recycle appropriate and viable materials. c) Segregate hazardous and non-hazardous wastes.
To minimize emergency risks	<ul style="list-style-type: none"> a) Build appropriately designed infrastructure safe from natural hazards. b) Avoid areas prone to natural hazard events (flooding, spring tides, etc.), steep slopes and vulnerable to erosion and landslides, etc.
To secure the safety	<ul style="list-style-type: none"> a) Proper use and management of hazardous materials and waste. b) Awareness of dangers on working area, occupation, health and safety equipment through signage where applicable. c) Lock storage of fuels, paints, and chemicals.

Annex 2d. Specific ECoPs for Livelihood Support Subprojects

Subproject Type	Environmental Prevention/Mitigation Measures
Training Activities	<ul style="list-style-type: none"> a) Select suitable location for holding training activities where disturbance to nearby residents are limited. b) Minimize activities that generate excessive noise. c) Limit garbage to a minimum, store and dispose properly in designated area.
Agriculture Related Livelihood Activities	
Agriculture	<ul style="list-style-type: none"> a) Use sustainable agricultural practices / approaches / technologies. (e.g., Agroforestry Practices, Polycultures and Crop rotation, Integrated Pest Management (encouraging the predators of crop-eating pest insects such as birds and bats), etc.) b) Reduce top-soil losses from erosion and the reduction in soil fertility. (Cover Crops and Mulches (Establishing leguminous ground cover and applying plant residues), Grass Barriers (planting grass in strips along the contour lines), etc.) c) Induce conservation and efficient use of water. d) Reduce misuse of agrochemicals, contributing to a reduction of toxic substances in soil and water. e) Reduce usage of pesticides and promote integrated pest management approaches recommended by DOA. f) Reduce, recycle and reuse the agricultural waste (natural, animal, plant waste)

Community Forest	<p>a) Community Forest establishment shall comply with Myanmar regulatory requirements.</p> <p>b) Avoid infringing on:</p> <ul style="list-style-type: none"> • Protected natural sites, watersheds and wilderness areas. • Critical wildlife habitats or areas with significant biodiversity (e.g. wetlands). <p>c) Select sites where the benefits from the new community forest can help reduce illegal or unsustainable uses of nearby forest.</p> <p>d) Use low impact equipment and methods for forest management and harvesting.</p> <p>e) Avoid overusing fertilizers, herbicides and pesticides and avoid any use of those near water bodies.</p> <p>f) Restrict introduction of non-native invasive species.</p>
<i>Livestock Related Livelihood Activities</i>	
Capture Fish	<p>a) Abide by local regulations regarding fishing seasons announced by Department of Fisheries, closed fishing areas, allowable equipment or methods of capture, etc.</p> <p>b) Consideration of sustainable fishery practices to reduce overfishing.</p> <p>c) Avoid disposing discarded fishing nets into the waterbody.</p> <p>d) Reduce incidental captures (Particularly non-target or protected species)</p>
Culture Fish	<p>a) Avoid pond construction during rainy seasons.</p> <p>b) Ensure proper siting, design and construction of pond to avoid failure.</p> <p>c) Flushing or exchange of pond water frequently enough to prevent the deterioration of water quality in pond.</p> <p>d) Monitor incidence of fish diseases.</p> <p>e) Prevent contamination of exogenous fish species.</p> <p>f) Encourage regular dredging and proper disposal of waste material to avoid contamination of surrounding water and water way.</p>
Animal Husbandry	<p>a) Fence off water bodies from grazing animals.</p> <p>b) Regularly collect and store manure for composting and later application to fields to reduce noxious odor and to limit spread of pathogens.</p> <p>c) Keep manure and urine away from the household areas and water bodies.</p> <p>d) Regular cleaning of livestock sheds and feeding pens.</p> <p>e) Identify and contain sick animals and develop containment and cull procedures for adequate removal and disposal of dead animals.</p> <p>f) Define communications protocol to notify village veterinary volunteer or local veterinary authority of the incident</p>

Annex 3: FORM 2: ENVIRONMENTAL MANAGEMENT PLAN¹¹

The completed form will be attached to the subproject proposal. The EMP will be approved by the DRD township engineer.

Region / State :	
Township:	
Village tract:	
Village:	
Subproject ID:	
Type of the subproject:	
Size/Scale of the subproject: (e.g. area or length or volume, or etc.)	
Surrounding Sensitive Areas :	
Infrastructure Facilitator :	

Activities	Project Type	Potential adverse impact(s)	Mitigation measure(s)	Monitoring indicators	Responsibilities	Implementation schedule	Cost estimates

Name: _____ Position: Chairperson, Village committee

Signature: _____ Date: _____

¹¹ This simplified EMP is entitled as the Sub-project's EMP which is not categorized to proceed under the ECD's review process of EIA procedures due to small scale, size and type of subproject.

Annex 4: Chance Find Procedure for Physical Cultural Resources

Annex 4a: Physical Cultural Heritage

Definition of PCRs

PCRs include cultural heritages sites, historical sites, remains and objects including structures or groups of structures having archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. This includes Ancient Monument and Ancient Objects defined by Myanmar legislation as described below.

Definitions of "Ancient Monuments" under the Protection and Preservation of Ancient Monuments Law (26 August 2015)¹²

Chapter I Section 2(a): "Ancient Monument" means building sites lived, made, used and built by human beings including geological environments where fossils of over one hundred years old are found above or under the ground or above or under the water.

Chapter III Section 4: The following buildings which are consistent with the definitions in sub- section (a) of Section 2 are specified as ancient monuments:

- a. religious buildings including zedi, stupa, temple, monastery, brick monastery, rest house, buddhist ordination hall, worship monument, brick mounds and collapsed damages;
- b. ancient city, palace, city wall, moat, earth bunker, gate, archway, gateway, forts, residential buildings, residential site, garden, working site, and ancient mounds dwelt by ancient people and their remains;
- c. natural or man-made cave where human beings had dwelt, natural cave, ancient rock cave, other residential place and geological environments including mound, brook, depression, hole, ravine, and river terrace where ancient people had dwelt and the places where primates and other fossils are found;
- d. place where objects of ancient people were made, pottery kiln, glazed kiln, iron furnace, glass furnace and other metal furnace and places related to them;
- e. ancient monument, road, bridge, excavations, well, lake, pond and, gravel stone made as monumental structure, stone pillar, heaped stone, cemetery, burial site, burial building, cave and pavilion;
- f. epigraphy, archive and the building where they are placed or epigraph cave, monumental structure, pillars and stone slabs;
- g. the buildings that should be protected and preserved by the State because of

¹²Source: UNESCO Cultural Heritage Laws Database

their high cultural, historical, architectural and artistic value;

h. other buildings stipulated as listed ancient monuments by the Ministry of Religious Affairs, and Culture (MoRAC) by notification.

Definitions of “Antique Objects” defined by the Protection and Preservation of Antique Objects Law (22 July 2015)¹³

Chapter I Section 2(a): “Antique Object” means objects which are used by human beings including fossils over one hundred years old in above or under the ground or in above or under the water.

Chapter III Section 4: The following objects which are consistent with the definitions contained in sub-section (a) of section 2 are specified as antique objects:

- i. tangible and intangible cultural heritage including fossil, corpse and bones of human beings and various types of animals;
- j. Buddha image, votive tablet, mural painting, cloth painting, figurine, collapsed damages and religious objects;
- k. work of arts including stucco curving made on reliable religious buildings of the public;
- l. tools made of stone, bronze, iron or any metal or bone, tusk, horn of animal or wood or bamboo;
- m. silver casting objects including coin made of gold, silver, bronze, iron or any metal, earthened coin or terracotta coin and pieces of gold, pieces of silver used as currency, gold bowl and silver bowl;
- n. carved objects including statute, image and relief made of gold, silver, stone, bronze, iron or any metal or earth, terracotta, cement, brick, stone, wood or bone, tusk, horn of animal;
- o. royal regalia and royal objects;
- p. vehicle including palanquin, coach and cart;
- q. epigraphical evidences including stone inscription, inscribed brick, bell inscription, ink writing, gold inscription, silver inscription, copper inscription, glazed plaque script, votive tablet script, manuscript, leather script, print, palm-leaf manuscript, folding parchment, alphabet, seal and logo;
- r. handicrafts pertaining to ten kinds of Myanmar traditional art and crafts;

¹³Source: UNESCO Cultural Heritage Laws Database

- s. relief and other wood carving made decorations in residential building including public rest house, metal carving, work of arts including stone engraving, petroglyph and earthen ware;
- t. clothing including Myanmar turban, supreme head, head plate and clothes;
- u. ornaments;
- v. measuring tools including weight, measurement basket for grain and scale;
- w. utensils including harrow, plough, pottery hammer and weaving instruments;
- x. pottery, glazed ware, stone pot, stone bowl, porcelain and utensils including pot, bowl, plate, spoon and lacquer-ware made of gold, silver, bronze or any metal;
- y. musical instruments including drum, gong, flute, oboe, cymbal(lingwin), brass gong and Myanmar orchestra (saing waing);
- z. ornaments worn on animals including elephant, horse and cattle;
- aa. Myanmar traditional playthings including earthen sherd and stonesherd;
- bb. other objects recorded as antique objects after field inspection of the Ministry.

Annex 4b: Chance Find Procedures

In case Physical Cultural Resources (PCR) are unexpectedly encountered during subproject implementation this chance find procedures shall be followed. This procedure taken into account requirements related to Chance Finding under the country legislation including the Protection and Preservation of Ancient Monuments Law (26 August 2015) and the Protection and Preservation of Antique Objects Law (22 July 2015).

- (1) Stop the construction activities in the area of chance find temporarily.
- (2) Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be arranged until the responsible local authorities i.e. Village Tract Administrative Office or the Department of Archaeology and National Museum take over.
- (3) Notify the relevant CFs/IFs who in turn will inform township DRD and the relevant Village Tract Administrative Office immediately. Township DRD will inform regional/state DRD and union DRD.
- (4) If notification is received under item (3), the Village Tract Administrator shall keep the said chance find as necessary and shall forward the information and notify the relevant Township Administrative Office immediately.

- (5) The relevant township administrator shall promptly carry out the necessities and inform the Department of Archaeology and National Museum immediately from the date on which the information is received.
- (6) The Department of Archaeology and National Museum would be in charge of evaluation /inspection of the significance or importance of the chance finds and advise on appropriate subsequent procedures.
- (7) The Department of Archaeology and National Museum will communicate in writing to the township DRD of findings/ Chance Find report.
- (8) If the Department of Archaeology and National Museum determines that Chance Find is a non-cultural heritage chance Find, the relevant person will resume construction process.
- (9) If the Archaeological Department determines Chance Find is an isolated Chance Find, The Department of Archaeology and National Museum would provide technical supports/advice on chance find treatment with related expenditure on the treatment provided by the entity report the chance find.

