

Desert to Power G5 Sahel Facility
Burkina Faso, Chad, Mali, Mauritania and Niger

The African Development Bank (AfDB)

ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK FOR NIGER

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Table des matières

List of Acronyms	5
Executive Summary of the ESMF	8
1. INTRODUCTION	15
1.1. Study context	15
1.2. ESMF objectives	16
1.3. Methodology	17
2. PROJECT DESCRIPTION	18
2.1. Context of the project	18
2.2. Description of the project components	19
2.3. Project benefits	19
2.4. Project intervention area	21
2.5. Institutional set-up of the project	21
3. ENVIRONMENTAL AND SOCIAL SITUATION - PROJECT AREA	24
3.1 BIOPHYSICAL AND SOCIO-ECONOMIC FRAMEWORK OF NIGER.....	24
3.2 ENVIRONMENTAL AND SOCIOECONOMIC ISSUES OF THE G5 SAHEL AND NIGER	24
4. POLICY, LEGISLATIVE AND REGULATORY FRAMEWORKS	26
4.1 G5 Sahel.....	26
4.1.1 Economic integration and development of the G5 Sahel countries.....	26
4.1.2 Priority investment program (PIP)	26
4.2 Political framework for environmental and social management in Niger.....	27
4.3 Legislative and regulatory framework for environmental and social management in Burkina Faso	28
5. INSTITUTIONAL FRAMEWORK FOR ENVIRONMENTAL AND SOCIAL MANAGEMENT	33
5.1 G5 Sahel.....	33
5.2 Niger	33
5.3 Assessment of the capacities of the main actors in the implementation of the PCGES	34
6. ENVIRONMENTAL AND SOCIAL MANAGEMENT SYSTEMS OF THE AFRICAN DEVELOPMENT BANK AND THE GREEN CLIMATE FUND	37
6.1 AfDB Environmental and Social Safeguard Policies	37
6.2 Provisional environmental and social safeguards of the GCF (performance standards of the International Finance Corporation - IFC)	38
6.3 Comparison between Niger's environmental legislation and AfDB's operational safeguards	43
7. ENVIRONMENTAL AND SOCIAL ANALYSIS OF THE PROJECT.....	47
7.1 Options analysis	47
7.2 Analysis of alternative technologies	47

7.3	Positive environmental and social risks and impacts	51
7.3.1	Positive socioeconomic impacts	51
7.3.2	Positive impacts on the environment	52
7.3.3	Positive impacts on climate change	53
7.4	Negative environmental and social risks and impacts	53
7.4.1	Risks and negative impacts on the biophysical environment	54
7.4.2	Risks and negative impacts on the human environment	54
8.	ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK PLAN	56
8.1	Generic measures to mitigate negative impacts and prevent risks.	56
8.2	Mechanism for integrating social and environmental aspects into the project cycle	60
	Step 1: Filling in the environmental and social screening form	61
	Step 2: Validation of the selection and classification of the project	62
	Step 3: Performing environmental work	63
	Step 4: Review and approval	65
	Step 5: Public consultations and dissemination	66
	Step 6: Environmental and social monitoring	66
	Step 7: Monitoring indicators	66
8.3	Institutional strengthening measures	66
8.4	Technical capacity building measures	68
8.5	Capacity building of stakeholders	69
8.6	Institutional mechanism for implementing the ESMF	69
8.7	Monitoring and evaluation program	73
8.7.1	Environmental and social monitoring	73
8.7.2	Inspection or supervision	73
8.7.3	Environmental and social monitoring	74
8.7.4	Environmental and social indicators	74
8.7.5	Instruments for reporting	76
8.8	ESMF implementation schedule and budget	77
8.8.1	ESMF implementation schedule	77
8.8.2	ESMF implementation budget	79
9.	MOBILIZATION AND CONSULTATION OF STAKEHOLDERS	81
9.1	Public consultation during project preparation	81
9.2	Stakeholder consultation requirements	81
9.3	Mechanisms ensuring proof of Large Community Support (LCS)	82
9.4	Inclusion of vulnerable groups	83
9.5	Differentiated measures for the inclusion of vulnerable groups in development	84

9.6	Gender Mainstreaming and Vulnerability Assessment	85
9.7	Involuntary Resettlement Policy	86
9.8	GRIEVANCE REDDRESS MECHANISM (GRM).....	86
9.8.1	General guidance for GRM.....	87
9.8.2	Independent Inspection Mechanism (IIM)	87
9.8.3	Project Level Grievance Mechanism (GRM)	88
9.8.4	Proposed framework for information disclosure	90
APPENDICES		93
Annex 1: Environmental and social screening form		93
Annex 2: Environmental and social monitoring report.....		100
Annex 3: Final Environmental and Social Monitoring Report.....		101
Annex 4: Example of a Complaint Form		103
Annex 5: Complaint registration form		104
Annex 6: RESETTLEMENT POLICY FRAMEWORK (RPF) - NIGER		106

List of Tables

Table 1 - Analysis of potential alternative technologies	48
Table 2 - Risks and negative impacts on the biophysical environment	54
Table 3 - Risks and negative impacts on the human environment.....	54
Table 4 - Summary of institutional arrangements for the implementation of the ESMF.....	70
Table 5 - Indicators for monitoring ESMF measures.....	74
Table 6 - ESMF measures monitoring indicators	75
Table 7 - Timetable for the implementation of program measures	78
Table 8 - Costs of activities to implement the environmental and social measures of the project	79

List of Acronyms

AfDB	African Development Bank
ADERM	Rural Electrification and Energy Management Agency
AECID	Spanish Agency for International Development Co-operation
AEDD	Environment and Sustainable Development Agency
AER	Agency for Renewable Energy
AFD	Agence Française de Développement
AGF	Africa Guarantee Fund
AMADER	Rural Electrification Agency
ANEVE	Agency for Environmental Assessments
ANPER	National Agency for Promotion of Rural Electrification in Niger
BNEE	National Environmental Assessment Office
BOAD	West African Development Bank
CEMAC	Economic Community of Central African States
CEO	Chief executive officer
CIF	Climate Investment Fund
CNSEE	National Centre for Monitoring and Ecological Monitoring
DCE	Department of Environmental Control
DEELCPN	Department of Environmental Assessments and the Fight against Pollution and Nuisance
DGEF	Directorate General of Water and Forests
DHMA	Environmental Hygiene and Sanitation Division
DNACPN	National Directorate of Sanitation and Pollution and Nuisance Control
DREDD	Delegations for the Environment and Sustainable Development
DTP	Desert to Power
ECOWAS	Economic Community of West African States
ICP	Informed Consultation and Participation
EFP	Environmental Focal Point
EHS	Environmental, Health and Safety
EIA	Environmental impact assessment
EIN	Environmental Impact Notice
EIS	Environmental impact study
ES	Environmental study
ESA	Environmental and Social Assessment
ESHS	Environmental and social, health and safety
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESMR	Environmental and Social Monitoring Report
ESS	Environmental and Social Safeguard
ESSS	Environmental and Social Safeguard Specialist
FESR	Final Environmental and Social Report
FP	Funding Proposal
FPIC	Prior, Freely Given and Knowing Consent
GBV	gender-based violence

GCF	Green Climate Fund
GDP	Gross Domestic Product
GHG	Green House Gas
GNP	Gross National Product
GRC	Grievance Resolution Committee
GRM	Grievance Redress Mechanism
GW	Giga Watt
HDI	Human Development Index
IFC	International Finance Corporation
IIM	Independent Inspection Mechanism
IMF	International Monetary Fund
INDC	Intended Nationally Determined Contribution
IPP	Independent Power Producer
IRENA	International Renewable Energy Agency
ISO	International Organization for Standardization
ISS	Integrated safeguard system
IWRM	Integrated Water Resources Management
LCD	Least Development Country
LCS	Large Community Support
MASEN	Moroccan Agency for Sustainable Energy
ME	Monitoring & Evaluation
MEADD	Ministry of the Environment, Sanitation and Sustainable Development
MEDD	Ministry of the Environment and Sustainable Development
MEEVCC	Ministry of the Environment, Green Economy and Climate Change
MEF	Monitoring and Evaluation Framework
MEL	Monitoring, Evaluation and Learning
MESUDD	Ministry of the Environment, Urban Health and Sustainable Development
MOFA	Ministry of Foreign Affairs
MSP	Ministry of Public Health
MW	Mega Watt
NDC	Nationally Determined Contribution
NDF	Nordic Development Fund
NGO	Non Governmental Organisation
NOX	Nitrogen Oxides
OHADA	Organisation for the Harmonisation of Corporate Law in Africa
OHS	Occupational Health and Safety
OP	Operational Procedure
OS	Operational Safeguards
PAP	Project Affected Person / People
PCB	Polychlorinated biphenyls
PCU	Project Coordination Unit
PDES	Economic and Social Development Plan
PIP	Priority Investment Program
PM	Project Management

PMU	Project Management Unit
PNPE	National Policy for the Protection of the Environment
PPE	Personal Protective Equipment
PS	Performance Standard
PV	Photo Voltaic
RAP	Resettlement Action Plan
SDG	Sustainable Development Goal
SDIGS	Sustainable Development and Inclusive Growth Strategy of Niger
SEA	Strategic Environmental Assessment
SF	Strategic Framework
SLM	Sustainable Land Management
SME	Small-Medium Enterprise
SNE	Société Nationale d'Electricité
SO	Operational Safeguard
SOX	Sulfur Oxides
SSS	Social Safeguard Specialist
STD	Sexually Transmissible Disease
STI	Sexually Transmissible Infection
TOR	Terms of Reference
USA	United States of America
VAC	Violence Against Children
WAEMU	West African Economic and Monetary Union
XOF	CFA Franc

Executive Summary of the ESMF

The objective of the AfDB-GCF Desert-to-Power G5 Facility programme (DtP programme) is to support Niger to adopt a low-emission path by transforming its desert area into an opportunity to address their energy security needs using clean technologies, while delivering various adaptation co-benefits. The first component of the programme will focus on grid investments to de-risk solar IPPs and pave the way for the uptake of a regional solar market while the second component will provide finance to IPPs to catalyse private sector investments in solar energy generation. A third component will improve access to electricity through solar mini-grids. Finally, the fourth component will build the capacity of institutional stakeholders among which national utilities, transmission system operators and regulators and operationalise the policies and the existing regulatory frameworks in a way that incentivises private sector investments in solar energy.

The sub-projects to be financed under the “DtP” programme in Niger as well as the sites of their implementation have not yet been defined. It is expected that some activities to be funded by the programme will have positive but also negative social or environmental impacts. Solar PV projects will enable investments in the energy sector thus supporting the economic growth of Niger and solar mini grid investments will improve energy access in rural area which will increase agricultural productivity. On the social aspects, by shifting to clean and renewable energy sources, households and women in particular, will no longer rely on dangerous and polluting fuels like kerosene or diesel which have direct impact on people’s health. Sub-projects will also drive environmental co-benefits and combat deforestation by increasing household access to electricity, which in turn will reduce the cutting of firewood. The climate change impact potential of the DtP programme in Niger is estimated at over 6.39 MtCO₂eq on average over the duration of the program.

On the other side, certain activities that will occur during the construction and operation phase of projects such as storage, interconnections, solar PV and mini grids are by their nature likely to generate negative impacts. The execution of these activities may have repercussions on biophysical environments and on socioeconomic aspects (health and safety of workers, people affected by the project and vulnerable populations, health and safety of communities, cultural heritage, gender). This Environmental and Social Management Framework (ESMF) has been designed to avoid or minimize potential negative effects, taking into account that the sub-projects to be carried out as well as the sites of their implantation are not yet known.

This ESMF has been prepared to meet both the requirements of the GCF, the AfDB and the environmental and social regulations and legislation of Niger. In accordance with the AfDB's Integrated Safeguard System, the program was classified as Category 1 and triggered all AfDB operational safeguards. This ESMF is designed to serve as an environmental and social management guide specific to sub-projects whose number, sites, and environmental and social characteristics remain unknown. Its general objective is to guide project activities in such a way that environmental and social issues are taken into account and managed in all the activities to be implemented by the DtP programme.

The ESMF proposes general generic measures for risk and impact management on the following aspects: Land acquisition and resettlement; Mitigation measures for waste management; The fauna and the flora; Air Quality Impacts in Vehicle Exhaust Emissions; Dust emissions; Risks for the safety

and health of workers; Public Health Risks; Increased demand for material consumption; Rainwater and wastewater; Noise pollution during construction; Visual and aesthetic impacts of the landscape; Soil erosion; Social risks linked to the influx of labor and gender-based violence (GBV); and Hazardous waste mitigation measure and management / disposal plan.

