

Environmental and Social Management Framework

November 2020

Republic of the Philippines: National Community-Driven
Development Project

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ABBREVIATIONS

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|--------|--|
| AC | – Area Coordinator |
| ACT | – Area Coordinating Team |
| AD | – Ancestral Domain |
| ADB | – Asian Development Bank |
| ADSDPP | – Ancestral Domain Sustainable Development & Protection Plan |
| AO | – Administrative Order |
| AR | – Accountability Reporting |
| BA | – Barangay Assembly |
| BAWASA | – Barangay Waterworks and Sanitation Association |
| BFAR | – Bureau of Fisheries and Aquatic Resources |
| BIR | – Bureau of Internal Revenue |
| BLGU | – Barangay Local Government Unit |
| BRT | – Barangay Representation Team |
| BSPMC | – Barangay Sub-Project Management Committee |
| BUB | – Bottom-Up Budgeting |
| CADC | – Certificate of Ancestral Domain Claim |
| CADT | – Certificate of Ancestral Domain Title |
| CDD | – Community-Driven Development |
| CDDSP | – Community-Driven Development Support Project |
| CDP | – Comprehensive Development Plan |
| CEAC | – Community Empowerment Activity Cycle |
| CF | – Community Facilitator |
| CLUP | – Comprehensive Land Use Plan |
| CNC | – Certificate of Non-Coverage |
| CP | – Certification Precondition |
| CSW | – Criteria Setting Workshop |
| CV | – Community Volunteer |
| DA | – Department of Agriculture |
| DAC | – Deputy Area Coordinator |
| DENR | – Department of Environment and Natural Resources |
| DOD | – Deed of Donation |
| DP | – Displaced Persons |
| DRM | – Disaster Risk Management |
| DSWD | – Department of Social Welfare and Development |
| DTI | – Department of Trade and Industry |
| EA | – Environmental Assessment |
| EARF | – Environmental Assessment and Review Framework |
| ECA | – Environmentally Critical Area |
| ECC | – Environmental Compliance Certificate |
| ECP | – Environmentally Critical Project |

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| EIA | – Environmental Impact Assessment |
| EIAM | – Environmental Impact Assessment Monitoring |
| EIS | – Environmental Impact Statement |
| EMA | – External Monitoring Agency |
| EMB | – Environmental Management Bureau |
| ESA | – Environmental and Social Assessment |
| ESMF | – Environmental and Social Management Framework |
| ESMP | – Environmental and Social Management Plan |
| ESSC | – Environmental and Social Safeguards Checklist |
| FBI | – Field-Based Investigation |
| FLUP | – Forest Land Use Plan |
| FMB | – Forest Management Bureau |
| FPA | – Fertilizer and Pesticide Authority |
| FPIC | – Free and Prior Informed Consent |
| GIIP | – Good International Industry Practice |
| GOP | – Government of the Philippines |
| GRC | – Grievance Redress Committee |
| GRM | – Grievance Redress Mechanism |
| GRS | – Grievance Redress System |
| IA | – Irrigators Association |
| IBF | – Inter-Barangay Forum |
| ICC | – Indigenous Cultural Community |
| IEC | – Information and Education Campaign |
| IEE | – Initial Environmental Examination |
| IP | – Indigenous Peoples |
| IPM | – Integrated Pest Management |
| IPP | – Indigenous Peoples Plan |
| IPPF | – Indigenous Peoples Policy Framework |
| IPRA | – Indigenous Peoples Rights Act |
| ISA | – Irrigators Service Association |
| KALAH-CIDSS | – Kapit-Bisig Labn sa Kahirapan-Comprehensive and Integrated Delivery of Social Services |
| KC | – KALAH-CIDSS |
| LARRF | – Land Acquisition, Resettlement, and Rehabilitation Framework |
| LARRP | – Land Acquisition, Resettlement, and Rehabilitation Plan |
| LCC | – Local Counterpart Contribution |
| LGU | – Local Government Unit |
| MAO | – Municipal Agricultural Officer |
| MCC | – Millennium Challenge Corporation |
| MCT | – Municipal Coordinating Team |
| MDP | – Municipal Development Plan |
| MGB | – Mines and Geosciences Bureau |
| M&E | – Monitoring and Evaluation |
| MIAC | – Municipal Inter-Agency Committee |

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| MIBF | – | Municipal Inter-Barangay Forum |
| MOA | – | Memorandum of Agreement |
| MPO | – | Municipal Project Office |
| NAPF | – | National Anti-Poverty Framework |
| NCDDP | – | National Community-Driven Development Program |
| NCIP | – | National Commission on Indigenous People |
| NGO | – | Non-Government Organization |
| NPMO | – | National Project Management Office |
| NPMT | – | National Project Management Team |
| NSC | – | National Steering Committee |
| NWRB | – | National Water Resources Board |
| O&M | – | Operation and Maintenance |
| PAMP | – | Protected Area Management Plan |
| PD | – | Project Description |
| PDP | – | Philippine Development Plan |
| PDW | – | Project Development Workshop |
| PMO | – | Project Management Office |
| POW | – | Program of Work |
| PPA | – | Programs, Projects, and Activities |
| PPT | – | Project (subproject) Preparation Team |
| PSA | – | Participatory situational analysis |
| RCDS | – | Regional Community Development Specialist |
| RFA | – | Regional Financial Analysts |
| RFR | – | Request for Fund Release |
| RIE | – | Regional Infrastructure Engineer |
| RO | – | Regional Office |
| ROW | – | Right of Way |
| RPMO | – | Regional Project Management Office |
| RPMO | – | Regional Project Management Team |
| SET | – | Sustainability Evaluation Tool |
| SI | – | Social Investigation |
| SIA | – | Social Impact Assessment |
| SP | – | Subproject |
| SPS | – | Safeguards Policy Statement |
| SRPMO | – | Sub-Regional Project Management Office |
| TEMS | – | Thematic Environmental Management System |
| TOR | – | Terms of Reference |
| TSSD | – | Technical Support Services Division |
| WB | – | World Bank |

GLOSSARY

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| Ancestral Domain | Areas generally belonging to indigenous peoples (IPs) comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by the IPs, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare. It will include ancestral lands, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of IPs who are still nomadic and/or shifting cultivators. |
| Ancestral Domain Sustainable Development & Protection Plan (ADSDPP) | Consolidation of plans of IPs within an ancestral domain for the sustainable management and development of their land and natural resources as well as the development of human and cultural resources based on their indigenous knowledge systems and practices. |
| Ancestral Land | Land occupied, possessed and utilized by individuals, families and clans who are members of the IPs since time immemorial, by themselves or through their predecessors-in-interest, under claims of individual or traditional group ownership, continuously, to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth, or as a consequence of government projects and other voluntary dealings entered into by government and private individuals/corporations including, but not limited to, residential lots, rice terraces or paddies, private forests, swidden farms and tree lots. |
| Certificate of Ancestral Domain Title (CADT) | A title formally recognizing the rights of possession and ownership of IPs over their ancestral domains identified and delineated in accordance with IPRA. |
| Certificate of Non-Coverage or CNC | A certification issued by the EMB certifying that, based on the submitted subproject description, the subproject is not covered by the EIS System and is not required to secure an ECC. |

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| Certificate of Non-Overlap | A certificate issued by the NCIP attesting to the fact that the area where a particular plan, program, project or activity will be done, does not overlap with or affect any ancestral domain. |
| Certification Precondition (CP) | A certificate issued by the NCIP, signed by the Chairperson, attesting to the grant of FPIC by the concerned IPs after appropriate compliance with the requirements provided in this guidelines. |
| Communal Claims | Claims on land, resources and rights thereon belonging to the whole community within a defined territory |
| Compensation | Refers to payment in cash or in kind of the replacement costs of the acquired or affected assets. |
| Consensus-Building | A part of the decision-making process undertaken by the IPs through their indigenous socio-political structures and practices in arriving at a collective/communal decision. |
| Culture Sensitive | The quality of being compatible and appropriate to the culture, beliefs, customs and traditions, indigenous systems and practices of IPs. |
| Cumulative Impacts | Additive impacts from various sources |
| Customary Laws | A body of written or unwritten rules, usages, customs and practices traditionally observed, accepted and recognized by respective IPs. |
| Customs and Practices | Norms of conduct and patterns of relationships or usages of a community over time accepted and recognized as binding on all members. |
| EMB Director | The Director of the DENR-EMB at the Central Office |
| EMB RD / EMB RO Director | The Director of the DENR-EMB at the Regional Office |
| Environment | Surrounding air, water (both ground and surface), land, flora, fauna, humans and their interrelations. |
| Environmental Compliance Certificate | A certificate of Environmental Compliance Commitment to which the Proponent conforms with, after DENR-EMB explains the ECC conditions, by signing the sworn undertaking of full responsibility over implementation of specified measures which are necessary to comply with existing environmental regulations or to operate within best |

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| | environmental practices that are not currently covered by existing laws. |
| Environmental Impact Assessment | Process that involves evaluating and predicting the likely impacts of a subproject (including cumulative impacts) on the environment during construction, commissioning, operation and abandonment. It also includes designing appropriate preventive, mitigating and enhancement measures addressing these consequences to protect the environment and the community's welfare. |
| Environmental Impact Statement (EIS) | A a document, prepared and submitted by the subproject Proponent that serves as an application for an ECC. It is a comprehensive study of the significant impacts of a subproject on the environment. It includes an Environmental Management Plan/Program that the Proponent will fund and implement to protect the environment. |
| Environmental Management Plan/Program (EMP) | Section in the EIS that details the prevention, mitigation, compensation, contingency and monitoring measures to enhance positive impacts and minimize negative impacts and risks of a proposed subproject or undertaking. |
| Environmentally Critical Area | An environmentally sensitive area declared through Proclamation 2146 wherein significant environmental impacts are expected if certain types/thresholds of proposed subprojects are located, developed or implemented in it. Updating of technical descriptions of ECAs is vested on the DENR-EMB through Section 2-D of Administrative Order (AO 42 series 2002). |
| Environmentally Critical Subproject (ECP) | Projects belonging to subproject types declared through Proclamation No. 2146 and Proclamation No. 803 which may pose significant negative environmental impact at certain thresholds of operation regardless of location. Updating of technical descriptions of ECPs is vested on the DENR-EMB through Section 2-D of AO 42 (2002), in coordination with the DTI as provided for in Section 3-A of AO 42. |
| Field-Based Investigation (FBI) | A ground investigation undertaken to determine whether or not the plan, program, project or activity overlaps with, or affects, an ancestral domain, the extent of the affected area, and the IPs whose FPIC is to be obtained. |
| Free and Prior Informed Consent | A consensus of all members of an IP community to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a |

language and process understandable to the community.

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| Indigenous elder/leader | Indigenous elders/leaders emerge from the dynamics of customary laws and practices; they evolve from a lifestyle of conscious assertion and practice of traditional values and beliefs. They are recognized as authority in conflict resolution and peace-building processes, on spiritual rites and ceremonies and in doing so, possess the attributes of wisdom and integrity. They lead and assist the community in decision-making processes towards the protection and promotion of their rights and the sustainable development of their ancestral domains. |
| Indigenous Knowledge Systems and Practices | Systems, institutions, mechanisms, and technologies comprising a unique body of knowledge evolved through time that embody patterns of relationships between and among peoples and between peoples, their lands and resource environment, including such spheres of relationships which may include social, political, cultural, economic, religious spheres, and which are the direct outcome of the indigenous peoples, responses to certain needs consisting of adaptive mechanisms which have allowed indigenous peoples to survive and thrive within their given socio-cultural and biophysical conditions. |
| Indigenous People | A group of people or homogenous societies identified by self- ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. IPs also include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non- indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains. |
| Initial Environmental Examination Checklist Report | Simplified checklist version of an IEE Report prescribed by the DENR, to be filled up by a Proponent to identify and assess a subproject's environmental impacts and the mitigation/enhancement measures to address such impacts. |

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| Initial Environmental Examination Report | Document similar to an EIS, but with reduced details and depth of assessment and discussion. |
| Land Acquisition | Refers to the process whereby a person or entity is compelled by a public agency to alienate all or part of the land a person/entity owns or possesses, to the ownership and possession of that agency for public purpose in return for a consideration |
| Migrant | A person who is not a native to the ancestral domain or not a part owner of ancestral land but who, as a consequence of social, economic, political or other reasons, such as displacement due to natural disasters, armed conflict, population pressure, or search for seasonal work, opted to occupy and utilize portions of the ancestral land/domain and have since then established residence therein. |
| Municipal Coordinating Team (MCT) | A committee formed by the LGU and composed of LGU personnel tasked to provide direct support to the Project's Area Coordinating Team (ACT). The MCT is the municipal counterpart of the ACT in the implementation of the Project in the municipality. |
| Procedural Review | Phase in the ECC application review process to check for the completeness of the required documents, conducted by EIAM Division at the EMB Central Office or Regional Office. |
| Displaced Persons (DPs) | <p>Refers to any person or persons who would be identified, during the subproject identification stage within the CEAC process and/or preparation of detailed proposal - a baseline census information collected for each of the inventories implemented in relation to a particular infrastructure subproject, to be affected by any of the following circumstances:</p> <p>Acquisition or possession by the Subproject, in full or in part, permanent or temporary, of any title, right or interest over houses, lands (including but not limited to residential, agricultural and grazing lands) and/or any other fixed/movable assets;</p> <p>Acquisition or possession by the subproject of crops (annual and perennial) and trees whether partially or in whole;</p> <p>Whose business/livelihood is in part or as a whole affected by the Subproject.</p> |
| Project Description | Document, which may also be a chapter in an EIS, that describes the |

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| | <p>nature, configuration, use of raw materials and natural resources, production system, waste or pollution generation and control and the activities of a proposed subproject. It includes a description of the use of human resources as well as activity timelines, during the pre-construction, construction, operation and abandonment phases.</p> |
| Proponent | Any natural or juridical person intending to implement a subproject or undertaking (i.e. association, barangay or LGU) |
| Protected Area | Identified portions of land and water set aside by reasons of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation. |
| Public Participation | Open, transparent, gender-sensitive, and community-based public involvement in the EIA process, aimed at ensuring the social acceptability of a subproject or undertaking, involving the broad range of stakeholders, commencing at the earliest possible stage of subproject design and development and continuing until post-assessment monitoring. |
| Rehabilitation | Refers to compensatory measures provided under these guidelines other than payment of the replacement costs of acquired or affected assets. |
| Relocation | Refers to the physical movement of a DP from his/her pre-subproject place or community. |
| Replacement Cost | Refers to the value determined to be fair compensation for real property based on its productive potential, replacement cost of houses and structures (as reckoned on current fair market price of building materials and labor without depreciation or deductions for salvaged building materials), and the market value of residential land, crops, trees and other commodities. |
| Resettlement | Refers to all “process” taken to mitigate any and all adverse impacts of the subproject on DP’s property and/or livelihood including compensation, relocation and rehabilitation (where applicable). |
| Scoping | The stage in the EIS System where information and subproject impact assessment requirements are more definitely established and focused to provide the Proponent/Community and the stakeholders the final scope of work and terms of reference for the EIS. |

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| Self-governance and Self-determination | The inherent right of IPs to self-governance and self-determination includes the right to pursue their economic, social, and cultural development; promote and protect the integrity of their values, practices and institutions; determine, use and control their own organizational and community leadership systems, institutions, relationships, patterns and processes for decision- making and participation; |
| Significant Impacts | Impact which damage the environment to the point that the environmental resource loses its capacity to sustain life or to continue functioning within baseline levels and efficiency; impacts which need action through prevention, (e.g. change in subproject setting or design) or mitigation (reduce, repair, rehabilitate) or other interventions to protect the environment from being harmed at levels that reduce its functionality for its users or dependent biota. |
| Social Acceptability | Acceptability of a subproject by affected communities based on timely and informed participation in the EIA process particularly with regard to environmental impacts that are of concern to them. Social acceptability within the EIA process administered by the DENR-EMB is limited to its environmental aspects while its other aspects including resolution of conflicts and other social acceptability issues is recognized by the DENR-EMB as falling entirely within the Local Government Unit's jurisdiction and responsibility. The DENR-EMB review process will provide guidance to the LGUs on environmental aspects to consider in its resolution of issues, e.g. EMB can advise on nature, extent and magnitude of direct and indirect impacts and impact areas to assuage the people's fears and concerns on environmental pollution, health and safety. |
| Stakeholders | Entities who may be directly and significantly affected by the subproject or undertaking, including the Proponent, government agencies who have mandates over the subproject, local government units who have jurisdiction over the subproject, local communities who may be affected by subproject impacts, locally-based or locally-active NGOs/POs within the impact areas and other public sectors who may be potentially affected by the subproject as defined by the findings of the environmental impact assessment of the subproject. |

PART A

INTRODUCTION TO THE ESMF

I. CONTEXT

1. This document presents the environmental and social management framework (ESMF) for the National Community-Driven Development Program (NCDDP) of the Republic of the Philippines. This CDD Project is the government's flagship program to help implement the Philippine Development Plan (PDP) 2011–2016 and the National Anti-Poverty Framework (NAPF) to bring about more equitable access to basic services, reduce poverty, achieve inclusive growth, and improve human development outcomes in the poorest areas of the country. The NCDDP is covering nine hundred (900) of the poorest municipalities in sixteen (16) of the eighteen (18) regions of the country, or approximately twenty-eight percent (28%) of the total population, and is implemented using the Community-Driven Development (CDD) approach. The Department of Social Welfare and Development (DSWD) is the executing agency for the NCDDP, which will be implemented from 2013. The World Bank (WB) and the Asian Development Bank (ADB) are financing the NCDDP¹.
2. Any community driven development initiative must ensure that the Government of the Philippines' (GOP), the World Bank and Asian Development Bank policies on environmental and social safeguards assessment are met and all subprojects undertaken by the community are environmentally and socially sound and sustainable. Due to its wide coverage, the NCDDP will be working in almost all ecological and social contexts known to the Philippines. In addition, the use of a demand-driven approach for small-scale, local-level public infrastructure means that the subprojects as well as their specific contexts and design elements, and the types of environmental and social safeguards issues that results from processes that define these elements, are not known prior to implementation, hence the use of this framework document. The ESMF introduces the social and environmental safeguards screening procedures, management principles and monitoring that must be considered for every CDD subproject proposed and implemented by the community. Out of this framework, an operations manual has been developed by DSWD to detail the environmental and social safeguards requirements for specific types of subprojects proposed. This ESMF is developed consistent with the requirements of the WB's and ADB's social and environmental safeguards policies.
3. The NCDDP builds on DSWD's ten years of experience in implementing CDD under the Kapit-bisig laban sa kahirapan – Comprehensive and Integrated Delivery of Social Services (Kalahi-CIDSS) Project. Previous Kalahi-CIDSS (KC) experience shows that a majority of the community subprojects are limited in size and scale and are considered category C² subprojects that do not pose environmental or social impacts, and hence do not require an environmental assessment but only a review of environmental implications. As of March 30,

¹ The official name of the Project, as approved by the Board of the National Economic and Development Authority (NEDA) of the Government of the Philippines (GOP) is "National Community-Driven Development Program" or NCDDP. The World Bank refers to this Project as the National Community-Driven Development Program (NCDDP), while the Asian Development Bank (ADB) uses the name "Community-Driven Development Support Project (CDDSP)". Both refer to this Project. For purposes of this document, the NCDDP is used, and should be taken to refer to both the WB and ADB Projects.

² WB and ADB follow the same screening and categorization of subprojects, i.e., Categories A, B, and C, which are dependent on the assessment of significance of environmental or social impacts. A discussion on WB and ADB categorization is included as **Annex A**.

2013, of the 9,679 subprojects³ supported by the Kalahi-CIDSS, no more than 10 subprojects were considered as environment category B subprojects based on the WB and ADB categorization (Annex A), for which minor impacts are expected and which can be mitigated, and hence required a GOP Initial Environmental Examination (IEE). Of the subprojects implemented under the original KC Project, about eighteen percent (18%) were in IP areas.⁴ With the Project's community-driven nature, subprojects in IP communities were directly solicited by IPs themselves, through the conduct of facilitated activities for decision-making on subproject choices. The IP Thematic Review conducted by the Project together with the World Bank showed high participation of IP households in decision-making assemblies, resulting in subprojects that were responsive to IP needs. In addition, significant improvements are being incorporated into the social mobilization process of the KC Project (and will be used for NCDDP) based on a review of IP participation and decision making undertaken as part of the NCDDP preparation process.⁵ Since the project effectiveness, the NCDDP has been following this approach and has not seen a major deviation from the types and scale of subprojects supported under the Kalahi-CIDSS. However, the PMO likewise recognized the need to promote Integrated Pest Management (IPM) training as part of future irrigation subprojects, through partnership with the Department of Agriculture (DA).

4. Noting the minimal environmental and social impacts of subprojects done through the KC CDD process, the environmental and social safeguards procedures and guidelines have been simplified. There were originally three safeguards documents which served as guidance documents for the Kalahi-CIDSS. This has been simplified from three (3) documents - Environmental Impact Assessment (EIA) Guidelines, Environmental Social Management Framework (ESMF) and the Safeguards Manual – to a streamlined Environmental and Social Management Framework (ESMF).
5. Over the course of NCDDP implementation, the revised ESMF also applied to subprojects financed under the NCDDP Disaster Risk Management (DRM) Contingent sub-component. This sub-component is established to specifically facilitate effective response by the NCDDP in the aftermath of a natural disaster that may affect the national program's areas of operation. While amended operational procedures will apply in such instances, the same environmental and social safeguards management policies and procedures for the overall NCDDP (as described in this document) will remain in force. Specific provisions for the application and adaptation of this ESMF document to these emergency conditions are presented in Annex B.