Annex 5: Risk Management and Chance Find Procedures for UXO/Landmines

Definition of UXO/Landmines

Unexploded Ordnance (UXO) - refers to munitions (bombs, rockets, artillery shells, mortars, grenades and the like) that were used but failed to detonate as intended. UXO include artillery and tank rounds, mortar rounds, fuses, grenades, and large and small bombs including cluster munitions, sub-munitions, rockets and missiles. UXOs are usually found in areas where conflict has taken place or at military firing ranges. They are often extremely unstable and can detonate at the slightest touch. Injuries can often occur when people are farming or undertaking construction work in a contaminated area and touch, move or tamper with them. UXO accidents are often more lethal than landmines due to their higher explosive and fragmentation content.

Landmines - are victim-activated explosive traps. It can target a person and/or a vehicle. A mine comprises a quantity of explosive, normally contained within some form of casing (typically in metal, plastic or wood), and a fusing mechanism to detonate the main explosive charge. Landmines are difficult to be detected with natural eyes as they are mostly covered with vegetation and soil over time or intentionally covered to hide their tracks. Some mines are placed deep in ground for specific purposes with their own methods of detonation and the landmines are created and planted by many categories according to their targeted person or things or number of casualties. They can be activated by a range of mechanisms including pressure, trip wire, electrical command or magnetic influence. Some modern mines can be initiated using other forms such as electronic sensor.

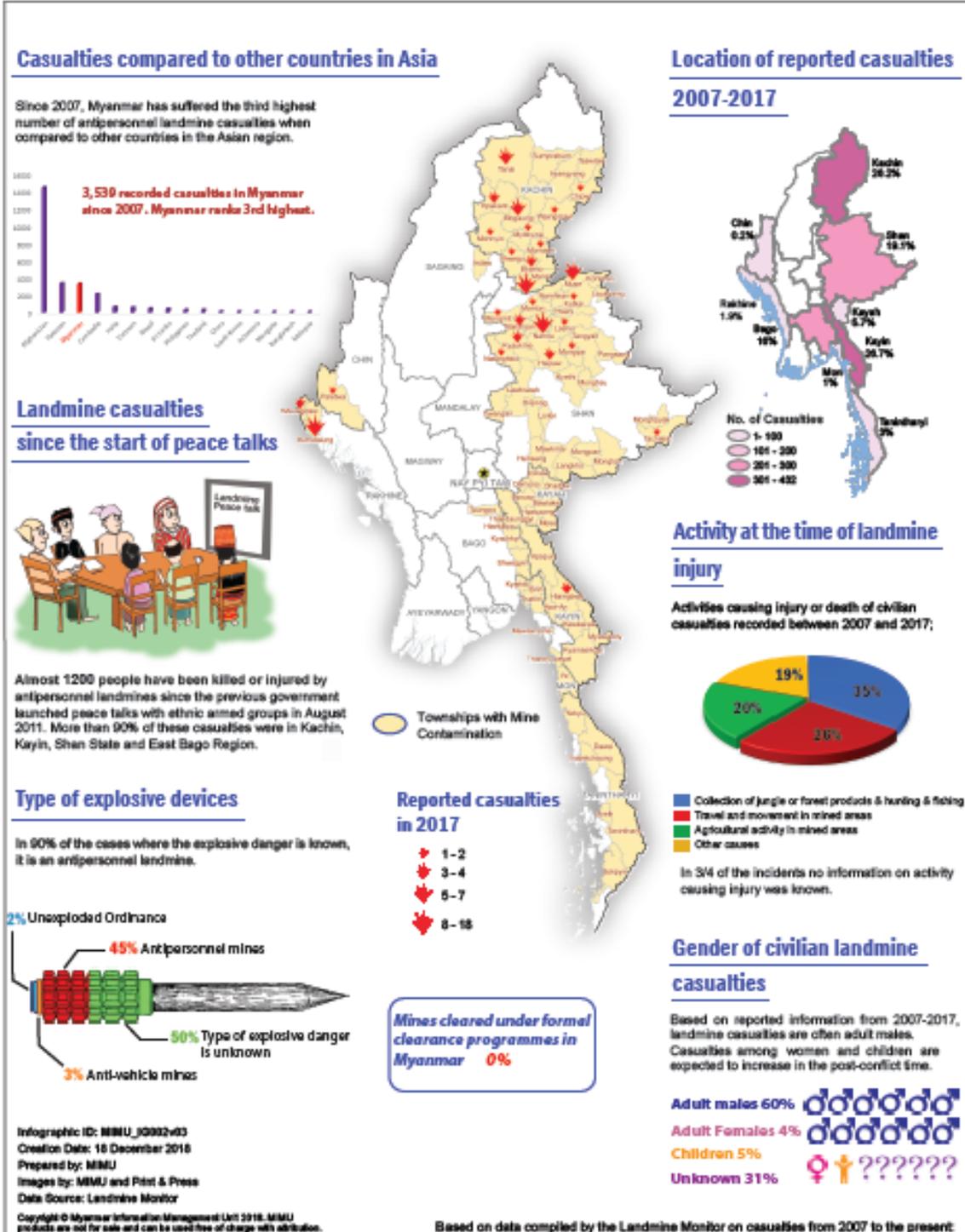
Landmines are generally classified into two types: anti-tank (or anti-vehicle) and anti-personnel. Anti-personnel mines are also commonly further divided into four categories based on their primary method of causing injury: blast; fragmentation; bounding fragmentation; and directional fragmentation.

There are many types of landmines used in Myanmar that include improvised explosive devices (IED) other than the conventional military use types that include copies of Russian PMNs (locally designated MM-2), POMZ fragmentation mines (designated MM-1), and United States' M14s. LTM-76 bounding fragmentation mines based on British or Indian designs have been found around electrical pylons according to research.

UXO/Landmine Contamination in Myanmar

In general, the Union of the Republic of Myanmar is heavily contaminated with mines resulting from the conflicts between the Tatmadaw (Government Forces) and numerous non-state armed groups affiliated with ethnic minorities. The mine-affected areas are mainly the border areas of Myanmar adjacent to Bangladesh, China, Lao, and Thailand, and pose a particular threat in northern and eastern parts of the country.

Among the States and Regions, Kachin, Kayah, Mon, Rakhine, and Shan States, as well as in Bago and Tanintharyi Regions suffer from some degree of mine contamination, primarily



Source: MIMU. (2018). Townships with known landmine contamination and Casualties in Myanmar (2017)

from antipersonnel mines. Kayin State and Bago Region are suspected to have the heaviest mine contamination and reach the highest number of recorded victims. It has also received reports of previously unknown suspect hazardous areas (SHAs) in townships on the Indian border of Chin State. Based on the data compiled by the Landmine Monitor for the period (2007-2017), the six states/regions of Kayin (26.7%), Kachin (26.2%), Shan (19.1%), Bago (16%) and Kayah (5.7%) account for almost all of the country's landmine related casualties (percentages per state/region indicated in parentheses). Mon had merely 1% in total of casualties. Non-technical survey conducted by international NGOs¹⁴ have identified the following townships in the PPCP target states of having "suspected hazardous areas" (SHA).

- *Kayah state: all seven townships;*
- *Kayin state: all seven townships;*
- *Mon state: Bilin, Kyaikto, Mawlamyine, Thanbyuzayat, Thaton, and Ye;*

Status of Landmine Clearance in Myanmar

Myanmar is neither a signatory to the anti-personnel mine-ban treaty nor to the Convention on Certain Conventional Weapons. Land Release, a process that includes non-technical survey, technical survey and clearance activities, has not occurred in Myanmar yet as NGO mine action operators are not permitted to conduct clearance by either the government or ethnic minority authorities. Myanmar does not have national mine action legislation or standards. Mine survey and clearance operators of the Government (Tatmadaw Engineers) follow International Mine Action Standard (IMAS) and their own standard operating procedures.

Risk Management and Chance Find Procedures

(i) UXO/Landmine Risk Screening

Sub-project activities in specific areas of known or suspected landmine contamination are not eligible for support under PPCP. For subprojects under component 2.1, 2.2 and component 3 that involve civil/physical works, the suspected UXO/landmine prone areas with history of previous military use including old battle fields will be screened by community during subproject safeguards screening (see Form 1: Annex 1). If the screening identifies potential risk, community will consider alternative site or change subproject.

(ii) Mitigation Measures

Even after going through the risk screening and avoiding the landmine contaminated areas during screening process, there is a possibility of "chance finds" of suspected ordinance during project implementation in the sub-project areas. In order to minimize the risk of such encounters, the following measures should be followed in project implementation.

Selection of routes

¹⁴ Mine Action Review, <http://www.mineactionreview.org/>: (Clearing the Mines 2018 Report for Myanmar)

- To select the common and safe routes used by many local people; avoid using routes not commonly traveled at early morning and night when visibility is poor; don't use highly vegetated roads or trails
- Don't go to unknown places, abandoned areas where troops previously sheltered or where battles have occurred, or where landmine explosion have occurred
- To inquire the local signs of landmines and strictly follow the rules
- To select another route in case of uncertain information of landmines on the selected route
- Do not touch objects that are not familiar or appear out of place in a given environment

Information Gathering and Sharing

- CFs/IFs/LFs should always inquiry the information of landmine prone places/dangerous places from the local villagers and always avoid these places/routes
- Awareness raising to the all personnel working or visiting the site as well as nearby community by the project IFs

Signs of landmines

- The international sign for the existence of landmine in a specific area is a skull with two crossed bones beneath it.
- Locals also warn about the landmines by using branches/sticks to form crosses, piling some stones and paint red, marking some crosses on the tree trunks, and erecting a stick in the ground and tie a cloth at the top

Preparedness

- Communities in UXO/Landmine risk areas should have information on location and contact details of nearby clinics or health facilities that can treat serious laceration and avulsion. This information should also be maintained by contractors and be notified to all workers;

Mitigation actions

- Implement a 'Chance Find' procedures (see below) which clearly defines safe actions to be taken in the event that mines or any other suspected ordnances are encountered during project implementation
- Arrange and coordinate immediate landmine disposal to minimize work stoppages when suspected objects are encountered.

(iii) Chance Find Procedure

In case of finding the suspected objects during works,

- Immediately stop all works and move out using the same path use
- Immediately restrict the entry of all the persons including the workers, in any case
- Immediately inform about the existence of landmine in a specific area to the community nearby and have to make sure no one enter those areas until the authorities arrive and the landmines are cleared
- Set the signs and markings with the use of yellow, red and blue ropes in the landmine existence area to warn the public
- After that the information about the landmine occurrence must be informed to the township DRD by the committee members and the project IFs as well as to the village tract GAD
- Then the information is step by step reported via township committee to the regional DRD, Tatmadaw, ethnic minority authorities and then to the mine clearance operators (like Tatmadaw engineers) or Non-technical survey groups (Danish Demining Group (DDG); Mines Advisory Group (MAG); The HALO Trust) while the area is still under control by the local committee.
- Clear the suspected objects with the support of relevant operators (like Tatmadaw engineers) safely

The chance find should be ultimately reported to the Union DRD (for component 2.1 and 3) and State GAD (for component 2.2) who will then report to the World Bank.