The ESMF also defines the mechanism for integrating social and environmental aspects into the project cycle. The Project Coordination Unit (PCU) in Niger will oversee the validation of technical and feasibility studies and the implementation of the financing plan until the project is put into service and the subsequent handover to the implementing organization. The PCU will recruit an Environmental and Social Safeguard Specialist (ESSS) and a Social Safeguard Specialist (SSS). On the operational level, the National Environmental Assessment Office (BNEE) in Niger has for roles, among others, the examination and analysis of environmental reports then the monitoring of the implementation of measures relating to environmental and social assessments.

The “screening” selection process will take into account (i) the regulatory and legislative framework for environmental and social safeguard of the country concerned by the implementation of the program, (ii) the ADB's environmental and social management procedures and (ii) the Environmental and Social Performance Standards (PS) of the International Finance Corporation (standards applicable to the GCF project).

The determination of the environmental categories of sub-projects will be determined by the result of the environmental and social screening. The review and approval of sub-projects will be carried out by BNEE. The selection process aims to: (i) determine the activities that are likely to have negative environmental and social impacts; (ii) determine the appropriate mitigation measures for activities with adverse impacts; (iii) identify activities requiring separate environmental impact studies (EIA); (iv) describe the institutional responsibilities for the analysis and approval of the selection results, the implementation of the proposed mitigation measures, and the preparation of separate EIA reports.

The ESMF also specifies institutional roles and responsibilities and outlines the mandatory reporting procedures to manage and monitor environmental and social concerns relating to these activities. Finally, the ESMF defines the framework for surveillance and monitoring as well as guidance for Grievance Mechanism (GM).

Table 1 - Summary of institutional arrangements for the implementation of the ESMF

No.	Steps / Activities	Responsible	Support / Collaboration	Providers
1	Identification location / sites and main technical characteristics of the various DtP sub-projects	Technical managers of project	<ul style="list-style-type: none"> • Technical services concerned • Municipalities / Districts concerned • Prefectures concerned • Beneficiaries 	<ul style="list-style-type: none"> • PCU ESSS • Consultants or design offices • Ministry in charge of Energy
2	Environmental selection (Screening-filling of forms), and determination of the type of specific safeguard instrument to be developed	PCU ESSS	<ul style="list-style-type: none"> • Beneficiaries • Town halls concerned • environmental focal points • Technical services concerned 	<ul style="list-style-type: none"> • PCU ESSS • Consultants or design offices • Ministry

3	Approval of environmental categorization of under-project	Project coordinator	ESSS	<ul style="list-style-type: none"> ✓ BNEE ✓ AfDB
4.	Preparation of specific environmental and social safeguards instruments			
4.1	Preparation, approval and TOR	PCU ESSS	PCU	<ul style="list-style-type: none"> • Bank • BNEE
	Carrying out the study including public consultation		<ul style="list-style-type: none"> • SPM • PCU • Town halls concerned • Technical services concerned • Beneficiaries 	Consultants or design offices
	Validation for obtaining the Certificate of Environmental Compliance by National Agencies in charge of the country's environmental assessment: 1. BNEE for Niger,		PCU	✓ BNEE
	Publication of the document		PCU	Media (website, newspapers) of countries AfDB
4.2	Integration in the tender documents of the sub-projects, of all environmental and social measures for the contractable work phase with the company	<ul style="list-style-type: none"> • Specialist in Procurement • Specialist in charge of technical aspects of DtP 		<ul style="list-style-type: none"> • Specialist in Procurement • Specialist in charge of technical aspects of DtP
4.3	Execution / Implementation of measures not contracted with the construction company	PCU ESSS	<ul style="list-style-type: none"> • PCU • Focal point for Technical services environment 	<ul style="list-style-type: none"> • Private firms • Consultants <ul style="list-style-type: none"> • ONG • Other
4.4.	Internal monitoring of the implementation of environmental and social measures	PCU ESSS	PCU	<ul style="list-style-type: none"> • Control office • BNEE
	Diffusion of report of internal surveillance	Coordinator of PCU	PCU ESSS	<ul style="list-style-type: none"> • PCU ESSS
	External monitoring of the implementation of measures environmental and social	PCU ESSS	PCU	✓ BNEE
4.5.	Environmental and social monitoring	PCU ESSS-	<ul style="list-style-type: none"> ✓ BNEE • Town halls concerned • Riparian population • Beneficiary 	<ul style="list-style-type: none"> • Environmental focal points of the technical services concerned • Laboratories

			PCU- MEL Unit	<ul style="list-style-type: none"> • NGOs
4.6.	Capacity building of actors in the implementation of environmental and social recommendations	PCU ESSS	PCU	<ul style="list-style-type: none"> • Consultants ✓ BNEE ✓ Competent public structures
4.7.	Audit of the implementation of environmental and social measures	PCU ESSS	<ul style="list-style-type: none"> • PCU • Town halls concerned • BNEE 	<ul style="list-style-type: none"> • Consultants • Design offices

The ESMF provides an estimate of the amount of resources necessary to be provided by the project for the proper implementation of the recommendations of the ESMF.

Table 2 - ESMF implementation budget

[illegible]

2.1	Regional workshop (G5 Sahel) to upgrade and train trainers on ESS	1	1	2400000	4436,229	2400000	4436,229205
2.2.	National workshops (Burkina, Mali, Mauritania, Niger and Chad)	1	1	12000000	22181,15	12000000	22181,14603
Sub-Total 2: Capacity building of actors						14400000	26617,37523
3	Monitoring and evaluation program						
3.1	Mid-term ESMP evaluation	1	1	20000000	36968,58	20000000	36968,57671
3.2	Final ESMP assessment	1	1	20000000	36968,58	20000000	36968,57671
Sub -Total 3: Monitoring and evaluation program						40000000	73937,15342
	GENERAL TOTAL (F CFA)					169 800 000	313 863

A virtual consultation process was carried out in December 2020 to discuss progress of “Desert to Power” (DtP) programme. High level senior government representatives from Niger were present at this meeting as well as representatives of several organizations (African Union Commissioner in charge of Infrastructure and Energy, Director General of the International Renewable Energy Agency (IRENA), Executive Secretary of the G5 Sahel, Executive Secretary of the Great Green Wall Agency, Steering Committee of “Desert to Power” and the Moroccan Agency for Sustainable Energy (MASEN). Participants, including those from the private sector, exchanged views on major topics such as regional integration of energy markets, the role that innovative technologies, such as storage can play in harnessing solar potential of the region, the challenges and opportunities for independent power producers, and how to approach the energy-agriculture and energy-health nexus, particularly in the context of the Covid-19 pandemic. It enabled Niger to present their respective roadmaps for the deployment of the DtP program and to enter into contact with a range of partners on their implementation, necessary reforms and priorities. During round tables devoted to the specific concerns of each State, the representatives of the governments of Niger presented their main priorities, projects and strategic roadmaps to technical and financial partners. These sessions provided strong indications on the level of support of partners to DtP projects.

This ESMF has been sent to the DtP Focal Point in Niger. Following this consultation, the BNEE provided a provisional validation of the ESMF.

1. INTRODUCTION

1.1. Study context

The Desert-to-Power Initiative (“DtP” or “Initiative”) aims to harness the solar potential of 11 Sahel countries (Burkina Faso, Chad, Djibouti, Ethiopia, Eritrea, Mali, Mauritania, Niger, Nigeria, Senegal and Sudan) to deploy 10 GW of solar photovoltaic (PV) power by 2030 and provide access to electricity to around 250 million people currently without access to electricity through a combination of on-grid and off-grid solutions. The implementation of this Initiative follows a phased approach with an initial focus on the G5 Sahel countries (Burkina Faso, Chad, Mali, Mauritania and Niger), following the approval of the DtP by the heads of state during the G5 Sahel Summit on Desert-to-Power held in Ouagadougou, Burkina Faso, on September 13, 2019.

As an accredited entity of the Green Climate Fund (GCF), the African Development Bank (AfDB) supports its member countries to mobilize GCF resources on a large scale for the implementation of their NDCs (National Determine Contributions).

This Facility seeks to enable the African countries of the Sahel region to adopt a low-emission path by transforming their desert area into an opportunity to address their energy security needs using clean technologies, while delivering various adaptation co-benefits. The AfDB proposes to support this transformation towards a low carbon electricity system in partnership with the GCF. The Sahel has unmatched renewable energy availability, and the G5 Sahel countries benefit from some of the highest solar energy irradiation and PV potential in the world. However, this potential for increasing electricity access, reducing GHG emissions and proving long-term sustainable growth in the Sahel countries remain largely untapped.

The proposed approach will address the barriers presented in section B.2 through the execution of four components that are part of the overarching priorities of the Desert to Power initiative endorsed by the G5 Sahel Heads of State. By removing the financial, technical and regulatory barriers that are preventing Sahel countries to embark on a low-emission and sustainable pathway, the Desert to Power G5 Sahel Facility will facilitate project funding in several technological interventions that have been identified to meet electrification and mitigation goals in the region. The programme is directly expected to increase the existing solar capacity by 740MW in the target countries and this is expected to benefit to around 5.6 million people.

The activities of this program could have social or environmental impacts. In accordance with the AfDB's Integrated Safeguard System, the program was classified as Category 1 and triggered operational safeguards:

- SO1 (Environmental & Social Assessment),
- SO2 (Involuntary resettlement: Land acquisition, displacement of populations and compensation),
- SO3 (Biodiversity, renewable resources and ecosystem services),
- SO4 (Prevention and reduction of pollution, hazardous materials and efficiency in the use of resources), and
- SO5 (Working conditions, health and safety).

This Environmental and Social Management Framework (ESMF) has been prepared to meet both the requirements of the GCF, the AfDB and the environmental and social regulations and legislation of the G5 Sahel countries.

The sites to host the sub-projects financed under the “DtP” program have not yet been defined and the work to be carried out is not precisely described at this stage of program preparation. This ESMF is required in order to avoid or minimize potential negative effects, taking into account that the sub-projects to be carried out as well as the sites of their implantation are not yet known.

1.2. ESMF objectives

The ESMF is designed as a mechanism for prior identification of the environmental and social impacts of investments and activities whose sites / locations are unknown before project appraisal. It is therefore presented as an instrument for determining and assessing potential future environmental and social impacts. In addition, the ESMF must define the framework for surveillance and monitoring as well as the institutional arrangements to be taken before, during and after the implementation of the project, and the carrying out of activities to mitigate and eliminate adverse environmental and social impacts or reduce them to acceptable levels. It should be noted that the ESMF does not exclude the development of in-depth, simplified environmental and social impact studies (ESIAs), and environmental diagnostics together with ESMPs for project activities that require it. The ESMF should also allow, if necessary, the improvement of the positive effects.

The general objective of the ESMF is to orient the project activities in such a way that environmental and social issues are taken into account and managed in all the activities to be implemented. It is designed to serve as an environmental and social management guide specific to sub-projects whose number, sites, and environmental and social characteristics remain unknown.

This will involve examining the scope and nature of potential environmental and socio-economic effects upstream, in order to make informed decisions promoting sustainable development.

Specifically, it will be:

- identify the major environmental and social issues in the project implementation area;
- identify the generic environmental and social risks and impacts associated with the various project interventions;
- propose general generic measures for risk and impact management;
- establish explicit procedures and methodologies for environmental and social planning, as well as for the assessment, approval and implementation of project activities;
- specify institutional roles and responsibilities and outline the mandatory reporting procedures to manage and monitor environmental and social concerns relating to these activities;
- identify the strengths and weaknesses of the institutional and legal framework in terms of the environment, among the main stakeholders in the implementation of the project;
- propose institutional, surveillance and monitoring arrangements for the implementation of ESMF activities;
- determine the needs for capacity building and other technical assistance for the proper implementation of ESMF recommendations;
- assess the amount of resources necessary to be provided by the project for the proper implementation of the recommendations of the ESMF;

- provide the appropriate information resources to implement and follow the recommendations of the ESMF.

1.3. Methodology

The assessment was prepared by a team of multidisciplinary experts. The methodological approach is structured around four main stages:

- **The scoping of the study**

At the start of the study, a scoping meeting was held with the main officials of the AfDB and the G5 Sahel. This meeting made it possible to agree on the urgency and the main issues related to the preparation of the safeguard studies, but also on certain specific points of the study, in particular (i) the meetings with the Concessionaires and (ii) the public consultations to be carried out in the targeted regions.

- **Documentary collection and review**

This step made it possible to collect all the project documentation, but also the environmental and social studies already carried out in the energy sector and in the five countries, the environmental and social safeguard policies of the AfDB and the GCF, national policies in this area, texts relating to energy and electricity policy, the environmental code and its implementing texts, other texts relating to the management of natural resources and environment (forest code, water code, hygiene code, etc.).

The consultation of these documents made it possible to take stock of the regulatory provisions relating to the project.

- **Institutional meetings**

This step made it possible to meet the institutional actors mainly concerned by the project.