When the COVID19 pandemic hit the country, the KC-NCDDP was able to switch to DROM implementation in 3,715 barangays in 167 municipalities. Although, the DROM-NCDDP currently covers poor rural areas that are less impacted by the outbreak, these areas are reportedly starting to experience the ripple effect of economic displacement due to loss of income/employment of household members working in urban areas or overseas as well as losses in agricultural income as they are unable to bring their produce to the market. Moreover, the COVID19 pandemic is forecasted to be a cyclical occurrence which raises the need to start preparing the community to prevent as well as develop a local response system.

The DSWD further adjusted the DROM guidelines to comply with COVID19-related protocols which includes the conduct of community mobilization in small groups rather than general assemblies to ensure physical distancing. The menu of sub-projects was also expanded to support community-based activities in terms of preparedness and/or early recovery/early rehabilitation responses to the pandemic. The preparedness response could include: (i) mobilization/organization of community volunteers into Barangay Health Emergency Response Team (BHERT) in accordance with the DILG guidelines; (ii) designation/ enhancement of existing community facilities to serve as isolation unit in

accordance with the DOH protocols; (iii) provision of additional facilities and/or equipment to enable the community health workers to detect possible cases of COVID19; (iv) installing community-based early detection and/or surveillance of COVID19 cases and persons displaced due to COVID19; and, (v) organizing a referral system for COVID19 treatment. The early recovery responses could include (i) provision of temporary employment primarily through cash-for-work scheme; (ii) provision of capacity building/skills training for enterprise development; and, (iii) employment promotion.

In 2020, the NCDDP proposed for additional financing (AF) operations under the World Bank that would maintain the same development objective as the parent project but would adopt some strategic adjustments in response to the impact of COVID 19 outbreak as well as in pursuit of institutionalizing CDD elements in the barangay and municipal development process. The ESMF was updated to incorporate additional safeguards guidelines related to the Covid-19 pandemic. The additional guidelines emphasize the need for health safety protocols including social distancing during stakeholder engagement and civil works.

II. Purpose and Structure of the document

6. This document presents the environmental and social management framework (ESMF) for the NCDDP to ensure that the GOP, WB and ADB policies on environmental and social as-

³ Based on monitoring data from the Kalahi-CIDSS Engineering Unit as of end of March 2013..

⁴ IP Thematic Review Report

⁵ Developing an IP Lens in Development Projects: A Study of Kalahi-CIDSS Projects with Indigenous Peoples in preparation for the NCDDP by Jane Austria, 2012

assessment (ESA) are met and all subprojects undertaken by the community are environmentally and socially sound and sustainable.

7. This ESMF lays down the general parameters and guidelines for the NCDDP safeguards. A more detailed and user-friendly safeguards sub-manual was prepared to guide subproject implementers, community-proponents, and the LGUs in complying with the Project's environmental and social safeguards requirements for all subprojects to be financed under the NCDDP.
8. The document is divided into four parts, described as follows;

| Section | Description |
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| Part A: Introduction to the ESMF | This part details the context of the NCDDP as well as the purpose and outline of this document. This section also provides a general description of the subproject and the implementation process at the community level through the Community Empowerment Activity Cycle (CEAC). The section ends with a short description of subproject types, as well as a reference to the NCDDP negative list (Annex C). |
| Part B: Safeguards Policy Principles and Objectives | This section enumerates the various policies of the GOP, WB, and the ADB on environmental and social safeguards. Detailed description of the specific safeguards policies of the WB and ADB that may be triggered by the NCDDP are likewise provided. |
| Part C: Safeguards Procedures | This section provides more detailed guidance on the processing of environmental and social safeguards within the NCDDP, including subprojects screening and classification, preparation of safeguards instruments, disclosure and consultation, and grievance redress. |
| Part D: Detailed Policy and Processing Resources | This section provides additional detailed references, materials, and tools to assist subproject staff in the conduct of safeguards activities and in the preparation of safeguards instruments. The guidelines related to Covid-19 are included here. |

III. Project Description

9. The objective of the NCDDP will be **communities in targeted poor municipalities empowered to achieve improved access to services and to participate in more inclusive local planning, budgeting and implementation**. The Project will have the following components (i) subproject Barangay (community) grants, (ii) local capacity building and institutional and support, and (iii) program management and M&E systems enhanced.

10. Component 1: Barangay (community) grants. This component would support two types of assistance to participating barangays. First, planning grants will be made available to communities to support the so called “Community Empowerment Activity Cycle” (CEAC). These grants would be used for the orientation, consultation, participatory priority-setting, action planning, review and approval processes for different community subprojects at barangay and inter-barangay (municipal) levels. Planning grants would also support technical assistance inputs to ensure the quality of design and implementation of community infrastructure. Second, investment grants will support community subprojects and activities (community based public infrastructure and services such as roads, bridges, schools, day cares, etc.) that respond to community-identified priorities. An open menu of sectoral investments would be eligible for financing under these grants. The component would also support efforts to strengthen the barangay assembly as a forum for community-local government engagement and local-level governance. The component would ensure financing of a minimum of four-rounds of block grants for subproject investments to all eligible rural municipalities. Block grant financing would be shared between national government (including ODA) and local level counterpart contributions (LCC) from municipal, barangay and communities themselves.
11. Component 1 would also include a contingent disaster response sub-component. If triggered, this sub-component would finance rapid response measures and early recovery activities to address disaster, emergency and/or catastrophic events, as needed, at the *barangay* level through community grants implemented following a set of simplified procedures set out in a special NCDDP Disaster Response Operations Manual. Applicable national and World Bank emergency response procedures for procurement and disbursements would be applied.⁶ The environmental and social policies and procedures would be the same as for regular NCDDP subprojects. This contingent sub-component is included in the Project to allow DSWD greater flexibility to respond quickly to national or local emergencies using existing subproject resources and to draw on NCDDP systems (including a network of trained facilitators, community committees and volunteers) to speed- up community response and recovery. The current “negative” list (of ineligible subproject types) would be revised to allow investments that might be called for in a post-disaster or emergency context (such as repair of public buildings, debris removal or short-term wage payments) and which are consistent with relevant World Bank financing guidelines. In addition, the negative list would also be expanded with additional, typical, post-disaster activities that would not be eligible for subproject funding (such as repair of waste management or hazardous material storage facilities, salvage logging, etc.). The activation of the contingent sub-component would be “triggered” by a formal declaration of a state of emergency (at national or local levels) by the Government.
12. Component 2: Local capacity building and implementation support. This component supports the strengthening of municipal LGUs and staff to facilitate, support and oversee the participatory assessments, planning and subproject implementation of community infrastructure; to ensure quality of infrastructure investments and the integrity of resource management; and to monitor and report on subproject progress and results. The component would also provide for greater support and capacity building of MLGUs to enhance local poverty reduction action planning, budget execution and public financial management (in collaboration with DILG and DBM), and to national government agencies at sub-national level to enhance their own community based activities and participation in the NCDDP. This

⁶ As per OP/BP 8.00 *Rapid Response to Crises and Emergencies*, and related procedural guidelines.

component specifically would finance training, consultant services and other incidental costs.

13. Component 3: Program Administration, Monitoring and Evaluation to finance the oversight, coordination and overall management of the program. This would include contracting specialized staff and procurement of required goods and financing of incremental operating costs to assist DSWD in the execution, monitoring and reporting of the program at national, regional and regional levels. The component would also support enhancements and streamlining of the current KALAH-CIDSS monitoring and reporting system, the hiring of additional regional level monitoring officers, design and contracting for specialized studies, and to facilitate regular review of monitoring and evaluation data for management decisions. Such studies will include a review of technical quality and maintenance of infrastructure, an economic analysis of NCDDP subprojects, specific household surveys to track key outcome indicators and a detailed process evaluation of NCDDP, including of procedural variations that are expected to be implemented in different contexts (conflict, disasters, indigenous populations) and of the links with the BUB and regular LGU planning processes. This component would also support the dissemination of lessons learned and relevant training events for different stakeholders. The component would specifically finance consultant services, training/workshops and operating costs (including Project-specific staff).

The additional financing has the same components as above. It would cover 676 poor municipalities which were severely affected by the COVID19 pandemic.

IV. Institutional Arrangements on Environment and Social Safeguards

14. At the national level, environment and social safeguards officers are assigned under the Technical Support Services Division (TSSD) of the National Project Management Office (NPMO) of the DSWD to supervise and assist the regional safeguard officers in ensuring the integration of safeguards in subproject planning and implementation. A safeguards officer will be assigned for each island cluster. There will be a total of three – one each for Luzon, Visayas and Mindanao.
15. At the Regional Project Management Office (RPMO), technical assistance, review, and compliance monitoring of environmental and social safeguards is the responsibility of the Regional Infrastructure Engineer (RIE) and the Regional CD Specialist (RCDS), respectively.
16. Based on the experiences from KALAH-CIDSS, preparation of environmental and social safeguards instruments for subprojects at the community level will be the responsibility of the community volunteer (CV) members of the subproject preparation team (PPT), guided by the Area Coordinator (AC), and assisted by the Deputy Area Coordinator (DAC). Monitoring of compliance to safeguards instruments for individual subprojects will be carried out by the barangay subproject management committee (BSPMC), assisted by Kalahi- CIDSS Community Facilitators (CF). For environmental protection subprojects and subprojects costing more than Php. 2 million, the monitoring will be done by the safeguards officers at the regional level, in coordination with the safeguards officers at the national level under the TSSD of the NPMO. In addition, where there will be an increased number of Indigenous Peoples' communities in a given region, regional offices shall hire IP focal

persons for IP safeguards⁷. The safeguards officer at the national level will conduct random monitoring of subprojects' compliance to safeguards requirements.

V. Community Empowerment Activity Cycle (CEAC) Process

17. The NCDDP is implemented at the community-level through a participatory problem solving process called the "Community Empowerment Activity Cycle" or the CEAC. The CEAC is a series of activities where local communities collectively work together to analyze local conditions and identify community problems related to poverty, identify, prioritize, and develop solutions, and design and implement subprojects, and manage resources to implement problems identified.
18. There are four basic stages to the CEAC: (i) Social Preparation and Participatory Situation Analysis; (ii) Community Planning and Subproject Development; (iii) Community-managed Implementation and CBO Formation, and; (iv) Community-based Monitoring. Each stage is composed of a number of activities that progressively build on each other, and which lead to the implementation of community subprojects. The stages, as well as the activities which form them, shall be implemented in sequence. This means that a community cannot proceed directly to community planning and subproject development without having undergone social preparation.
19. The NCDDP processes and steps to ensure safeguards compliance are built directly into the CEAC activities, as shown in Figure 1 below. A more detailed table presentation of the safeguards processing activities along the Community Empowerment Activity Cycle (CEAC) is shown in Annex D of this document.

⁷ This recommendation is a result of the assessment and study of the Kalahi-CIDSS experience in relation to IP engagement, commissioned by the World Bank for NCDDP.

Figure 1: CEAC Procedure and Safeguards Activities

| CEAC Procedure | Safeguards activities along the CEAC |
|---|---|
| <p data-bbox="289 688 587 810">Social preparation and Participatory Situation Analysis stage</p> | <p data-bbox="786 478 1534 541">Social investigation (SI) – Project staff gather information on and assess potential safeguards risks.</p> <p data-bbox="786 562 1534 653">Municipal Orientation (MO) and Barangay Assembly (BA) – Environmental and Social Safeguards Framework is discussed, and processing process and requirements explained.</p> <p data-bbox="786 701 1534 791">Participatory Situation Analysis (PSA) – Potential safeguards risks discussed with community volunteers (CV) as part of situation analysis.</p> |
| <p data-bbox="272 1176 607 1283">Community Planning and Subproject Development stage</p> | <p data-bbox="786 875 1534 966">Safeguards processing step 1: Eligibility Screening – Proposed subproject ideas are screened against the NCDDP Negative List of ineligible activities.</p> <p data-bbox="786 1045 1534 1167">Project Development Workshop (PDW) – CVs trained on safeguards requirements and processing. Safeguards processing step 2: Safeguards Screening is undertaken using the Environmental and Social Screening Checklist.</p> <p data-bbox="786 1218 1534 1339">Safeguards processing step 3: Preparation of Safeguards Instruments (ESMP, LARRP, IPP) is undertaken, as needed, as part of the preparation of subproject proposals. Instruments reviewed and approved prior to MIBF.</p> |
| <p data-bbox="259 1409 620 1516">Community-managed Implementation and CBO Formation</p> | <p data-bbox="786 1396 1534 1486">Implementation of Environmental and Social Safeguards Instruments (ESMP, LARRP, IPP) during subproject implementation, as needed.</p> |
| <p data-bbox="256 1671 626 1738">Community-based Monitoring</p> | <p data-bbox="786 1650 1534 1738">Monitoring of safeguards implementation by CVs undertaken as part of subproject implementation, and Community-based Evaluation and Accountability Review.</p> |

VI. Overview of Subproject Types

20. Eligible subprojects under the investment grant are based on an open menu. The common subprojects under the Investment Grant, based on the experience of the KALAH-CIDSS Project, include water supply systems, school buildings, access roads, day care centers, health stations, post-harvest facilities, drainage systems, and small irrigation facilities. Proposals on local disaster response and prevention as well as peace building will also be considered for the investment grant. Table 1 shows the main types of subprojects.

Table 1: Anticipated Subprojects for the NCDDP

| Subproject | Infrastructure/Components |
|--|--|
| Water supply system | Level 1 or 2 system, communal faucet, communal wells, water tank, water distribution line |
| School buildings | School building, toilets, and related facilities |
| Access roads | Road improvement, concreting/paving, road widening, small bridges |
| Day care centers | Day care building and facilities |
| Health stations | Barangay health center, medical facilities and supplies |
| Post-harvest facilities | Post-harvest equipment, rice mill, warehouse |
| Drainage system and environmental protection measures | Drainage canals, drainage cover, rainwater harvesting system, flood retarding ponds, seawall, river-wall protection, septic tanks and other wastewater management measures, composting facilities, solid waste management and collection |
| Small irrigation facilities | Irrigation canals, Lateral canals, small water impounding ponds |
| Additional potential subprojects under the DRM Contingent Sub-component | |
| Earth works | Backfilling, reshaping or landscaping of areas affected by erosion |
| Temporary roads | Temporary bypass roads up to 500 meters in length |
| Debris removal and disposal | Removal or natural or man-made (building materials) debris which is disposed of in accordance with Government regulations |

Source: DSWD

21. A negative list (Annex C) has been developed by DSWD for application under the KALAH-CIDSS Project, which is also adopted for and applied under NCDDP. The list includes activities that may be harmful to the environment and the people, and hence are ineligible subprojects. The list likewise includes additional types of activities indicated by ADB as prohibited investments based on ADB policies, and a list of excluded areas under National Commission of Indigenous Peoples (NCIP) Administrative Order 3, series of 2012 (AO 3, s2012) - Part III, Section 25. on "Excluded Areas".

PART B

SAFEGUARDS POLICY PRINCIPLES AND OBJECTIVES

I. APPLICABLE SAFEGUARDS POLICIES

22. Table 2 below provides a comprehensive list of major environmental, social and related policies of the World Bank, ADB, and the GOP that are to be considered in assessing the potential environmental and social impacts of proposed subprojects, as well as in formulating measures to ensure compliance by subproject implementers, the community-proponents, and the Local Government Units (LGUs).

Table 2: List of major environmental and social policies and regulations of the WB, ADB and the Government of the Philippines relevant to NCDDP

| | |
|---|---|
| I. World Bank | |
| OP/BP 4.01 Environmental Assessment | |
| OP/BP 4.12 Involuntary Resettlement | |
| OP/BP 4.10 Indigenous People | |
| OP 4.09 Pest Management | |
| Covid-19 Guidelines on: (i) Public Consultations, (ii) Construction and Civil Works, and (iii) Contingency Planning for Project Sites | |
| II. Asian Development Bank – SPS 2009 | |
| Safeguard Policy Statement 2009 | |
| SPS 2009. Appendix 1 - Safeguards Requirements 1: Environment | |
| SPS 2009. Appendix 2 – Safeguards Requirements 2: Involuntary Resettlement | |
| SPS 2009. Appendix 3 – Safeguards Requirements 3: Indigenous Peoples | |
| III. Government of the Philippines | |
| A. Environmental Policies/Regulations | |
| 1. RA 9275 | Clean Water Act of 2004 |
| 2. RA 10121 | Philippine Disaster Risk Reduction Management Act of 2010 |
| 3. RA 9147 | Wildlife Resources Conservation and Protection Act (2001) |
| 4. RA 9003 | Ecological Solid Waste Management Act of 2000 |
| 5. RA 8749 | Clean Air Act of 1999 |
| 6. RA 7942 | Philippine Mining Act (1995) |
| 7. RA 7586 | National Integrated Protected Areas System (NIPAS) Act of 1992 |
| 8. RA 6969 | Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990 |
| 9. PD 1144 | Fertilizer and Pesticide Act |
| 10. RA 8550 | Philippine Fisheries Code |
| 11. PD 1067 | Water Code of the Philippines (1976) |
| 12. PD 984 | Pollution Control Law (1976) |
| 13. PD 705 | Revised Forestry Code (1975) |

| | |
|-------------|---|
| 14. PD 1586 | Philippine Environmental Impact Assessment (EIA) System |
|-------------|---|

| | |
|-------------------------------------|---|
| 15. | Renewable Energy Act |
| | |
| B. Social Safeguard Policies | |
| RA 8371 | Indigenous Peoples Rights Act (1997) |
| EO 1035 | Acquisition by the Government of Private Real Property or Rights (1985) |
| RA 8974 | Facilitating the Acquisition of Right-of-Way Sites for Infrastructure Subprojects |
| PD 260 | Declaring (various places) as National Shrines, Monuments, and/or Landmarks, defining the implementing agencies and providing funds therefore (1975) |
| PD 1505 | Amending the Presidential Decree No. 260, as amended, by Prohibiting the Unauthorized Modification, Alteration, Repair and Destruction of Original Features of all National Shrines, Monuments, Landmarks and Others Important Historic Edifices (1978) |
| RA 7279 | Urban Development and Housing Act – as it pertains to rights against forced demolition and resettlement |
| | Comprehensive Land Use Planning |
| C. Other Related Regulations | |
| RA 7160 | Local Government Code of the Philippines |
| PD 856 | Sanitation Code of the Philippines |
| DO 35 S2020 | Construction Safety Guidelines for the Implementation of All DPWH Infrastructure Projects during the Covid-19 Public Health Crisis |

23. The table below (Table 3) describes each of the specific WB environmental and social safeguards policies which are applicable under the NCDDP. The third column provides guidance on specific measures and actions required of each party to comply with the WB Policy and lists the range of safeguard instruments that may be adopted and the manner in which to integrate and verify environmental and social due diligence requirements

Table 3: Detailed description of WB Environmental and Social Safeguards Policy

| Policy | Objectives | Procedures |
|-------------------------------|------------|------------|
| Environment Safeguards | | |

| | | |
|--|---|---|
| <p>WB Environmental Assessment (OP 4.01)</p> | <p>The Bank requires environmental assessment (EA) of projects proposed for Bank financing to help ensure that they are environmentally sound and sustainable, and thus to improve decision making.</p> | <p>In this project, the subprojects are screened through an Environmental and Social Screening Checklist (ESSC) to assess the level of risk. An EA may be required depending on the scale and nature of the subproject. For other subprojects an Environmental and Social Management Plan (ESMP) may be required.</p> <p>The project staff will screen all subprojects early in the identification stage of the CEAC and determine project boundaries and classify projects into the appropriate safeguards category. The En-</p> |
|--|---|---|

| | | |
|---------------------------------------|--|--|
| | | <p>Environmental and Social Screening Checklist (ESSC) is in Annex F.</p> <p>When necessary, for all subprojects, preparation of safeguards instruments such as EA, ESMP et al., may be deferred to implementation, but must be completed before beginning actual civil works.</p> <p>The regional staff will review and clear the safeguards instruments prepared by the subproject beneficiary for impact identification and appropriateness of proposed mitigation measures.</p> |
| Pest Management | | |
| WB OP 4.09 – Pest Management | <p>This policy promotes the use of biological or environmental control methods and reduces reliance on synthetic chemical pesticides. The Bank supports the use of Integrated Pest Management (IPM) Practices.</p> | <p>This policy will be addressed as part of the screening process to be done at the start of the CEAC process. Purchase of pesticides are not eligible for financing under this Project. This policy seeks to prevent the increased usage of pesticides in areas benefitting from improved irrigation.</p> <p>Communities which will benefit from irrigation activities under the Project may experience a potential increase in pesticide usage. In these cases the PMO regional staff will coordinate with the Municipal Agricultural Officer (MAO) of the LGU where the farming communities reside. Adoption of the KASAKALIKASAN program of the Department of Agriculture (DA) on Integrated Pest Management will be implemented. Coordination with DA extension staff and the LGU's MAO is integral to this approach.</p> |
| Involuntary Resettlement | | |
| WB OP 4.12 – Involuntary Resettlement | <p>Involuntary taking of land or any form of economic displacement must be avoided where feasible or minimized by exploring all alternative subproject</p> | <p>Subprojects need to be screened during preparation stage for likelihood of land acquisition and its subsequent impacts in terms of loss of shelter, loss of assets or access to assets, and loss of livelihood. If and when lands need to be acquired or</p> |

| | | |
|---------------------------------|---|---|
| | <p>designs.</p> <p>Displaced Persons (DP), regardless of legality of land tenure, should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them to pre-displacement levels.</p> | <p>livelihoods are affected, the specific guidelines shown in Annex G must be followed to prepare a Land Acquisition, Resettlement, and Rehabilitation Plan (LARRP).</p> <p>RPMO and NPMO safeguards teams will ensure that all land and asset acquisition requirements stipulated in this ESMF have been fully complied with before any civil works start.</p> |
| Indigenous Peoples | | |
| WB OP 4.10 – Indigenous Peoples | <p>This policy contributes to the Bank's mission of poverty reduction and sustainable development by ensuring that the development process fully respects the dignity, human rights, economies, and cultures of Indigenous Peoples.</p> | <p>Some NCDDP subproject sites may be inhabited by Indigenous Peoples (IP) and subproject activities may negatively affect their identity, cultures and customary practices, and in the process further marginalized them. As such, measures shall be adopted to (a) avoid potentially adverse effects on the IP communities, or (b) when avoidance is not feasible, minimize, mitigate, or compensate for such effects.</p> <p>The social preparation particularly during the Social Investigation (SI) and Participatory Situational Analysis (PSA) stages for each beneficiary community must include assessment of presence and situation of IPs with the objective of evaluating the project's potential effects on them.</p> <p>When IPs are the sole or overwhelming subproject beneficiaries, the elements of an IP Plan would be addressed in the subproject design (given the participatory nature of the NCDDP). Therefore, a separate IP Plan is not required. However, RPMO and NPMO IP specialists shall ensure that IP Plans are prepared for communities where IPs are not the sole or overwhelming beneficiaries of the subprojects. Specific guidance is provided in Annex H</p> <p>To facilitate better coordination and su-</p> |

pervision for IP safeguards, DSWD and National Commission on Indigenous People (NCIP) shall sign a MOA of partnership and issue a joint circular for close coordination at regional, provincial, municipal and community levels.