Annex 6: Pest Management Plan (PMP)

1. Introduction

The project (PPCP) is not intended to promote the use or finance procurement of chemical fertilizers or pesticides. However, increase in the production of agricultural crops is likely to increase the pest incidence and also rise in use of pesticides or agrochemicals and thus, pest control measures without having any impact on human and the environment become necessary for this project. This PMP aims to provide basic knowledge to the State/Regional government, relevant project implementing divisions such as DRD, GAD, DOA and etc., VTCs, VCs, IFs, village officials, private and public sector agencies with adequate guidance for effectively addressing the safeguard issues in line with OP 4.09.

PMP will be applicable for subproject such as rehabilitation or development of irrigation system under the Component 2 and rural livelihood improvement activities under Component 3 of PPCP project. The plan comprises the following 4 aspects: (i) application of government regulations on pesticide control, (ii) key impacts of pesticides and mitigation measures, (iii) training on safe use of chemicals and (iv) monitoring.

2. Application of Government Regulations related to Pesticides

Pesticide Law in Myanmar was firstly enacted in 1990 and has been amended in 2016. The law prescribes the principles, powers and duties of governing authority, rules and measures to be complied by the pesticide users. In accordance with the chapter (11), section (26) of the pesticide law (2016), the user of pesticide shall:

- a) comply with the instruction for use of pesticide;
- b) comply with pesticide safety guidelines published by DOA from time to time;
- c) neither keep pesticides in close proximity to foodstuffs, nor within easy reach of children;
- d) comply with the methods of disposal and destruction of the used empty container and packaging materials of the pesticide in accord with the directive of DOA;
- e) comply with the educational directives published from time to time by DOA concerning use of pesticides in the cultivated fields and the storage of harvested crops.

In line with the Chapter (14), the following prohibitions are described in section (31) to section (38) of the pesticide law (2016).

31. No one shall, import or export the pesticide and active ingredient without a permit of the Registration Board.
32. No one shall, without a license, engage in an enterprise of formulating and selling of active ingredient imported from abroad as a pesticide or of repacking and selling of pesticide imported into the country or of the retail and wholesale of the pesticide and of fumigation.

33. No one shall use the pesticide or active ingredient, apart from suppressing of outbreak of pests, in the crops or foodstuffs or beverages consumed by the public. No one shall use the pesticide or active ingredient to catch or kill any creatures.
34. No one shall employ children of 18 years and under, pregnant woman or nursing mother in handling or in use of pesticide.
35. Whoever using the pesticide shall not affect the environment or anyone by violating any condition of section 26.
36. Whoever using the pesticide shall be punished under the Penal Code when causing to occur the loss of life to anyone by violating section 26.
37. No one shall use other types of the pesticide and application methods other than types of the pesticide and application methods prescribed by the Registration Board in the storage of crops.
38. No one shall offer for sale or transport the pesticide along with foodstuffs.

In exercise of the powers and duties conferred under section (8) of the pesticide law, the Pesticide Registration Board (PRB) has banned pesticides with the Notification No (06 / 2018), dated on 9-08-2018. List of banned pesticides in Myanmar are as follows:

- ***Insecticides:*** Aldrin, Aldicarb, Alpha Hexachlorocyclohexane, Beta Hexachlorocyclohexane (BHC), Chlordimeform, Chlordane, Chlordecone, Chlorobenzilate, Dieldrin, DNOC, Ethylene Dibromide (EDB), Ethylene Dichloride, Endosulfan, Endrin, EPN, Heptachlor, Lindane (Gamma Hexachlorocyclohexane), Methomyl, Methamidophos, Methyl Parathion, Monocrotophos, Mirex, Parathion Ethyl, Pentachlorophenol (PCP), Phosphamidon, Strobane (Polychloroterpenes), Toxaphene, Trichlorfon, D.D.T (Dichloro diphenyl-trichloroethane)
- ***Herbicides:*** Alachlor, Dinoseb, 2,4,5 – T and 2,4,5-TP,
- ***Rodenticides:*** Arsenic Compound, Fluoroacetamide
- ***Fungicides:*** Binapacryl, Captafol, Hexachlorobenzene (HCB), Mercury Compounds, Tributyltin,
- ***Acaricides:*** Cyhexatin
- ***Co Formulant:*** Ethylene Oxide

List of restricted pesticides in Myanmar in accordance with the Notification No (05 / 2018) of Pesticide Registration Board dated on 9-08-2018 are as follows:

- ***Fumigants:*** Methyl Bromide, Phosphine, Magnesium Phosphide
- ***Rodenticides:*** Bromadiolone, Zinc Phosphide, Brodifacoum
- ***Malarial Control:*** Fenthion

3. Key Impacts of Pesticides and Mitigation Measures

Pesticides benefit the farmers for the crop production, nevertheless, they also impose a series of negative impacts on the environment. Pesticides may easily contaminate the air, ground water, surface water, and soil when they run off from fields, escape storage tanks, and not discarded properly.

Moreover, pesticides are hazardous to both pests and humans and they become toxic to humans and non-target animal species if suitable precautions are not undertaken during transport, storage, handling and disposal. Most pesticides will cause adverse effects if they are in contact with the skin for a long time or if intentionally or accidentally ingested. Pesticides may be inhaled with the air while they are being sprayed. An additional risk is the contamination of drinking-water, food or soil.

The following mitigation measures are recommended from different aspects at every stage in order to avoid the adverse impacts on both human and the environment due to pesticides.

	Stage	Mitigation Measures ¹⁵
1.	Before using pesticides	<ol style="list-style-type: none"> 1. Minimize the need for pesticides by practicing integrated management by control strategies such as cultural control, mechanical control, physical control, biological control and chemical control. 2. Receive recommendations from Plant Protection Department (PPD) section of the regional DOA for proper management method for specific crop.
2.	General precautions	<ol style="list-style-type: none"> 1. The pesticide to be used must have registration number under PRB. 2. Only choose the pesticides labelled with Myanmar Language and do not use the pesticides without any label or with foreign language labels. 3. Select the pesticide which is suitable for specific pests and target plants as described on the label. 4. Do not mix any two or more pesticides at the same time. 5. Follow the instructions for use and the pre-harvest interval (PHI) as prescribed on the label. 6. Use appropriate and correct application techniques to ensure safety for the health of humans, animals and the environment.
3.	Label Reading	<ol style="list-style-type: none"> 1. Check the pesticide registration number on your product. 2. Review the date of manufacture and date of expiry. 3. Read the active ingredient and pesticide group on your product. 4. Read the target pests, dosage of product. 5. Read the pre-harvest interval (PHI). 6. Read the storage and disposal procedure for the product. 7. Read the first aid procedure. 8. Follow the instructions and safety precautions precisely written on the label.
4.	Storage and Transport	<ol style="list-style-type: none"> 1. Store pesticides in a certain place that can be locked and not accessible to unauthorized people or children. 2. Never be kept in a place where they might be mistaken for food or drink. 3. Keep them dry but away from fires and out of direct sunlight. 4. Store away from water sources. 5. Should be transported in well-sealed and labelled containers. 6. Do not carry them in a vehicle that is also used to transport food.

¹⁵ Instructions from PPD and Safe Use of Pesticides by WHO

	Stage	Mitigation Measures ¹⁵
5.	Handling / Application	<p>From Environmental Safety Aspect –</p> <ol style="list-style-type: none"> 1. Application rates must not exceed the manufacturer’s recommendations. 2. Avoid application of pesticides in wet and windy conditions. 3. Pesticides must not be directly applied to streams, ponds, lakes, or other surface bodies. 4. Maintain a buffer zone (area where pesticides will not be applied) around water bodies, residential areas, livestock housing areas and food storage areas. <p>From Health and Safety of User Aspect –</p> <ol style="list-style-type: none"> 1. Use suitable equipment for measuring out, mixing and transferring pesticides. 2. Do not stir liquids or scoop pesticides with bare hands. 3. Do not spray pesticides at the down-stream direction and during the strong wind. 4. Do not spray pesticides at the high temperature of the day (noon). 5. Do not suck or blow the blocked nozzle. 6. Do not assign pregnant women, lactating mother and children under 18 for handling and use of pesticides. 7. Protective gloves, shoes, long-sleeved shirt and full trousers shall always be worn when mixing or applying pesticides. 8. Respiratory devices (nose mask) shall be used to avoid accidental inhaling. 9. In case if any exposure/body contact with the pesticide, wash-off and seek medical aid.
6.	Disposal	<p>From Environmental Safety Aspect –</p> <ol style="list-style-type: none"> 1. Dispose any left-over pesticide by pouring it into a pit latrine. 2. It should not be disposed of where it may enter water used for dinking or washing, fish ponds, creeks or rivers. 3. Do not dispose any empty containers into river, creek, fish ponds and water way. 4. Do not burn any empty containers. 5. Decontaminate the pesticide containers by triple rinsing and use for next application. i.e. part-filling the empty container with water three times and emptying into a bucket or sprayer for next application. 6. All empty package and containers should be returned to the designated organization / individual for safe disposal. 7. If safe disposal is not available, bury the empty package and containers at least 50cm (20 inches) from ground level as much as possible. 8. The hole / disposal site must be at least 100 meters (~300 ft) away from the streams, wells and houses. 9. Do not reuse empty pesticide containers for any purposes.
7.	Personal Hygiene	<ol style="list-style-type: none"> 1. Never eat, drink or smoke while handling pesticides. 2. Change clothes immediately after spraying pesticides. 3. Wash hands, face, body and clothes with plenty of water using soap after pesticides handling.
8.	Emergency Measures	<p>Indications of Pesticide Poisoning</p> <p>General: extreme weakness and fatigue.</p> <p>Skin: irritation, burning sensation, excessive sweating, staining.</p> <p>Eyes: itching, burning sensation, watering, difficult or blurred vision, narrowed or widened pupils.</p> <p>Digestive system: burning sensation in mouth and throat, excessive salivation, nausea, vomiting, abdominal pain, diarrhea.</p> <p>Nervous system: headaches, dizziness, confusion, restlessness, muscle twitching, staggering gait, slurred speech, fits, unconsciousness.</p> <p>Respiratory system: cough, chest pain and tightness, difficulty with breathing, wheezing.</p>

	Stage	Mitigation Measures ¹⁵
		<p>Responsiveness</p> <p>General: If pesticide poisoning is suspected, first aid must be given immediately and medical advice and help must be sought at the earliest opportunity. If possible, the patient should be taken to the nearest medical facility.</p> <p>First Aid Treatment</p> <p>If breathing has stopped: Give artificial respiration (i.e. mouth to mouth resuscitation if no pesticide has been swallowed.)</p> <p>If there is pesticide on the skin: Remove contaminated clothing from the patient and remove the patient from the contaminated area. Wash the body completely for at least 10 minutes, using soap if possible. If no water is available, wipe the skin gently with cloths or paper to soak up the pesticide. Avoid harsh rubbing or scrubbing.</p> <p>If there is pesticide in the eyes: Rinse the eyes with large quantities of clean water for at least five minutes.</p> <p>If there is ingestion: Rinse mouth, give water to drink. Never induce vomiting in unconscious or confused persons, seek medical advice immediately.</p>

4. Trainings

Trainings on pesticide management should be provided to the farmers in the areas where new or rehabilitated irrigation system would be developed with the support of Component 2 of PPCP project. Moreover, PMP training will be involved as one of the technical trainings for on-farm activities which would be conducted under the sub-component 3.1. The trainer (Burmese)/service provider hired by the facilitation partner will deliver these trainings to the target community / groups with the technical support from relevant department like PPD by using MOALI training materials. The following trainings on pesticide management are recommended to be provided:

- ❖ *Training on Policy, Laws and Regulations Regarding to Pesticides Use:* To provide basic knowledge about laws, rules, regulations and notifications enacted by the Republic of the Union of Myanmar and World Bank safeguard policy OP 4.09 on pest management.
- ❖ *Trainings for Pest Management:* To provide trainings to clearly understand the technical aspect of pesticide and skill in using them such as what are the eligible and prohibited items of pesticide in Myanmar, the level of negative impact of each eligible item, how to use them, how to protect and minimize the negative impact on the environment and human while using them, how to keep them before and after used etc.
- ❖ *Storage, handling, usage and disposal of pesticide;* To provide trainings about the procedures of storage, handling, usage of pesticide and disposal of pesticides residues

or empty containers without affecting the health and safety of user, nearby community and the environment.