A meeting organized in virtual mode, the objective of which was to take stock of the progress made by the “Desert to Power” (DtP) project, was held from 8 to 10 December 2020. Energy ministers from Mali and Mauritania, and other senior government representatives from the G5 Sahel countries were present at this meeting as well as representatives of several organizations (African Union Commissioner in charge of Infrastructure and Energy, Director General of the International Renewable Energy Agency (IRENA), Executive Secretary of the G5 Sahel, Executive Secretary of the Great Green Wall Agency, Steering Committee of “Desert to Power” and the Moroccan Agency for Sustainable Energy (MASEN). Participants, including those from the private sector, exchanged views on major topics such as regional integration of energy markets, the role that innovative technologies, such as storage can play in harnessing solar potential of the region, the challenges and opportunities for independent power producers, and how to approach the energy-agriculture and energy-health nexus, particularly in the context of the Covid-19 pandemic. It enabled the G5 Sahel countries - Burkina Faso, Mali, Mauritania, Niger and Chad- to present their respective roadmaps for the deployment of the DtP program and to enter into contact with a range of partners on their implementation, necessary reforms and priorities. During round tables devoted to the specific concerns of each State, the representatives of the governments of the G5 Sahel countries presented their main priorities, projects and strategic roadmaps to technical and financial partners. These

sessions provided strong indications on the level of support of partners to the projects presented by the G5 Sahel countries.

2. PROJECT DESCRIPTION

2.1. Context of the project

The Desert-to-Power Initiative (“DtP” or “Initiative”) aims to harness the solar potential of 11 Sahel countries (Burkina Faso, Chad, Djibouti, Ethiopia, Eritrea, Mali, Mauritania, Niger, Nigeria, Senegal and Sudan) to deploy 10 GW of solar photovoltaic (PV) power by 2030 and provide access to electricity to around 250 million people currently without access to electricity through a combination of on-grid solutions and off-grid.

The implementation of this Initiative follows a phased approach with an initial focus on the G5 Sahel countries (Burkina Faso, Chad, Mali, Mauritania and Niger), following the approval of the DtP by the heads of state during the G5 Sahel Desert-to-Power Summit held in Ouagadougou, Burkina Faso, September 13, 2019. Consultations with stakeholders have started in other Sahelian countries.

DtP implementation is based on a programmatic approach across five priority-action areas: (i) expanding utility-scale solar generation capacity; (ii) strengthening national grids and expansion of regional networks; (iii) deploying decentralized solutions; (iv) improving utilities efficiency; and (v) strengthening the favorable enabling environment for increased private sector investments. In addition, capacity building is a crosscutting component of all DtP interventions as the lack of skilled workers and institutional capacity presents a serious obstacle to countries in the region. Strengthening local energy stakeholders, promoting local manufacturing value chains and local content are some of the areas targeted by the Initiative.

The DtP Taskforce has been set up to coordinate the implementation of DtP, including resource mobilization, centralizing sector expertise, and consolidating skills. The Taskforce is hosted in the African Development Bank (AfDB or the Bank)’s energy complex and is guided by a high-level Steering Committee chaired by the CEO of the Moroccan Solar Agency (MASEN) and comprising Ministers of Energy of the Sahel G5 countries and key partners. The Taskforce will coordinate activities in support of the Ministries of Energy in each country through a designated country focal point working in the said ministries.

The G5 Sahel is a group of 5 Sahel countries which includes Burkina Faso, Chad, Mali, Mauritania and Niger.

The Desert to Power G5 Sahel Facility seeks to enable the African countries of the Sahel region to adopt a low-emission path by transforming their desert area into an opportunity to address their energy security needs using clean technologies, while delivering various adaptation co-benefits. The Sahel has unmatched renewable energy availability, and the G5 Sahel countries benefit from some of the highest solar energy irradiation and PV potential in the world. However, this potential for increasing electricity access, reducing GHG emissions and proving long-term sustainable growth in the Sahel countries remain largely untapped.

The program offers a regional approach to achieve universal access to electricity for the G5 Sahel countries. The program will deploy funding for low-emission electricity projects (on-grid and off-grid solar projects) that will benefit more 5.6 million of people. In addition, access to electricity from

renewable sources will improve the resilience of livelihoods to climate variability and the adaptive capacity linked to climate risk reduction. It will enable African countries in the Sahel region to adopt a low emissions pathway by transforming their desert area into an opportunity to meet their energy security needs using clean technologies, while providing various co- benefits in terms of adaptation.

The DtP program has an impact potential in terms of climate change mitigation estimated at more than **31.8 MtCO₂eq** for the 5 countries for the duration of the program. This impact will be achieved through the increase of more than 740 MW of solar energy production capacity, which will significantly increase the share of clean energy in the energy production mix of the five beneficiary countries.

2.2. Description of the project components

The approach proposed by the DtP program aims to eliminate the barriers identified through the implementation of four components which are part of the overall priorities of the “Desert to Power” initiative approved by the Heads of State of the G5 Sahel.

The first component will focus on grid investments to de-risk solar IPPs and pave the way for the uptake of a regional solar market. This component will include investments in grid ancillary infrastructure for solar integration, grid upgrades to enable distributed solar generation, storage for grids stability and regional interconnections to enable cross-border dispatch while reducing commercial risks attached to sole off-takers. A second component will provide additional finance to IPPs, to catalyse private sector investments in solar generation. A third component will provide access to electricity through 1000 mini-grids across the five countries of the G5 Sahel. The fourth component will focus on technical assistance with the standardization or development of standards for solar integration into the grids, build the capacity of institutional stakeholders among which national utilities, transmission system operators and regulators, and finally operationalise the policies and the existing regulatory frameworks in a way that promotes private sector investments in solar energy.

2.3. Project benefits

The Desert to Power G5 Sahel Facility intends to generate the following outcomes (i) A backbone grid that is capable of accepting the integration of up to 3 GW generation capacity, including through utility scale storage for solar power with minimal technical conditions in place for a regional solar market with cross-border transmission of clean energy for up to 3 GW (ii) IPPs for up to 650 MW of solar energy generation with an additional 50 MW hybridization of fossil fuel generating units and the opportunity for more IPP integration beyond project’s immediate focus, (iii) access to energy for 1000 localities through solar mini-grids, including various related adaptation co-benefits in rural areas, (iv) Creation of enabling conditions with local transformation such as the ability of stakeholders to adequately organize the sector, the capacity of operators to operate grids that have higher shares of renewables, the operationalization of conducive policy and regulatory frameworks that are inclusive of private sector participation. Through these outcomes, the Facility will create attractive and viable opportunities for solar PV in the G5 countries, improve energy access and security, reduce 31.8 MtCO₂e, directly benefit 5.6 million people and support the development of regulatory frameworks that incentivise investment in solar in each of the five countries.

In addition to climate mitigation impacts and to contributing to the energy security of the target countries, the Desert to Power Facility will contribute to several environmental, socio-economic and adaptation co-benefits.

Economic co-benefits: The Facility activities will generate various economic benefits during and after its implementation. The programme will achieve significant socioeconomic benefits through employment creations during and beyond the project and through economic value-add with the use of clean electricity for industrial transformation. By removing barriers for investments, the programme will enable investments in the energy sector thus supporting the economic growth of the beneficiary countries. It is expected that the G5 Sahel countries will improve their investment environment and that the Facility will create a sustainable market for solar IPPs. Clear linkages and correlations have been established in the past between countries GDP and energy access. While providing broader energy access in rural areas the Facility sets the beneficiary countries on a better economic trajectory. In fact, if the lack of access to modern energy for productive uses, such as agriculture, industry, mining and commercial activity, can temper economic growth and limit a country's ability to achieve the SDGs. In this context, improved access to energy can increase agricultural productivity, support rural businesses to operate longer hours,

Social co-benefits: Covering the cost for grid ancillary equipment for power plants integration will help achieve fairer feed-in tariffs which will result in lower electricity prices for end users. Component 3 will also subsidize the construction of mini grids, achieving electricity prices that are compatible with the ability to pay of communities living in rural areas. The Facility will also contribute to health benefits of the target communities. By shifting to clean and renewable energy sources, households and women in particular, will no longer rely on dangerous and polluting fuels like kerosene or diesel which have direct impact on people's health. Additionally, access to clean energy technologies will ease the burden of women to collect water for irrigation activities, freeing their time for other activities such as education and income generation. The Facility will also target rural communities with mini grids that will electrify health centers and schools, bringing direct benefits on the education and health of women and children living in the target countries.

Environmental co-benefits: The Facility will help displace a large amount of fossil fuel generation helping the five countries increase the average proportion of solar generation from the current average of 10%. This translates into significant environmental benefits especially when one considers the many diesel generators that are currently running to cover electricity needs through self-generation. Further, rural populations in the target countries are dependent on biomass and non-renewable sources for their household energy consumption. To meet their energy needs, Sahel population contributed to deforestation. Considering future climate scenarios, the Sahel populations are expected to worsen their ability and coping strategies, such as cutting trees to sell as fuelwood in times of drought, which has direct effects on deforestation and soil fertility and ultimately on agricultural yields. The Facility is expected to drive environmental co-benefits and to combat deforestation by increasing household access to electricity, which in turn could reduce the cutting of firewood.

Adaptation co-benefits: The DtP Facility contributes to the Sahel's countries efforts in adapting to climate change. Agriculture in the Sahel is predominantly rain-fed and represents the backbone of the countries' economies. Erratic weather patterns, droughts, and increasing temperatures present an ever-increasing risk to smallholder farmers and pastoralists across the region. Access to clean energy provides adaptation co-benefits by increasing the resilience of communities in several ways. First, a reliable energy supply is crucial to put in place an effective early warning system in allowing populations to have access to climate information or previsions. Rural population in the target countries can use their mobile phones, radios and television sets to access key information for their agricultural production. Secondly, energy for productive uses will increase agricultural productivity, thus impacting communities' food security and income generation. Access to energy and to technologies for productive uses will also enable communities, particularly women, to diversify their livelihoods and engage in economic activities, thus increasing their resilience to future climate impacts.

2.4. Project intervention area

The implementation of the Desert-to-Power Initiative follows a phased approach with an initial focus on the G5 Sahel countries (Burkina Faso, Chad, Mali, Mauritania and Niger).

The Sahel is one of the most highly affected regions by climate change. This undermines the countries' long-term development prospects, as well as opportunities for future generations. The Sahel countries are among the hottest living places in the world with increasing temperatures of 0.3°C per decade from 1979 to 2015. The G5 Sahel includes a group of 5 Sahelian countries including Burkina Faso, Chad, Mali, Mauritania and Niger. G5 Sahel countries have a total population of 86 million as of 2020, where 75% live in rural areas. All the G5 Sahel countries rank last in the Human Development Index (HDI) and are among the 10 poorest countries in the world. The G5 Sahel's Strategy for Development and Security identifies its members as ecologically vulnerable states, and recognizes that this vulnerability, combined with insecurity and a history of low state capacity as a key contributor to the region's development challenges. These issues are further compounded by weak infrastructure, which restricts the movement of people, goods and energy into land-locked and desert countries. G5 Sahel countries share common socio-economic and infrastructural characteristics, providing the opportunity to tackle their common climate challenges in a coherent manner.

The intervention areas in Niger and the sites of the sub-projects will be identified after project approval and in consultation with the various stakeholders of the project. Technical, economic, environmental and social feasibility will also determine the choice of sites.

2.5. Institutional set-up of the project

Implementation of the Desert to Power Initiative

The DtP Taskforce has been set up to coordinate the implementation of DtP, including resource mobilization, centralizing sector expertise, and consolidating skills. The Taskforce is housed in the African Development Bank (AfDB or the Bank)'s energy complex and is guided by a high-level Steering Committee chaired by the CEO of the Moroccan Agency for Sustainable Energy (Masen) and comprising Ministers of Energy of the Sahel G5 countries and key partners.

The Taskforce will coordinate activities in support of the Ministries of Energy in each country through a designated country focal point working in the said ministries.

The proposed in-country implementation structure of DtP is under review. It is expected to follow the model of a Project Coordination Unit (PCU) structure where representatives of the various stakeholders involved, in a given project, are represented within the PCU. The coordination unit will oversee the validation of technical and feasibility studies and the implementation of the financing plan until project commissioning and subsequent handover to the implementing agency.

DtP will require the same type of coordination across the sector stakeholders coordinated through the DtP focal point under the overall authority of the Minister of Energy, who also relays messages as appropriate to the Head of State. Institutional support to this in-country coordination team will be included in the resource mobilization efforts for project preparation.

Implementation of the Desert to Power G5 Sahel Facility

AfDB is well placed as an Accredited Entity to undertake the planned activities and has already started engagement with a broad range of financial and technical partners as well as coordination with relevant initiatives. In September 2019 Heads of States of the G5 Sahel countries met in Ouagadougou and endorsed the Desert to Power Initiative with the creation of a Task Force hosted by AfDB. National Focal Points were appointed to work closely with the Task Force. The Task Force currently leads resource mobilization and is engaging with potential partners to help syndicate projects.