II. PHILIPPINE EIS SYSTEM

24. The Department of Environment and Natural Resources (DENR) has procedures for screening and scoping of subprojects under DENR Administrative Order 2003-30. The said order presents subprojects by typology, and classifies specific subprojects within each typology depending on specific technical thresholds. Based on the Environmental Impact Statement (EIS) system, proponents of subprojects will prepare either a Project Description (PD) or an Initial Environmental Examination (IEE) depending on whether they fall below or above the specified thresholds. The order likewise specifies the need for subproject proponents to secure either an Environmental Compliance Certificate (ECC) or a Certificate of Non-Coverage (CNC), depending on the threshold, as well as processing time of the ECC/CNC application. The detailed technical threshold of Philippine EIS System / DENR classification matrix, including the specific documentary requirements, is included as Annex E.
25. Based on experiences under KALAHI-CIDSS, the majority of subprojects under the NCDDP are expected to fall below the thresholds set by the DENR AO 2003-30. Hence community volunteer subproject proponents are expected to only prepare a Project Description, to be included as part of the proposal for subprojects, and secure a CNC.

PART C

SAFEGUARDS PROCEDURES

I. Safeguards Processing

26. This section describes the safeguards processing guidance to assist with integration of environmental and social safeguards management under the NCDDP. The following guidance shall serve to ensure that potential impacts and practical mitigation measures are identified early on in the planning and development of community subproject proposals, in order to avoid or mitigate potential impact that may be generated by subprojects financed under the NCDDP. Annex D provides a more detailed process along the CEAC.
27. Consistent with streamlining the screening and processing of environmental and social safeguards, the NCDDP shall adopt a simplified three step process, as follows:

First step – Eligibility screening of all proposed subproject concepts against the negative list (Annex C), to determine eligibility of subprojects for support under NCDDP.

Second step – Safeguards Screening. If the subproject is deemed eligible, the subproject is screened using the Environmental and Social Safeguards Checklist or ESSC (Annex F) to determine potential safeguards risks, and categorization. The ESSC provides a series of questions relating to the environmental and social safeguards policies triggered under the NCDDP (namely, in the case of the World Bank, 4.01 on Environmental Assessment, 4.09 on Pest Management, 4.10 on Indigenous Peoples, and 4.12 on Involuntary Resettlement). Through this review and screening, the appropriate safeguards instruments, if any, are identified for preparation under the project. The subproject is also assessed whether it is covered under the Philippine EIA system, using the DENR threshold of subprojects (Annex E). Subprojects not covered under the Philippine EIA do not need to secure a Certificate of Non-Coverage (CNC) since a CNC is optional under the law. Instead, subproject proponent/community shall be provided with additional resources, such as the Thematic Environmental Management System (TEMS) Manual developed under the Millennium Challenge Corporation (MCC), and/or the Illustrated Environmental Technical Planning Guidelines developed by WB, to assist them in developing their subproject proposals.

Third Step – Preparation of Safeguards Instrument. All subprojects involving civil works will prepare an Environmental and Social Management Plan (ESMP). If the subproject needs additional safeguard instruments such as LARRP and IPP (addressing land and IP issues), these are drafted and approved before the start of any civil works. Projects that involve the provision of water should prepare a water safety plan as per DSWD guidelines and Department of Health (DOH) AO 2014-0027. Also, if the subproject is covered under the Philippine EIA system, determine whether (i) an IEE report or an IEE checklist needs to be completed to secure the ECC, or; (ii) only a Subproject Description is needed, particularly for non-covered subprojects. As discussed in the introduction, NCDDP will not involve any Category A subproject based on the KALAHI-CIDSS experience, and based on the types and scale of subprojects demanded and implemented by the community.

28. The environmental and social assessment and review procedures shall apply to proposed subprojects that pass eligibility screening under the first step above. The following table (Table 4) outlines the specific tasks and activities to guide subproject staff, community-

proponents, and other stakeholders, particularly the LGUs in complying with the NCDDP safeguards requirements.

A. Subproject Screening and Safeguards Classification

29. The table below describes the standard approach for screening and safeguards classification of community subprojects.

Table 4: Subproject Screening and Safeguards Classification

B. Preparation of Safeguards Instruments

30. All NCCDP financed subprojects will prepare an Environmental and Social Management Plan (Annex I) based on the screening results. The ESMP identifies safeguards risks and corresponding mitigating measures related with the location and nature of the proposed subprojects. Projects that involve the provision of water should prepare a water safety plan as per DSWD guidelines and Department of Health (DOH) AO 2014-0027. If and when the screening results indicate additional instruments, they must be prepared based on the following frameworks:

i. Land Acquisition, Resettlement, and Rehabilitation Framework: Detailed guidance for land acquisition, resettlement and rehabilitation is provided in Annex G).

ii. Indigenous Peoples Policy Framework: Detailed guidance for engaging Indigenous Peoples, as well as the National Commission on Indigenous Peoples, is discussed in Annex H.

31. The table below provides general guidance in the preparation of these various safeguards instruments.

Table 5: Preparation of Safeguards Instruments

C. Disclosure and Consultation

32. World Bank and ADB safeguards consultation and disclosure requirements will be met through the conduct of Barangay Assemblies (BA) and Inter-Barangay Forums (IBF) activities embedded within the CEAC process, and through disclosure of this framework nationally, through the DSWD and NCDDP Project, and the World Bank websites. In addition, the IP Policy Framework which is embedded in this ESMF will also be distributed through the National Commission on Indigenous People (NCIP)
33. Preparation of safeguards instruments will also include open and transparent consultation with local communities, subproject beneficiaries, and subproject affected persons, as well as other local and interested stakeholders, as part of the CEAC. Responsibility for the facilitation of the conduct of these activities shall be with the Project's Area Coordinating Team (ACT) based at the municipal level.
34. All safeguards documents will be made available through physical copies in the appropriate LGU hall (barangay or municipal hall).

II. Grievance Redress

35. Complaints and grievances relating to any aspect of NCDDP (including environmental and social safeguards policies and/or activities) will be managed following the NCDDP Grievance Redress System (GRS) which also builds on the KALAHI-CIDSS GRS.
36. Complaints and Grievances may be filed through the following means;
 - (i) Filing of complaints through a Grievance Redress Committee (GRC) Logbook /database – each NCDDP covered barangay shall form a GRC during the first Barangay Assembly (BA). ACT and the Municipal Coordinating Team (MCT) shall be required to provide a Logbook to record complaints raised by community member(s) or any individual in relation to NCDDP implementation while RPMOs and NPMO will utilize the existing database system. Non-NCDDP complaints shall be forwarded to the concerned offices/institutions for appropriate action.
 - (ii) Complaints/Grievance Reports via text messages – members of the GRC shall make available official contact numbers for complaints/grievance filing. Grievances can likewise be sent via text to 09189122813 or 09189108010, at email address kc_me_central@yahoo.com. These contact numbers and details shall likewise be disclosed during Barangay Assemblies and public gatherings, as well as posted in public places in the municipality and barangay.
 - (iii) Letter addressed to any GRC head or committee member
37. The RPMO and NPMO shall determine the validity of complaints filed. The RPMO shall likewise ensure confidentiality until proper venue has been provided to discuss and settle the reported issues.

III. Subproject-level Safeguards Monitoring

38. The NCDDP shall ensure proper monitoring and evaluation of compliance to this ESMF. This shall include capture of environmental and social safeguards data integrated into the NCDDP M&E systems at regional level, including monitoring arrangements to track compliance to safeguards policies, preparation of safeguards instruments, and implementation of safeguards activities in all stages of the CEAC. The NPMO shall likewise conduct supervision and in-house monitoring of implementation of safeguards instruments. The procedure for monitoring will be guided by the monitoring, evaluation, and reporting arrangements to be further detailed in the safeguards manual, and subject to “no objection” by the WB and ADB.

PART D

DETAILED POLICY AND PROCESSING RESOURCES

Annex A:

Overview of WB and ADB Project Categorization

1. The World Bank's Operational Policy (OP) 4.01, and the Asian Development Bank's Safeguards Policy Statement (SPS) of 2009 clarify the rationale, scope and content of relevant environmental and social assessment requirements under projects supported by the two Banks. The WB's OP 4.01 requires the conduct of an environmental assessment (EA) of projects/programs proposed for Bank financing to help ensure that they are environmentally and socially sound and sustainable. This is the umbrella policy for the Bank's safeguards policies, and the EA is a process whose breadth, depth, and type of analysis depends on the nature, scale, and potential environmental and social impact of the project investments/sub-projects to be supported. The ADB's SPS (2009) is supported by relevant Environmental Assessment Guidelines (2003).
2. World Bank OP 4.01 and ADB SPS (2009) require that projects be assigned an EA category based on the likely intensity and severity of the potential environmental and social impacts. **For the NCDDP, due to the small-scale and temporary nature of these impacts, both Banks consider the NCDDP an environmental category B project.** As such, this Environmental and Social Management Framework (ESMF) document serves as the environmental and social assessment instrument (i.e., defines what constitutes an EA for this project). The ESMF, in turn, requires that DSWD screen proposed sub-project investments using the Environmental and Social Screening Checklist (Annex F) to identify the areas of possible social/environmental impact and identify relevant mitigating measures.
3. WB and ADB follow the same screening and categorization of subprojects, i.e., Categories A, B, and C, which are dependent on the assessment of significance of environmental or social impacts.
 - (i) **Category A** subprojects normally cause major environmental or social impacts that are irreversible, diverse, or unprecedented. An Environmental Impact Assessment (EIA) is required for this subproject.
 - (ii) **Category B** subprojects for which minor impacts are expected and can be mitigated. An Initial Environmental Examination (IEE) is required for this subproject.
 - (iii) **Category C** subprojects do not pose environmental or social impacts. No environmental assessment is required but environmental implications need to be reviewed.
4. To ensure compliance with ADB and WB environmental and social safeguards policies, the NCDDP will screen all subprojects using the Environmental and Social Screening Checklist (ESSC) that has been developed as a tool for environmental and social categorization and assessment of various subprojects.
5. The environmental and social assessment requirements of the ADB, WB and the GOP are similar in terms of the use of environmental assessment (EA) as a tool for subproject planning, and in requiring an instrument such as an environmental impact assessment before subproject implementation. However, the scope of the environmental and social assessment of the GOP differs from that of the ADB and WB in terms of categorization. The GOP categorization is generally based on scale and size of the subproject whereas ADB's and

WB's categorization is based on the significance of the environmental impact of the particular subproject.

Annex B

Safeguards Provisions

for the Contingent Disaster Response Sub-Component
for the National Community Driven Development Project (NCDDP)

Background and “Trigger”

The contingent disaster response sub-component is designed for enabling an accelerated response to disaster scenarios, which - by their very nature – usually cause substantial negative environmental and social impacts. The contingency sub-component would essentially include a range of mitigation, repair and restoration measures to restore pre-disaster conditions, if possible with a higher degree of resilience. The disaster event with the highest likelihood of occurrence during the project implementation period would be a tropical storm (typhoon), with extremely high wind speeds, and high amounts of precipitation.

The main primary impacts caused by this scenario would include coastal and inland flooding, erosion, landslides and mudflows, damage of river bank protection and hydrotechnical installations, uprooting of trees, damage to infrastructure, roads, dwellings and other buildings, deposition of mud, sediments and debris over large areas, including agricultural plots.

The location of the contingent disaster response sub-component would be within the overall geographic scope of the project, given the strong overlap between the most disaster-affected areas in the Philippines and the 900 NCDDP rural municipalities.

The formal trigger of the contingent disaster response sub-component would be a declaration of a national state of calamity by the President of the Philippines or of a local state of calamity (Municipal level) by the Local Government Unit.

Modified Positive List

Due to the widespread damage associated with an extreme weather event the following additional activities are envisaged and would be allowed for under the contingent disaster response sub-component:

1. repair of rural and local roads;
2. backfill, reshaping and landscaping of areas affected by erosion;
3. Repair of river bank protection systems and earth-fill dykes up to 5m height if supervised by a qualified civil engineer;
4. repair / reconstruction of small bridges (span up to 15 m);
5. construction of temporary bypass roads up to 500 m length, if (i) not located in sensitive habitats and (ii) land acquisition follows the provisions of the main ESMF and (iii) the bypasses are completely removed and the alignment restored to its original conditions once the need for their service has expired;
6. repair / reconstruction of communal irrigation and water supply systems;
7. collection and removal of technogenic debris (building parts, mixed waste, timber) as well as uprooted trees and plant debris from public infrastructure, public spaces and ag-

gricultural areas, and its deposition in pre-existing waste management facilities that are operating under national licensing and regulations and comply with normal practice in the Philippines.

8. repair of public buildings and infrastructure (e.g. transmission lines, street lighting, traffic signs, bus stops);
9. collection and removal of earth, mud and plant debris from public infrastructure and spaces as well as agricultural areas, and its deposition, landscaping and greening at appropriate locations;

The first three activities listed above are already allowed under NCDDP open-menu of sub-projects (and undertaken in non post-disaster contexts). **Activities listed under numbers 4 through 9 would only be carried out in the event of an emergency (i.e they are not part of NCDDP's regular project menu).** The scope of these activities as well as the simplified implementation procedures that would apply to all NCDPP contingent sub-component activities would be outlined in greater detail in the simplified Operations Manual that will be developed for the Contingent Sub-component (the acceptance of which by the World Bank would be a condition of disbursement for the sub-component).

Modified Negative List

The negative list has been compiled to exclude certain activities associated with disaster response and post-disaster reconstruction that fulfill one or more of the following criteria: (i) environmentally risky, (ii) may create impacts that require more sophisticated planning and preparation of mitigation measures, (iii) have technical complexities and requirements that would go beyond the capacity normally available in a CDD project environment, (iv) would trigger additional safeguards policies or change the project's safeguards category, (v) are not aligned with public interests or do not benefit common goods or public services.

Applying the above criteria to the anticipated context of the contingent disaster response sub-component, the following list of activities has been compiled:

- repair of facilities storing hazardous substances (e.g. fuel depots), except simple clearing of debris or landslide materials on access roads and perimeters;
- major repair or reconstruction of damaged waste management facilities, except the collection of spilled and dispersed waste from the facility and returning it to its original position on the facility, or a safe temporary repository on the perimeter;
- repair of privately owned production facilities;
- any "salvage logging" operations (which might be undertaken as result of storm damage to forests);
- repair of dykes or dams that are higher than higher than 5 m, or store water volumes larger than 1,000,000 m³;
- construction of new temporary or permanent infrastructure to bypass devastated areas which have a segment length of > 500 m, and a cumulative length of 2,000 m within a corridor of 10 km or less;
- construction of new, or substantial expansion of existing flood protection works, especially when this involves the conversion of floodplains or riverine forests;
- bulk purchase of fuel, lubricants, pesticides, herbicides or other hazardous substances;

- any activity in a sensitive or protected natural habitats as defined by OP4.04, except the removal of debris and the repair of pre-existing infrastructure, e.g. access roads or park ranger buildings.

Additional Safeguards Provisions

For the contingent disaster response sub-component no activities are anticipated that would require provisions and mitigation measures that are significantly different from the main NCDDP. All key relevant provisions for environmental and social management are already contained in the ESMF and would remain fully applicable to the contingent component. The additional activities described in the modified positive list would not change the project's safeguards category or trigger additional safeguards policies.

The following provisions refer to selected aspects of the modified positive list that warrant specific considerations, and should be seen as guidance to increase readiness and facilitate implementation should the sub-component be triggered. The additional provisions will not require substantial additional resources, skills or capacity.

Provisions for road repair and bypass construction works: The repair and reconstruction of roads, as well as of temporary bypasses should follow general good practice in engineering and environmental management, as described e.g. in the World Bank's "Handbook on Roads and the Environment" (technical paper No. 376). Special attention should be paid to the following issues:

- Where road embankments have been damaged by flooding the reason may be insufficient dimensioning of the original drainage system. In the course of repair and reconstruction the placement of new culverts should be considered to avoid the damming and accumulation of precipitation that can cause erosion and collapse of embankments. This measure, combined with diligent repair and maintenance (cleaning) of drainage ditches and existing culverts would help to increase the resilience against future storm and flood events.
- If temporary bypasses are required due to damaged bridges, landslides, collapsed embankments etc. they should be constructed in a manner to maximize their functionality and minimize negative environmental impacts. Their length would be limited to 500 m per segment (and to 2,000 m within a 10 km stretch of road corridor) and they would not be allowed in or adjacent to protected areas or sensitive habitats. They would be constructed to allow complete removal after decommissioning, e.g. by placing a layer of geotextile under the temporary embankment, and using geotextile to maximize structural stability while economizing on material demand. Often suitable coarse aggregate may be difficult to find, in which case geotextile layering ("reinforced earth") would be a both technically and environmentally suitable solution for temporary road construction.
- The fill material required for temporary bypass construction should be minimized and sourced from either pre-existing, licensed borrow areas, or from the earth and debris deposited by floods and / or landslides.
- Temporary embankments should be bunded and / or equipped with silt barriers drainage ditches and sedimentation ponds to avoid excessive siltation of the immediate surroundings. This will be especially important in areas of agricultural use and near settlements.

- After the repair of the original road sections the bypass must be completely removed and the area restored to its original condition.
- If any temporary bridges are constructed they must allow free flow of water, avoid the narrowing of the cross section of the watercourse and resulting change of flow speed, and minimize disturbance of the river bed and resulting turbidity (deploy silt barriers, minimize vehicle movement in and close to river bed). Complete removal and restoration of the river banks must be ensured after the bypass ceases to be required and is de-commissioned.

Provisions for waste management: Mineral substances (earth, sand, gravel, rocks), organic waste and “technogenic” waste (resulting from goods, objects or structures made of artificial, synthetic materials) should be separately collected and treated in the manner described below:

- *Mineral substances* are considered environmentally harmless and should - as far as their geotechnical properties are sufficiently acceptable - be reused as backfill for damaged earthworks (e.g. embankments, dykes) or as fill for landscaping areas. Fine materials with poor geotechnical quality could still be used to fill depressions and raise ground to increase local flood resilience. Superfluous materials that cannot be reasonably reused should be deposited in a safe, stable, unused area outside zones prone to flooding or landslides. They should be emplaced with stable slope angles, lightly compacted and vegetated.
- *Organic waste*, such as wood, timber, plant debris, should be collected and as far as possible separated. Reusable and recyclable items (timber, wood as construction material or fuel) should be extracted, and only the remaining plant debris deposited in a safe area for composting. The compost could later be reused in agricultural activities. If biofuel burning power plants, or biogas reactors are in the affected area these would also be potential recycling pathways.
- *Technogenic waste* should be collected and recyclables (e.g. plastic bottles, glass, metals) as well as reusable items as far as possible extracted. The remaining fraction should be deposited at a pre-existing waste management facility that is licensed under domestic regulations and operated according to prevailing good practice in the Philippines. While this could constitute a deviation from the World Bank Group’s EHS (environment, health and safety) guidelines, which demand the implementation of GIIP⁸ it would be deemed acceptable under the circumstances because: (i) not collecting the waste would carry a negative impact of larger magnitude; (ii) the incremental negative impact of contributing to an existing facility not operated according to GIIP would be negligible; (iii) there may be no technically or economically feasible alternatives; (iv) compliance with national regulations would be ensured; (v) the waste segregation before deposition would minimize its quantity, and (vi) none of the expected waste types are deemed hazardous.