5. Monitoring of Pesticide Use

Village committees (VC) in close consultation with relevant department PPD will periodically visit the target community areas and monitor the use of pesticide including –

- ❖ Ensure the pesticides used in target areas are not in the banned (or) restricted list.
- ❖ Ensure the pesticides used in target areas are properly kept and transported.
- ❖ Ensure training delivery to the farmers/ pesticide users' groups and
- ❖ Monitor compliance usage of chemical according to the Pesticide Law (2016) and related procedures.

The project implementation units of the Component 2 and 3 at union and local levels will be responsible for implementation of the PMP and ensuring full compliance, including keeping proper documentation in the project file for possible review by the World Bank. This document is considered a living document and could be modified and changed as it is appropriated. Close consultation with the World Bank and clearance of the revised PMP will be necessary.

Annex 7: Indigenous Peoples Policy Framework

I. Overview of Kayin, Kayah and Mon States

The PPCP will support conflict-affected communities in Kayin, Kayah and Mon States, focusing on those communities where ceasefires have brought a sufficient level of security to allow communities to move from a focus of survival to one of accessing services and rebuilding livelihoods, with activities taking place at the State/Region, township and community level. Together these areas account for approximately 7.61% of Myanmar's total population, or 3.06% (Kayin), 0.56% (Kayah) and 3.99% (Mon).

Kayin state is the fourth smallest administrative unit in Myanmar and is split between four districts, Hpa-An, Hpapun, Myawaddy and Kawkaik. Cumulatively, these include seven townships and 458 wards and village tracts. The state's population is 1,574,079 and the majority of this number live in rural settings. Population density sits at nearly 52 people per square kilometre, which is well below the union level density of 76. The Kayin are the majority ethnic group in the state and comprise around two-thirds of the population (approximately 1 million). This community is further subdivided between larger Sgaw and Phwo and smaller Bwe and Paku Kayin groups, each of which has its own language. Amongst the Kayin, approximately 15% are Christian and the remainder Buddhist; a small number are also practicing animists. The Mon are the second largest ethnic group in the state. The Bamar constitute a further 10% of the population and are concentrated primarily along the corridor between Hpa-An and Myawaddy. Pa-O, Shan, Mon, Rakhine and Bamar-Thai communities account for the remainder of the population. In terms of religion, while Buddhism is the dominant practice in the state, Christianity, Hinduism and Islam are also practiced.

Kayah State is the smallest of Myanmar's seven ethnic states, in both size and number. While the 2014 census reports its population as 286,627, the number of people living there is estimated at closer to 300,000 today. Given an area of 11,731 square kilometers, this yields a population density of 24.4 – 25.6 people per square kilometer, considerably lower than the union average of 76. Around 75% of the population lives in rural settings. The predominantly mountainous region is divided into two districts, the northern Loikaw and the southern Bawlake. Collectively, these constitute seven townships, 106 wards and village tracts and 516 villages. Despite being small and sparsely populated, Kayah state is highly ethnically diverse. The majority ethnic groups are the Karenni, who constitute 58% of the population. "Karenni," however, is a term employed more regularly only after the 1950s to refer to a number of ethnic sub-groups, including the Kayah, Kayan, Manu-Manaw, Yinbaw, Gekko, Geba, Zayin and Yintale. However, even among these groups, there is no clear consensus on which groups are party to the "Karenni" family and great variation amongst them in terms of linguistic and cultural practices. Following Karenni, the Bamar are the state's second largest ethnic group, representing 18% of the population. A small number of Mon, Rakhine, Chin and Indian communities also live in the state, but do so predominantly around the Mawchi tin mines.

Given this, there is considerable diversity of religious practices in the area. Approximately 53% of the population is thought to be Buddhist, 44% is Christian and the balance accounted for by small numbers of practicing animists, Hindus and Muslims.

Mon State is the third smallest administrative unit in Myanmar and is divided into two districts, the northern Thaton district and southern Mawlamyine district, comprising ten townships and 463 wards and village tracts. With a population of 2,054,393 across an area of 12,296 square kilometres, Mon is also the fourth most densely populated area. Ethnic groups present in the state include the Mon, Kayin, Bamar, Pa-O and Shan. The Bamar and Kayin groups are predominantly concentrated in the north, in Thaton district, as are the smaller number of Pa-O and Shan groups (although small portions of their number also stretch to the south). The Mon generally live in the southern Mawlamyine district and are not a majority. In addition, a number of other ethnic groups, that is, Myanmar-Chinese, Myanmar-Indian and Muslims, are present in the city of Mawlamyine, Myanmar's fourth largest settlement. As such, while the majority of residents are believed to be Buddhist, thriving Muslim, Christian and Hindu communities can be found across the state. As one of the largest ethnic groups in Myanmar, at approximately 8 million, the Mon have a strong cultural identity. In terms of language, around one million people practice Mon today, which is even taught in some government schools.

The social assessment provides further demographic, social, cultural and political characteristics of communities for Kayin, Kayah and Mon States.

II. The Policy Framework

PPCP will finance the improvement or new construction of rural infrastructure such as schools, dispensaries, small rural tracks and footpaths, water supply systems. It is expected that ethnic group communities would be present in the project areas of influence. This Indigenous Peoples Policy Framework (IPPF) aims to ensure that ethnic groups in project-covered areas would be able to:

- a. Provide input to local planning processes and activities used and undertaken to determine development priorities;
- b. Facilitate the choice of subprojects as coming from ethnic group communities themselves through informed decision-making to address local development challenges;
- c. Actively participate and lead in the design, development, and implementation of subprojects, and
- d. Provide feedback on subproject implementation, and benefits and risks to ethnic group communities.

This IPPF is developed to ensure that PPCP will be implemented in line with the Bank's OP 4.10 *Indigenous Peoples*.

III. Guidelines for Engaging with Ethnic Group Communities

The project would place a continued emphasis on ensuring that ethnic group communities understand the project concept and approach including on environmental and social safeguards, fully participate in the project processes and receive project benefits. Negative impacts that may occur to them as a result of the PPCP implementation would be avoided, minimized or avoided. With the support of Community Facilitators (CF), villagers themselves will conduct the participatory social assessment in all project villages including where ethnic groups are present. The ethnic screening will be conducted as part of the participatory social assessment in all project villages, and free, prior and informed consultations will be conducted with ethnic groups leading to broad community support for proposed subprojects, if ethnic screening finds that they are present. Details about processes and procedures for the participatory social assessment will be described in the project Operations Manual.

In order to mitigate the risk that ethnic groups are not able to fully participate in project implementation and receive project benefits, and that negative impacts may occur to them, the following measures will be employed by PPCP:

- a. Recruitment of village volunteers elected from among ethnic groups who assist the community facilitator throughout project implementation;
- b. Training of CF/TF to increase cultural awareness of issues related to ethnicity, religion and marginalization;
- c. Free, prior and informed consultations with ethnic groups of the Village and Village Tract Development Plans leading to their broad community support;
- d. Involvement of ethnic groups in the decision-making process in the VTC
- e. Qualitative monitoring and beneficiary assessments focusing primarily upon societal dynamics and ethnic groups, women, and the most vulnerable, using focus group discussions and key informant interviews; and
- f. Use of local languages in the dissemination of project related information.

Special attention will be given to villages that are ethnically mixed to ensure that all members of a community have equal access to the project. In general, given the participatory nature of the social assessment that is conducted in each participating village, the needs and priorities of all members of the community should be identified even when they are a minority in the given village. Nonetheless, the Government and the World Bank will pay particular attention to those villages that are mixed to ensure that all vulnerable groups have been identified and heard from, and to monitor the distribution of project benefits.

IV. Implementation arrangements

At the township level, the Township Implementation Group (TIG) and township DRD office (through the township PPCP secretariat) assume primary responsibilities for project

implementation. Each Township DRD (township PPCP Secretariat) will receive technical support from technical assistance teams and the union DRD office, on issues including financial management, procurement, MIS, grievance handling and others.

At the village tract/village level, the Village Tract Committee (VTC) and village committees (VC) are responsible for ensuring that the community planning process and subproject implementation cycle at the village tract and village levels, respectively, are carried out with due diligence and efficiency and in accordance with the project Operations Manual, this IPPF and the ESMF. The VTC will develop, based on the village development plans (VDP), the Village Tract Development Plans (VTDP) which will serve as the Indigenous Peoples Plan (IPP) for this project. In each Village Tract, the village tract grievance sub-committee is established under the VC, whose tasks include supporting the grievance information campaign, monitoring progress of grievance handling activities, and collecting/receiving and responding to complaints/grievances and where necessary, referring such to the township level.

At the village level, the Village committees (VC) assume responsibility for planning, prioritizing and implementing community infrastructure subprojects. The village monitoring sub-committees are established under the Village committee (VC) and report regularly to the villagers about progress in subproject implementation. This sub-committee will supervise the implementation of the subprojects. Village Volunteers will assist the community facilitator throughout project implementation. Among other tasks, they will help enhance the involvement of ethnic groups in the decision-making process in the Village Tract Committees (VTC); participation of ethnic group representatives in village implementation committees and monitoring sub-committees; and the use of local languages in the dissemination of project-related information. The grievance focal point is selected through participatory community meetings. The grievance focal point is responsible for handling grievances at the village level and is the primary contact point for anyone wishing to file a grievance.

V. Framework for Free, Prior and Informed Consultations with Ethnic group Communities and the Plan to Carry Out Social Assessment

This section provides step by step procedures to ensure that ethnic group communities are adequately consulted with and participate in project activities, leading to their broad community support and their receiving project benefits in a culturally appropriate manner. It also provides guidelines how to carry out participatory social assessment in line with the provisions of the OP 4.10.