The Taskforce is housed in the AfDB's energy complex and is guided by a high-level Steering Committee chaired by the CEO of the Moroccan Agency for Sustainable Energy (Masen) and comprising Ministers of Energy of the Sahel G5 countries and key partners. The Taskforce will coordinate activities in support of the Ministries of Finance in each country through a designated country focal point working in the said ministries.

The Programme will be implemented through **three key executing entities**, each responsible for the execution of different financial mechanisms:

1. AfDB will be executing all private sector investments (i.e. loans, storage) under Component 1, 2 and 3.
2. The G5 Countries' governments are executing entities for all public sector activities, i.e. subsidiary agreements (loans and grants) under Component 1, 2 and 3.
3. The African Guarantee Fund will execute the guarantee instrument for Productive Use and minimum revenue Guarantee under Component 3.

In each country, DtP coordination lies under the DtP focal point. Subsidiary agreements with the Countries as Executing Entities will be signed with their respective Ministries of Finance, who also represent the countries for such agreements and relays messages as appropriate to the Head of State. The same approach is applied to all 5 countries, with the exception of Mauritania, where both Ministry of Finance and Ministry of Petroleum, Energy and Mines jointly represent the country, and Niger where Ministry of Planning represents the country. (see Figure 3).

In each country the implementation arrangements include a Project Management Unit (PMU) structure where representatives of the various stakeholders involved are represented within the

PMU. The Project Management Unit will oversee the validation of technical and feasibility studies and the implementation of the financing plan until project commissioning and subsequent handover to the implementing agency.

Implementation of public sector investments: example of implementation arrangements in country

In Niger, the Ministry of Planning signs the Loan and Grant Agreement on behalf of the Country. The Ministry of Energy hosts the PMU, in which all relevant Government stakeholders will be represented. The Executing Entity, i.e. the Government, will rely on the Technical Delivery Arms for the implementation of each component. All Technical Delivery Arms are arms or agencies of the Government which have the mandate to carry Government activities in their respective mandate field. The Technical Delivery Arm for Component 1 is composed by the Ministry of Energy in collaboration with Nigelec, the national utility that operates the transmission lines. The Technical Delivery Arm for hybridization of remote diesel stations (Component 2) is Nigelec. The Technical Delivery Arm for Component 3 (PV mini grids) is ANPER, The National Agency for Promotion of Rural Electrification in Niger. And the Technical Delivery Arm for Technical Assistance (Component 4) is the Ministry of Energy itself.

Implementation of the guarantee instrument: Africa Guarantee Fund

The proposed executing entity for the management of the guarantee instrument (Component 3) is the Africa Guarantee Fund (AGF). AGF is a company owned by the Government of Denmark through the Danish International Development Agency (Danida), the Government of Spain through the Spanish Agency for International Development Co-operation (AECID), the Government of France through the French Development Agency (AFD), the Nordic Development Fund (NDF) and the African Development Bank (AfDB). AGF's mission is to support financial institutions in increasing lending to Small and Medium Enterprises by providing them with partial guarantees and capacity building. AGF has a presence in 38 countries across Africa and is experienced in both individual loan guarantees and portfolio guarantees, and it has been the executing entity of GCF projects (FP093).

3. ENVIRONMENTAL AND SOCIAL SITUATION - PROJECT AREA¹

3.1 Biophysical and socio-economic framework of Niger

Real GDP growth, averaging 5.6% over 2016–18, was estimated at 6.4% in 2019 due to strong performance by the primary and tertiary sectors. This growth is due to investments in infrastructure, extractives, and services, as well as to structural reforms, especially actions aimed at developing the private sector and strengthening the resilience of agriculture. Inflationary pressures remained contained, with an estimated rate of 1.5% for 2019.

The budget deficit, estimated at 3.2% of GDP in 2019, was a bit higher than the WAEMU target of 3%. The current account deficit, estimated at 14.6% of GDP in 2019, was due to investment-linked imports, persistently low world prices of raw materials (particularly uranium), and the narrow export base. Donors and foreign direct investment have financed most of this deficit. In June 2019, the risk of debt distress was assessed as moderate, with a public debt-to-GDP ratio estimated at 54% of GDP.

Despite progress in education and health, and a reduction in poverty (from 48% in 2011 to 40% in 2016), key human development indicators remain low. The unemployment rate, more pronounced among young people, rose from 13% in 2011 to 17% in 2017.

Growth is projected at 6% in 2020 and 5.5% in 2021. The strengthening of democratic institutions and the government's strong commitment to attaining its development goals will help the country stay on a high growth track over the next few years. This favorable outlook is tied largely to support from donors and to accelerated foreign direct investment, particularly in such strategic sectors as oil.

Several measures—increasing connectivity, establishing program budgeting, and adopting performance plans for managing taxes and customs—have boosted tax revenues and led to more efficient and effective public spending.

Progress in major infrastructure projects, such as the Kandadji Dam and beginning construction of the pipeline for exporting oil, should support investment and the eventual expansion of oil production and exports.

Growth remains exposed to several risks. The persistence of regional insecurity puts substantial pressure on public finances, resulting in reduced allocations to priority sectors such as education and health. The agricultural sector, which represents more than 40% of GDP and almost 80% of the labor force, remains vulnerable to climate change. High dependence on external finance and low capacity in implementing large projects could lead to macroeconomic slippage. Export revenues are highly vulnerable to volatility in the prices of raw materials. And recent measures by Nigeria—abolishing re-exports from Niger and Benin and depreciating the naira—could become more significant.

3.2 Environmental and socioeconomic issues of the G5 Sahel and Niger

The governments of the G5 Sahel countries are interested in pursuing low-carbon economic growth strategies, which can dovetail with their climate change adaptation and mitigation plans. The five countries are vulnerable to climate change impacts, with Chad being rated the most vulnerable country to climate change out of 186 countries that were assessed in 2017. Common priority sectors identified in both the countries' economic development plans and Intended Nationally Determined

¹ Source: AfDB

Contributions (INDCs) include climate-smart agriculture, sustainable land management, and increasing access to energy with a strong focus on developing their renewable energy potentials.

The economic development objectives of the Sustainable Development and Inclusive Growth Strategy (SDIGS) Niger 2035 include diversification of the economy, development of a private sector, development of basic infrastructure, increased agricultural production and productivity, and absorption of young people in the labour market (Republic of Niger, 2017). Currently, the agro-pastoral sector represents 37% of GNP and 80% of employment (Republic of Niger, 2015). The strategy argues that an average annual agricultural growth rate of 6% between 2015 and 2035 will enable reductions in poverty and under-employment, economic growth, and structural transformation (Republic of Niger, 2017). It is envisaged that a more productive agriculture sector should lead to a more dynamic rural economy and stem rural outflow by providing youth with decent jobs. The 2035 Strategy also argues that increasing farming incomes and diversifying the rural economy will reduce household vulnerability to climate change. In order to achieve these objectives, the government's strategy argues that modernisation of the government administration is necessary. Niger's national objectives as outlined in their 2015 INDC include promoting rational management of natural resources, a low-carbon and green growth development strategy, and enhancing the resilience of populations, agriculture, and forest and pastoral ecosystems (Republic of Niger, 2015). Mitigation measures largely focus on energy (residential, industrial, and transportation), whilst adaptation measures mostly focus on application of the Strategic Framework for Sustainable Land Management (SF-SLM). The vision underpinning the INDC is 'climate-smart agriculture and access to modern energy services for everyone in 2030'

Niger's INDC identifies climate-smart agriculture, sustainable land management, and energy sector development as priorities. It also identifies a number of implementation barriers including institutional (coordination between institutions, synergies between policies and strategies, strengthening rural leadership); high population growth; high illiteracy of the rural population making dissemination of climate-smart agriculture and sustainable land management techniques difficult; the rural extension system; and land tenure issues for both agriculture and pastoralism (Republic of Niger, 2015).

Niger's INDC argues that large investments are needed in its energy sector to facilitate access to cheap, sustainable, and clean energy (Republic of Niger, 2015). Nationally, 16% of Niger's population had access to electricity in 2016. There is a sharp rural–urban divide in electricity access, with urban access rates surpassing 65% in 2016 yet rural areas remain mostly unconnected. Identified measures in the INDC include: rural electrification, conservation and replacement of wood energy, improving energy efficiency, promoting renewables (wind, solar, and hydro), constructing frame-free buildings, and managing energy consumption in the transport sector. By 2030, the government aims to reach universal urban access and 30% access in rural areas, with renewables accounting for around 57% of the electricity mix. Co-benefits from the development of the energy sector include improvements in living conditions and alleviation of women's domestic duties.

4. POLICY, LEGISLATIVE AND REGULATORY FRAMEWORKS

4.1 G5 Sahel

4.1.1 Economic integration and development of the G5 Sahel countries

The G5 Sahel (G5S) is part of a strong tradition of regional integration in terms of economic development and the fight against terrorism; however, the members of the G5S are, overall, members of three different organizations for each theme: Mauritania with the Maghreb or even the Arab world, Mali, Burkina Faso and Niger with West Africa and Chad with the 'Central Africa. Thus, in terms of economic integration and development, the G5 Sahel countries are members of different organizations:

- Mauritania is a member of the Arab Maghreb Union,
- Mali, Burkina Faso and Niger are members of UEMOA and ECOWAS,
- Chad is a member of CEMAC.

The G5 Sahel displays a strong desire for sustainable development, through the creation of infrastructure, the promotion of the economy and human development. It calls for support from all development partners interested in the region, in particular the African Development Bank (AfDB), the World Bank group, bilateral cooperation, and Islamic development organizations.

4.1.2 Priority investment program (PIP)

The G5 Sahel, in addition to its main mission of coordinating and monitoring cooperation between member states in matters of security and development is also "a development instrument" whose "originality lies in the coupling [...] between defense and security on the one hand, and development on the other". The development and security strategy, adopted by the Heads of State, is broken down into multi-year action plans to be operationalized through the Priority Investment Program (PIP) composed of structuring regional projects and projects concerning mainly border areas, articulated around four strategic axes namely:

1. Defense and Security,
2. Governance,
3. Infrastructures and
4. Human Development and Resilience.

The PIP, adopted in June 2014, was updated during the ordinary session of the Council of Ministers held on June 6, 2017 in Bamako, Mali. The Council of Ministers, by adopting the PIP, gave guidelines with a view to prioritizing projects with particular emphasis on those resulting from decisions by Heads of State while updating costs. Specifically, the PIP should be resized in order to present a first phase 2019-2021.

Indeed, the G5 Sahel countries faced with multiple security challenges, migration, climate change, inter-community conflicts etc. very quickly understood that with regard to the Sahel, development issues must be considered more at the regional level and that integrative regional projects between member countries must be given priority to the detriment of those falling within an exclusively national.

4.2 Political framework for environmental and social management in Niger

The protection of the environment is a priority of the Nigerien government enshrined in several policy and program documents, essential to ensure the objectives of development. Since PROLAC is a development project, it remains in line with the priorities and objectives of the following policies, plans and strategies:

The National Policy on Environment and Sustainable Development adopted by Decree No. 2016-522 / PRN / ME / DD of September 28, 2016. It covers all the key dimensions of development relating to technical, institutional and organizational aspects, capacity building and resource mobilization, especially domestic. It revolves around four strategic areas of intervention, namely: Governance of the sector; sustainable management of land and water; sustainable management of the environment; Management of biological diversity.

The National policy on land use planning is defined by law n ° 2001-32 of December 31, 2001 on the orientation of the land use planning policy. Its purpose is "to establish the legal framework for all interventions by the State and other actors having the effect of structuring, occupying and using the national territory and its resources" (art.1). It defines spatial planning as a tool "made up of a coherent set of guidelines, strategies and measures aimed at promoting sustainable and spatially balanced development" (Article 2). Spatial planning policy must, among other things, contribute to "the preservation and improvement of natural factors of production" (art.3).

The National Gender Policy adopted in 2008 in order to reduce the gaps that exist in the distribution, control and management of resources between men and women in Niger. The purpose of the National Gender Policy is "to contribute to the achievement of equity and equal access for men and women in Niger" through two global objectives:

- the establishment of an institutional, socio-cultural, legal and economic environment favorable to the achievement of equity and equal access for men and women in Niger;
- the effective integration of gender as a variable at all stages of the process of studies and research on the socio-economic conditions of populations, analysis, planning, implementation, monitoring and evaluation development programs and the systematic consideration of gender-related needs in the interventions of the activity sectors in terms of objectives, strategies and actions

The Development and Security Strategy in the Sahelo-Saharan areas of Niger (SDS-Sahel Niger), with the objective of "contributing to economic and social development in Niger in general and of the Saharan and Sahel-Saharan areas in particular, by creating the conditions lasting peace, security and development ". It was designed on the basis of a deep and realistic participatory analysis of the specific issue relating to the security conditions and development of the Sahel - Saharan Zones of Niger. Also, in view of the major challenges and issues that it intends to address at all levels (local, national and international), this initiative of the Government of Niger is intended to be integrated as part of a contribution to the development of regional synergy and the convergence of efforts targeting the security and individual and collective well-being of the populations living in all the countries of the Sahel-Saharan strip.