Provisions for works in or near protected areas: All allowable works in protected areas must be supervised by qualified personnel from the park service, nature protection agency or environmental protection agency. Also the project’s environmental specialist should receive, review and approve a detailed work plan (including maps and drawings) that specifies the exact nature, location, dimensions, and footprint of the works, as well as the planned environmental and social management and mitigation measures and the special provisions and precautions to

⁸ Good international industry practice.

be followed. The works would be absolutely restricted to the repair of small scale, pre-existing park infrastructure, such as access roads, ranger buildings, communication equipment, fire towers and similar.

Provisions for repair of dams and dykes: All works on dams and dykes designated as water retention structures above 3m height need to be supervised by an experienced and qualified civil engineer. The maximum allowable height of dams and dykes that may be carried out under the project would be 5m, or the maximum allowable storage volume 1,000,000 m³.

Monitoring and Supervision

All arrangements for monitoring and supervision that are in place for the main project would also be applicable to the contingent disaster response sub-component; including monitoring of sub-grant tranches, technical completion reports and technical audits, and sustainability evaluations. In the event of more complex or potentially sensitive subprojects, CFs and ACTs would seek advice from relevant RPMO and NPMO staff, and the World Bank's environmental and social specialists during activity preparation and implementation. Examples of such types of subprojects include:

1. repair / reconstruction of small bridges (span up to 15 m);
2. construction of temporary bypass roads up to 500 m length, if (i) not located in sensitive habitats and (ii) land acquisition follows the provisions of the main ESMF and (iii) the bypasses are completely removed and the alignment restored to its original conditions once the need for their service has expired;
3. Repair of river bank protection systems and earth-fill dykes up to 5m height if supervised by a qualified civil engineer;
4. works near waste management facilities or other installations with elevated environmental risk levels;
5. works in or adjacent to national parks or sensitive or critical habitats.

Annex C:

NCDDP/CDDSP Negative List

1. The following are NCDDP ineligible subproject activities and/or expenditure types.
 - a. Purchase or compensation for land;
 - b. Road construction into protected areas;
 - c. Repair of government offices (unless the emergency response Disaster Risk Management (DRM) contingent sub-component has been triggered);
 - d. Meeting halls and places of worship;
 - e. Dams higher than 5 meters;
 - f. Environmentally hazardous materials such as chainsaws, explosives, pesticides, herbicides, insecticides, asbestos and other potentially dangerous materials.
 - g. Production of, trade in, or use of unbounded asbestos fibers;
 - h. Fishing boats (beyond the weight limit set by Bureau of Fisheries and Aquatic Resources (BFAR));
 - i. Activities that have alternative prior sources of committed funding;
 - j. Activities for fiesta and other religious and cultural activities;
 - k. International travel;
 - l. Salaried activities that employ children below the age of 16, and production or activities involving harmful or exploitative forms of forced labor or child labor;
 - m. Consumption items;
 - n. Maintenance and operation of infrastructure built from Project funds;
 - o. Production of or trade in any product or activity deemed illegal under the Philippines laws or regulations or international conventions and agreements or subject of international phase outs or bans, such as (a) pharmaceuticals, pesticides, and herbicides; (b) ozone-depleting substances, (c) polychlorinated biphenyls and other hazardous chemicals, (d) wildlife or wildlife products regulated under the Convention on International Trade in Endangered Species of Wild Fauna and Flora and (e) trans-boundary trade in waste or waste products;
 - p. Production of or trade in weapons and munitions, including paramilitary materials;
 - q. Production of or trade in alcoholic beverages, excluding beer and wine;
 - r. Production of or trade in tobacco;
 - s. Gambling, casinos and equivalent enterprises;
 - t. Production of or trade in radioactive materials, including nuclear reactors and components thereof;
 - u. Commercial logging operations or the purchase of logging equipment for use in primary tropical moist forests or old-growth forests; and
 - v. Marine and coastal fishing practices, such as large-scale pelagic drift net fishing, harmful to vulnerable and protected species in large numbers and damaging to marine biodiversity and habitats.
2. In compliance with the NCIP AO 3, series of 2012 - Part III, Section 25 on "Excluded Areas", the following areas are likewise excluded from any activity except for the exclusive purposes for which they are identified.
 - a. Sacred grounds and burial sites of indigenous communities;
 - b. Identified international and local cultural and heritage sites;
 - c. Critical areas identified or reserved by the ICCs/IPs for special purposes, and;

- d. Other areas specifically identified by ICCs/IPs in their Ancestral Domain Sustainable Development Protection Plan, or ADSDPP.

3. In relation to work under the Disaster Risk Mitigation contingent sub-component:

- a. repair of facilities storing hazardous substances (e.g. fuel depots), except simple clearing of debris or landslide materials on access roads and perimeters;
- b. major repair or reconstruction of damaged waste management facilities, except the collection of spilled and dispersed waste from the facility and returning it to its original position on the facility, or a safe temporary repository on the perimeter;
- c. repair of privately owned production facilities;
- d. any "salvage logging" operations (which might be undertaken as result of storm damage to forests);
- e. repair of dykes or dams that are higher than higher than 5 m, or store water volumes larger than 1,000,000 m³;
- f. construction of new temporary or permanent infrastructure to bypass devastated areas which have a segment length of > 500 m, and a cumulative length of 2,000 m within a corridor of 10 km or less;
- g. construction of new, or substantial expansion of existing flood protection works, especially when this involves the conversion of floodplains or riverine forests;
- h. bulk purchase of fuel, lubricants, pesticides, herbicides or other hazardous substances;
- i. any activity in a sensitive or protected natural habitats as defined by World Bank Operational Policy 4.04, except the removal of debris and the repair of pre-existing infrastructure (e.g. access roads or park ranger buildings).

Annex D:

Safeguards Processing along the Community Empowerment Activity Cycle (CEAC)

| CEAC Process | Safeguards Task and Activities, and Responsible Entity | Output/Tools |
|------------------------------------|--|--|
| 1. Social Preparation Stage | | |
| Social Investigation | <p>Community Facilitators (CF) conduct data gathering on the demographic, environmental, and social and cultural situation, to include;</p> <ul style="list-style-type: none"> Review of available documents, such as municipal development plans (MDP), comprehensive land use plan (CLUP), ancestral domain sustainable development protection plan (ADSDPP), comprehensive development plan (CDP), etc. Physical environmental scanning and transectional survey Random interviews of people in the barangay (especially with IP groups, if any) to validate/enhance demographic data <p>Area Coordinators (AC) engage with NCIP and;</p> <ul style="list-style-type: none"> Determine presence of IP families in the Barangay/ community Get demographic data and secure copy of ADSDPP Gather information on IP traditional structures on representation and decision-making <p>Deputy Area Coordinators (DAC) gather data on different Projects being implemented by the Municipality.</p> | Community Profile completed, for use as reference in safeguards processing (include as annex or refer to ops manual) |
| Municipal Orientation | <p>AC raise awareness of the NCDDP's Environmental and Social Safeguards among the LGU and other stakeholders, and;</p> <ul style="list-style-type: none"> Share and disclose the salient points of the Project's Environment, IP, Land Acquisition, Resettlement, and Rehabilitation (LARR), and Integrated Pest Management frameworks and policies. Discuss environment, IP, LARR, and IPM concerns and issues observed from the SI, and their implications to subproject implementation. Validate if municipal LGU has environmental management plan or Comprehensive Land Use Plan (CLUP/FLUP (Forest Land Use Plan)/PAMP (Protected Area Management Plan), and relevant ordinances on the environment. | Minutes of meetings reflect disclosure and discussion of safeguards policies. |

| CEAC Process | Safeguards Task and Activities, and Responsible Entity | Output/Tools |
|---|---|---|
| | Ensure presence of NCIP and representatives of the IP if in a municipality within or covering an ancestral domain (AD) with a certificate of ancestral domain claim (CADC) or certificate of ancestral domain title (CADT). | |
| Barangay Consultation | <p>CF raise awareness of the NCDDP's Environmental and Social Safeguards among the community members, the barangay local government unit (BLGU) and other stakeholders, and;</p> <ul style="list-style-type: none"> • Share and disclose the salient points of the Project's Environment, IP, Land Acquisition, Resettlement, and Rehabilitation (LARR), and Integrated Pest Management frameworks and policies. • Discuss relevant environment, IP, LARR, and IPM concerns and issues observed from the SI, and the implications and risks to subproject implementation. • Validate if LGU has environmental management plan. <p>If necessary, CF conducts separate assembly with IP community.</p> <p>CF invites NCIP and representatives of the IP if in a barangay (i) within or covering an AD with CADC or CADT, or a portion thereof, or; (ii) with an IP community.</p> <p>CF facilitates inclusion of IP representatives in the PSA, Barangay Representation Team (BRT) and subproject Preparation Team (PPT) and other community volunteer committees elected by the BA.</p> | <p>Minutes of the meeting reflect disclosure of safeguards.</p> <p>Attendance record reflect NCIP/IP presence.</p> <p>PSA CV include IP representative.</p> |
| Participatory Situation Analysis | <p>CF facilitates identification of environmental and social issues, and risks and vulnerability assessment with community volunteers, using PSA tools.</p> <p>CF facilitates participation of NCIP and representatives of the IP if in a barangay (i) within or covering an AD with CADC or CADT, or a portion thereof, or; (ii) with an IP community.</p> <p>Cross check of SP concept against list of ineligible activities (see Annex C).</p> | <p>List of screened subprojects compared against list of ineligible activities (negative list)</p> <p>Attendance records reflect NCIP/IP presence.</p> |
| 2. Community Planning and Subproject Development | | |

| CEAC Process | Safeguards Task and Activities, and Responsible Entity | Output/Tools |
|------------------------------------|--|--|
| Criteria Setting Workshop (CSW) | <p>Municipal Coordinating Team (MCT) facilitate LGU sharing of programs, projects, and activities (PPAs) to address local development problems, including PPAs to address environmental and IP concerns.</p> <p>If in a municipality with AD with CADT or CADC, AC facilitates sharing by the IP leader of their ADSDPP and ensures IP-sensitive and appropriate representation in subproject identification. If needed, AC facilitates conduct of separate session of IPs during the CSW.</p> <p>AC facilitates discussion of affirmative action criteria on the environment and social safeguards, for decision by the Municipal Inter-Barangay Forum (MIBF).</p> <p>Where applicable, use the Thematic Environmental Management System (TEMS) Manual.</p> | <p>Defined subproject concept and scope</p> <p>Criteria set with environmental and social safeguards consideration</p> |
| Project Development Workshop (PDW) | <p>Using the ESSC, Regional Specialists and Technical Staff discuss environment and social safeguards requirements with community volunteer – members of Subproject Preparation Teams (PPT), such as;</p> <ul style="list-style-type: none"> • Environmental Screening and identification of subprojects needing CNC or ECC (categorization); • Inventory of land acquisition (i.e. Deed of Donation or DOD, and Right of Way or ROW) requirements, identification of subproject affected persons, and assessment of impact to subproject affected persons; • Review of IP proposed subprojects against ADSDPP, and assessment of potential impact on IP and other vulnerable groups; • Need to undertake IPM training for small irrigation and other related subprojects; <p>AC invites NCIP and representatives of the IP if in a municipality (i) within or covering an AD with CADC or CADT, or a portion thereof, or; (ii) with an IP community.</p> <p>CF facilitates meaningful attendance and participation of IP members of PPTs in the PDW. If needed, AC facilitates conduct of separate or additional sessions with IPs to further</p> | <p>Subproject preparation Team trained on safeguards processing.</p> <p>ESSC Form (Annex F) accomplished</p> <p>ESMP prepared</p> <p>Additional safeguards instruments as agreed with RPMO safeguards officers⁹</p> |

⁹ These additional safeguards document may include an Initial Environmental Examination (IEE) or Subproject Description (PD), an Integrated Pest Management Plan, an Indigenous Peoples Plan (IPP), or a Land Acquisition, Resettlement, and Rehabilitation Plan (LARRP).

| CEAC Process | Safeguards Task and Activities, and Responsible Entity | Output/Tools |
|--|---|---|
| | clarify proposal preparation requirements. | |
| Preparation of Detailed Proposals | <p>CF facilitates completion by CV members of PPTs of the Environmental and Social Safeguards Checklist (ESSC), the ESMP, the Initial Environmental Examination (IEE) or Project Description (PD), and other relevant safeguard instruments where applicable.</p> <p>Regional Specialists and Technical Staff, and Municipal Inter-Agency Committee (MIAC) members provide technical assistance to PPT CVs on (i) completion of safeguards documents and (ii) inclusion of safeguards costs including training costs, costs of construction safety and cost estimate of permits, in the costs requirements for proposed subprojects, among others.</p> <p>AC facilitates review by the Municipal LGU MIAC of safeguards documents, as part of the MIAC technical review of subproject proposals.</p> <p>AC provides NCIP and representatives of the IP if in a municipality (i) within or covering an AD with CADC or CADT, or a portion thereof, or; (ii) with an IP community, with schedule of activities in line with the preparation of detailed subproject proposals.</p> <p>For Irrigation subprojects, AC to coordinate with the MAO or DA extension office for IPM training.</p> <p>CF facilitates attendance and participation of IP members of PPTs in the preparation of detailed proposals. If needed, CF facilitates conduct of separate or additional sessions with IPs to further clarify proposal preparation concerns of IPs.</p> | Accomplished ESSC, PD/IEE and ESMP, and where applicable, additional safeguards instruments |
| Subproject Approval & Request for Fund Release | <p>If in a municipality (i) within or covering an AD with CADC or CADT, or a portion thereof, or; (ii) with an IP community, CF facilitates attendance and participation of IP members of BRTs and PPTs in the inter-barangay forum. If needed, AC facilitates conduct of separate session of IPs during IBF to gather inputs to deliberations on subproject prioritization, assisted by the IP focal persons.</p> <p>Sub-regional Project Management Office (SRPMO) technical staff conduct safeguards due diligence review of Request for Fund Release (RFR), prior to submission to the RPMO.</p> <p>Regional CD Specialist (RCDS), Regional Infrastructure</p> | <p>RPMO/NPMO approved evaluation of SPs or re-validated and recommended for revision of Program of Work (POW)/design if necessary</p> <p>Safeguards documents</p> |

| CEAC Process | Safeguards Task and Activities, and Responsible Entity | Output/Tools |
|--|--|--|
| | <p>Engineer (RIE), and Regional Finance Analyst (RFA) conduct safeguards due diligence review of RFRs, prior to funds release..</p> <p>NPMO safeguards staff conduct spot checks of regional safeguards clearances.</p> <p>RPMO and NPMO discloses results of IBF subproject selection and approval, RPMO due diligence review, NPMO spot checks, and funds release status.</p> <p>ACT posts safeguards documents (ie. ESMP, IPP, etc.) locally through posting in the municipal or barangay halls.</p> <p>If RPMO or NPMO due diligence result to adverse findings, RPMO specialists and technical staff conduct subproject proposal revalidation/revision as needed, and subject to IBF concurrence.</p> | disclosed locally. |
| 3. Community managed Implementation and CBO Formation | | |
| Pre-Implementation Workshop | <p>CF ensure compliance by the Barangay Sub-Project Management Committee (BSPMC) of the IPPF and LARRF requirements</p> <p>CF facilitates presentation by the BSPMC of ESMP, LARRP, and/or IPP to the community, and discussion and planning of activities for implementation of the safeguards instruments.</p> | |
| Implementation of SP, O & M | <p>ACT/RPMO monitor comments, suggestions, complaints through the GRS.</p> <p>Community Volunteer-members of the BSPMC implement their respective safeguards mitigating measures. ACT provides safeguards supervision.</p> <p>Filing of copy of DOD or Certification with the LGU, BSPMC, and the RPMO.</p> | <p>Safeguards-related grievances monitored through GRS.</p> <p>Compliance of mitigating measures</p> |
| 4. Community-based Monitoring | | |

| CEAC Process | Safeguards Task and Activities, and Responsible Entity | Output/Tools |
|---|---|--|
| Community-Based Monitoring and Evaluation | <p>Monitoring of ESMP by BSPMC with monthly monitoring report.</p> <p>In case of Category B subprojects funded by ADB, the RPMO prepare semi-annual environmental monitoring report and submits to NPMO for consolidation, prior to submission to ADB and uploading at the ADB website.</p> <p>Implementation of Post subproject mitigating measures as stated in the ESMP and other relevant safeguards instruments</p> <p>Should unanticipated impacts to IPs be flagged, the RPMO conducts social impact assessment of the affected population and adjustments made per result of the SIA.</p> | For Category B - Semi-annual environmental monitoring report to be uploaded at ADB website |
| Accountability Review | <p>CVs discuss status of compliance to implementation of safeguards measures during Accountability Reporting (AR) sessions.</p> <p>Conduct of sustainability evaluation using the Sustainability Evaluation Tool (SET).</p> | Completed SET |

Annex E:

Philippine EIS System Thresholds and DENR Requirements for Possible NCDDP Subprojects

| Subproject | DENR Classification | DENR Documentary Requirement | ECC/CNC |
|---|--|------------------------------|---------|
| Water supply system | S.4 - Level 1 – Deep well S.4 - Level 2 – Communal faucet | PD | CNC |
| | S.3 – 6 wells and more | IEE | ECC |
| School buildings | E.3 – institutional and other related facilities ≥ 1 hectare (gross floor area) | IEE | ECC |
| | E.3 – institutional and other related facilities < 1 hectare (gross floor area) | PD | CNC |
| Access roads | C.4.b – Roads with no critical slope ≥ 2km but <20.0 km | IEE | ECC |
| | C.4.b – Roads with critical slope ≥2 km but < 10km | IEE | ECC |
| | C.4.b – Roads < 2km | PD | CNC |
| | C.4.a – Bridges and viaducts ≥80 m but < 10km | IEE | ECC |
| | C.4.a – Foot bridges and other bridges <80m | PD | CNC |
| Day care centers | E.3 - Institutional and other related facilities < 1 hectare (gross floor area) | PD | CNC |
| Health stations | E.7 – Clinics including rural health units | PD | CNC |
| Post-harvest facilities | D.4.c- Rice mill > 1 ton/hr | IEE | ECC |
| | D.4.c – Rice mill ≤ 1 ton/ hr | PD | CNC |
| | E.13 – Storage facilities ≥ 1 hectare (gross floor area) | IEE | ECC |
| | E.13 – Storage facilities < 1 hectare (gross floor area) | PD | CNC |
| Drainage system and environmental protection measures | I.4 – Preventive or proactive measures against potential natural hazards (shore protection, river embankment/river bank stabilization, seawall, etc. | PD | CNC |
| | S.1 – Impounding system < 25 hectares or impounded water <20 million m ³ | IEE | ECC |
| | R.6 – Materials Recovery Facilities with composting facilities | IEE | ECC |
| | R.6 – MRF with material segregation only | PD | CNC |
| Small irrigation facilities | S.2 – Irrigation system (distribution only) 300 hectares but <1,000 hectare (service area) | IEE | ECC |
| | S.2 – Irrigation system (distribution only) < 300 hectares (service area) | PD | CNC |

Notes: IEE refers to the Initial Environmental Examination; PD – Project (subproject) Description; CNC - Certificate of Non-Coverage; and ECC – Environmental Compliance Certificate

Annex F:

Environmental and Social Safeguards Checklist

Name of Subproject:

Location:

Community Representative and Address:

RPMO Representative and Address:

| Issues | Site Sensitivity | | | Rating |
|---|--|---|--|--------|
| | Low | Medium | High | |
| Natural Habitats | No natural habitats present of any kind | No critical natural habitats; other natural habitats occur | Critical natural habitats present. Within declared protected areas. | |
| Water quality and water resource availability and use | Water flows exceed any existing demand; low intensity of water use; potential water use conflicts expected to be low; no potential water quality issues. | Medium intensity of water use; multiple water users; water quality issues are important | Intensive water use; multiple water users; potential for conflicts is high; water quality issues are important | |

| | | | | |
|---|--|--|---|--|
| Natural hazards vulnerability, floods, soil stability/erosion | Flat terrain; no potential stability/erosion problems; no known volcanic/seismic/flood risks | Medium slopes; some erosion potential; medium risks from volcanic/seismic flood/typhoons | Mountainous terrain; steep slopes; unstable soils; high erosion potential; volcanic seismic or flood risks. | |
| Physical Cultural Property | No known or suspected physical cultural heritage sites | Suspected cultural heritage sites; known heritage sites in broader area of influence | Known heritage sites in subproject area | |
| Involuntary Resettlement | Low population density; dispersed population; legal tenure is well defined; | Medium population density; mixed ownership and land tenure; | High population density; major towns and villages; low income families and/or illegal ownership of land; communal properties. | |
| Indigenous Peoples | No indigenous population | Dispersed and mixed indigenous populations; highly acculturated indigenous populations | Indigenous territories (CADT), reserves and /or lands; vulnerable indigenous populations. | |

III. Areas for Potential Environmental and Social Impact

| | | Yes | No |
|--|---|-----|----|
| A. Environment - Will the Subproject: | | | |
| 1 | Risk the contamination of drinking water? | | |
| 2 | Cause poor water drainage and increase the risk of water related diseases such as malaria, dengue and schistosomiasis | | |
| 3 | Harvest or exploit a significant amount of natural resources such as trees, wood for fuel or water? | | |

| | | | |
|--|---|--|--|
| 4 | Be located within or nearby environmentally sensitive areas, protected areas (e.g. intact natural forests, mangroves, wetlands or threatened species?) | | |
| 5 | Create a risk of increased soil degradation or erosion? | | |
| 6 | Create a risk of increasing soil salinity? | | |
| 7 | Produce, or increase the production of solid wastes (e.g. water, medical/healthcare, domestic or construction wastes)? | | |
| 8 | Affect the quantity or quality of surface waters (e.g. rivers, streams, wetlands), or groundwater (e.g. wells) | | |
| 9 | Result in the production of solid or liquid waste, or result in an increase in waste production, during construction or operation? | | |
| If the answer to any question from 1-9 is "Yes", please include an Environmental and Social Management Plan (ESMP) with the subproject application | | | |
| B. Land Acquisition and access to resources – Will the Subproject: | | | |
| 10 | Require that land (public or private) be acquired (temporarily or permanently) for its development? | | |
| 11 | Use land that is currently occupied or regularly used for productive purposes (e.g. gardening, farming, pasture, fishing, forests) | | |
| 12 | Displace individuals, families, businesses? Have any individuals, families, businesses been displaced up to 2 years prior to subproject enrolment? | | |
| 13 | Result in the temporary or permanent loss of crops, fruit trees or household infrastructure such as crop storage facilities, outside toilets and kitchens | | |
| 14 | Result in the involuntary restriction of access by people to legally designated parks and protected areas? | | |
| If the answer to any of the questions 10 -14 is "Yes", please inform the RPMO and prepare appropriate documents required under the LARR Framework (see Annex G). | | | |
| C. Indigenous People – Are there: | | | |
| 15 | Any indigenous groups living within the boundaries of the barangay where the subproject will be located? | | |
| 16 | Resources (land, water, etc.) to be used for the subproject, over which the Indigenous People have prior claim? | | |

| | | | |
|--|--|--|--|
| 17 | Members of these indigenous groups who would be affected (ie. benefit from, or be adversely affected) by the subproject? | | |
| <i>If the answer to questions 15 - 17 is "Yes" please inform the RPMO and if needed, prepare an Indigenous Peoples Plan (IPP). IPP will only be prepared if affected IPs are a minority in the area.</i> | | | |
| D. Pesticides and Agricultural Chemicals - Will the subproject: | | | |
| 18 | Will the subproject increase agricultural productivity? This may happen when the subproject is an irrigation or water impounding activity. | | |
| <i>If the answer to Question 18 is "Yes" please inform the RPMO and coordinate with the Municipal Agricultural Officer of the LGU. Integrated Pest Management techniques should be promoted among the beneficiaries.</i> | | | |

CERTIFICATION

We certify that we have thoroughly examined all the potential adverse effects of this subproject. To the best of our knowledge, the subproject plan as described in the application and associated planning reports (e.g. ESMP, RAP, IPP), if any, will be adequate to avoid or minimize all adverse environmental and social impacts.