Participatory social assessments including free, prior and informed consultations, ethnic screening and identification of priorities at the village level. A series of village meetings will be held in all beneficiary villages with the support of the Community Facilitator (CF) where a participatory social assessment is conducted and villagers identify priority needs, develop village development plans and elect village volunteers and their representatives to the VTC.

The participatory social assessment will also include the screening for the presence of ethnic groups in the project area. If ethnic group communities are found to be present, their socioeconomic conditions and participation in community decision making processes as well as their perspectives on the overall project approach will be assessed as part of assessment. Free, prior and informed consultations will also be conducted as part of the assessment, in a language understandable to ethnic groups, using visual/ audio tools wherever possible. Villagers will be notified of the participatory social assessment meetings sufficiently early enough, and small group meetings will be conducted to facilitate free discussions to the extent possible.

Besides the results of ethnic screening and free, prior and informed consultations, the participatory social assessment will also address the following in order to fully meet the requirement under the OP 4.10 as the Social Assessment.

- a. Baseline information on the demographic, socioeconomic, cultural, and political characteristics of project beneficiaries including but not limited to ethnic groups, including with regard to the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- b. The consultative and participatory processes during subproject implementation to allow an active and meaningful participation of project beneficiaries including but not limited to ethnic groups;
- c. The list of subprojects identified by beneficiary villagers themselves in a participatory manner and address their priority needs;
- d. Potential adverse and positive effects of subprojects identified as part of the participatory social assessment, and measures to avoid, minimize or mitigate negative impacts and enhance positive benefits;
- e. Evidence of broad community support to the subprojects identified by beneficiary community members themselves. Where broad community support is not ascertained under the participatory social assessment, the subproject will not be implemented.

Consolidation of village priorities in Village Tract Development Plans (VTDP). The Village Tract Committees (VTC) will consolidate the village development plans into Village Tract Development Plans (VTDP) which include and prioritize the list of subprojects identified by villages that constitute the village tract. Under this Project, the VTDP will serve as the Indigenous Peoples Plan (IPP) under OP 4.10 where ethnic groups are affected within the Village Tract. The VTDP will include the following, as minimum:

- a. Affected ethnic groups. The ethnic groups present in the VT, identified under ethnic screening as part of the assessment, will be described.
- b. Summary of the findings of the participatory social assessment including the results of

the free, prior, and informed consultation conducted with the affected ethnic groups, and the evidence of broad community support to the priority subprojects.

- c. A framework for ensuring free, prior, and informed consultation with affected ethnic groups during subproject implementation.
- d. Measures to ensure that ethnic groups will receive social and economic benefits that are culturally appropriate and that adverse effects on them will be avoided, minimized or mitigated.
- e. Estimation of costs to implement the VTDP including measures to mitigate negative impacts on ethnic groups and the source of fund to implement such measures.
- f. Grievance and monitoring mechanisms.

The processes for *Endorsement and Amendment of the VTDPs* are in the main body of the ESMF (section 4.2.2).

VI. Unanticipated Impact

Indirect, and/or unanticipated impacts may become apparent during subproject implementation. Should this be noted, the VTC ensure that a participatory social assessment will be conducted, as per the above guidelines, and that the VTDP would be updated to address such unanticipated impacts in line with this IPPF.

VII. Monitoring

Throughout the implementation of the subproject, the village monitoring sub-committees, the Community Facilitator and the Infrastructure Facilitator will monitor any negative impacts that may arise. The Community Facilitator will regularly visit villages and receive feedback. If villagers have any questions or grievances that cannot be addressed at the community level, they will be encouraged to seek clarifications and solutions step by step reporting as of the project's grievance handling mechanism.

Social audits will be conducted on an annual basis and facilitated by the township DRD and FP team. For the social audits, the Community Facilitator will organize an open public meeting at villages (in remote areas, several villages may meet together for a social audit where convenient). Information on the meeting is posted in advance and meetings are held at such a time and place as to maximize community participation. It will provide a public forum to present problems, and air any grievances or other issues people may have with the project. The Community Facilitator will prepare minutes of the meeting that record the issues raised and how they will be addressed in the subsequent annual cycle. This information will be included in the updated VTDP, submission of which to the DRD township office is a condition for the transfer of the next annual block grant allocation.

The VTC will prepare a monthly progress report for all subprojects under implementation including on the implementation of the VTDP and any other safeguard related aspects and submits it to the DRD township M&E officer. With the assistance of the village volunteers, the monitoring sub-committee (MSC) will organize a village monitoring meeting about every two months or when major milestones have been achieved. Every effort will be made to ensure that as many villagers as possible will attend the meeting. The MSC will update villagers on all aspects of implementation progress including voluntary donations and mitigation of negative impacts, and receive feedback on the progress of the VTDP implementation and concerns they may have. The VTC will file the status of the implementation of this VTDP based on the report received from the VC and MSC and record outstanding issues and grievances collected. The township engineer and DRD township M&E officers will undertake regular supervision visits to subproject sites and review progress in implementation. They will incorporate key findings from the supervision visits into the quarterly township progress report.

The DRD union office staff and relevant union consultants will undertake regular supervision and monitoring visits to townships, village tracts and village subproject sites in order to assess project performance including on safeguards. The DRD union M&E officer will develop the quarterly project progress report which will include the following performance indicators:

- a. The number of voluntary donation cases;
- b. The total number of project beneficiaries/ affected people, broken down to ethnicity; and
- c. Grievances submitted through various channels described below, and the current status.

All data will be disaggregated for ethnicity if more than one ethnic group reside in the beneficiary community and/ or are affected by the respective subproject. The World Bank reviews the use of safeguards screening forms and the implementation of VTDP on a random basis and carries out field trips as part of supervision missions to verify safeguard compliance in line with this IPPF, the ESMF and other relevant project documents.

VIII. Information disclosure during implementation

The experience under the original NCDDP indicates that it is most meaningful and practical to explain project approaches including safeguard provisions to ethnic people orally and with visual materials. The CF and IFs in all project townships will include those who could speak at least one ethnic language, which was found to be useful to ensure that those who directly benefit from/are affected by the project understand safeguard provisions. Continued efforts will be made to develop more visual materials in all major ethnic languages to help ensure ethnic groups clearly understand the project safeguard provisions.

IX. Grievance Handling Mechanism

Complaints and grievances will be dealt with using the grievance handling mechanism (GHM) to ensure that the project is implemented transparently and accountably, that voices of poor and marginalized groups (including ethnic minorities) are heard, and that issues and grievances raised are resolved effectively and expeditiously. The key principles of the GHM are described in the Section 2.2 of the main body of the ESMF. Detailed processes and procedures are described in the project Operations Manual, and are made publicly available at the village level, including through posters and visual materials. Information and capacity building support on the GHM will be provided to communities with ethnic minorities groups in a way that is accessible to these groups. Adaptations that will be made include translation of documentation and information materials into major ethnic languages, use of trainers with local language skills or recruitment of translators to facilitate information exchange, and prioritizing the hiring of CFs and TFs from local populations. In terms of processes, local resolution procedures would also be incorporated into the GHM system where appropriate.

Annex 8: Protocols and Procedures of Voluntary Donations

PPCP will allow community members who benefit from a subproject to donate land and other private assets to the subproject without compensation. It is expected that most project impacts will be addressed through voluntary donation without any significant or long-term impact on livelihoods. **The following protocol will govern voluntary donations of private assets.**

- Voluntary donations are an act of informed consent and affected people are not forced to donate land or other assets with coercion or under duress, or misled to believe that they are obliged to do so, without regard to the ethnic background or legal status of their land occupancy.
- Voluntary donations are allowed only if a subproject can technically be implemented in another location than where it is planned – if a subproject is location-specific by nature, land acquisition associated with such a subproject cannot be considered as voluntary; rather, it is an act of eminent domain.
- Voluntary donations are allowed only for very minor impacts that meet the following criteria:
 - The households contributing land or other assets are direct beneficiaries of the subproject;
 - The total size of productive land owned by the affected household is more than 300m²;
 - The impact is less than 10 percent of the total productive assets owned by said household; and
 - No one has to be physically relocated.
- The affected people are fully informed that they have the right to refuse to donate land or other private assets, and instead receive compensation at replacement cost, and that a grievance handling mechanism is available to them through which they can express their unwillingness to donate. People are encouraged to use the grievance handling mechanism if they have questions or inquiries, either in writing or verbally. Adequate measures will be in place to protect complainants.
- The community facilitator (CF), village representatives of VTC and the VC will confirm through a face-to-face meeting that the affected people are indeed aware that they are entitled to compensation and knowingly and freely agree to donate land or other assets without compensation. The minutes of this meeting, including the confirmation that all conditions for voluntary donations are met, will be attached to the signed voluntary donation form.

- Once the informed consent of the affected people has been confirmed in writing, the VTC will develop a voluntary donation form (see Form 3 below). Both the husband and the wife of the affected household will sign two copies of the form in the presence of the CF and the village implementation committee.
- The VTC reviews and approves the signed voluntary donation form, and keeps one original signed voluntary donation form for review by DRD and the World Bank. The affected household keeps another original signed form.
- Implementation of subprojects involving voluntary donations starts only once the VTC has approved the signed voluntary donation forms.
- The type of land use shall be changed accordingly to the purpose of use under the guidance of Department of Land Management and Statistics prior to the transfer of the property to the relevant Ministry.
- Annual social audits carried out by the DRD township offices verify the informed agreement of affected people.

Form 3: Voluntary Donation

Region / State:	
Township:	
Village tract:	
Village:	
Subproject ID:	
Infrastructure Facilitator :	

Name of land owner:	NRC Number:	Beneficiary of the subproject: Y/N
Sex:	Age:	Occupation:

Address:				
Description of land that will be taken by the subproject:	Area affected (sq ft):	Total landholding area (sq ft)	Ratio of land affected to total land held:	Map code, if available:
	Length (ft)			
	Width (ft)			

Description of annual crops growing on the land now and project impact:		
	Type of tree/crop	Number of trees/Area of crops
– Trees that will be destroyed		
– Fruit trees		
– Trees used for other economic or household purposes		
– Mature forest trees		
– Other significant crops grown in donated land.		
– Total: trees (#)		
– crops (area)		

Describe any other assets that will be lost or must be moved to implement the project:

Value of donated assets:

Will affected people need to be physically relocated?

By signing or providing thumb-print on this form, the land user or owner agrees to contribute assets to the project. The contribution is voluntary. If the land user or owner does not want to contribute his/ her assets to the project, he or she should refuse to sign or provide thumb print, and ask for compensation instead.