The Sustainable Development and Inclusive Growth Strategy (SDDCI Niger 2035) adopted in 2017 which lays down "the basic principles of harmonious sustainable development for present and future generations of Niger". Its development objective is "to build a well-governed and peaceful country and an emerging economy, based on a balanced sharing of the fruits of progress".

The strategy known as the 3N Initiative Nigeriens Nourish Nigeriens (i3N) through its Acceleration Plan for food and nutritional security and sustainable agricultural development, the specific objective of which is to strengthen national capacities for food production, supply and resilience in the face of food crises and natural disasters;

The Sustainable Development Strategy for Livestock (SDEL Niger 2012-2035) with the vision of making "A Niger where livestock, by 2035, significantly contribute to food and nutritional security and improve the socio-economic conditions of populations through sustainable management of the environment ";

The National Action Plan to Combat Desertification (PAN / LCD) adopted in 2000 and which aims, through the mobilization of funding, to fight effectively against the factors of desertification

The National Integrated Water Resources Management Action Plan (PANGIRE) adopted in 2017 with a view to defining an appropriate national framework for water resources management with a view to establishing a National Water Policy based on the principles internationally recognized water management systems, while adapting them to national conditions (art. 31 to 33, Water Code).

The National Environment Plan for Sustainable Development (PNEDD), drawn up in 1998, which serves as Agenda 21 for Niger. The PNEDD establishes the objectives of Nigerien policy in terms of environmental protection and sustainable development. Its goal is to implement the three post-Rio Conventions by creating conditions favorable to the long-term improvement of the living conditions of the population and of the country's economic development.

The 2017-2021 Economic and Social Development Plan which lays down and consolidates government policy guidelines in terms of socio-economic, cultural and environmental development. In this sense, according to its axis 3 "The main orientation relates to strengthening the economic potential of our country with a view to achieving an accelerated rate of growth, able to meet the dual objective of improving income and job creation, as well as the consolidation of the foundations of sustainable development ". To do this, "Particular emphasis will be placed on structuring investments in strategic areas of the economy with a view to initiating the rupture". This is in line with "Investments in infrastructure and services to reduce the cost and time of transport, particularly along the main corridors, to increase inter and intra regional trade flows and to help strengthen integration and regional economic cooperation ".

4.3 Legislative and regulatory framework for environmental and social management in Burkina Faso

At the international level, these are the international conventions and treaties that Niger has signed and ratified, certain provisions of which are consistent with the implementation of the Revival and Development Project in the Lake Chad Region: Convention on Biological Diversity, Convention on the Development of the Lake Chad Basin of May 21, 1964 and Water Charter of the Lake Chad Basin, United Nations Framework Convention on Climate Change, Convention on World Cultural and Natural Heritage, Convention No. No. 148 on the working environment (air pollution, noise and vibrations), Convention No. 155 on occupational safety and health, Convention No. 161 on occupational health services, Convention No. 187 on the promotional framework for occupational safety and health.

Prime Minister's Office

The project is supervised by the Prime Minister's office through the executive secretariat of the SDS Sahel Niger because of its multisectoral and integrated character, aiming at a transversal impact on

socio-economic development and security conditions in one of the Sahel-Saharan areas. of Niger, for which it manages several projects and programs such as PARCA. Within the meaning of the Constitution of the 7th Republic, the Prime Minister directs government action through which the essential political guidelines are set while ensuring its coordination and consistency. Also, the institutional anchoring of the Sahel-Niger SDS is of an important strategic nature, in particular to maintain and strengthen the synergies necessary for the success of the implementation. As such, the Prime Minister ensures the impetus and control of the project management. It guarantees the political commitment of the Government in the implementation and promotes the development of multi - sectoral synergies within a framework of multi - actor partnership, in order to allow the achievement of the SDS SAHEL-NIGER objectives. Created by Decree n ° 96-004 / PM of January 9, 1996 modified and supplemented by Decree 2000-272 / PRN / PM of August 04, 2000, the National Council for the Environment for Sustainable Development (CNEDD) is a deliberative body whose mission is to develop, implement, monitor and evaluate the implementation of the PNEDD. It is above all responsible for ensuring that the environmental dimension is taken into account in Niger's socio-economic development policies and programs. He is attached to the office of the Prime Minister and the Director of Cabinet assumes the Presidency. To fulfill its functions as a national coordinating body, the CNEDD has an Executive Secretariat which itself is supported at the central level by sectoral technical commissions created by decrees of the Prime Minister and at the regional level by regional councils of the environment for sustainable development. As part of this Project, the CNEDD will be involved in the evaluation of the provisional safeguard reports to give its opinion, in particular with regard to taking into account the provisions of the RIO conventions.

Ministry of the Environment, Urban Health and Sustainable Development

Within the meaning of Decree No. 2018-475 / PRN of July 19, 2018 amending and supplementing Decree No. 2016-624 / PM of November 14, 2016 specifying the powers of members of the Government, the Ministry of the Environment, Urban Health and Sustainable Development is responsible, in conjunction with the other ministries concerned, for the design, development, implementation, monitoring and evaluation of national policy on the environment, Urban health and sustainable development, in accordance with the guidelines defined by the Government.

As such, he exercises the following powers:

- the definition and implementation of policies and strategies in the fields of environmental restoration and preservation, the fight against desertification, climate change, biodiversity, sustainable management of natural resources and wetlands;
- the definition and implementation of policies and strategies in the field of sustainable development;
- taking into account the national sectoral policies and strategy on the environment and sustainable development in other national policies and strategies;
- validation of environmental assessment reports for development programs and projects, issuance of environmental compliance certificates, carrying out environmental and ecological monitoring, environmental audits and reports; - etc.

In accordance with the provisions of Article 1 of Decree No. 2018-745 / PRN / MESU / DD of 19 October 2018, organizing the Ministry of the Environment, Urban Health and Sustainable Development, the latter is organized, in Central Administration, Deconcentrated Technical Services, Decentralized Services, Public Programs and Projects. As part of the implementation of this project, the General Directorate of the National Environmental Assessment Office (BNEE), in accordance with Order No. 0099 / MESU / DD / SG / BNEE / DL of June 28, 2019 on the organization and operation of

the National Environmental Assessment Office (BNEE), its National Directorates and determining the responsibilities of their managers, will be responsible for managing the procedure.

As for questions dealing specifically with the implementation of the national policy on sustainable management of the environment, a General Directorate of Sustainable Development and Environmental Standards (DGDD / NE) and a General Directorate of Sanitation have been created. Urban (DGSU).

Environmental code

The protection of the environment has been enshrined in the fundamental law of the Republic of Niger, namely the Constitution of 25 November 2010. It stipulates in article 35 that "everyone has the right to a healthy environment. The State has the obligation to protect the environment in the interest of present and future generations", better this article empowers "each one to contribute to the safeguard and the improvement of the environment in which he lives. "

In the same vein, article 37 stipulates that "National and international companies have the obligation to respect the legislation in force in environmental matters. They are required to protect human health and contribute to the protection and improvement of the environment". The Constitution obliges the public power to "ensure the assessment and control of the environmental impacts of any development project and program". To make applicable its various provisions of the fundamental law, several laws and regulations have been adopted.

Their requirements in terms of environmental and social management are summarized below:

Constitution 25 November 2010

Article 35 "The State has an obligation to protect the environment in the interest of present and future generations. Everyone is required to contribute to safeguarding and improving the environment in which they live [...] The State ensures the assessment and control of the impacts of any development project and program on the environment".

Law 61-37 of November 24, 1961, amended and supplemented by law 2008- 37 of July 10, 2008.

Article 9 (new): composition and powers of the Expropriation Commission.

Article 15: it provides that an owner can be deprived of his right only for public utility, after a fair and prior compensation. See also articles: 3, 4, 5, 11, 12, 13.

Law n ° 97-022 of June 30, 1997 relating to the protection, conservation and enhancement of the national cultural heritage

In Articles 2 to 5, cultural heritage is defined as monuments, groups of buildings and sites. The law also establishes the authorities responsible in the matter (articles 57 to 59) and the penalties applicable in the event of infringement (articles 60 to 67).

Law No. 98-56 of December 29, 1998 on the framework law on environmental management

Article 31: "Development activities, projects and programs which, by virtue of their size or their impact on the natural and human environments, may affect them are subject to prior authorization from the Minister responsible for the environment. [...] ".

Law n ° 2018-28 of May 14, 2018 determining the fundamental principles of environmental assessment in Niger.

It defines in its article 9, the Environmental and Social Management Framework (CGES) as: "document containing the orientations in terms of mitigation and / or strengthening of the environmental and social effects that could generate on the receiving environment the implementation

Law 2012-45 of September 25, 2012 on the Labor Code in the Republic of Niger

Prohibits forced or compulsory labor, as well as any discrimination in matters of employment and remuneration based in particular on race, sex and social origin. It establishes guidelines for the hiring of workers, the use of temporary employment agencies or private employment agencies, as well as the suspension or termination of employment contracts.

Ordinance n ° 99-50 of November 22, 1999 fixing the tariffs for alienation and occupation of public lands in Niger

The tariffs for alienation and occupation of state land in Niger are set according to whether one is in a rural or an urban zone.

Ordinance 93-015 of March 2, 1993 on the organization of the rural code which sets the framework for the framework relating to land issues in Niger

This ordinance sets the framework for the orientation of the State's land policy. It defines the rules for access to natural resources and their use and identifies the rules that must prevail to achieve a level of agro-economic performance; ensure equity in access to natural resources; ensure social peace. The law has defined the framework for access to a resource by the content of the various rights held on the resource (right of use, right of access, withdrawal, management, control rights). Access is secured by the possibility of registering these rights by specifying their origin (inherited, acquired by clearing, by borrowing, by purchase, by family allocation, customary or by the State "concession").

Ordinance No. 2010-029 of April 1, 2010 on the Water Code

Article 12: "Those who, by virtue of their activities, use the water resource, must contribute to the financing of water management, according to their use, by virtue of the Levy-Pay principle, notwithstanding the right of each citizen stated to article 4 of this ordinance ”.

Decree No. 97-006 of January 10, 1997 Development of rural natural resources

Establishes the legal regime for the development of land, plant, hydraulic and animal resources, as defined in art. 2 of Ord. N ° 93-015 of March 2, 1993, establishing the Guiding Principles of the Rural Code.

Decree n ° 2019-027 / PRN / MESUDD of January 11, 2019 laying down detailed rules for the application of law n ° 2018-28 of May 14, 2018 determining the fundamental principles of environmental assessment in Niger

Article 2: Administrative and technical procedure for systemic (holistic) and iterative evaluation of the environmental and social effects (negative and positive) that could generate on the host

environment, the establishment of a policy, a policy, a plan or program as well as a project comprising several sub-projects from the start of the development process. It is based on the principle of transparency, precaution and participation and constitutes a decision support tool. It is a decree that is in line with Niger's environmental policy on sustainable development insofar as environmental issues are ranked in order of importance.

Decree No. 2011-404 / PRN / MH / E of August 31, 2011, determining the nomenclature of development, installations, structures, works and activities subject to declaration, authorization and concession for water use.

Determines the nomenclature of developments, installations, structures, works and activities subject to declaration, authorization and concession of water use

Decree n ° 2011-405 / PRN / MH / E of August 31, 2011 setting the modalities and procedures for declaration, authorization and concession of water

Sets the modalities and procedures for declaration, authorization and concession of water use.

Order n ° 140 / MSP / LCE / DGSP / DS of September 27, 2004 setting the standards for the discharge of waste into the natural environment.

Article 1 of this decree stipulates that "in order to ensure the protection of public health and the environment, the provisions of this decree are intended to apply to the natural environment, to wastewater treatment plants, to mining research and exploitation site, quarries and their outbuildings as well as dumping grounds ". In its article 3, this decree gives the standards for the discharge of liquid effluents into the receiving environment.