Community Representative (signature)

PMO team representative (signature).....

Date:.....

Annex G

Land Acquisition, Resettlement and Rehabilitation Framework

I. POLICY FRAMEWORK

1. The NCDDP will support multi-purpose buildings, tribal halls, school room units, day care centers, barangay health stations, small scale flood protection works and other rural infrastructures like irrigation facilities, roads and bridges, post-harvest facilities as well as domestic water supply systems. Such subprojects, will, under certain circumstances, require land acquisition or if avoidance is not feasible, involve involuntary resettlement (as defined by the WB and the ADB). This LARR Framework was prepared to ensure that any negative impacts are avoided, minimized and properly managed. This framework and guidelines are fully consistent with and responsive to the Banks' relevant involuntary resettlement policies (WB OP 4.12)
2. Involuntary taking of land or any form of economic displacement must be avoided where feasible or minimized by exploring all alternative subproject designs. Displaced persons (DP), regardless of legality of land tenure, should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them to pre-displacement level.
3. This document was essentially based on the following issuances:
 - a) Executive Order 1035, Procedures and Guidelines for the Expeditious Acquisition by the Government of Private Real Properties or Rights thereon for Infrastructure and Other Government Development Projects. June 1985
 - b) Executive Order 132, Procedures to be followed in the Acquisition of Private Property for Public Use and Creating Appraisal Committee.
 - c) World Bank Policy on Involuntary Resettlement (Bank Policy 4.12)
4. The magnitude of adverse project impacts is expected to be minimal and will only be known once the specific access roads, bridges, irrigation canals, and domestic water supply systems and other community infrastructure sub-projects are selected and de- signed.
5. This document lays down the principles and objectives, eligibility criteria of entitlements, legal and institutional framework, modes of compensation, people participation features and grievance procedures that will guide the implementation of compensation for DPs. The specific objectives of this document are:
 - a. To ascertain that all displaced persons (DP) are informed and consulted regarding the proposed subprojects that will be implemented in their area using the different fora in the different stages of the CEAC process
 - b. That compensation have been provided and supporting legal documents have been executed prior to subproject implementation, and ;

- c. The specific arrangements between the land donor/DP and the Barangay/municipality and or the community have been documented and complied with.

II. PRINCIPLES AND OBJECTIVES¹⁰

- 6. The principles outlined in the World Bank Policies on Involuntary Resettlement have been adopted in preparing this document. In this regard, the following principles and objectives are to govern Project implementation:

- d. Involuntary resettlement should be avoided where feasible;
- e. Where population displacement is unavoidable, it should be minimized by exploring all viable project options as agreed upon during community assemblies or other fora;
- f. People unavoidably displaced should be compensated and assisted so that their economic and social future would be as favourable as it would have been in the absence of the project;
- g. People affected should be fully informed and consulted and have agreed on resettlement and compensation options;
- h. Existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible, and resettlers should be integrated economically and socially into host communities;
- i. Lack of legal rights to the assets lost will not hinder the DP from entitlement to such compensation or rehabilitation measures; particular attention should be paid to households headed by women and other vulnerable groups, such as indigenous peoples and appropriate assistance should be provided to help them get the rehabilitation or compensation package as agreed upon by the majority during barangay assembly;
- j. As far as possible, involuntary resettlement should be conceived and executed as part of the project; and
- k. The full cost of resettlement and compensation should be included in the presentation of project costs and benefits.

- 7. **ENTITLEMENT FRAMEWORK.** The Department of Social Welfare and Development, through the NCDDP National Project Management Office (NPMO), shall work closely with Local Government Units in the implementation of this Land Acquisition, Resettlement and Rehabilitation Policy Framework and Implementing Guidelines. The NCDDP NPMO, as represented by the Regional Project Management Offices (RPMO) and the Regional Community Process Specialist, will coordinate with the duly authorized repre-

¹⁰ WB Policy on Involuntary Resettlement (OP/BP 4.12)

sentative/s of the LGU in determining the appropriate compensation for DPs in accordance with the following compensation scheme:

- I. DPs losing more than 20% or all of their productive assets (agricultural land, house or business), or in cases when the remaining assets are not economically viable, are entitled to:
 - (i) full compensation at replacement cost of the entire asset or at direct land/asset replacement and;
 - (ii) rehabilitation assistance that allows them to enhance or at least maintain their standard of living.
 - m. DPs losing less than 20% of their productive assets, and where the remaining assets remain viable for continued use, are entitled to cash compensation at replacement cost for the affected asset.
 - n. Agricultural land will be replaced by:
 - (i) land of equal productive capacity, which is acceptable to the DP; or
 - (ii) full compensation at replacement cost, where land is not available.
 - o. Commercial/residential land (or other real property) will be replaced by:
 - (i) land of equal market value or business potential (as the case may be), which is acceptable to the DP; or
 - (ii) full compensation at current market value, where suitable replacement land is not available or at the informed request of the DP.
 - p. Replacement of damaged or lost crops will be based on full market value for one year's harvest and will be paid in cash.
 - q. DPs whose land is temporarily taken will be compensated at full replacement cost for their net loss of income and/or damaged assets, including a reasonable amount for opportunity cost/s.
 - r. Appropriate transfer and subsistence allowances will be given during the transition phase as part of the rehabilitation assistance package to allow /DPs to enhance or at least maintain their standards of living.
8. The determination of all these compensation packages should be done prior to the conduct of the Municipal Inter-Agency Committee (MIAC) so that the deed of donation (DOD) or other modes of land acquisition are already completed before the MIAC technical review.
- a. DPs LOSING RESIDENTIAL LAND AND STRUCTURES
 - (i) The provision of replacement residential land (house site and garden) of equivalent size, satisfactory to the DP; and cash compensation reflecting full replacement cost of the structures, without depreciation;

- (ii) If the DP so wishes and the portion of the land to be lost represents 20% or less of the total area of the residential land area, and the remaining land is still a viable residential lot, cash compensation, at full replacement cost (market value), will be provided to the DP;
- (iii) If after acquisition, the residential land and/or structure is insufficient to rebuild the residential structure lost, then at the request of the DP the entire residential land and structure will be acquired at full replacement cost, without depreciation; and
- (iv) Tenants, who have leased a house for residential purposes will be provided with a cash grant of three months rental fee at the prevailing market rate in the area, and will be assisted in identifying alternative accommodation.

b. DPs LOSING AGRICULTURAL LAND AND/OR CROPS

- (i) The general mechanism for compensation of lost agricultural land will be through provision of "land for land" arrangements of equal productive capacity, satisfactory to the DP. However, if the DP so wishes and the portion of the land to be lost represents 20% or less of the total area of the landholding, and the remaining land is still a viable economic holding, cash compensation, at full replacement cost (market value), will be provided to the DP;
- (ii) If more than 20% of a villager's agricultural land is acquired and the remaining holding is not viable, then the Project will acquire the entire landholding and provide compensation of the acquired land at direct land replacement;
- (iii) DPs will be compensated for the loss of standing crops and fruit or industrial trees at full (current) market price; and
- (iv) DPs whose land is temporarily taken by the works under the Project will be compensated for their loss of income, standing crops and for the cost of soil restoration and damaged infrastructure, including a reasonable amount for opportunity cost/s.
- (v) DPs who will lose their income will be provided opportunities for alternative livelihood, through skills and entrepreneurship training, job matching or business development assistance.

9. DPs will also be provided compensation at full replacement cost, without depreciation for any other fixed assets affected in part or in-toto by the subproject, such as tombs and water wells. In cases where community infrastructure such as schools, churches, health centers, water sources, roads, or electrical and water supply connections are damaged, the Project will ensure that these are restored or repaired as the case may be, at no cost to the community. Additional details are provided in the following Compensation Matrix (Table 1).

10. **Assistance to the vulnerable.** Poor DPs, i.e., female-headed households, elderly or with disability and with no other support from kin as well as poor IP DPs are entitled to participate in income restoration programs that will be designed during the pre-implementation stage, and in coordination with the appropriate DSWD offices/units .

11. Income/livelihood restoration. The objectives of income/livelihood restoration is to ensure the improvement of the socioeconomic conditions of DPs or at least to bring back the pre-subproject income and living standards of affected families at the subproject sites. This ESMF shall enable the development of sustainable income restoration and rehabilitation strategies that are appropriate for the cultural background and practices of DPs (IPs and non-IPs) in NCDDP sites. Strategies for income and livelihood restoration are **consistent with the overall NCDDP framework** and may include but not limited to: (i) training/capacity building for livelihood/micro-financing, food security in terms of developing sustainable food sources, depending on the crop suitability (elevation, soil type, etc) as well as cultural preference; (ii) prioritized hiring of DPs to serve as contracted human resources for subproject activities; (iii) financial and in-kind assistance support to the poor will be allocated attached to capacity building initiatives. These may be in the form of farm/fisheries supplies and equipment. Costs for income/livelihood restoration strategies for poor DPs shall be included in the total costs of the proposed subproject, subject to the NCDDP negative list. Additional support may likewise be provided in coordination with appropriate DSWD offices and units.

III. COMPENSATION MATRIX

Table 1:

| Asset | Impact Category | DP | Compensation Entitlement |
|-------------|---|---------------------|--|
| Arable land | Less than 20% of land holding and the remaining land remains economically viable | Farmer/title holder | 16. Cash compensation for affected land at full replacement cost |
| | | Tenant/lease holder | 17. Cash compensation equivalent to market value of gross harvest of the affected land for one year or for the remaining period of tenancy/lease agreement, whichever is greater. |
| | More than 20% of land holding lost OR where less than 20% of land holding lost but remaining land becomes economically not viable | Farmer/title holder | 18. Land for land replacement or compensation in cash according to DP's choice. Land for land replacement will be in terms of a new parcel of land of equivalent size and crop productivity with a secured tenure status at a location acceptable to the DP. The replacement land shall be free of taxes, registration & other costs. 19. Rehabilitation assistance 20. Transfer/resettlement assistance |
| | | Tenant/lease holder | 21. Cash compensation equivalent to market value of gross harvest for one year or for the remaining period of tenancy/lease agreement, whichever is greater. |
| | | Agricultural worker | 22. Cash compensation equivalent to 6-month salary 23. Assistance in getting alternative employment |
| Commercial | Land used for | Title holder/ bus. | 24. Cash compensation for affected land at |

| Asset | Impact Category | DP | Compensation Entitlement |
|---|--|------------------------|---|
| land | business partially affected, limited loss | Man | full market value 25. Cash compensation equivalent to 5% of gross annual income |
| | | Rental/lease holder | 26. Cash compensation equivalent to 10% of gross annual income. |
| | Land used for business severely affected, remaining area insufficient for continued use | Title holder/ bus. Man | 27. Land for land replacement or compensation in cash according to DP's choice. Land for land replacement will be provided in terms of a new parcel of land of equivalent size and market potential with a secured tenure status at a location acceptable to the DP. The land shall be free of taxes & other transfer costs. 28. Rehabilitation assistance 29. Transfer/resettlement assistance 30. Opportunity cost compensation equivalent to 10% of gross annual income. |
| | | Rental/lease holder | 31. Opportunity cost compensation equivalent to 20% of gross annual income. 32. Assistance in rental/lease of alternative land/property |
| Residential and other non-commercial land | Less than 20% of land holding affected and the remaining land remains viable for present use | Title holder | 33. Cash compensation for affected land at full replacement cost |
| | | Rental/lease holder | 34. Minimum cash compensation equivalent to 10% of lease/rental fee for the remaining period of rental/lease agreement |
| | More than 20% of land holding affected OR where less than 20% of land holding affected but remaining land becomes smaller than minimally accepted under zoning law/s and/or not viable for continued use | Title holder | 35. Land for land replacement or compensation in cash according to AP/DP's choice. Land for land replacement shall be of minimum plot of acceptable size under the zoning law/s or a plot of equivalent size, whichever is larger, in a nearby resettlement area with adequate physical and social infrastructure systems as well as secured tenure status. When the affected holding is larger than the relocation plot, cash compensation to cover the difference in area/size. Replacement land shall be free of taxes, registration and transfer cost. 36. Rehabilitation assistance 37. Transfer/resettlement assistance |
| | | Rental/lease holder | 38. Cash compensation equivalent to 20% of lease/rental fee for the remaining period of rental/lease agreement 39. Assistance in rental/lease of alternative |

| Asset | Impact Category | DP | Compensation Entitlement |
|--|---|---------------------|--|
| | | | land/property |
| Structures (includes public utilities/structures) | Structure partially affected but the remaining structure remains viable for continued use | Owner | 40. Cash compensation for affected structure and other fixed assets 41. Full (cash) assistance in restoration of the remaining structure |
| | | Rental/lease holder | 42. Cash compensation for affected assets 43. Disturbance compensation equivalent to two-month salary or rental whichever is greater |
| | Entire structure affected OR structure partially affected but the remaining structure is not viable for continued use | Owner | 44. Cash compensation for entire structure and other fixed assets 45. Rehabilitation assistance 46. Transfer/resettlement assistance |
| | | Rental/lease holder | 47. Cash compensation for affected assets 48. Disturbance compensation equivalent to six-month salary or rental whichever is greater 49. Assistance in alternative rental arrangements |
| | | Informal dwellers | 50. Cash compensation for affected assets 51. Disturbance compensation equivalent to three-month salary or rental whichever is greater |
| Standing crops | Crops affected by land acquisition or temporary acquisition or easement | DP | 52. Cash compensation at full market value PLUS 5% premium |
| Trees | Trees lost | Title holder | 53. Cash compensation based on type, age and productive value of affected trees PLUS 10% premium |
| Easement | Temporary acquisition or easement | Title holder | 54. Minimum cash compensation equivalent to 10% of the value of affected asset |

IV. PROCEDURAL GUIDELINES FOR LAND ACQUISITION, RESETTLEMENT, AND REHABILITATION PLANNING (LARRP)

A. Inventory and Entitlement

12. An inventory for each subproject such as a road, bridge, irrigation canal, water supply pipe alignment or segment thereof will be prepared by the Community with the assistance of the Area Coordinating Team or Service Provider using the ESSC (Annex F). The initial output shall be reviewed and discussed during the barangay assembly prior to the preparation of the appropriate instrument following this framework.

13. The information to be obtained in the Inventory will include the following information for each DP household:
- (i) number of persons and names;
 - (ii) amount and area of all the residential plots lost;
 - (iii) amount, category/type and area of agricultural land lost;
 - (iv) quantity and types of crops and trees lost;
 - (v) quantity and category of any fixed assets lost; and
 - (vi) temporary damage to productive assets.
14. The entitlements of assets and land affected shall be calculated based on the above information and using the compensation matrix, per negotiation approval and acceptance of the community/barangay assembly.

B. Preparation of Appropriate LARR Instrument

B.1 Voluntary Land Acquisition

15. Given the KC experience, voluntary land acquisition (VLA) is expected to be the main instrument in land acquisition for NCDDP. In the rural areas where donations of lands for community use are generally practiced, arrangements have to be made to ensure that the donation is indeed voluntarily given, that the donor is the legitimate owner of such lands, and that the donor is fully informed of the nature of the subproject and the implications of donating the property. Should the donor decide to donate the property on a conditional basis, the terms and conditions for the temporary use (usufruct rights) of the property must be clearly stated in the conditional Deed of Donation document.
16. Under these situations, the following land acquisition documentation need to be completed, based on their relevance to the cases being encountered by subproject proponents: (Annex J provides the set of templates for VLA. These templates must be fully accomplished and shall form part of the subproject proposal.)
- (i) An assessment that the affected person does not suffer a substantial loss affecting his/her economic viability as a result of the donation;
 - (ii) Certification from the LGUs and the proponents, that the land is free of claims or encroachments from any third party;
 - (iii) Deed of Donation to the LGU (barangay, municipality) concerned or the community organization, as witnessed by the LGU barangay and municipal government officials, notarized by a registered Lawyer, with copies of donation papers furnished the Office of the Municipal Assessor and the Provincial Register of Deeds;
 - (iv) Declaration of Ownership with Waiver of Claims for Affected Assets;
 - (v) Joint Affidavits of Two Adjoining Landowners or Barangay Officials (for unregistered lands);
 - (vi) Waiver of Rights/Quit Claim (for Plants, Trees, Houses, Structures claimed by Tenants, Informal Settlers)

(vii) Waiver of Rights/Quit Claim (With Sharing of Claim)

17. As incentive of the LGU to DPs who voluntarily donated portions of their properties to facilitate construction/rehabilitation of the proposed subproject, proponents and LGUs can discuss possible incentive schemes, which may include:

- (i) Privileges to use community facilities with minimal fees to be paid by donor, as compared to other members of the Association;
- (ii) Amnesty for payment of back taxes (for those with no Tax Declarations);
- (iii) Employment during construction;
- (iv) Transfer/resettlement assistance, when necessary; or
- (v) Assistance in getting alternative employment.

B.2 Land Acquisition, Resettlement, and Rehabilitation Plan (LARRP)

18. This Framework provides guidance in developing a Land Acquisition, Resettlement, and Rehabilitation Plan (LARRP) when involuntary taking of land cannot be avoided. To ensure that the anticipated negative social impacts of proposed NCDDP community infrastructure subprojects are addressed, a LARRP shall be prepared and shall be part of the subproject proposal that would be submitted to the Regional Project Management Office (RPMO).