Date:	Date:
Village committee representative's signature	Affected person's signature (both husband and wife)

Annex 9: Protected Areas and Key Biodiversity Areas in Myanmar

List of Protected Area in Target States

No.	Year	Notification Number by MONREC	Name	Area (km ²)	Location
1	1928		Kahilu Wildlife Sanctuary	160.55	Kayin State, Hpa-Pu and Hpa-An Townships
2	1939		Mulayit Wildlife Sanctuary	138.54	Kayin State, Dawna Range
3	2018	151/2018	Htaung Wi Taung Geophysical Significant Reserves	0.67	Kayin State, Hpa-An Township
4	2019	02/2019	Aeit Sar Thaya Cave Geophysical Significant Reserves	0.303	Kayin State, Hpa-An Township
5	2001		Kyaikhtiyo Wildlife Sanctuary	156.23	Mon State, Kyaikhto
6	2016	013/2016	Kelatha Wildlife Sanctuary	22.45	Mon State, Bilin Township
7	2018	138/2018	Phar Baung Natural Reserves	1.80	Mon State, Kyaikmaraw Township

Annex 10: Meeting of Public Consultations

As part of the PPCP preparation process, to date approximately 100 separate consultations on overall needs and project design options and elements have been carried out with over 800 individuals representing approximately 70 groups (see below). These consultations have been conducted in six central urban locations at national and state-level (Yangon, Nay Pyi Taw, Hpa-an, Mawlamyine, Loikaw, Taungoo,), seven potential townships (Bilin, Thandaunggyi, Thandaung, Leiktho, Hlaingbwe, Kyainseikyi, Hpasauung and Hpruso) and rural communities where the project is likely to be implemented. These consultations covered all aspects of project design and implementation including safeguard policies and procedures.

Formal in-country disclosure of the draft ESMF took place on 9 September 2019 and the draft Social Assessment on 10 September 2019. Consultations on the draft instruments has taken place in Kayin, Mon and Kayah States on October 2, 3, and 22, 2019, and at national level (Nay Pyi Taw) on November 1, 2019. An additional Mon State consultation involving CSOs was also carried on October 25, 2019. Relevant comments from these consultations have been incorporated in the revised instruments. Further consultations will be held, and adjustments to the ESMF made, as additional states or regions are engaged in the project, and when participating townships are identified.

All consultations included potentially affected community members (men, women, elderly, youth, and several different ethnic minority groups), village and township government authorities, State government authorities (Chief Ministers and specific sector ministry representatives), Union government authorities (DRD, FERD, Health, Education, etc.), civil society, UN and other partners, and representatives of EAOs. These consultations have highlighted the following issues that have been reflected in the revised safeguard documents: increased attention to possible use of forest lands, risks of landmines, potential use of pesticides in relation to agriculture production activities, concerns about the inclusion of involuntary resettlement in project document language, and need to reflect on specific laws and regulations regarding environmental protection as follows: Forest Law (2018), Electricity Law, State Electricity Law, National Environmental Policy (2019), and relevant laws for child, youth and women, Labor Law and Land Use Policy. It was also recommended that older laws that have been replaced need not be mentioned. Finally, it was also recommended that where other Government departments have specific roles in supporting the implementation of the PPCP/ESMF should be more clearly spelled out.

Minutes of Draft ESMF Public Consultation Meetings
Kayin-Hpa-An, Kwaekabaung Hotel
 2nd October 2019 (10:00-12:00)

The first public consultation meeting was held on Wednesday, 2nd October 2019 at Kwaekabaung Hotel in Hpa-An. Total (55) people participated in the meeting: 3 Ministers (MOALI, Border Affairs and Social Affairs), 2 participants from State Government Office/GAD), 30 participants from 25 Government Department, 6 representatives from EAOs (KNU, KNU/KNLA-PC, BGG), 2 participants from World Bank, and 12 staff from DRD (Union, State and District).

Following is a summary of key comments and questions received from the participants and DRD's response to those.

No.	Comments/ Questions	Responses
1.	Applicable National Laws: <ul style="list-style-type: none"> • It is suggested to comply the following Laws and Regulations- <ol style="list-style-type: none"> a. Forest Law (2018) b. Electricity Law c. State Electricity Law d. National Environmental Policy (2019) e. Relevant Laws for child, youth and women f. Land Use Policy 	<ul style="list-style-type: none"> • Thank you. We will include in the relevant parts of ESMF.
1.	Physical Cultural Resources: <ul style="list-style-type: none"> • It is informed that Kawkareik (Zalaburi old city) Hlaingbwe (Hlaingbawe old city), and Myawaddy (wall of old city) are planned to be preserved. There is also an ancient pagoda in Kyaik Yaung village, Kyarinseikgyi Township, the State will prepare a proposal for conservation. 	<ul style="list-style-type: none"> • Noted. We will take actions accordingly the announcement/notification of the State.
2.	Livelihood subproject: <ul style="list-style-type: none"> • It is questioned about the detail of type of subproject (small scale industry) which will be supported under PPCP. 	<ul style="list-style-type: none"> • The selection of subproject is totally community demand-driven and if community prioritizes such small scale industry, the technical support from small scale industry department will be required.
3.	Land Donation:	

No.	Comments/ Questions	Responses
	<ul style="list-style-type: none"> It is suggested that in case of land donation under PPCP, according to the Land Use Policy, type of land use should be changed for the relevant Ministry which will be received via land donation (e.g. MOH for healthcare center construction, MOE for school construction, etc.) prior to the transfer of the property to the relevant Ministry. 	<ul style="list-style-type: none"> Thank you and noted. It will coordinate with Department of Land Management and Statistics during implementation of PPCP project.
4.	<p>Infrastructure subproject:</p> <ul style="list-style-type: none"> The following type of infrastructure are needed in Kayin State especially for EAO presence areas: <ul style="list-style-type: none"> Safe house for child Rehabilitation Center Also the common/community building in villages for consulting meetings, trainings for communities, workshop which is essential for process for implementing the community forest projects are necessary. (e.g., in Hlaingbwe Township) For PPCP selected townships, Public Health Department would like to provide information of areas where they need Rural Health Clinics (RHCs). 	<ul style="list-style-type: none"> Noted
5.	<p>Supports required via PPCP:</p> <ul style="list-style-type: none"> The strengthen of existing project under MOSWRR such as Maternal and Child Cash Transfer (MCCT) project/Immunization project to the EAO areas is necessary. Support on the protection and promoting child and women rights is required. Activities under Forest Department such as data collecting for local product manufacturing by farmers are quite limited and need the coordination via PPCP project. 	<ul style="list-style-type: none"> Noted
6.	<p>Coordination with relevant Departments:</p> <ul style="list-style-type: none"> It is still early to identify risks and mitigation measures at this stage of the project preparation. Suggest including a senior level staff member (assistant director level) not lower than staff officer level from Forest Department for technical review and assistance for PPCP project in the operation stage of the project. 	<ul style="list-style-type: none"> Component 2 is the direct link with Education Department, similar to health sector. Component 2.3 is related to service delivery and this will be implemented under the leadership of the Chief Minister. For Component 3, DRD will lead it.

No.	Comments/ Questions	Responses
	<ul style="list-style-type: none"> • Department of Public Health is willing to collaborate with PPCP throughout the implementation. • Department of Basic Education would like to know how to support to PPCP project and what kind of supports will be gained from PPCP. • Department of Agriculture can provide technical support for seedlings and seeds selection soil improvement, plant protection through trainings and outreach. Willing to collaborate with the project. • Department of Rural Road Development has issues technical specifications for each type of transport projects (road, bridge, etc.) (e.g., right of way specification) and other laws as well and to ensure the PPCP follows those laws and specification requirements. 	<ul style="list-style-type: none"> • Thank you. On-farm support under PPCP will include both agriculture and livestock breeding activities. Discussion will be continued with DOA during the project develop its design (PD) and Operation Manual. • The current practice under NCDDP will be applied similarly for PPCP. The project will hire engineers (Technical Facilitators) to support the community and they need to ensure all technical specifications of project relevant departments are followed when they develop/design each sub-project.
7.	<p>Selection of Township:</p> <ul style="list-style-type: none"> • It is questioned about which township will be selected in Kayin State. 	<ul style="list-style-type: none"> • A longlist will be developed using the criteria. Then consultation workshop will be followed. After the first phase, it will be discussed whether the project should be continued in the existing three States or expand it to other areas.
8.	<p>Follow up Discussion with ECD:</p> <ul style="list-style-type: none"> • It is suggested that EMP – who develops, implement and monitor? EMP should prepared by project proponent by hiring third party consultant to obtain environmental compliance certificate (ECC) and public consultation meeting for proposed project have to conduct and CSR activities are necessary in accordance with the procedures. This may need to discuss more to ensure speedy review and approval process. 	<ul style="list-style-type: none"> • The sub-projects eligible under PPCP are small scale and it will not be triggered to conduct EIA. But IEE will be applied if it triggered after each sub-project is screened. We may need to in cooperate the procedures for preparing IEE/EMP and obtaining of ECC in the operation manual. The implementing agencies will work closely with Environment Conservation Department (ECD) and will seek technical support for preparing of operation manual. Surely, DRD respects the national rules and regulations to be in line. Necessary consultants will also be hired for technical support.

No.	Comments/ Questions	Responses
10.	<p>Contract Condition:</p> <ul style="list-style-type: none"> • For contractual parts (such as MOU with WB if any), to involve legal department to obtain legal opinion to ensure it is aligned with relevant Government laws since these contracts involve the financial matters. • Generally, the guidance from the union attorney general’s office should be obtained before any signing process. 	<ul style="list-style-type: none"> • At the Union level, the Attorney Office will be involved for legal agreement. For the local level, basic principles (like taking legal opinion) will be included in the project Operations Manual.

**Minutes of Draft ESMF Public Consultation Meetings
Mon-Mawlamyine, State Government Meeting Hall
3rd October 2019 (10:00-12:00)**

The second public consultation meeting was hold on Thursday, 3rd October 2019 at State Government Meeting Hall in Mawlamyine. Total (43) people participated in the meeting: 6 Ministers (MOALI, Border Affairs, MOPF, MOEE, Ministry of Municipal/Development and Construction, MONREC), 2 participants from State Government Office/GAD), 26 participants from 25 Government Department, 2 participants from World Bank, and 7 participants from DRD (Union, State and District).

Following is a summary of key comments and questions received from the participants and DRD’s response to those.

No.	Comments/Questions	Responses
1.	<p>Selection of Township:</p> <ul style="list-style-type: none"> • It is questioned about which township will be selected in Mon State. It is required considering conservation of physical and cultural resources in these selected townships. • It is questioned about expansion of projects in the second phase (after implementation in 6 townships in three states). • For township selection process, suggestions from Mon State included relying not only on data like Multidimensional Disadvantage Index (MDI) which may diverse on-ground status but also to use consultation approach. 	<ul style="list-style-type: none"> • As we explained, we have not selected the townships yet. It will be selected based on the identified criteria. For first two years, totally 6 townships from three States (2 townships in each State) will be selected by State Government and Union Government based on technically proposed townships by the defined criteria. • Later years, the expansion of project will be proceeded by the decisions of Union Government and State Government. • Noted.
2.	<p>Loan Status:</p> <ul style="list-style-type: none"> • It is questioned about the calculation of loan interest and inflation. • It is found that two major components (Loan and interest rate, and Project Design) 	<ul style="list-style-type: none"> • Explained the following: type of loan, interest rate calculation (2%), also inflation status, etc. • Explained the reasons for emerging of this project like the request of State Counsellor, and attempts to obtain the co-financing from the development partners in Myanmar, etc.