Order n ° 0099 / MESUDD / BNEE / DL of June 28, 2019 on the organization and functioning of BNEE and its national departments and determining the responsibilities of their managers

Article 2 of this decree specifies that the National Environmental Assessment Office (BNEE) is a decision-making support body whose missions are to promote and implement Environmental Assessment in Niger. It has jurisdiction at the national level, over all policies, strategies, plans, programs, projects and all activities, for which an Environmental Assessment is mandatory or necessary, in accordance with the provisions of Law No. 2018-28 of May 14, 2018 determining the fundamental principles of Environmental Assessment in Niger

5. INSTITUTIONAL FRAMEWORK FOR ENVIRONMENTAL AND SOCIAL MANAGEMENT

5.1 G5 Sahel

The information available does not show the existence of a specific institutional framework of the G5 Sahel dedicated to environmental and social management. To this end and given the cross-cutting aspect of environmental and social safeguard issues, the consideration of environmental and social risk management of the G5 Sahel's activities could be addressed through the Organization's steering mechanisms, which are:

The Conference of Heads of State

The Conference of Heads of State is the supreme organ of the G5 Sahel and includes all member Heads of State. It is the decision-making body. It sets the main directions and strategic options. It meets in ordinary session once a year. It may meet in extraordinary session upon convocation by the President of the Conference or at the request of one or more Heads of State whenever necessary.

It provides political supervision and the management of the political interfaces of the strategy.

The Council of Ministers

It is the monitoring body for the implementation of the G5 Sahel policy. It provides strategic leadership and impetus.

It brings together the ministers in charge of the Economy and Development Planning of the G5 Sahel member countries and ministers whose programs and projects are on the agenda of the Conference. The Council meets two (2) times a year in ordinary session. It may meet in extraordinary session upon convocation by its President or at the request of a member state, subject to the approval of this request by a simple majority of states. The Presidency of the council is ensured by the minister of the country ensuring the Presidency of the Conference of Heads of State of the G5 Sahel.

The Permanent Secretariat of the G5 Sahel

It is the executive body of the Conference of Heads of State of the G5 Sahel. It is placed under the authority of the Council of Ministers of the G5 Sahel. The Permanent Secretariat of the G5 Sahel ensures the management of strategic interfaces, the administration of the common financing fund, the operational steering and impetus, the management of the operational interfaces, the operational management, and the monitoring and evaluation of the strategy.

As Strategy Coordinator, the Permanent Secretariat serves as an interface between all structural components of the G5 Sahel. The Permanent Secretariat is headed by a Permanent Secretary. The Permanent Secretary is assisted in his mission by the Heads of Departments: "Resilience", "Peace and Security", "Infrastructures", "Governance".

5.2 Niger

The framework law 98-56 stipulates, respectively in its articles 13 and 28 that the ministry responsible for the environment ensures the implementation of the national environmental policy in relation with the other ministries and institutions concerned and ensures with them to taking the environmental dimension into account in all development plans, programs and projects

Environmental management is primarily the responsibility of the Ministry in charge of the environment, but with the necessary involvement of the various other Ministries and specialized institutions. These structures exercise their attributions in accordance with Decree n ° 2019-027 / PRN / MESUDD of January 11, 2019 on the implementation modalities of Law n ° 2018-28 of May 14, 2018 determining the fundamental principles of environmental assessment in Niger.

ACTORS	SPECIFIC ATTRIBUTIONS
Ministry of Urban health and sustainable development environment	The Ministry of the Environment, Urban Health and Sustainable Development (MESUDD): According to the decree n ° 2018-475 / PRN of July 9, 2018, modifying and supplementing the decree n ° 2016-623 / PRN on the organization of the Government and fixing the attributions of the Ministers of State, Ministers and Deputy Ministers and the decree n ° 2018- 476 / PM of July 9, 2018, modifying and supplementing decree n ° 2016-624 / PM of November 14, 2016, specifying the powers of Members of the Government, "the Minister of the Environment, Urban Health and of Sustainable Development is responsible, in conjunction with the other ministers concerned, for the design, development, implementation, monitoring and evaluation of national policy on the environment, and Sustainable Development in accordance with the guidelines defined by the Government ”.
Directorate General of Water and Forests (DGEF)	The General Directorate of Water and Forests (DGEF) which includes the following National Technical Departments: the Directorate of Protection, Nature and Equipment ; the Department of Wildlife, Hunting, Parks and Reserves;
National Office of Environmental Assessment (BNEE)	The National Environmental Assessment Office (BNEE) created by Law No. 2018-28 of May 14, 2018, determining the fundamental principles of environmental assessment in Niger.
National Center for Monitoring and Ecological Monitoring	The CNSEE created by Decree n ° 2009- 127 / PRN / ME / LCD of 23 April 2009 is responsible for producing and disseminating decision-making tools in matters of policy. environmental and sustainable development.
The General Directorate of Rural Engineering	(i) Ensure the promotion of the national policy for the development of agricultural land, the mobilization of surface and groundwater. construction of rural infrastructure and irrigation development in relation to the other structures concerned, (ii) Contribute to the implementation of the economic and social development plan (PDES 2012-2015) and particularly of the 3 N Initiative and other sub-sector strategies, (iii) Prepare technical studies and control

5.3 Assessment of the capacities of the main actors in the implementation of the PCGES

All the actors are not always at the same level of impregnation and appreciation of the environmental and social issues, opportunities and challenges related to the environmental management of the DtP project and do not always have the capacities required to comply with the various international regulations (ADB and FVC) and national in terms of environmental and social management.

The institutional analysis aims to identify certain structures in place and assess their capacities to adequately manage the environmental and social aspects and, if necessary, propose the needs for reinforcement in the implementation of the ESMP. The table below presents the results of this analysis.

Table 1: Analysis grid of the environmental and social management capacities of the main actors involved in the implementation of the ESMP

Institutions	Missions of the institution and link with the DtP	Capacities project in environmental and social management	Need for capacity building
PCU	Ensures project management and monitoring of activities in accordance with regulatory provisions.	NIGELEC has an environmental unit which has experience in projects financed by the World Bank. . However, these experts are not sufficiently familiar with the environmental safeguards of the GCF and the AfDB.	Strengthening institutional capacity by recruiting a Social Safeguard Specialist and an Environmental Safeguard Specialist with the profile of the NIGELEC Environmental Unit is necessary to ensure the Environment function in the PMU (monitoring and reporting on the ESMP)
BNEE	The main responsibility is devolved to the BNEE for the application of the regulatory texts relating to the environmental assessment and in particular the monitoring of the implementation of the ESMP	To fulfill these mandates, the BNEE has qualified executives and regional representations (the Environmental Assessment and Ecological Monitoring Divisions (DEESE)) However, their means of intervention (control and monitoring) are relatively limited to enable them to properly monitor the implementation of the ESMP	<ul style="list-style-type: none"> - The reinforcement needs are expressed in terms of capacity building of agents in monitoring and evaluation of the implementation of the ESMP. - Support in means of intervention
Town halls	The Town Halls as a local collectivity, endowed with a civil personality, is responsible for the social economic promotion and the management of municipal interests.	As part of the DtP, the town hall is at the center of land acquisition activities and the monitoring of the implementation of the ESMP, including the complaints management mechanism. Within the Town Hall, the municipal environment service is the key person for environmental management.	<p>The needs in terms of strengthening capacity are expressed in terms of:</p> <ul style="list-style-type: none"> - mastery of the regulatory framework for EIA in Niger; - training on environmental and social assessment and internalization of the ESMP of the DTP project; - mastery of the monitoring and implementation process implementation of the ESMP;

Administration and staff of the DtP	She will be in charge of managing the operation of the DtP, including environmental aspects (waste management, health and safety of workers on construction sites, etc.)	Within the management structure of the DtP, an Environment function is clearly foreseen	<p>The needs in terms of strengthening capacity are expressed in terms of:</p> <p>Information and awareness on waste management, vulnerability factors such as STIs and HIV / AIDS in schools, the risk of accidents, hygiene, health and safety)</p>
NGO	A large number of NGOs cover issues of environmental protection. These NGOs can provide advisory and public awareness support services and also the implementation of planting actions if necessary	Many of these NGOs are at a rudimentary stage of development, with limited technical environmental and action capacities in terms of human resources, finances and material means.	<p>The needs in terms of strengthening capacity are expressed in terms of:</p> <ul style="list-style-type: none"> - Training in environmental and social assessment; - Mastery of tools for monitoring and evaluating the implementation of the ESMP

6. ENVIRONMENTAL AND SOCIAL MANAGEMENT SYSTEMS OF THE AFRICAN DEVELOPMENT BANK AND THE GREEN CLIMATE FUND

6.1 AfDB Environmental and Social Safeguard Policies

The AfDB has developed various policies and strategies with the aim of integrating environmental and social considerations into the implementation of development projects. These policies and strategies take the form of an ISS for "integrated safeguard system" (ISS) which is also based on the following documents:

- Environmental and Social Assessment Procedures, supported by guidelines that clearly define how the Bank and the borrower or client should implement operational safeguards during the project cycle. They provide information on the specific procedures that the Bank and its borrowers or clients must follow in order to ensure that the Bank's operations meet the conditions of operational safeguards (OS);
- Sectoral directives: guidance documents providing technical directives relating to methodological approaches or standards and management measures necessary to meet operational safeguards.

This ISS brings together the five specific safeguard criteria that the Bank's clients are required to respect when dealing with environmental and social impacts and risks. These five criteria correspond to five Operational Safeguards (SOs) - a set of brief and focused policy statements that clearly define the operational conditions to which Bank-financed operations must comply - which are as follows:

SO1: Environmental and Social Assessment	<p>Triggered - This overarching SO governs the process of determining the environmental and social category of a project and the resulting environmental and social assessment requirements.</p> <p>AfDB-financed projects are categorized according to their level of potential environmental and social impacts, positive and negative, during the project identification phase, in order to classify them in one of categories 1, 2, 3 or 4.</p> <p><u>The DtP program is classified as category 1 (Bank operations likely to cause significant environmental and social impacts) and involving the displacement of people.</u></p>
SO2: Involuntary resettlement	<p>Triggered - This SO consolidates the political conditions and commitments set out in the Bank's involuntary resettlement policy and incorporates a number of enhancements intended to increase the operational effectiveness of these conditions.</p> <p><u>In view of the characteristics of the DtP program, SO-2 is triggered because land for the establishment of sites or the opening of works tracks can lead to the displacement of people or to economic displacement.</u></p>
SO3: Biodiversity and ecosystem services	<p>Triggered - This SO sets goals to conserve biological diversity and promote the sustainable use of natural resources. It also translates the political commitments contained in the Bank's policy on integrated water resources management and operational requirements.</p> <p><u>The DtP program triggers SO-3, ecologically significant trees may be cut, although the sites may be located in habitat of less ecological significance.</u></p>

<p>SO 4: Prevention and control of pollution, greenhouse gases, hazardous materials and efficient use of resources</p>	<p>Triggered - This SO covers the full range of impacts related to pollution, waste and key hazardous substances, for which there are international conventions in force, as well as comprehensive industry-specific or regional standards, which are applied by other MDBs, in particular for the greenhouse gas inventory. All the pollution control measures taken as part of this impact study will go in the direction of this SO.</p> <p><u>The operation of a solar power plant and an electric line is not capable of producing greenhouse gases, nor significant volumes of discharges or quantity of waste. Nevertheless, construction activities, including the manufacture of panels, will constitute a source of various emissions that must be managed adequately, such as the cleaning of panels in operation which will involve water consumption.</u></p>
<p>SO 5: Working conditions, health and safety</p>	<p>Triggered -SO 5 defines the Bank's requirements of its borrowers or clients regarding workers' conditions, rights and protection against abuse or exploitation. It also ensures better harmonization with most other multilateral development banks.</p> <p><u>The construction and operation of projects financed by the Facility requires the hiring of qualified and unqualified workers who must be framed by specific recruitment, health, safety and hygiene procedures to meet the needs of this SO.</u></p>

6.2 Provisional environmental and social safeguards of the GCF (performance standards of the International Finance Corporation - IFC)

PS	Goals	Applicability of the Standard
<i>PS1 - Assessment and management of environmental and social risks and impacts</i>	<ul style="list-style-type: none"> Identify and assess the risks and the environmental and social impacts of the project. Adopt a hierarchy of mitigation measures so as to anticipate and avoid impacts, or when this is not possible, mitigate and, when residual impacts persist, the risks and impacts faced by workers, affected communities and the environment. Promote better environmental and social performance of customers through efficient use of management systems. Ensure that grievances from affected communities and external communications from other stakeholders are addressed and managed appropriately. Promote and provide the necessary means for a concrete dialogue with affected communities, throughout the project cycle to cover issues that could affect said communities, and ensure that relevant environmental and social information is disclosed and disseminated. 	<p>YES</p> <p>The initiatives eligible for the program include the following main types of investment:</p> <ul style="list-style-type: none"> Solar network connected to PV via an independent energy producer (IPP) - sub-components 2.1 and 1.1 PV hybridization - sub-component 2.2 PV mini-grids - component 3 Storage for grid stabilization - sub-component 1.2 Regional interconnections - subcompacts 1.3 <p>The main activities necessary for the effective implementation of these investments and occurring during the construction phase but also during the operation are by their nature, likely to generate negative environmental and social impacts.</p> <p>It is expected that the Facility will only finance sub-projects for which they have adequate measures to manage E&S risks and impacts.</p>
<i>PS2 - Labor and working conditions</i>	<ul style="list-style-type: none"> Promote fair treatment, non-discrimination and equal opportunities for workers. Establish, maintain and improve relations between workers and management. Promote respect for national labor and employment law. Protect workers, including vulnerable categories of workers such as children, migrant workers, workers recruited by third parties and workers in the customer's supply chain Promote safe and healthy working conditions and protect the health of workers. Avoid the use of forced labor. 	<p>YES</p> <p>The Facility and its subcontractors must guarantee decent working and employment conditions in their internal organization. The facility must ensure that the financed subprojects comply with the requirements of PS2, which means that these provisions apply to both the project and the sub-contractors of the project.</p> <p>The requirements of PS2 are applicable both during the construction and implementation phases of sub-projects.</p>