19. The LARRP shall be required under the following circumstances:

- (i) 200 people or more will experience resettlement effects
- (ii) 100 DPs or more are indigenous peoples or in some way vulnerable, e.g., households headed by women, persons without legal title; or
- (iii) 50 DPs or more are particularly vulnerable, e.g., hunter-gatherers, conflict affected persons

20. An Abbreviated LARRP shall be required if the number of DPs do not reach the above level.¹¹

21. The LARRP or Abbreviated LARRP shall be prepared following World Bank's OP/BP 4.12.

C. Land Acquisition, Resettlement and Rehabilitation Planning (LARRP) in the Subproject Approval Process

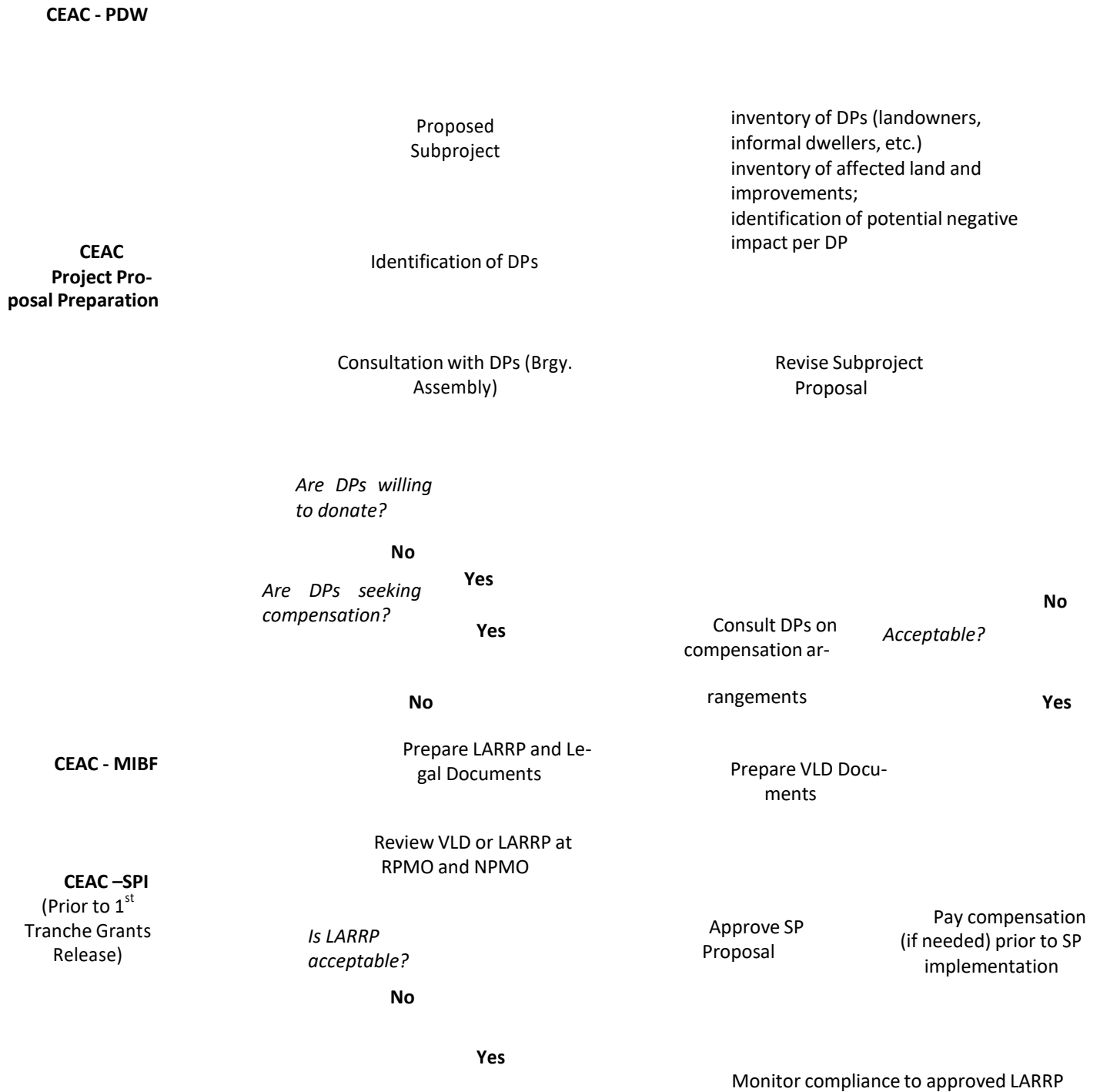
22. The guiding principles contained in this document shall be adapted. The plans should reflect the inventory of affected persons and properties, number of persons eligible for each entitlement or form of assistance as stated in the LARR Framework and Implementation Guidelines, cost estimates and arrangements for consultation and participation.

23. If indigenous peoples are among the subproject beneficiaries, the plan should include details and documentation on IP consultation which should include:

¹¹ While ADB consistently uses the same LARRP outline, triggers for a LARRP under WB shall result to a changing in category - from the current category B to category A - under ADB.

- (i) Extensive consultation with and informed participation of IPs to ensure that development is culturally appropriate;
- (ii) In cases of provision for individual titling, areas with IPs should get Information and Education Campaign (IEC) sessions so that they are aware of what they are getting into and some of its potential dangers;
- (iii) Capacity building activities and other important elements outlined in the IPPF.

Figure 1: VLA and LARRP Preparation and Approval Process



24. Payment of compensation and provision of other entitlements (in cash or in-kind) shall be satisfactorily completed for each subproject prior to the commencement of civil works by the community.
25. The same time requirement would apply if DPs voluntarily contribute any part of their land and/or assets for the subproject. That is, all deeds of donations and other relevant legal instruments for each subproject shall be satisfactorily completed prior to the conduct of the MIAC technical review and sequent request for fund release (RFR).

V. RIGHT-OF-WAY VALUATION

26. In view of Cost-Sharing Arrangement for NCDDP, LGU equity as far as costs related to LARRP documentation and implementation, shall cover the following items:
 - (i) Value of land – depending on the type of area that will be traversed by the subproject
 - (ii) Value of Improvements that will be damaged during construction (crops, trees, structures, etc)
 - (iii) Other costs related to ROW acquisition (inventory of subproject affected stakeholders, consultation with affected individuals, notarization, cost of parcellary survey for annotation of individual land titles, etc.)
27. ROW Valuation shall be subject to the approval of NPMO, based on the submission of the following documents:
 - (i) Certification from the regional and municipal offices on the submission of complete and correct legal and supporting documents
 - (ii) Submission of Inventory of Subproject Affected Persons and Improvements
 - (iii) Submission of Summary Table of Right-of-Way (ROW) valuation with corresponding supporting documents (copy of Deed of Sale/Provincial Assessor's Valuation Schedule/Bureau of Internal Revenue (BIR) Zonal Valuation Schedule as basis of valuation for land and improvements that will be affected by the proposed subproject)
28. **Validity of ROW Valuation** shall be based on the Minutes of Meeting to be submitted by the MLGU reflecting the following: (a) that consultation with the subproject affected stakeholders has been conducted and they were informed of the proposed subproject(s), (b) that the proposed subproject(s) will traverse private properties which were donated or acquired by the MLGU (please specify), and (c) it was agreed among those present during the consultation that the basis of valuation for: c-1. land shall be Proof of Sale or Land Bank of the Philippine Certification or Provincial Assessor's Valuation or BIR Zonal Valuation (this should be specified in the Minutes of Meeting) and c-2. for improvements that will be damaged during construction, the basis of valuation shall be Provincial Assessor's Valuation or BIR Zonal Valuation or Bill of Materials (this should be specified in the Minutes of Meeting).

Annex H:

INDIGENOUS PEOPLES POLICY FRAMEWORK

I. POLICY PRINCIPLES AND OBJECTIVES

1. The NCDDP Project shall (a) ensure the informed participation of indigenous peoples in the activities of the NCDDP in both new and repeat municipalities under the KALAHI-CIDSS Project, so that they are in a position to receive culturally compatible social and economic benefits, and (b) ensure that indigenous peoples are not adversely affected during the development process.
2. The NCDDP Project shall undertake activities to ensure that IPs in Project-covered areas are able to:
 - (i) Provide input to local planning data and activities used and undertaken to determine development priorities;
 - (ii) Facilitate the choice of community subprojects as coming from the IPs themselves through informed decision-making to address local development challenges;
 - (iii) Actively participate and lead in the design, development, and implementation of community subprojects, and;
 - (iv) Provide feedback on subproject implementation, and benefits and risks to IP groups.

II. GUIDELINES IN ENGAGING INDIGENOUS PEOPLE

3. The analysis of KALAHI-CIDSS implementation in IP areas carried out as part of NCDDP preparation highlighted a series of adaptations already being implemented by Regional teams. In addition to recommending that these innovations be systematized and included in the CEAC, the study highlighted additional changes to the process to improve its responsiveness to the needs of IP communities. In particular: (i) NCDDP implementation in IP areas will require additional time and a greater focus on capacity building activities drawing on the Technical Assistance Fund (included in the Community Grants); (ii) there is significant reluctance/lack of confidence on the part of IP groups (particularly in mixed communities) to engage in competitive processes at municipal level to secure funding for their sub-project proposals which will require some further adjustments to the facilitation process (including preparatory meetings with IP groups where relevant); and (iii) land (access and title through CADCs and ADSDPPs) is a significant concern of IP groups currently not being addressed through CDD interventions.
4. Based on the findings of the IP analysis the following adjustments to the facilitation process were agreed on: (i) the development of specific NCDDP facilitation modules for IP areas with a strong focus on capacity building of communities, awareness raising on IPRA and meeting the documentation requirements for Ancestral Domain Claims (ii) adjustments in the criteria setting process in mixed communities to ensure that greater

weight is given to proposals from IP communities (therefore making some adjustments to the competitive process to the advantage of IP groups). In addition, the DSWD will establish a protocol with NCIP for addressing land issues and clarify roles and responsibilities at National, Regional and Municipal levels. Finally, IP specialist positions will be established at NPMO and Social Development Unit staff at Regional level will be tasked with the coordination of the additional activities proposed; and a Technical Working Group on IP issues will be created at National level for closer engagement with NCIP and civil society organizations active in this area.

5. The key element of the NCDDP Project's CDD strategy is facilitated participatory planning and community implementation and management of development activities at the community (barangay) level, through the Community Empowerment Activity Cycle (CEAC)¹². In ensuring meaningful participation of IPs, NCDDP Area Coordinating Teams (ACTs) shall (a) make use of appropriate mechanisms and structures, and; (b) undertake specific activities, that will enable indigenous groups to meaningfully engage in CEAC activities.

Staff Development

6. Orientation on the IPRA as well as the Project's strategy to address indigenous peoples' concerns, including orientation on the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) or NCIP Administrative Order No. 1, series of 2004, and the FPIC process (NCIP AO 3 Series of 2012), shall form an integral part of the training program for Project staff at all levels, in order to better prepare Project staff in engaging IP communities in the NCDDP Project. Collaboration with NCIP shall be established to ensure that trainers are knowledgeable to impart IP-related knowledge and that the training or capacity building processes are IP-friendly.
7. IP specialists will be hired and mobilized at NPMO and RPMO with IP population. In municipalities known to have IP communities, community facilitators with extensive IP background will be hired and trained.

IP engagement along the CEAC

8. **Social Preparation:** In undertaking CEAC Social Preparation activities, ACTs shall ensure the following:
 - (i) **Engagement with NCIP.** Full engagement and coordination with NCIP across levels, parallel to the Project implementation structure will be observed at Project start. This engagement shall also lead to agreed protocols (including but not limited to geographical area coverage, development planning, consultation, etc.) in compliance with the FPIC process before the Project works with IP communities even at the planning stage.
 - (ii) Demographic and other data on the situation of IP communities are gathered by Community Facilitators (CFs) and other members of the ACT as part of Social Investigation (SI), and that these data are used during team meetings

¹² For a full description of the CEAC Process, please refer to Chapter 3 of the CEAC Field Guide of the KALAHI-CIDSS Project.

and tactic sessions to design activities and calibrate social facilitation plans for IP groups within their covered municipalities.

- (v) Council of Elders headed by the chieftain leaders and representatives of IP groups, as well as of the National Commission on Indigenous Peoples (NCIP), are present during the conduct of Municipal Orientations.
- (vi) Attendance forms used in Barangay Assemblies will reflect the IP composition of the attendees, as well as capture membership in a particular IP group, of attendees who are IPs. In cases where a particular IP group is underrepresented, the ACT shall conduct additional meetings with the IP group concerned to feedback and gather inputs on concerns raised and decisions to be made in the BA.
- (vii) IP Leaders and representatives of IP groups are selected as community volunteers for the Participatory Situation Analysis (PSA) activities as selected by the IPs themselves.¹³ ACTs shall ensure that data on the situation of IPs are generated, gathered, analyzed, and used in all stages of the PSA process.

9. Subproject Identification and Development: In undertaking CEAC Subproject Identification and Development activities, ACTs shall ensure the following;

- (viii) IP Leaders, or their duly appointed representatives as selected by them, are included as members of community volunteer committees charged with the task of preparing criteria for prioritization, and with preparing subproject proposals.
- (ix) Criteria on effects to IPs, including subproject benefits for, and potential risks to IP communities are used in identifying and selecting community subprojects to be proposed by the Barangay.
- (x) IP Leaders/representatives, as well as the NCIP are continually regularly consulted, their opinions and insights gathered, and their recommendations used in the design of community subprojects, and the development of community proposals.
- (xi) ACTs shall ensure that the process for designing subprojects are undertaken in a form and manner that is sensitive to and reflect IPs cultural identity, and are in line with the provisions of the IPRA law. The ACT shall likewise ensure consultation assemblies are undertaken specifically with IP groups at each stage of the subproject design and development process, and prior to Barangay Assemblies where decisions are made on important elements of the Subproject proposal, including but not limited to (a) site for subproject within IP areas; (b) use of materials and resources; (c) inclusion / exclusion of IPs as beneficiaries, and other concerns affecting IPs.
- (xii) Baseline data on indigenous groups are included as part of the community profile and needs assessment forms required for subproject proposals.

10. Prioritization: In undertaking Prioritization activities, ACTs shall ensure the following;

- (xiii) IP Leaders and representatives are included as members of the Inter-Barangay Forum (IBF), which shall prioritize proposed community subprojects for funding. In homogenous or predominantly IP barangays, an

¹³ NCIP AO 2 Series of 2012.

IP member shall be selected to represent the barangay in the IBF. In areas where an IP community straddles many barangays, but where the individual barangays are composed of mixed IP and non-IP populations, the team shall ensure that the IP tribe or community is represented in the IBF by an IP leader selected by them. This shall be in addition to the CVs selected by the barangays through the BA.

- (xiv) Leaders and representatives of IP barangays are adequately represented in the crafting of the prioritization criteria during the Criteria Setting Workshop (refer to item 152, (i), above).
- (xv) Criteria on benefits to IPs are included in the ranking by the MIBF of a subproject to be implanted in an IP area or barangay.

11. Subproject Implementation: In undertaking CEAC Subproject Implementation activities, ACTs shall ensure the following;

- (xvi) Management committees of community subprojects implemented under the NCDDP Project in IP areas or are intended to generate benefits for IP include IP community volunteers / leaders selected by the community following customary procedures. In addition, members of IP communities shall be given priority in benefiting from labour and remuneration for work attendant to the implementation of subprojects in IP areas.
- (xvii) IP community volunteers involved in managing all aspects of subproject implementation, from procurement to implementation and construction (for infrastructure subprojects), to managing finances, as provided with training to equip them with bookkeeping, simple accounting, procurement, and resource management skills during design and implementation stages.

III. UNANTICIPATED IMPACT

12. Indirect, and/or unanticipated impacts on IPs may become apparent during subproject implementation.¹⁴ Should this be noted, the NPMO will ensure that a social impact assessment will be conducted resulting to an updated IPP or formulation of a new IPP covering all applicable requirements specified in this ESMF. The social impact assessment will be done in accordance with the procedures stipulated under the CEAC.

IV. INFORMATION DISCLOSURE

13. For IP communities, pertinent information for disclosure are: (i) notices of meetings/ consultation, (ii) NCDDP concept and implementation arrangements, (iii) results/minutes/ agreements made during meetings/consultations, grievance redress mechanisms, results of assessment studies, IPPs, and M&E results.

14. Disclosure modalities will be in accordance with prevailing customs and traditions and shall be written in English or Pilipino and in the IP language and authorized by community elders/leaders shall be delivered and posted in conspicuous places or if lengthy, cop-

¹⁴ ADB Safeguards Policy Statement 2009: Appendix 3.

ies provided to community elders/leaders and IP organizations. Popular forms of printed materials include: fact sheets, flyers, newsletters, brochures, issues papers, reports, surveys etc. Popularized materials aim to provide easily read information. These materials may be in the local dialect enhanced with drawings, to inform a wide range of IPs about the planning and assessment processes and activities.

15. DSWD will disclose the following documents: (i) this Indigenous Peoples Policy Framework, as endorsed by DSWD and by NIPC, (ii) new or updated Indigenous Peoples Plans; and (iii) monitoring reports in relation. These documents will be generated and produced in a timely manner, and posted in ADB, World Bank, and DSWD NCDDP websites, as well as at any locally accessible place in a form and language understandable to the affected IPs and other stakeholders. Relevant ADB and World Bank information disclosure policies would be followed.

V. MONITORING

16. The NCDDP shall ensure proper monitoring and evaluation of compliance to this IPPF. Project monitoring of IP engagement shall generally include the following:
 - (i) **Compliance Monitoring** – This shall include establishment and maintenance of an IP database, and monitoring arrangements to (a) track engagement of indigenous groups in the various activities along the CEAC, and; (b) to determine whether IPPs were carried out as planned, and accordance with this IPPF; The NPMO shall conduct supervision and in-house monitoring of implementation of the IPP. The procedure for monitoring will be guided by the monitoring, evaluation, and reporting arrangements set forth in this IPPF. An appendix in the IPPF provides the guidance in the preparation of internal and external monitoring indicators.
 - (ii) **Community self-assessments** of subproject preparation and implementation, to provide an avenue for IPs to communicate whether they have been involved in subproject activities and whether the final subproject addresses their needs, and;
 - (iii) **Independent, external monitoring** by civil society (NGO's and the press), and by an **External Monitoring Agency (EMA)**, to provide avenue for identification of cases where indigenous groups have been bypassed or marginalized in the subproject planning and selection process.
17. **External Monitoring Agency (EMA)**. External Monitoring will be commissioned by the NPMO to undertake independent external monitoring and evaluation, through an EMA who will be either a qualified individual or a consultancy firm with qualified and experienced staff. The Terms of Reference (TOR) for the EMA shall be prepared by the NPMO and shall be acceptable to ADB and WB prior to engagement. The NPMO shall be responsible for the engagement of the EMA, and shall ensure that funds are available for monitoring activities, and that monitoring reports are submitted to the ADB, World Bank, and the NCIP.
18. **NCIP engagement in M&E** - In addition, Chapter III, Section 44 (h) of the Indigenous People's Rights Act mandates that the National Commission on Indigenous Peoples (NCIP) be involved in monitoring of Project implementation in relation to indigenous peoples engagement. To this end, the NCIP sits as a member of the NCDDP National

Steering Committee. All RPMOs with NCDDP areas covering IP areas shall ensure that the NCIP is likewise represented at the RPMT. The RPMOs shall likewise invite representatives from the NCIP to observe and participate in municipal-level activities in IP areas.

19. **Schedule of Monitoring and Reporting.** The NPMO shall establish a schedule for the implementation of this IPPF, and the IPPs taking into account the Project implementation schedule. It is expected that one month prior to the start of subproject implementation, internal and external monitoring key actors shall have determined all IPP activities. Quarterly progress reports shall be prepared and submitted to the ADB, World Bank, and the NCIP, following the NCDDP regular reporting systems and procedures.

VI. GRIEVANCE REDRESS

20. The Project's grievance redress system shall be used as the mechanism for IP groups to air out complaints or grievances in the course of implementation. Community facilitators shall inform indigenous groups about this system at the start of the implementation of the Project in the municipality in a culturally appropriate manner. Staff shall ensure that meetings and consultations about the system are conducted with IP groups on the system, independently of the regular GRS orientation activities, if needed. IPs shall likewise be informed that complaints may also be registered with and by the NCIP, and included in their quarterly reporting to the National Steering Committee (NSC) or the National and Regional Project Management Team (NPMT and RPMT, respectively). Regional offices shall ensure that the NCIP will likewise disseminate this information through its staff to indigenous groups, local non-government organizations (NGO) and the press.
21. In addition, the Project will continue to maintain a grievance register, which will provide information on the number and type of grievance and complains from indigenous groups at the municipal and provincial levels, and on the way these complaints have been addressed. This information will be included in the quarterly Project reports to the National Steering Committee (NSC).
22. To the extent possible, resolution of grievances involving IP communities related to Project implementation shall be through traditional IP grievance resolution processes and systems, following of the principle of precedence of customary laws in the IPRA.

VII. INSTITUTIONALIZATION

23. The NCDDP Project adopts an institutionalization framework and strategy that seeks to integrate lessons in the implementation of CDD processes and strategies into the regular planning, budgeting, implementation, and monitoring processes, systems, and structures of the barangay and municipal LGUs. In Project areas where IPs are found, Project staff shall ensure that NCDDP participatory approaches for engaging IPs, as well as the development priorities of IP are integrated into the local development planning system of LGUs, in line with the NCDDP institutionalization framework and strategy. These can include (a) integration of key features of this safeguards framework and strategy into the LGUs governance systems; (b) establishment and maintenance of IP databases; (c) in-

tegration of ADSDPP processes into the MLGU local development planning instruments and manuals, and; (d) facilitating review and/or development of ADSDPPs, among others.