No.	Comments/Questions	Responses
	<ul style="list-style-type: none"> • Project design should be discussed after the approval from the Union on the loan and its interest rate. • Co-financing should be increased since Myanmar is still a developing country. • Loan interest rate is high for Myanmar, developing country 	<ul style="list-style-type: none"> • Replied that WB already evaluated this project as high risk for implementation. Other development partners also provided the same message such as willingness to support after commencement of PPCP project. • Finally, committed to share the calculation of Interest rate, with Mon State Government (Municipal/Development and Construction)
3.	<p>Coordination with relevant Departments:</p> <ul style="list-style-type: none"> • It is requested to include Members of Parliament (MPs) in the project implementation/steering committees. • NRPC guidance and approval will be necessary especially for areas where EAOs presence. • It is suggested to get approval/permission for security clearance from State Military Head Quarter during operation stage in EAOs area. • It has noted that the Union Government will mainly handle the framework/policy of project and State government will involve only in selection of townships and subproject. 	<ul style="list-style-type: none"> • Noted. • Regarding NRPC, this project is initiated by discussion with NRPC and the continuous discussion is consistently done with WB as well. • Similarly, for NCDDP, DRD will follow the procedure of State Military Head Quarter.
4.	<p>Physical Cultural Resources:</p> <ul style="list-style-type: none"> • It is requested to inform to DANM in advance whenever subproject location is identified and the DANM will do field survey prior to the beginning of the subproject. 	<ul style="list-style-type: none"> • Noted.
5.	<p>Project Component:</p> <ul style="list-style-type: none"> • Component details should be provided so that concerned departments would be able to provide more inputs. GAD and DRD at State levels to be more proactive in this type of consultations. The project implementation will be led by DRD and GAD but all departments should involve in discussion. • Component 1 of the Project should start only with the grant (e.g. from co-financing of DPs) and after building trust, the project should commence. 	<ul style="list-style-type: none"> • State DRD answered they are still learning the status of PPCP project since he has not joined the Workshop as well. State DRD will follow the guidance of union DRD.

No.	Comments/Questions	Responses
6.	<p>Infrastructure subproject:</p> <ul style="list-style-type: none"> • Basic infrastructure (hardware) is present and supported by development partners. But human resources such as school teachers – this should also be considered in development planning. • There are schools that have no or only 1-2 teachers in these areas. Therefore, areas where the teachers/health staff have willingness to work must be given priority. • The infrastructure like electricity supply and road which will support/improve the living standard of locals. 	<ul style="list-style-type: none"> • Noted well and will consider in the project design stage.

Additionally, the consultation meeting with CSOs was conducted at Hotel Saggati, Mawlamyine, Mon State on 25th October 2019. Totally, 19 participants: 16 participants CSOs¹⁶ and 3 participants from World Bank.

No.	Comments/Questions	Responses
1.	<p>Selection of Township:</p> <ul style="list-style-type: none"> • It is questioned that PPCP either select township only from selected township for NCDDP or township based on the experiences of NCDDP as the guidelines? • National enlightenment institute (NEI) conducted Infrastructure Requirement survey for Ye Township and would like to share with WB so that data can be useful for selection of township. • There are areas that EAO or GOM could not reach. Whether the joint Township Implementation Meeting or State Implementation Meeting will be organized in those area. 	<ul style="list-style-type: none"> • PPCP will select the township with four criteria. • Noted • We would face the difficulties but we would try the selection of township based on both EAO and GOM agreed areas.

¹⁶ Local Policy Advocacy Network, Wide Horizons Program, Jeepyah Civil Society Development Organization, Karenni Mission Social Society, Loka Ahlinn Social Net Work, Justice Wave, C.O.A, JMC-S, LRC, NET (E.D), CBI, Shining Star Interfaith and HR Group.

No.	Comments/Questions	Responses
2.	<p>Joint-Coordination Status:</p> <ul style="list-style-type: none"> • According to KMSS, the community particularly in the EAO areas did not trust on the government activities and it will be important to gain trust from the community as first step. • CSO that can be trusted by both GOM and EAO should be mediator in some of the project areas. • There is no such arrangement as one of the outcomes of NCA so far and would like to see how successful and effective the project would be since it is great challenge. • Stakeholder selection is very important (CSO/INGO are very strong in some townships) and they can be very good tools for the successful of the project. • Should include EAO in state coordination committee and township implementation committee 	<ul style="list-style-type: none"> • Noted well.
3.	<p>Coordination with relevant Departments:</p> <ul style="list-style-type: none"> • CSOs recommend DRD to lead the committees rather than GAD. 	<ul style="list-style-type: none"> • Noted.
6.	<p>Livelihood subproject:</p> <ul style="list-style-type: none"> • It raised a question that the project will consider for Internally Displaced Persons (IDP) as Refugees are waiting and seeing how IDP secure their livelihoods and jobs so that they can return to their country. 	<ul style="list-style-type: none"> • Noted well. One of the objectives of PPCP is to support the livelihood activities.
	<p>Applicable Law</p> <ul style="list-style-type: none"> • Application of customary land law in EAO areas will be very tricky and complicated as there are many land disputes in conflict affected townships. 	<ul style="list-style-type: none"> • Only national applicable laws are described in the ESMF. But it is noted that there are customary land laws in EAO areas as well.

Minutes of Draft ESMF Public Consultation Meetings

**Kayah-Loikaw, State Government Meeting Hall
22nd October 2019 (10:00-12:00)**

The third public consultation meeting was hold on Thursday, 22nd October 2019 at State Government Meeting Hall in Loikaw. Total (98) people participated in the meeting: 7 Ministers (Chief Minister, MOALI, Border Affairs, MOPF, Ministry of Municipal, MOC, MONREC), 12 participants from State Upper House and Lower House, 19 participants from State Government Office/District/ Township GAD), 27 participants from 28 Government Department, 3 representatives from EAOs (KNLP/KNG/KNPDP), 6 representatives from CSOs (Women Development Center, Shwe Pyi Thoe, Htar Wa Ra twae Lat Myar, Save the Children, KRSDO, Unknown), 4 representatives from INGOs (World Vision, IRC, DRC, LDM), 2 participants from World Bank, and 18 participants from DRD (Union, State and Township, CDD TTA Team Leaders).

Following is a summary of key comments and questions received from the participants and DRD's response to those.

No.	Comments/Questions	Responses
1.	<p>Selection of Township: In general,</p> <ul style="list-style-type: none"> • There were many questions about process of selection township particularly for the criteria of the status of conflict in selection process. <p>Conflict:</p> <ul style="list-style-type: none"> • The definition of the status of conflict is asked. 	<p>In general,</p> <ul style="list-style-type: none"> • For selection process, it is quite similar to the NCDDP project. Here, the confirmed data are available to be considered for selection. First of all, MDI will be based to list the townships (7 for Kayah) and consultation method will be applied (CM, Stakeholders. • As suggestion by WB, it is recommended to selected the most affected areas of four townships out of seven in cooperation with all stakeholders (Government, Local, CSO, EAO). In selection process, not only the conflict status but also poverty (as per MDI), access, wiliness need to be considered. <p>Conflict:</p> <ul style="list-style-type: none"> • Regarding definition of conflict area in relationship with township selection, sources of information/data based for conflicts over the world including Myanmar are available. Additionally, the local people

No.	Comments/Questions	Responses
	<p>Poverty:</p> <ul style="list-style-type: none"> • It is suggested to refer not only the MDI values of township in 2014 but also the probability poverty index prepared by LIFT in 2018-2109. • It is requested to consider as priority for fragile areas (ethnic group, child,etc.) or vulnerable areas in selection process. • Bawlake is one of the areas which need the support in regard of poverty. • It is asked about the status of MDI for townships in Kayah State. <p>Willingness:</p> <ul style="list-style-type: none"> • Since the built infrastructure would be the property of the community and such infrastructure shall be maintained by the community, the community wiliness in the implementation of project is very important. Hence, it is suggested to 	<p>consideration for conflict is worth to be included in the process. (Answered by WB)</p> <ul style="list-style-type: none"> • Many attendees opened up their locations are considered as conflict area as per history. (by attendees) <p>Poverty:</p> <ul style="list-style-type: none"> • Noted. • Noted. • Noted. • In series, Shar Taw, Phruso, Mesi, Phar Saung, Bawlake, Demoso, Loikaw as reference ruler (answered by WB) • Detail explaining about the calculation of MDI in 2014 (6 major sector: education, health, employment, water supply and sanitation, etc.) and there may have changes on ground in 2019. As per statistic of planning department, GDP of Loikaw is contributed 45% of State GDP. (by Director of Finance and Planning Department) <p>Wiliness:</p> <ul style="list-style-type: none"> • Noted.

No.	Comments/Questions	Responses
	<p>consider the public participation should be one of the key factors for selection.</p> <p>Additional Consideration:</p> <ul style="list-style-type: none"> • Other tools such as creation of problem tree for each township and comparison of problem tree should be used while selection of townships. • Since every township has the conflict-affected areas, the selection should be done only for conflict-affected areas in all townships in the State in order to avoid the difficulties of selection a particular township. Hence, all conflict-affected areas in all townships will be included under defined budget for the State. • All seven townships are required to receive the support under this project, hence, it is requested to extend to all seven townships of the State. 	<p>Additional Consideration:</p> <ul style="list-style-type: none"> • There are many tools for selection. Problem tree is also one of the tools. Hence, in the timing of selection, the favorite tool can be used. • The discussion about confirmation of conflicted areas should be done locally leading by the Chief Minister. In selection process, not only conflict but also other factors have to be considered. • Out of 20 townships under this project, it is assumed that at least four townships will be covered under this project. Also, it is expected to cover all townships since NCDDP also implement at all townships in Kayah finally. As compared to other State, Kayah won't face difficulties for selection of township.
	<p>Budget</p> <ul style="list-style-type: none"> • Clarification is necessary for the statement that budget will be 	<ul style="list-style-type: none"> • In case of budget allocation for Kayah, it is difficult to answer at this time. It would depend on size and number of townships including population