<i>PS3 - Efficient use of resources, prevention and reduction of pollution</i>	<ul style="list-style-type: none"> • Avoid or reduce negative impacts on human health and the environment by avoiding or reducing pollution generated by project activities. • Promote the more sustainable use of resources, especially energy and water. • Reduce GHG emissions related to projects. 	<p>YES</p> <p>The E&S risk assessment to be carried out on the Sub-projects should identify the possible negative impacts of all forms of pollution on communities and the environment, including the excessive use of natural resources such as water. PS3 applies to all projects likely to have such impacts, and is not limited to the construction phase.</p>
<i>PS4 - Community health, safety and security</i>	<ul style="list-style-type: none"> • Anticipate and avoid, during the life of the project, the negative impacts on the health and safety of the affected communities which may result from ordinary or non-ordinary circumstances. • Ensure that the protection of personnel and property is ensured in accordance with applicable human rights principles and in a manner that avoids exposing affected communities to or minimizes risks. 	<p>YES</p> <p>In connection with PS3, the E&S risk assessment to be carried out on the Sub-projects should take into account aspects related to the health, safety and security of communities, both for the contracting authorities and for their subprojects.</p>
<i>PS5 - Land acquisition and involuntary resettlement</i>	<ul style="list-style-type: none"> • Avoid, and whenever this is not possible, limit involuntary resettlement by considering alternative designs to projects. • Avoid forced eviction. • Anticipate and avoid, or where it is not possible to avoid, limit the negative social and economic impacts resulting from the acquisition of land or restrictions on its use by: (i) providing compensation for loss of land assets at replacement price and (ii) ensuring that resettlement activities are accompanied by appropriate communication of information, consultation and informed participation of affected people. • Improve or at least restore the livelihoods and living conditions of displaced people. • Improve the living conditions of physically displaced people through the provision of adequate housing with security of tenure in resettlement sites. 	<p>YES</p> <p>All Sub-projects should avoid land acquisition involving displacement and, if this is not possible, should comply with PS5 when compensating affected communities and people.</p> <p>This applies to physical and economic travel. Impacts on assets and livelihoods must be taken into account.</p>

<p><i>PS6 - Conservation of biodiversity and sustainable management of living natural resources</i></p>	<ul style="list-style-type: none"> • Protect and conserve biodiversity. • Maintain the benefits derived from ecosystem services. • Promote the sustainable management of living natural resources through the adoption of practices that integrate conservation needs and development priorities. 	<p>YES</p> <p>Ecologically significant trees may be cut, although the sites may be located in habitat of less ecological significance. When possible, actions aimed at promoting the conservation of biodiversity and the protection of living natural resources should be integrated into the Sub-projects.</p>
<p><i>PS7 - Indigenous peoples</i></p>	<ul style="list-style-type: none"> • Ensure that the development process promotes full respect for the human rights, dignity, aspirations, cultures and natural resource-based livelihoods of indigenous peoples. • Anticipate and avoid the negative impacts of projects on indigenous peoples' communities or, if this is not possible, reduce, restore and / or compensate for these impacts. • Promote culturally appropriate sustainable development benefits and opportunities for indigenous peoples. • Establish and maintain with indigenous peoples affected by a project throughout its duration a permanent relationship based on Informed Consultation and Participation (ICP). • Obtain the Prior, Freely Given and Knowing Consent (FPIC) of Indigenous Peoples when the circumstances described in this Performance Note exist. • Respect and preserve the culture, knowledge and practices of indigenous peoples. 	<p>NO</p> <p>Current information on the project does not suggest the presence of indigenous peoples in the settlement areas. PS7 is not relevant at this stage but could be reassessed if necessary with more detailed information on the implementation sites of the sub projects.</p>
<p><i>PS8 - Cultural heritage</i></p>	<ul style="list-style-type: none"> • Protect cultural heritage against the negative impacts of project activities and support its preservation. • Promote the equitable distribution of the benefits of the use of cultural heritage. 	<p>YES</p> <p>During construction work, soil disturbance can have negative impacts on cultural heritage including impacts on the layout of designated sites or direct impacts on buried archaeological objects.</p> <p>PS8 defines cultural heritage, including tangible and intangible forms of cultural heritage: movable or immovable property, sites, practices,</p>

		representations, knowledge, know-how, etc. The initial E&S assessment of the sub-projects should determine whether the cultural heritage is likely to be affected. If so, PS8 applies.
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6.3 Comparison between Niger's environmental legislation and AfDB's operational safeguards

Bank policies triggered by the DtP	Environmental and Social Requirements of the African Bank of Development	Relevant national provisions applicable to DTP	Ad hoc provisions to supplement the system deficit national
SO 1	<p><i>Environmental assessment</i></p> <p><i>An Environmental Assessment is necessary when a project is likely to experience potential (negative) environmental risks and impacts in its area of influence</i></p>	<p>Law n ° 98-56 of December 29, 1998 on the framework law relating to environmental management (specify key articles)</p> <p>Law n ° 2018-28 of 14 May 2018 determining the fundamental principles of Environmental Assessment in Niger (specify the key articles)</p>	<p>The national law satisfies this provision of SO 1. Indeed, the realization of this CGES makes it possible to in accordance with this Bank policy and the law in Niger. To this end, the CGES identifies the environmental and social issues of the DTP, identifies the main problems and proposes lines of intervention</p>
	<p><i>Environmental category</i></p> <p><i>The projects are categorized into:</i></p> <ul style="list-style-type: none"> - <i>Category 1: major negative impact</i> - <i>Category 2: moderate and manageable negative impact</i> - <i>Category 3: Environmental requirements</i> - <i>Category 4 to be completed</i> 	<p>Decree n ° 2019-027 / PRN / MESU / DD of January 11, 2019 on the implementation modalities of law n ° 2018-28 of May 14, 2018</p>	<p>National regulations categorize projects or sub-projects . It differs from that of the ADB in that category D of the Nigerien regulations does not correspond to that of the ADB. However, the DTP is not found in category 4 of the ADB and therefore no specific action is required.</p> <p>The provisions of the SO national policy will serve to categorization of DTP sub-projects</p>

SO2	SO2: Land acquisition, involuntary displacement and compensation. The project may cause mainly involuntary displacement which will be the subject of compensation.	Law No. 61-37 of November 24, 1961 regulating expropriation for public utilities and temporary occupation, amended and supplemented by Law No. 2008-37 of July 10, 2008, relating to involuntary displacement and resettlement of the populations stipulates the proof of the cause of public utility and the payment of a fair and prior indemnity	Contrary to national policy, SO2 applies to the project, these illegal occupants, although having no rights or legal titles to public property are entitled to resettlement assistance the destruction of certain infrastructures and therefore the displacement of certain people. All this must be done in accordance with current legislation
SO 3	SO3: Biodiversity and ecosystem services. The project will cross vegetation and forest stands may be impacted, in particular for the works. Deforestation should be minimized in sensitive habitats and compensation through reforestation should be carried out during works as a mitigation measure.	Law No. 98-56 of December 29, 1998 on the framework law on environmental management Rio Convention on Biological Diversity signed by Niger on 06/11/92 and ratified on 07/25/95	In general, the Rio convention to which Niger adheres translates much more into the protection of natural resources

SO 4 Bank policies triggered by DTP	SO4 : Bank policies triggered by DTP SO4: Prevention and control of pollution, GHGs, hazardous materials and efficient management of resources. The project will involve the storage and use of dangerous products such as diesel, bitumen, binders and emulsions which Environmental and social requirements of the African Bank of Development have the potential to pollute soils, runoff and groundwater in the event of a spill. The project will also use water, the efficient management of which will be required.	Ordinance No. 93-13 instituting a public hygiene code in Niger prohibits any person from producing or holding waste [...]. pollute the air or water, generate odors and, in general, harm the health of humans, pets and to the environment, is required to ensure or arrange for its disposal or recycling. Relevant national provisions applicable to DTP	In addition to the law, Niger adheres to the Kioto protocol relating to greenhouse gas emissions Ad hoc provisions to supplement the system deficit national
SO 5	SO5: Working conditions, health and safety. During the work, employees will be confronted with various risks: injuries due to machinery, presence of dangerous products (bitumen at high temperature and associated fumes), sunstroke, collisions by accident or noise of machinery. Working conditions in accordance with the legislation and international standards in health and safety at work must be put in place in order to minimize or eliminate potential risks to health and safety.	Niger has acceded to the following conventions: Convention n ° 155 relating to safety at work, - Convention No.161 on occupational health services - Convention n ° 187 relating to the promotional framework for occupational safety and health. Convention No. 182 on the Worst Forms of Child Labor	All these conventions make an even wider range

7. ENVIRONMENTAL AND SOCIAL ANALYSIS OF THE PROJECT

7.1 Options analysis

The "no project" situation

The no-project option is to consider not implementing the DtP program. This option is not feasible on the socio-economic level and especially in terms of the development of the renewable energy sector in the G5 Sahel countries, which is a national priority in these countries. Indeed, this situation does not make it possible to eliminate the various obstacles hampering the development of the renewable energy sector in the G5 Sahel countries, in particular an insufficient installed production capacity given the potential, a strong dependence on imported fossil fuels and an inability of national grids to absorb greater amounts of variable renewables.

The "with project" situation

This option will remove the multiple obstacles that prevent the G5 Sahel countries from exploiting their solar potential, achieving energy security, expanding access to energy and achieving their mitigation ambitions. The program will facilitate the financing of projects in target countries and develop the capacity of local stakeholders to widely deploy solar technologies. Without addressing these obstacles, the solar investment market is likely to remain limited in target countries and private sector actors will not be willing to take the risk of investing.

Taking these positive impacts into account, the “with project” option is chosen. The different variants (alternative technologies) of this option are analyzed in the following section, in order to retain the optimal variant(s).

7.2 Analysis of alternative technologies

Table 2 - Analysis of potential alternative technologies

Reliability of the resource in the G5 Sahel countries	Development potential in the G5 Sahel countries	Technical constraints in the G5 Sahel countries	Potential in the study area	Typical impacts associated with technology
Hydroelectricity				
The resource is unreliable in the G5 Sahel countries	Limited	Insufficient resource	Exists but often very long to set up (Ex. Kandadji dam in Niger)	<u>Impacts on the human environment</u> <ul style="list-style-type: none"> • The development of hydroelectricity leads to significant population displacements, mainly for the hold of the reservoir • The presence of a reservoir considerably modifies the lifestyles of local residents with the risk of an influx of people. • The reduced flows upstream of the dams in the Sahelian environment make it possible to support the low flow and therefore ensure a better distributed water availability • The creation of a reservoir allows the development of fishing <u>Impacts on the biophysical environment</u> <ul style="list-style-type: none"> • The presence of a dam fragments aquatic habitats by creating an impassable obstacle • A dam causes impacts on the quality of the water downstream (deoxygenation) due to stratification in the reservoir
Wind				

Existing	Possible	Logistics must be validated	Low wind potential, especially for offshore wind power (of the 5 G5 Sahel countries only Mauritania has a seafront)	<u>Impacts on the human environment</u> <ul style="list-style-type: none"> The development of a wind farm creates significant noise pollution requiring the displacement of populations <u>Impacts on the biophysical environment</u> <ul style="list-style-type: none"> The very small footprint does not have a significant impact on terrestrial ecosystems Wind farms can affect bird life and bats
Methanization				
Possible, the technology can also deal with food waste	To be established	The waste sector is not structured	The study area could house a power plant because it is located in the city center that generates waste	<u>Impacts on the human environment</u> <ul style="list-style-type: none"> Methanization causes odor nuisance and the atmospheric release of potentially dangerous gases Methanization causes noise pollution created by cogenerators and in the transport of waste <u>Impacts on the biophysical environment</u> <ul style="list-style-type: none"> The technology results in process residues that need to be treated and that can pollute water and soil.
Concentrated solar power plant				
Sunshine is very important in the G5 Sahel	Yes	Technology and associated costs are constraints important	The project area could house a concentrated solar power plant	<u>Impacts on the human environment</u> <ul style="list-style-type: none"> Risk of fire due to the presence of high-pressure steam and high temperature oil The footprint requires population resettlement <u>Impacts on the biophysical environment</u>

				<ul style="list-style-type: none"> • The technology consumes a lot of water for cooling the system and cleaning the mirrors and therefore rejects a lot of water • Requires some fossil fuel for heat transfer fluid or power plant back-up (in the case of a solar tower). • Risks of bird collisions with panels for migratory birds which could confuse the site with a wetland or a lake to rest.
Solar photovoltaic				
Sunshine is very important in the G5 Sahel countries	Yes	Any	The project area presents ideal conditions for a central photovoltaic	<p><u>Impacts on the human environment</u></p> <ul style="list-style-type: none"> • Footprint requires population resettlement • No emissions or nuisance outside the influence of the signs <p><u>Impacts on the biophysical environment</u></p> <ul style="list-style-type: none"> • Risks of bird collisions with panels for migratory birds which could confuse the site with a wetland or a lake to rest. • Low impact in operation mode, no rejection

From this analysis, it emerges that the “solar photovoltaic” technology must be privileged with regard to the advantages linked to its development in the G5 Sahel countries, the weakness of its technical constraints and the existence of ideal conditions for photovoltaic power plants. in the G5 Sahel and especially the weakness of the typical impacts associated with the technology compared to other alternatives.