Annex I

Environmental and Social Management Plan (ESMP) and Sample Mitigating Measures for Eligible Rural Infrastructure Sub-projects

(_____ Barangay, Municipality of _____ Province of _____, Region _____)

A. Plan Template

| | <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|---------------------------------|--------------------------|---|---------------------------------|-------------------------------|------------------------------------|---|
| Pre-Construction Phase | | | | | | |
| Construction Phase | | | | | | |
| Operation and Maintenance Phase | | | | | | |

B. Possible Issues and Mitigation Measures

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|--|---|-----------------------------|---------------------------|------------------------------------|-------------------------------------|
| PRE-CONSTRUCTION PHASE (Social Preparation, Land/ROW Acquisition and Damage Compensation, Hiring, Procurement) | | | | | |
| In Compliance with: Govt. Policies on a) Gender and Development, and b) Public Disclosure; GOP: RA 9172 Women in Development and Nation Building; RA7160 Local Government Code and WB and ADB safeguards policies | | | | | |

| Potential Impacts | Mitigation/ Enhancement Measures | Monitoring Parameter | Responsible Entity | Implementation Schedule | Cost and Source of Funds |
|---|--|--|--|---|---|
| Lack of information and/or low participation of the community, particularly the marginalized sectors such as IP and women, in sub-project planning and activities | <ul style="list-style-type: none"> – Hold consultative meetings with project beneficiaries and affected persons on the sub-project components and management plan with particular attention given to marginalized sectors such as IP and women – Prior coordination and consultation with marginalized sectors such as IP and women's groups | <ul style="list-style-type: none"> – Proof* of prior coordination, consultation, participation in various stages of the project starting from planning activities to operation and maintenance: <ul style="list-style-type: none"> ▪ General community ▪ IP groups ▪ Focused women's groups <p>*Proof: e.g. Attendance Sheet, Minutes of Meetings Copy of Presentation Materials (to validate content and coverage of disclosure/ consultation)</p> | LGU/Proponent to take the lead in coordination and consultations, particularly the Municipal Social Welfare Department and the Community Relation Officers | <p><u>Both measures and monitoring to be done as follows:</u></p> <ul style="list-style-type: none"> ▪ During sub-project conceptualization and initial design ▪ Prior to finalization of the sub-project design ▪ Prior to construction | <p>Consultative meetings to be held about 3x prior to construction:</p> <p>P100/meeting x 50 pax/mtg x 3 meetings x 2 sectoral groupings (one general, one women) x ____ barangays = P_____</p> |
| In compliance with RA 8974 and RA 7279; EO 1036 Acquisition of Private Property | | | | | |
| Land or ROW acquisition, damages to crops and other structures | <ul style="list-style-type: none"> – Disclosure of WB Involuntary Resettlement and compensation guidelines, e.g. market value as basis for pricing of land or crops and other properties | <ul style="list-style-type: none"> – Proof of prior consultation and disclosure on WB/GOP guidelines for compensation – Presence of compensation package – Proof of compensation | LGU to facilitate the consultations, disclosure, preparation of compensation packages and payment of compensation | All activities to be implemented prior to construction | Consultative meetings for disclosure and package drafting to be held about 2x prior to construction, with 4 barangays (spatial approach) or |

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|---|--|--|---|--------------------------------|--|
| | <ul style="list-style-type: none"> – Prepare compensation package for land or ROW acquisition, and/or crop damage compensation, based on LARRF and prior consultation with project-affected persons – Secure proper land acquisition documentation (Deed of Donation or Quit Claim on land /other properties) – Payment of compensation prior to construction works | tion/ payment before construction works | | | sectors: P100/meeting x 50 pax/mtg x 2 meetings x __barangays or sectors = P_____ |
| In Compliance with: ..GOP RA 7160 Local Government Code | | | | | |
| Entry of external workforce | Give hiring preference to qualified local community residents, particularly those who will be displaced | Proof of local residence, e.g. Community Tax Certificate (CTC) or certificate of residence issued by the Brgy. Captain | LGU to facilitate arrangements for local hiring | Prior to construction | No additional ESMP cost for hiring from the locality |
| In Compliance with: ADB Policy on Environmentally Responsible Procurement and GOP Contract Policies and Procedures | | | | | |
| Possible illegal or unauthorized | Procure construction materials from sources | Presence and validity of environmental permits | LGU Municipal Project Office | Every procurement | No additional ESMP Cost, as this |

| Potential Impacts | Mitigation/ Enhancement Measures | Monitoring Parameter | Responsible Entity | Implementation Schedule | Cost and Source of Funds |
|---|---|--|---|---|---|
| sourcing of construction materials | with valid environmental sources, i.e. for sand and gravel, from those with DENR-MGB/EMB permits; for timber resources, from those with valid DENR-FMB/EMB permits | and/or license of sources of construction materials: to be monitored prior to award to every contractor | (MPO) | activity prior to construction | requirement is part of the Standard Operating Procedure in the GOP Procurement Guidelines |
| CONSTRUCTION PHASE (Mobilization, Construction Proper, Demobilization) | | | | | |
| Physical Environment: Land | | | | | |
| <ul style="list-style-type: none"> – Destabilization of slopes and soil erosion due to earthworks – River bank erosion due to earthworks along rivers | <ul style="list-style-type: none"> – Schedule the construction works during the relatively drier months – Implement appropriate erosion control, slope stabilization and protection measures – Vegetative stabilization of the sloping areas – Designate a Spoils Storage Area near the construction site | <ul style="list-style-type: none"> – Presence of erosion control, slope stabilization and protection structures in the site – Absence of massive erosion induced by the construction works | <p>Contractors to include in their bids the estimate of stabilization and erosion control measures;</p> <p>Contractors to implement and the LGUs to supervise the Contractors</p> | Erosion control and stabilization measures shall be implemented simultaneously with construction works. | <ul style="list-style-type: none"> – Vegetative stabilization estimate: P5,000/hectare * sub-projects = P_____/ha – No additional ESMP cost for Mechanical or Engineering measures for soil erosion control and slope stabilization, as these are integrated in Sub-project design and cost for roads with critical slope. |

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|---|--|--|---|--------------------------------|--|
| Physical Environment: Hydrology | | | | | |
| Obstruction of natural and redirected flow of water during construction works along roads and flood control works | <ul style="list-style-type: none"> – Leave enough channel for unobstructed river flow – Follow natural drainage paths when constructing road drainage canals and installing culverts | Presence of culverts properly placed along natural drainage paths | Contractors to implement while the LGU supervises the Contractors | Daily operations | No additional ESMP cost; Drainage and installation of culverts are integrated in the sub-project cost, being part of the standard design. |
| Physical Environment: Water Quality In compliance with: WB Pollution, Prevention and Abatement Handbook; GOP: RA 9275 Clean Water Act; DENR AO 2005-10 | | | | | |
| Increase in total suspended solids, browning and turbidity of the receiving water body due to soil erosion/ increase in run-off from construction sites | <ul style="list-style-type: none"> – Same measures to control soil erosion; – Supplemental measure along the river, if needed: silt traps to minimize downstream siltation | <ul style="list-style-type: none"> – Presence of soil erosion control measures – Temporal/Short-term browning or turbidity of the river – # public complaints received by Proponent/ Contractor | Contractors to implement while the LGU supervises the Contractors | Daily operations | No additional ESMP cost. Silt trap may be installed only as needed, supplemental to the soil erosion control measures. Will only need voluntary community labor or construction workers may devote certain number of hours for the task. The materials, e.g. rocks, may be sourced around the sub- |

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|---|---|--|---|--------------------------------|---|
| | | | | | project site. |
| Increase in BOD load and debris in the waterbody due to improper disposal of sanitary and solid waste from the workers' base camp | <ul style="list-style-type: none"> – Provision of sanitary facilities to workers – Provision of facilities to workers to allow them to segregate, and properly dispose biodegradables from non-biodegradables. | <ul style="list-style-type: none"> – Presence of sanitary and waste segregation/containment facilities – No indiscriminately scattered solid waste | Contractors to implement while the LGU supervises the Contractors | Daily operations | No additional ESMP cost if rental or construction of bunkhouse or basecamp includes the sanitary and waste disposal facilities (P5,000/ SP x ____SPs = P |
| Contamination by oil and grease and fuel spills from heavy equipment and storage areas | <ul style="list-style-type: none"> – Provide oil and grease traps upstream of any run-off discharge from the sub-project to the waterbodies – Provide ring canals around fuelling tanks/ motorpool/ maintenance areas – Collect used oils in containers and sell to licensed recyclers | <ul style="list-style-type: none"> – No visible oil and grease film on water-bodies – # public complaints received by Propo- nent/ Contractor | Contractors to implement while the LGU supervises the Contractors | Daily operations | Nil cost of improvised temporary ring canals around area of storage of fuel drum containers of fuel : P5,000 x ____ sub-projects = P____ |

Physical Environment: Air Quality

In compliance with: **WB Pollution, Prevention and Abatement Handbook; GOP: RA 8749 Clean Air Act; DAO 2000-81; PD 984 Pollution Control Act – Noise Levels (DENR/LLDA/ARMM regulation)**

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|--|---|---|---|---------------------------------------|---|
| Increase in suspended dust particulates along unpaved roads, and obnoxious gas and particulate emissions and noise levels from heavy equipment operations within the vicinity of the construction and along the transport route of the heavy equipment | <ul style="list-style-type: none"> – Minimize night-time construction activities – Wet areas of dust sources to minimize discomfort to nearby residents – Control of vehicle speed to lessen suspension of road dust – Delivery equipment should be covered with tarpaulin sheets or any equivalent – Regular M&R of equipment – Contractor to present proof of compliance with emission standards as part of the annual vehicle registration process | <ul style="list-style-type: none"> – Qualitative ambient noise levels within residential standards (based on comparative levels of sound in the natural environment) – Presence of truck cover during deliveries – Records of M&R of equipment – Records of annual registration of vehicle – # of people's complaints on disturbance caused by construction at a level disrupting their normal level of activities | Contractors to implement while the LGU supervises the Contractors | Daily operations | Water spraying: only when needed; Expected to be nil since the households are far from the roads and the activities will only be rehabilitation |
| Biological Environment In compliance with: GOP: PD 705 (Forestry Code) | | | | | |
| Localized tree cutting or vegetation clearing, and disturbance to wildlife | <ul style="list-style-type: none"> – Prior acquisition of Tree Cutting Permit(TCP) – Compliance with conditions in secured permits – - Implementation of | <ul style="list-style-type: none"> – Presence of permit – Compliance with conditions of TCP | <ul style="list-style-type: none"> – LGU or Contractor may apply for the permits – Contractors to implement while the LGU supervises the Con- | Daily operations | Permit acquisition cost, about: P2,000 x _____SPs = P _____, total one-time application, including meetings and follow ups, and |

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|--|--|--|--|--------------------------------|--|
| | tree planting around the facility (at the school site) | | tractors | | compliance with condition on disposition of the cut trees (e.g. may be requested by LGU from the DENR for use in the school to be constructed) |
| Temporal smothering of aquatic life due to siltation from earthworks | <ul style="list-style-type: none"> – This is a residual secondary impact of increased siltation which cannot be avoided but can be lessened in gravity thru the implementation of soil erosion control measures | <ul style="list-style-type: none"> – Presence of soil erosion control measures – No fish kills due to smothering | <ul style="list-style-type: none"> – LGU or Contractor may apply for the permits – Contractors to implement while the LGU supervises the Contractors | Daily operations | No additional ESMP cost. Integrated in soil erosion control measures. |
| <i>Social Environment</i> | | | | | |
| Obstruction of public access through the road rehabilitation area | <ul style="list-style-type: none"> – Provide access thru the road rehabilitation site by proper scheduling of rehab works along the road and/or assigning a barangay tanod to handle traffic management of pedestrian and vehicles – Provide alternate route | <ul style="list-style-type: none"> – Presence of alternate access route – Allocation of space along road to allow passage of pedestrians and vehicles to pass through during rehab works – Presence of barangay tanod for traffic management – Presence of heavy traf- | <ul style="list-style-type: none"> – Contractor's project management and self-monitoring – LGU/ Community-based monitoring and assignment of barangay tanod for traffic management | Daily operations | No additional ESMP Cost: Bgy Tanod to be provided by the LGU |

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|---|--|---|--|--------------------------------|---|
| | | fic in road approach or along the road being rehabilitated – # public complaints received by Proponent/ Contractor | | | |
| Increased health risk due to improper disposal or lack of facilities for management of solid waste and sewage during construction | – Same measures for Water Quality to provide sanitary facilities and waste management facilities for construction workers; – Inclusion of the construction worker's basecamps in the barangay defogging to eliminate disease vectors, if solid waste is observed to have accumulated to alarming levels | – Same parameters for Water Quality control – Proper timing and frequency of barangay defogging (when deemed necessary by the LGUs) – # public complaints received by Proponent/ Contractor | LGU/IA and settlers to enter into MOA on ESW Mgt | Daily operations | No additional ESMP Cost – addressed by the Water Quality measures while defogging is a standard barangay activity |
| Increased community hazards of vehicular accidents due to construction works | – Provide appropriate warning signs and lighting – Heavy equipment to observe traffic rules | – Presence of signages and lighting – # of accidents/ near-accidents reported to the barangay – # of public complaint | – Contractor's project management and self-monitoring – LGU/ Community-based monitoring | Daily operations | Signages cost allocation: P2,000 x ____SPs = P____ (Normally,signages are standard costs of construction works, so this measure should not be attributed as an additional ESMP |

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|---|--|--|--|--|---|
| | | | | | Cost) |
| Exposure of workers to emergency or hazards of flashfloods along river | <ul style="list-style-type: none"> – Schedule the construction works preferably during the drier months – Install early warning system to inform workers to take extra precaution during unexpected rainy periods, e.g. a barangay resident living upslope to send a message on heavy rains and possible heavy flows at the headwaters. Communication may be thru text or cell phone call or thru sending a messenger to the sub-project site. | <ul style="list-style-type: none"> – List of designated residents upslope to provide the information or signal. – Presence of system (procedures and timing) of communication to be observed by the LGU and the contractors. | <ul style="list-style-type: none"> – Contractor's project management and self-monitoring – LGU/ Community-based monitoring and assignment of barangay residents to provide the early warning/signal. | Daily operations, particularly during heavy rains. | No additional ESMP Cost – This is considered barangay volunteer or counterpart task, which is expected to happen only very occasionally or even rarely, although the impacts are very serious if the measure is not installed and not effectively done. |
| OPERATIONS AND MAINTENANCE | | | | | |
| Physical: Land | | | | | |
| Leaching of soil nutrients and changes in soil characteristics due to excessive application of irrigation water, or | ISA will regulate use of irrigation water and charge water usage fees, a deterrent to excessive use of water. | Records on water withdrawals and distributed to the service area | CIS ISA to manage the imposition and collection of water usage fees | From the initial operation of the CIS facility | No Additional ESMP Cost: This is part of sub-project institutional plan |

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|---|--|---|--|---|---|
| due to improper/excessive use of agro-chemicals | | | | | |
| Physical: Hydrology | | | | | |
| Reduction of downstream water supply, especially during peak season, resulting to disruption or deprivation of other water users downstream | <ul style="list-style-type: none"> – Renew NWRB clearance/water permits annually – Ensure there is good upper watershed management thru coordination with the DENR or taking initiatives in forest cover protection | <ul style="list-style-type: none"> – Presence of renewed annual permit from NWRB – Records of upper watershed status – Records of upper watershed management activities by the DENR or the LGU | ISA to apply for the permit renewal | Annual | Cost of permit renewal and coordination with the DENR annually: P5,000/yr |
| Obstruction of water flow due to aggregation of garbage at the headworks or at the checkgates/ control gates of the irrigation system | <ul style="list-style-type: none"> - Regular removal of debris and other waste that may obstruct water flow - Designation of local community volunteers who will maintain the housekeeping of the irrigation distribution system | <ul style="list-style-type: none"> – Absence of accumulated garbage at the check/ control gates – List of IA members to do volunteer work on maintenance on solid waste management of the CIS | <ul style="list-style-type: none"> – IA to inventory list of volunteer members – IA to do self mgt. and monitoring | <ul style="list-style-type: none"> – Measure: Designate at the start of operation – Daily operations on waste mgt | No additional ESMP Cost: IA representative to be under the volunteer program |
| Obstruction of | – Regular removal of | No visible obstructions to | OMC shall | Weekly or | No additional ESMP |

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|--|--|---|---|---|---|
| run-off along drainage canals causing the run-off to flow across the road surface, which may lead to erosion of the road | debris, logs, and other materials along drainage canals so that no clogging occurs | the water flow, e.g. no debris along the water flow | designate a barangay tanod to oversee the maintenance of the drainage canals along the road | monthly or as the need arises, particularly after heavy rains | cost: Collection of obstructions and drainage canal inspections are part of the regular job description for designated barangay personnel |

Physical: Water Quality

In compliance with: **WB Pollution, Prevention and Abatement Handbook; GOP: RA 9275 Clean Water Act; DENR AO 2005-10**

| | | | | | |
|---|---|---|--|---|---|
| Agro-chemical contamination of surface and groundwater due to excessive or improper application of fertilizers and pesticides in the irrigation areas | <ul style="list-style-type: none"> – Analysis of the irrigation water near the downstream part of the service area prior to exit to natural waterways – Analysis of the groundwater within the influence of the service area – Periodic analysis of the soil to pre-empt potential soil toxicity | <ul style="list-style-type: none"> – Records of water and soil analysis – Compliance to Clean Water Act standards | ISA to coordinate with the DA for sampling of the CIS service area, or the ISA may also request the DENR to conduct groundwater sampling | Semi-annual or annual sampling: the controls are actually already put in place thru the regulation on the use of agro-chemicals and their application | <p>Water and soil analysis part of DA monitoring program, or the DENR may be requested to sample exit points as part of their source monitoring</p> <p>Estimated budget for annual analysis: P500/sample x 4 quadrant sample areas x 3 sample types (surface water, groundwater and soil) x once a year: P6,000 annually/CIS</p> |
|---|---|---|--|---|---|

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|---|--|---|--|--|--|
| In Compliance with: GOP: PD 1144 Fertilizer and Pesticide Authority regulations | | | | | |
| Increased use of agro-chemicals (pesticides and fertilizers) due to more intensive cropping within the irrigable service area, given the availability of regular and adequate irrigation water and improved irrigation facilities | <ul style="list-style-type: none"> – Use only the agro-chemicals allowed/ cleared by the Phil Fertilizer and Pesticide Authority – Controlled and proper timing of application of agrochemicals based on an Integrated Pest and Crop Management (IPCM) Program which the ISA can formulate with the assistance of the DA – Training of the farmers on the proper selection, dosage and timing of agro-chem applications to ensure optimum absorption by the plant and soil – Introduce the use of organic fertilizer | <ul style="list-style-type: none"> – List of FPA-cleared agro-chemicals to be used in the Mainit CIS – Presence of IPCM Program – Program for Farmers' Training and proof of attendance and demonstration of acquired skills | _____ CIS ISA to coordinate with the DA on IPCM Training | Schedule of training depends on the ISA's continuing development program for its farmer beneficiaries (at least one training a year is proposed) | No additional ESMP cost. Training package is integrated in the Agro-Enterprise devt. module package. |
| SOCIAL ENVIRONMENT | | | | | |
| In Compliance with: WB on a) Gender and Development, and b) Public Disclosure; GOP: RA 9172 Women in Development and Nation Building; RA7160 Local Government Code and WB and ADB safeguards policies | | | | | |
| Lack of participation of | <ul style="list-style-type: none"> – Sustain IP and women's involvement thru coordination/conduct | <ul style="list-style-type: none"> – Proof* of coordination and participation of IP | <ul style="list-style-type: none"> – LGU/Proponent to take the lead in coordination and | Daily operations | No additional ESMP cost: Part of day-to- |

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|---|---|---|---|---|---|
| the marginalized sectors such as IP and women in sub-project operation and maintenance of the sub-project | <p>of activities and facilitation of some meetings in relation to the operation of the following:</p> <ul style="list-style-type: none"> – O&M committeeC for access infra – Irrigators' Service Association (ISA) – Barangay Waterworks and Sanitation Association (BAWASA) for PWS – School Board – Local Health Office – Local Social Welfare Office – IP Organizations – Multi-purpose Cooperative – Other people's associations | <p>and women</p> <p>* Proof: e.g. Attendance Sheet, Minutes of Meetings, Inventory of roles and tasks assumed by women</p> | <p>consultations, particularly the Municipal Social Welfare Department and the Community Relation Officers</p> <ul style="list-style-type: none"> – ISA, BAWASA and School Board to handle the women's participation program for their women members | | day management of the associations |
| Induce an increase in agricultural activity in previously inaccessible farm areas along the newly constructed | <p>Training to Household members on proper land preparations and agricultural techniques, especially in sloping areas</p> <p>Engagement of IP</p> | <ul style="list-style-type: none"> – Absence of soil erosion/ accumulation in road drainage canals and shoulders – - Number of community or Committee members trained | LGU to coordinate with DSWD on training, in consultation with the Sub-Project Beneficiaries | Based on the Sub-Project Implementation plan of the Ass'n/Brgy. | No additional ESMP cost. Training can be integrated in the cost for continuing development program of the within the CEAC |

| <i>Potential Impacts</i> | <i>Mitigation/ Enhancement Measures</i> | <i>Monitoring Parameter</i> | <i>Responsible Entity</i> | <i>Implementation Schedule</i> | <i>Cost and Source of Funds</i> |
|--|--|-----------------------------|---------------------------|--------------------------------|---------------------------------|
| <p>or newly improved roads, which may cause improper land preparations resulting to damage to road drainage and shoulder</p> <p>Introduction and use of technologies that are not culturally appropriate for IPs</p> | <p>facilitators and IP experts (if in IP area)</p> | | | | <p>process</p> |
| IV. ABANDONMENT PHASE | | | | | |
| <p>No abandonment of the sub-project(s) (is)are programmed since the Operations and Maintenance Phase is considered to sustain the life and utility of the sub-projects, unless natural catastrophic events such as anomalous magnitude of earthquake or flooding destroys the facility beyond use. In this case, the engineering and design of the replacement facilities will integrate and handle the demolition of the damaged structures.</p> | | | | | |

Prepared by:

BSPMC

Date: _____

The LGU OF BRGY. _____ is confirming its willingness and commitment to implement and allocate funds for the abovementioned ESMP.