No.	Comments/Questions	Responses
	<p>allocated depending upon subproject nature.</p> <ul style="list-style-type: none"> • It is required to know the budget from each sector (education, water supply, etc.). Then, the State Gov. can instruct to each relevant township. However, so far, it is not clear how to begin and how to implement this project yet. • Without knowing the budget information, it is indeed difficult to plan for the implementation of unknown type of project. 	<p>information, etc. As first step, only two townships in each State would be implemented in according to the Union agreement.</p> <ul style="list-style-type: none"> • For allocation for each sector, PPCP based on the approach used in NCDDP. The bottom up approach/process like the community driven projects proposed by village and village tracts is implemented annually. Hence, it is difficult to say which sector required how much budget. Based on history data of NCDDP, the infrastructures the most needed by the community were water supply, electricity, road, education, etc. • Typically for budget planning, 10 US\$ per person is accounted similarly for NCDDP and the budget for subproject would depend on the population of village or village tract. Tentatively, for component 2.2, 5 US\$ per person would be taken in to account. • Explained detail again about the implementation process of NCDDP for selection of subprojects. But, under NCDDP, only the small infrastructures are permitted excluding livelihood activities. Herein PPCP project, it will support intermediate infrastructures required for village tract level as well as livelihood activities. Also, technical support/suggestion in the bottom up process would be considered in this PPCP project unlikely NCDDP which is prepared only by the community.
2.	<p>Coordination with relevant State Government/ Departments:</p> <ul style="list-style-type: none"> • The guidelines/policies of WB are requested for the implementation agencies for each process from the beginning of the project. It is requested to provide the plan of WB for implementation. 	<ul style="list-style-type: none"> • Noted. • For role and responsibility of the State Gov., the project implementation unit is necessary to be established composing of project director, project manager, etc. as per WB guidelines. The finance and procurement processes will also be conducted in line with WB guidelines (answered by the attendee who joined the meeting with WB on 21 Oct 19)

No.	Comments/Questions	Responses
	<ul style="list-style-type: none"> • It is requested to understand the role and responsibility of State Government for implementation and managing the PPCP project. • Do the township administrative officers consider in advance for strategic planning under PPCP for its township? 	<ul style="list-style-type: none"> • Explained that strategic plan for township can be drawn in advance if Chief Minister is willing to prepare in advance. There may have slightly changes while community proposes as per their necessary. However, it can be under the similar categorization of type of subprojects under component 2.2.
5.	<p>Project Component:</p> <ul style="list-style-type: none"> • It is suggested that transparency is important while implementing the development projects in EAOs area. 	<ul style="list-style-type: none"> • Explained detail about each component under PPCP again with tentative budget allocation.
6.	<p>Infrastructure subproject:</p> <ul style="list-style-type: none"> • It is requested for pure water supply in Maw Chi since it is suffering from pollution in drinking water. • It is requested to support on construction road in EAO areas. • Not only the sectors like road, water, electricity but also the sectors like health, education should be included in target sectors. 	<ul style="list-style-type: none"> • Noted well.
	<p>Services:</p>	<ul style="list-style-type: none"> • Noted well. For selection project, as same as NCDDP, the community

No.	Comments/Questions	Responses
	<ul style="list-style-type: none"> • Since Ethnic Health Organizations (EHO) in EAOs areas play vital role, it is required to acknowledge and raise awareness to the EHOs. • It is requested to provide training/awareness (e.g., Emergency Preparedness, etc.) in the climate change aspects since the State is annually encountered the natural disasters and if any occurrence, the State deal the problems with limited capacity. 	<p>driven projects for component 2.1 will be applied.</p> <ul style="list-style-type: none"> • For services including for EHOs, component 2.3 is considered for education, health, etc.
	<p>ESMF content:</p> <ul style="list-style-type: none"> • In regard of ESMF, if there is no description about the type of subproject to be implemented under PPCP, how to protect the Environment.? What is included in the ESMF? 	<ul style="list-style-type: none"> • Basically, ESMF is prepared as a framework for wide range of type of subprojects and disclosed at the website of DRD. Also, here, the negative list is proposed to avoid the negative impacts from the subprojects considering from environment and social aspects. Moreover, the screening process will be conducted by using the checklist including various facts to realize the impacts from the sub project proposed by the community. In addition, the environmental code of practices including do and don't for different type of subprojects such as electrification, water supply, etc. have been described in ESMF. Also, if necessary, the additional tools such as EMP or IEE will be applied as per the rule and regulations of ECD.
	<p>Gender:</p> <ul style="list-style-type: none"> • The consideration from gender perceptive in this project is less in this presentation. Not only women but also girls should be taken into account in gender issues. 	<ul style="list-style-type: none"> • This presentation is prepared for ESMF. The main project is fully considered from gender perspectives. As gender mainstreaming: equal pay for equal work, 50/50 quotas (one woman and one man as leaders), women decision opportunities (at least one project proposed by women in a village tract), women livelihood related activities. Additionally, women

No.	Comments/Questions	Responses
		<p>network, and women in conflict has been developed and assessment under NCDDP also.</p> <ul style="list-style-type: none"> • Well noted and the full documents of ESMF included all the necessary information. We will send the link of website for downloading the ESMF and Hardcopy will be delivered to you all by NCDDP team.

Discussion Notes of the Draft ESMF Public Consultation Meeting

FERD Office, Naypyitaw

1:00 PM – 3:00 PM, 1st November 2019

The final public consultation meeting was held on Friday, 1st November 2019 at the offices of the Foreign Economic Relations Department of the MIFER in Naypyitaw. A total of ... people participated in the meeting from the following Government departments: ...

Following is a summary of key comments and questions received from the participants and DRD’s response to those.

Comments/Questions	Response
<ul style="list-style-type: none"> - As Forest Department is also working with the World Bank for a loan preparation, further explanation on the preparation of the ESMF was requested. 	<ul style="list-style-type: none"> - It was explained that ESMF is useful document which is required for the financial agreement and operation manual. It is not possible to draft the operation manual without having the ESMF. It was mentioned that a consultant was hired for the preparation of the ESMF, and the department is supporting the consultant.
<p>The officer from the State Counsellor Office suggested to the other Ministries and Departments to review not only the ESMF but also the Project Appraisal Document (PAD) very carefully and provide the constructive comments.</p> <ul style="list-style-type: none"> - It was highlighted that there are many inappropriate wordings and sentences. For example, the word “Ethnic Health Organization (EHO)” is used in the document. It is necessary to make sure that that word is officially accepted by the relevant Ministry (MOHS). Similar, there are many words such as “Northern Alliance” which are not officially accepted are used in the document. In the PAD, it was also highlighted that Chief Minister of the States and Regions have to do decision makings together with the EAO, and it is totally unacceptable. Likewise, the whole document is highlighting that the 	<ul style="list-style-type: none"> - The comments and recommendations were well taken, and the official comments request letters not only on PAD but also on the ESMF will be sent. - It was explained that the project GRM is required process to solve the project related grievances at the project level.

<p>Government is totally useless, and positive images are more weighed on the EAOs. There are many wordings and sentences which are sensitive and inappropriately mentioned. These have to be well reviewed by the respective departments, and revised. FERD and DRD were recommended to send official request letters for comments on the ESMF and PAD from all respective departments.</p> <ul style="list-style-type: none"> - There is no translated summary in the PAD. - In addition to those, GRM was mentioned in the PAD, and the presentation way of GRM in that document is misleading that all the grievances (not specifically mentioned as project's grievances) are going to be handled under this GRM. This has to be clearly explained and mentioned. 	
<ul style="list-style-type: none"> - In the ESMF, there is no section explaining on which relevant government departments will need to support on which activities relating to the ESMF. It will be more helpful for the government departments knowing how each department can support. - The implementation arrangement and reporting line are missing in the ESMF. 	<ul style="list-style-type: none"> - It was explained that the relevant departments are requested to review the draft ESMF, and provide comments and suggestions. For example, if there are relevant laws and regulations which are missing in the Legal Framework section, please do suggest so. - It was explained that the organogram is normally prepared only after the agreement is done. After that, implementation arrangement will be designed.
<ul style="list-style-type: none"> - Labor Law is missing in the Legal Framework section, and should be included. - Some names of the policies and laws are wrong in the Legal Framework section (in the Paragraph 53). And some unnecessary laws are also mentioned in this section. For example, for those laws which were enacted long time ago, and those which were already replaced by newly enacted law, these should be deleted. - As everything written down in the ESMF will become the committed compliance, only relevant laws and correct laws should be included. 	<ul style="list-style-type: none"> - The suggestions are well taken.

<ul style="list-style-type: none"> - The proposed subprojects are to be screened according to the Annex 1 Screening Form. The only sub-projects (medium and big size projects) which will be known to pursue the EIA procedures after screening will be necessary to be submitted to ECD (State/Region or Central) for approval. For those small size projects, the project's EMP is not necessary to be submitted to ECD, and no approval on EMP from ECD side is required. - For those medium and big size projects which may require to pursue the EIA procedures, it shouldn't be concerned on the delay of the EMP approval as the MONREC is prioritizing the government's development projects. - For those small size sub-projects which will just require project's EMP (which does not need to go through EIA procedures), more additional information such as detail project descriptions and public/village consultations should be well mentioned in the project's EMP. 	<ul style="list-style-type: none"> - Comments and suggestions are well taken. (And DRD also explained how the consultations and processes are done in the CDD projects).
<ul style="list-style-type: none"> - The selection of the sub-projects and the project's EMP (including small scale projects) should be transparently announced. 	<ul style="list-style-type: none"> - It was explained that these will be well explained at the village consultations, and will be put on the notice boards like CDD project.
<ul style="list-style-type: none"> - Comments on the PAD were provided. However, when receiving the revised PAD again, it was found that the previous provided comments were not addressed at all. For example, under component 2.2, it is not possible to have agreement after discussion and negotiation. It was suggested to change into "in accordance with the criteria of NRPC" as it is not practical to have direct negotiations. 	<ul style="list-style-type: none"> - The suggestions are well taken.
<ul style="list-style-type: none"> - It was mentioned that this is the loan project and the country has to pay the debt back. Thus, the project has to be well considered to have success. Under this proposed project, it is framed that only certain activities can be done. For the benefits of the country, it should be well reviewed and designed. The detail budget allocations 	<ul style="list-style-type: none"> - The suggestions are well taken.

<p>should also be prepared and submitted to the relevant ministries soon.</p>	
<ul style="list-style-type: none"> - DRD asked the representative of the Attorney General Office on how to mention the related regulations on the Access to Finance in the ESMF. 	<ul style="list-style-type: none"> - The representative from the Forest Department stated that only laws and regulations which are related to the Environmental and Social Safeguards should be stated in the ESMF. The rest of the legal requirements should be stated in the other relevant documents such as operation manual.
<ul style="list-style-type: none"> - It was advised to include more relevant laws and regulations under the Physical Cultural Heritage as the current list in the ESMF is incomplete. The missing laws are: The protection and preservation of cultural heritage regions law (2019); The protection and preservation of ancient monuments law (2015). Under those laws, Chance Find Procedures are stated, and the project's chance find procedures should reflect to these. - It was mentioned that the proposed projects States and Regions have the cultural heritage areas and zones. For instance, there are heritage areas in Kayin such as Myawaddy Old Heritage Town, Garapura Heritage Zone, Kyaik Yar Village, and Baw La Khal in Kayar. In some areas, ethnic groups are protecting those heritage places. - It was suggested that the projects activities should be properly discussed with the Department of Cultural Heritage at all States and Regions. 	<ul style="list-style-type: none"> - The suggestions are well taken.