Barangay Chairperson

Date: _____

Approved and noted by:

Municipal Mayor

Date: _____

Reviewed and Endorsed to the SRPMO by:

Reviewed and Endorsed to the RPMO by:

Area Coordinator

Date: _____

SRPMO Head

Date: _____

Annex J

(This is a sample of a Deed of Donation. You may freely copy and revise this form)

DEED OF DONATION

KNOW ALL MEN BY THESE PRESENTS:

That I, _____ of legal age, single / married to _____
with postal address at _____ hereinafter

referred to as the DONOR, and Barangay (name of barangay), Municipality of (name of municipality), Province of (name of province), herein represented by (name of Barangay Chairperson), Barangay Chairperson, of legal age, with postal address at _____ hereinafter referred to as the DONEE, witnesseth:

That the DONOR is the registered owner of a parcel of land, more particularly described as follows:

(Insert description of property to be donated)

That the DONEE is the duly elected Barangay Chairperson (relationship to the donor) of the Barangay where the parcel of land of the DONOR is located.

That FOR AND IN CONSIDERATION of the DONEE's desire to contribute to the development of the Barangay and its residents, and as an act of gratitude and liberality on his part, the DONOR hereby voluntarily GIVES, TRANSFERS, and CONVEYS by way of donation, unto the said DONEE, his heirs and assigns, the above described property, together with all the improvements found thereon, free from all liens and encumbrances;

That the DONOR affirms that this donation is not made with intent to deceive his creditors, and that he has reserved for himself sufficient funds and property;

That the DONEE hereby accepts and receives this donation made, in favour of the Barangay Sub-Project Management Committee (BSPMC) of Barangay (name of barangay) for the implementation of (name of subproject), by the DONOR, and hereby manifests his gratefulness for the latter's generosity.

IN WITNESS WHEREOF, both the DONOR & DONEE have hereunder subscribed their names this _____ day of _____ 200_ at

_____, Philippines.

DONOR

DONEE

WITNESS

ACKNOWLEDGEMENT

Republic of the Philippines

(_____) S.S

BEFORE ME, a notary for and in the City of Makati, personally appeared:

| | | |
|---------|------------|----------------------------|
| Name | CTC Number | Date/Place Issued |
| (Donee) | 00000000 | June 28, 200_ / MakatiCity |

known to me and to me known to be the same persons who executed the foregoing Deed of Donation and acknowledged to me that the same is their free and voluntary act and deed.

WITNESS MY HAND AND SEAL, on the date and place first above written.

Notary Public

Doc. No._____
Page No. _____;
Book No._____
Series of 200_.

Safeguards Considerations for Project Implementation during Covid-19

I. INFORMATION DISSEMINATION AND PUBLIC CONSULTATIONS

1. Identify and review planned activities under the project requiring stakeholder engagement and public consultations.
2. Assess the level of proposed direct engagement with stakeholders, including location and size of proposed gatherings, frequency of engagement, categories of stakeholders (international, national, local) etc.
3. Assess the level of risks of the virus transmission for these engagements, and how restrictions that are in effect in the country / project area would affect these engagements.
4. Identify project activities for which consultation/engagement is critical and cannot be postponed without having significant impact on project timelines. For example, selection of resettlement options by affected people during project implementation. Reflecting the specific activity, consider viable means of achieving the necessary input from stakeholders (see further below).
5. Assess the level of ICT penetration among key stakeholder groups, to identify the type of communication channels that can be effectively used in the project context.
6. Based on the above, the Project Proponent needs to identify the specific channels of communication that should be used while conducting stakeholder consultation and engagement activities. The following are some considerations while selecting channels of communication, in light of the current COVID-19 situation:
 - Avoid public gatherings (taking into account national restrictions), including public hearings, workshops and community meetings;
 - If smaller meetings are permitted, conduct consultations in small-group sessions, such as focus group meetings. If not permitted, make all reasonable efforts to conduct meetings through online channels, including webex, zoom and skype;
 - Diversify means of communication and rely more on social media and online channels. Where possible and appropriate, create dedicated online platforms and chatgroups appropriate for the purpose, based on the type and category of stakeholders;
 - Employ traditional channels of communications (TV, newspaper, radio, dedicated phone-lines, and mail) when stakeholders do not have access to online channels or do not use them frequently. Traditional channels can also be highly effective in conveying relevant information to stakeholders, and allow them to provide their feedback and suggestions;
 - Where direct engagement with project affected people or beneficiaries is necessary, such as would be the case for Resettlement Action Plans or Indigenous Peoples Plans preparation and implementation, identify channels for direct communication with each

affected household via a context specific combination of email messages, mail, online platforms, dedicated phone lines with knowledgeable operators;

- Each of the proposed channels of engagement should clearly specify how feedback and suggestions can be provided by stakeholders;
- An appropriate approach to conducting stakeholder engagement can be developed in most contexts and situations. However, in situations where none of the above means of communication are considered adequate for required consultations with stakeholders, consider if the project activity can be rescheduled to a later time, when meaningful stakeholder engagement is possible.

II. CIVIL WORKS

A. Responsibilities of the Project Proponent

1. The Project Proponent should request details in writing from the main Contractor of the measures being taken to address the risks. The construction contract should include health and safety requirements, and these can be used as the basis for identification of, and requirements to implement, COVID-19 specific measures. The measures may be presented as a contingency plan, as an extension of the existing project emergency and preparedness plan or as standalone procedures. The measures may be reflected in revisions to the project's health and safety manual.
2. The Project Proponent should require the Contractor to convene regular meetings with the project health and safety specialists and medical staff (and where appropriate the local health authorities), and to take their advice in designing and implementing the agreed measures.
3. Where possible, a senior person should be identified as a focal point to deal with COVID-19 issues. This can be a work supervisor or a health and safety specialist. This person can be responsible for coordinating preparation of the site and making sure that the measures taken are communicated to the workers, those entering the site and the local community. It is also advisable to designate at least one back-up person, in case the focal point becomes ill; that person should be aware of the arrangements that are in place.
4. The Project Proponent may provide support to projects in identifying appropriate mitigation measures, particularly where these will involve interface with local services, in particular health and emergency services. In many cases, the Project Proponent can play a valuable role in connecting project representatives with local Government agencies, and helping coordinate a strategic response, which takes into account the availability of resources. To be most effective, projects should consult and coordinate with relevant Government agencies and other projects in the vicinity.
5. Workers should be encouraged to use the existing project grievance mechanism to report concerns relating to COVID-19, preparations being made by the project to address COVID-19 related issues, how procedures are being implemented, and concerns about the health of their co-workers and other staff.

B. Responsibilities of the Contractor/ Community Labor

1. The Contractor/Community Labor should prepare a detailed profile of the project work force, key work activities, schedule for carrying out such activities, different durations of contract and rotations (e.g. 4 weeks on, 4 weeks off). This should include a breakdown of workers who reside at home (i.e. workers from the community), workers who lodge within the local community and workers in on-site accommodation. Where possible, it should also identify workers that may be more at risk from COVID-19, those with underlying health issues or who may be otherwise at risk.
2. Consideration should be given to ways in which to minimize movement in and out of site. This could include lengthening the term of existing contracts, to avoid workers returning home to affected areas, or returning to site from affected areas.
3. Workers accommodated on site should be required to minimize contact with people near the site, and in certain cases be prohibited from leaving the site for the duration of their contract, so that contact with local communities is avoided.
4. Consideration should be given to requiring workers lodging in the local community to move to site accommodation (subject to availability) where they would be subject to the same restrictions.
5. Workers from local communities, who return home daily, weekly or monthly, will be more difficult to manage. They should be subject to health checks at entry to the site and at some point, circumstances may make it necessary to require them to either use accommodation on site or not to come to work.
6. Entry/exit to the work site should be controlled and documented for both workers and other parties, including support staff and suppliers. Possible measures may include:
 - Establishing a system for controlling entry/exit to the site, securing the boundaries of the site, and establishing designating entry/exit points (if they do not already exist). Entry/exit to the site should be documented.
 - Training security staff on the (enhanced) system that has been put in place for securing the site and controlling entry and exit, the behaviors required of them in enforcing such system and any COVID -19 specific considerations.
 - Training staff who will be monitoring entry to the site, providing them with the resources they need to document entry of workers, conducting temperature checks and recording details of any worker that is denied entry.
 - Confirming that workers are fit for work before they enter the site or start work. While procedures should already be in place for this, special attention should be paid to workers with underlying health issues or who may be otherwise at risk. Consideration should be given to demobilization of staff with underlying health issues.
 - Checking and recording temperatures of workers and other people entering the site or requiring self-reporting prior to or on entering the site.
 - Providing daily briefings to workers prior to commencing work, focusing on COVID-19 specific considerations including cough etiquette, hand hygiene and distancing measures, using demonstrations and participatory methods.

- During the daily briefings, reminding workers to self-monitor for possible symptoms (fever, cough) and to report to their supervisor or the COVID-19 focal point if they have symptoms or are feeling unwell.
- Preventing a worker from an affected area or who has been in contact with an infected person from returning to the site for 14 days or (if that is not possible) isolating such worker for 14 days.
- Preventing a sick worker from entering the site, referring them to local health facilities if necessary or requiring them to isolate at home for 14 days.

7. Requirements on general hygiene should be communicated and monitored, to include:

- Training workers and staff on site on the signs and symptoms of COVID-19, how it is spread, how to protect themselves (including regular handwashing and social distancing) and what to do if they or other people have symptoms.
- Placing posters and signs around the site, with images and text in local languages.
- Ensuring handwashing facilities supplied with soap, disposable paper towels and closed waste bins exist at key places throughout site, including at entrances/exits to work areas; where there is a toilet, canteen or food distribution, or provision of drinking water; in worker accommodation; at waste stations; at stores; and in common spaces. Where handwashing facilities do not exist or are not adequate, arrangements should be made to set them up. Alcohol based sanitizer (if available, 60-95% alcohol) can also be used.
- Setting aside part of worker accommodation for precautionary self-quarantine as well as more formal isolation of staff who may be infected.
- Conducting regular and thorough cleaning of all site facilities, including offices, accommodation, canteens, common spaces. Review cleaning protocols for key construction equipment (particularly if it is being operated by different workers).
- Providing cleaning staff with adequate cleaning equipment, materials and disinfectant.
- Reviewing general cleaning systems, training cleaning staff on appropriate cleaning procedures and appropriate frequency in high use or high-risk areas.
- Where it is anticipated that cleaners will be required to clean areas that have been or are suspected to have been contaminated with COVID-19, providing them with appropriate PPE: gowns or aprons, gloves, eye protection (masks, goggles or face screens) and boots or closed work shoes. If appropriate PPE is not available, cleaners should be provided with best available alternatives.
- Training cleaners in proper hygiene (including handwashing) prior to, during and after conducting cleaning activities; how to safely use PPE (where required); in waste control (including for used PPE and cleaning materials).
- Any medical waste produced during the care of ill workers should be collected safely in designated containers or bags and treated and disposed of following the requirements

detailed in the DOH's "Healthcare Waste Management Manual" chapters 5 and 6.. If open burning and incineration of medical wastes is necessary, this should be for as limited a duration as possible. Waste should be reduced and segregated, so that only the smallest amount of waste is incinerated.

8. Consider changes to work processes and timings to reduce or minimize contact between workers, recognizing that this is likely to impact the project schedule. Such measures could include:
 - Decreasing the size of work teams.
 - Limiting the number of workers on site at any one time.
 - Changing to a 24-hour work rotation.
 - Adapting or redesigning work processes for specific work activities and tasks to enable social distancing, and training workers on these processes.
 - Continuing with the usual safety trainings, adding COVID-19 specific considerations. Training should include proper use of normal PPE. While as of the date of this note, general advice is that construction workers do not require COVID-19 specific PPE, this should be kept under review.
 - Reviewing work methods to reduce use of construction PPE, in case supplies become scarce or the PPE is needed for medical workers or cleaners. This could include, e.g. trying to reduce the need for dust masks by checking that water sprinkling systems are in good working order and are maintained or reducing the speed limit for haul trucks.
 - Arranging (where possible) for work breaks to be taken in outdoor areas within the site.
 - Consider changing canteen layouts and phasing meal times to allow for social distancing and phasing access to and/or temporarily restricting access to leisure facilities.
 - At some point, it may be necessary to review the overall project schedule, to assess the extent to which it needs to be adjusted (or work stopped completely) to reflect prudent work practices, potential exposure of both workers and the community and availability of supplies, taking into account Government advice and instructions.
9. Consider whether existing project medical services are adequate, taking into account existing infrastructure (size of clinic/medical post, number of beds, isolation facilities), medical staff, equipment and supplies, procedures and training. Where these are not adequate, consider upgrading services where possible, including:
 - Expanding medical infrastructure and preparing areas where patients can be isolated. (Guidance on setting up isolation facilities is set out in WHO interim guidance on considerations for quarantine of individuals in the context of containment for COVID-19). Isolation facilities should be located away from worker accommodation and ongoing work activities. Where possible, workers should be provided with a single well-ventilated room (open windows and door). Where this is not possible, isolation facilities should allow at least 1 meter between workers in the same room, separating workers with curtains, if possible. Sick workers should limit their movements, avoiding common areas

and facilities and not be allowed visitors until they have been clear of symptoms for 14 days. If they need to use common areas and facilities (e.g. kitchens or canteens), they should only do so when unaffected workers are not present and the area/facilities should be cleaned prior to and after such use.

- Training medical staff, which should include current WHO advice on COVID-19 and recommendations on the specifics of COVID-19. Where COVID-19 infection is suspected, medical providers on site should follow WHO interim guidance on infection prevention and control during health care when novel coronavirus (nCoV) infection is suspected.
 - Training medical staff in testing, if testing is available.
 - Assessing the current stock of equipment, supplies and medicines on site, and obtaining additional stock, where required and possible. This could include medical PPE, such as gowns, aprons, medical masks, gloves, and eye protection. Refer to WHO guidance as to what is advised.
 - If PPE items are unavailable due to world-wide shortages, medical staff on the project should agree on alternatives and try to procure them. Alternatives that may commonly be found on construction sites include dust masks, construction gloves and eye goggles. While these items are not recommended, they should be used as a last resort if no medical PPE is available.
 - Ventilators will not normally be available on work sites, and in any event, intubation should only be conducted by experienced medical staff. If a worker is extremely ill and unable to breathe properly on his or her own, they should be referred immediately to the local hospital.
 - Review existing methods for dealing with medical waste, including systems for storage and disposal. The DOH's Health Care Waste Manual provides guidance on medical waste handling, treatment, storage, transport, and disposal in chapters 5 and 6.
10. Given the limited scope of project medical services, the project may need to refer sick workers to local medical services. Preparation for this includes:
- Obtaining information as to the resources and capacity of local medical services (e.g. number of beds, availability of trained staff and essential supplies).
 - Conducting preliminary discussions with specific medical facilities, to agree what should be done in the event of ill workers needing to be referred.
 - Considering ways in which the project may be able to support local medical services in preparing for members of the community becoming ill, recognizing that the elderly or those with pre-existing medical conditions require additional support to access appropriate treatment if they become ill.
 - Clarifying the way in which an ill worker will be transported to the medical facility, and checking availability of such transportation.

- Establishing an agreed protocol for communications with local emergency/medical services.
 - Agreeing with the local medical services/specific medical facilities the scope of services to be provided, the procedure for in-take of patients and (where relevant) any costs or payments that may be involved.
 - A procedure should also be prepared so that project management knows what to do in the unfortunate event that a worker ill with COVID-19 dies. While normal project procedures will continue to apply, COVID-19 may raise other issues because of the infectious nature of the disease. The project should liaise with the relevant local authorities to coordinate what should be done, including any reporting or other requirements under national law.
11. WHO provides detailed advice on what should be done to treat a person who becomes sick or displays symptoms that could be associated with the COVID-19 virus (for further information see WHO interim guidance on infection prevention and control during health care when novel coronavirus (nCoV) infection is suspected). The project should set out risk-based procedures to be followed, with differentiated approaches based on case severity (mild, moderate, severe, critical) and risk factors (such as age, hypertension, diabetes) (for further information see WHO interim guidance on operational considerations for case management of COVID-19 in health facility and community). These may include the following:
- If a worker has symptoms of COVID-19 (e.g. fever, dry cough, fatigue) the worker should be removed immediately from work activities and isolated on site.
 - If testing is available on site, the worker should be tested on site. If a test is not available at site, the worker should be transported to the local health facilities to be tested (if testing is available).
 - If the test is positive for COVID-19 or no testing is available, the worker should continue to be isolated. This will either be at the work site or at home. If at home, the worker should be transported to their home in transportation provided by the project.
 - Extensive cleaning procedures with high-alcohol content disinfectant should be undertaken in the area where the worker was present, prior to any further work being undertaken in that area. Tools used by the worker should be cleaned using disinfectant and PPE disposed of.
 - Co-workers (i.e. workers with whom the sick worker was in close contact) should be required to stop work, and be required to quarantine themselves for 14 days, even if they have no symptoms.
 - Family and other close contacts of the worker should be required to quarantine themselves for 14 days, even if they have no symptoms.
 - If a case of COVID-19 is confirmed in a worker on the site, visitors should be restricted from entering the site and worker groups should be isolated from each other as much as possible.

- If workers live at home and has a family member who has a confirmed or suspected case of COVID-19, the worker should quarantine themselves and not be allowed on the project site for 14 days, even if they have no symptoms.
- Workers should continue to be paid throughout periods of illness, isolation or quarantine, or if they are required to stop work, in accordance with national law.
- Medical care (whether on site or in a local hospital or clinic) required by a worker should be paid for by the employer.

12. Ensure continuity of supplies and project activities with the following measures:

- Identify back-up individuals, in case key people within the project management team (PIU, Supervising Engineer, Contractor, sub-contractors) become ill, and communicate who these are so that people are aware of the arrangements that have been put in place.
- Document procedures, so that people know what they are, and are not reliant on one person's knowledge.
- Understand the supply chain for necessary supplies of energy, water, food, medical supplies and cleaning equipment, consider how it could be impacted, and what alternatives are available. Early pro-active review of international, regional and national supply chains, especially for those supplies that are critical for the project, is important (e.g. fuel, food, medical, cleaning and other essential supplies). Planning for a 1-2 month interruption of critical goods may be appropriate for projects in more remote areas.
- Place orders for/procure critical supplies. If not available, consider alternatives (where feasible).
- Consider existing security arrangements, and whether these will be adequate in the event of interruption to normal project operations.
- Consider at what point it may become necessary for the project to significantly reduce activities or to stop work completely, and what should be done to prepare for this, and to re-start work when it becomes possible or feasible.

13. Ensure proper training and communication with workers through the following:

- Workers need to be provided with regular opportunities to understand their situation, and how they can best protect themselves, their families and the community. They should be made aware of the procedures that have been put in place by the project, and their own responsibilities in implementing them.
- It is important to be aware that in communities close to the site and amongst workers without access to project management, social media is likely to be a major source of information. This raises the importance of regular information and engagement with workers (e.g. through training, town halls, tool boxes) that emphasizes what management is doing to deal with the risks of COVID-19. Allaying fear is an important aspect of work force peace of mind and business continuity. Workers should be given an opportunity to ask questions, express their concerns, and make suggestions.

- Training of workers should be conducted regularly, providing workers with a clear understanding of how they are expected to behave and carry out their work duties.
 - Training should address issues of discrimination or prejudice if a worker becomes ill and provide an understanding of the trajectory of the virus, where workers return to work.
 - Training should cover all issues that would normally be required on the work site, including use of safety procedures, use of construction PPE, occupational health and safety issues, and code of conduct, taking into account that work practices may have been adjusted.
 - Communications should be clear, based on fact and designed to be easily understood by workers, for example by displaying posters on handwashing and social distancing, and what to do if a worker displays symptoms.
14. Relations with the community should be carefully managed, with a focus on measures that are being implemented to safeguard both workers and the community. The community may be concerned about the presence of non-local workers, or the risks posed to the community by local workers presence on the project site. The project should set out risk-based procedures to be followed , which may reflect WHO guidance (for further information see WHO Risk Communication and Community Engagement (RCCE) Action Plan Guidance COVID-19 Preparedness and Response). The following good practice should be considered:
- Communications should be clear, regular, based on fact and designed to be easily understood by community members.
 - Communications should utilize available means. In most cases, face-to-face meetings with the community or community representatives will not be possible. Other forms of communication should be used; posters, pamphlets, radio, text message, electronic meetings. The means used should take into account the ability of different members of the community to access them, to make sure that communication reaches these groups.
 - The community should be made aware of procedures put in place at site to address issues related to COVID-19. This should include all measures being implemented to limit or prohibit contact between workers and the community. These need to be communicated clearly, as some measures will have financial implications for the community (e.g. if workers are paying for lodging or using local facilities). The community should be made aware of the procedure for entry/exit to the site, the training being given to workers and the procedure that will be followed by the project if a worker becomes sick.
 - If project representatives, contractors or workers are interacting with the community, they should practice social distancing and follow other COVID-19 guidance issued by relevant authorities, both national and international (e.g. WHO).