7.3 Positive environmental and social risks and impacts

7.3.1 Positive socioeconomic impacts

By removing barriers to investment, the program will facilitate investment in the renewable energy sector, thereby supporting economic growth in recipient countries. The G5 Sahel countries are expected to improve their investment environment and the Facility to create a sustainable market for solar Independent Power Producers (IPP). Clear links and correlations have been established in the past between countries' GDP and access to energy. While offering greater access to energy in rural areas, the Facility places beneficiary countries on a better trajectory of economic development. Better access to energy can increase agricultural productivity and help rural businesses.

Bearing the cost of auxiliary grid equipment for the integration of power plants will help to obtain more equitable purchase tariffs, which will lead to lower electricity prices for end users in the G5 Sahel countries. By switching to clean and renewable sources of energy, households and women in particular will no longer depend on dangerous and polluting fuels such as kerosene or diesel, which have a direct impact on people's health. In addition, access to clean energy technologies will ease the burden on women of collecting water for irrigation activities, thus allowing them to devote time to other activities such as education and creation. of income.

Specifically, at the level of beneficiary countries and communities, the program will have the following positive impacts:

During the construction phase

During the execution of the works, the site will be at the origin of a socio-economic dynamic in the five countries concerned by the program.

Employment opportunities

During the construction phase, the program will create new income-generating opportunities through job creation (direct and indirect). This program will involve a need for unskilled or low-skilled labor (weeding, brush clearing, installation of a fence, earthworks, etc.) and qualified (electrical connections, installation of panels).

The recruitment of labor, mainly unskilled, will be done mainly at the local level, for civil engineering works and weeding of transmission lines, which will contribute to the drop-in youth unemployment.

Development of economic activity

The economic impact of this construction phase also involves the development of catering and accommodation infrastructure, and the increase in the activity of existing local companies for the supply of materials and equipment necessary for the activity. . The travel and accommodation of these workers and their accommodation will be provided by the works company.

Infrastructure will be developed to provide housing and catering for workers during the works. Small and medium-sized local businesses can participate in various maintenance, security, industrial cleaning services, etc. This will increase the income of national subcontractors.

Impact on SMEs and small traders

The construction phase of the solar power plant, mini grids, transmission line, etc. should promote the use of local resources in goods and services, in particular the involvement of small and medium-

sized enterprises (SMEs) and the employment of skilled and unskilled labor. The catering services, recharging of telephone credits and the sale of fresh water will see their services increase, because of the presence of workers.

During the operational phase

The use of the services provided by solar within the framework of the project in the five countries will directly or / and indirectly induce positive impacts, in particular:

- **Job creation**, maintenance operations will require a fairly large number of employees, including building surveillance, security and maintenance personnel.
- **Improving and expanding access to basic social services**, thanks to the opening up of a certain number of villages;
- **The development of income-generating economic activities** in the sectors of agro-food, commerce, small services, etc.;
- **Empowerment of women**, connection to electricity will also help improve the productivity and competitiveness of women in the service sector where they are often better represented than men;
- **The transfer of know-how and technologies** for the benefit of national structures and engineers and technicians.
- **Development of local economies**, the operation of solar power plants will induce a favorable environment for the multiplication of new income-generating activities, thanks to the electrification of neighboring villages. This state of affairs will generate the attraction of economic operators and various actors.
- **Related service development**. By snowballing effect, mobile telephone companies will be able to install antennas in order to improve their telephone network in the locality of the project, thanks to the connection to electricity via mini networks.
- **Increased health**. The program will indirectly lead to better access to electricity for rural inhabitants. This will make it possible to substitute for lighting the use of kerosene in favor of electric lamps, which should lead to a reduction in visual and respiratory diseases, linked to the use of petroleum as a source of lighting.

7.3.2 Positive impacts on the environment

Combating desertification: Rural populations in target countries depend on biomass and non-renewable sources for their domestic energy consumption. To meet their energy needs, these Sahelian populations contribute to deforestation. Given future climate scenarios, Sahelian populations could be led to adopt unsustainable adaptation strategies, such as cutting down trees to sell them as fuelwood in times of drought, which has direct effects on deforestation, soil fertility and ultimately on agricultural yields. The Facility is expected to generate environmental benefits and fight deforestation by increasing household access to electricity, which in turn could reduce the cutting of firewood.

Fight against air pollution and environmental health problems: Compare to the reference situation in the G5 Sahel region where the majority of the population does not have access to electricity and depends on polluting and dangerous sources to meet their energy needs. Switching to solar energy will help fight air pollution and reduce environmental health problems.

7.3.3 Positive impacts on climate change

Adaptation to climate change

Access to clean energy offers adaptation benefits by increasing the resilience of grassroots communities:

- First, a reliable energy supply is essential to put in place an effective early warning system allowing people to access climate information or forecasts. Rural populations in target countries can use their cell phones, radios and televisions to access key information about their agricultural production.
- Second, energy for productive purposes will increase agricultural productivity, thereby improving community food security and income generation. Access to energy and technology for productive purposes will also enable communities, especially women, to diversify their livelihoods and engage in economic activities, thereby increasing their resilience to future climate impacts.

Climate change mitigation

The potential impact of the program on climate change mitigation is the reduction of CO₂ emissions by changing the type of energy including consumption of electricity from fossil fuels to clean and solar energy. The program has the potential to produce significant climate change mitigation impacts that are estimated to be over 31.8 MtCO₂eq for the 5 countries during the duration of the program (6, 39 MtCO₂eq on average for Niger).

7.4 Negative environmental and social risks and impacts

Activities with negative impacts are linked to the following main types of investment:

- Solar network connected to PV via an independent energy producer (IPP) - sub-components 2.1 and 1.1
- PV hybridization - sub-component 2.2
- PV mini-grids - component 3
- Storage for grid stabilization - sub-component 1.2
- Regional interconnections – sub-component 1.3

The main activities that will occur in the construction phase but also in operation are by their nature likely to generate negative impacts. The execution of these program activities may have repercussions on the biophysical and human (socioeconomic) environments.

The activities considered in the construction phase are as follows:

- Purchase of the necessary land.
- Construction of access roads and electrical supply to the site.
- Opening of diversion during the installation of certain structures;
- Site installation;
- Transportation of equipment and materials to the site;
- Storage of materials;

- Circulation of construction machinery;
- Transportation of materials;
- Presence of labor;
- Rehabilitation of construction sites, quarries and deposits.

7.4.1 Risks and negative impacts on the biophysical environment

The activities that will generate impacts are presented in the following table.

Table 3 - Risks and negative impacts on the biophysical environment

Components of the environment potentially affected biophysics	Phase of impact-generating activities	
	Construction phase	Operation phase
Geomorphology, topography and hydrography	<ul style="list-style-type: none"> • The earthworks and backfill works will modify the surface flows and the topography of the right-of-way • The works and soil alteration will create large areas vulnerable to erosion 	<ul style="list-style-type: none"> • The presence of a large surface of panels will lead to a concentration effect runoff
	<ul style="list-style-type: none"> • The site will generate waste and hydrocarbons which can pollute the soil 	<ul style="list-style-type: none"> • At the end of life of photovoltaic panels these will become waste
Flora and fauna	<ul style="list-style-type: none"> • The work will require the cutting of trees 	<ul style="list-style-type: none"> • The use of glyphosate to prevent regrowth of tree stumps. Glyphosate is an herbicide that has harmful effects on human health, bees and the health of aquatic environments including amphibians.
	<ul style="list-style-type: none"> • The presence of machinery as well as certain activities will disturb the small fauna 	<ul style="list-style-type: none"> • Bird disturbance: Large PV panels attract birds with their “water body effect” caused by reflected panels, sometimes resulting in collisions and fatalities.
Weather	<ul style="list-style-type: none"> • Greenhouse gas emissions 	<ul style="list-style-type: none"> • Climatic events such as flooding and strong winds will increase the risk of damage.

7.4.2 Risks and negative impacts on the human environment

The activities that will generate impacts are presented in the following table.

Table 4 - Risks and negative impacts on the human environment

Potentially affected components of the biophysical environment	Phase of impact-generating activities	
	Site phase: Transport of equipment and materials; Land preparation and urbanization	Operation phase
Worker health and safety	<ul style="list-style-type: none"> Risk of occupational accidents: Exposure to risks and dangers for health and safety at work, for example the risk of electrocution for people and maintenance technicians; 	Presence of electrical equipment with a risk of electrocution
People affected by the project and vulnerable populations	<ul style="list-style-type: none"> The project is likely to have minimal effects on aspects such as land acquisition / expropriation and loss of economic activities; 	
Community health and safety	<ul style="list-style-type: none"> Loss of bypass tracks The passage of machinery on the access roads to the site involves a risk of collision with local residents. Site preparation (clearing and leveling of terraces) will generate dust and local nuisances affecting the health of the populations; Failure to use resident labor during construction could create community frustrations / tensions and even local conflicts which can lead to vandalism, sabotage, looting or destruction / degradation of infrastructure and equipment; 	Loss of bypass tracks
Cultural Heritage	<ul style="list-style-type: none"> Risk of non-respect for the integrity of cultural sites (risk of borrowing materials or depositing materials in these sites) Risk of accidental discovery of buried sites (graves, remains, etc.) 	Any
Gender	<ul style="list-style-type: none"> Risks of occurrence of gender-based violence (sexual harassment, exploitation, abuse and sexual harassment, etc.) and / or violence against children mainly due to the influx of labor Social impacts due to the influx of people into the project areas such as changes in social behavior and the potential risks of communicable diseases, including HIV / AIDS, associated with social interactions. Women are the most exposed to these risks. 	

8. ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK PLAN

8.1 Generic measures to mitigate negative impacts and prevent risks.

When identifying the main risks, appropriate mitigation measures should be applied depending on the specific situation of each project site. The list of generic environmental and social (E&S) impact mitigation measures includes:

Land acquisition and resettlement

No construction should be undertaken until the Project Affected Persons (PAP) are compensated for their losses and have received their resettlement rights. In other words, before any project activity, the PAPs must be compensated in accordance with the framework of the project's resettlement policy. In cases where a dispute or absence makes it impossible to quickly compensate the affected party (s), the court or other responsible party may maintain conditional payments.

For activities involving the acquisition or loss of land, denial or restriction of access, these measures should additionally provide for the granting of compensation and any other assistance required for resettlement prior to displacement and preparation. resettlement sites with adequate facilities, where applicable.

Exploitation of land and related assets can only take place after compensation has been paid and, where appropriate, resettlement sites and relocation allowances have been granted to the displaced persons. For project activities requiring resettlement or loss of housing, the policy further requires that measures to assist IDPs be implemented.

Mitigation measures for waste management

a. Choice of a landfill site;

The landfill site will be chosen near the works, to receive the residues from the excavation and site work and its development will be carried out in an approved and controlled manner. A waste storage and management system must be put in place in accordance with the regulations in force. The deposit zones must be stable, protected from erosion and they must not obstruct the flow of water. The temporary deposits must be integrated into the site after the end of the work

b. Classification of waste to make it possible to reuse it.

Among the discharges, two categories are likely to be reused: Oils and lubricants on the one hand and gray water on the other. Oils and lubricants from vehicle and construction equipment oil changes should not be thrown away in the wilderness, but stored in containers to be deposited later in a gas station so that it can be taken to a gas station. recycling of these products.

For wastewater, their reuse first requires separation:

- WC water which should be directed to a septic tank or failing that to a latrine
- and water for laundry, bathroom, dishes, and various washings, which should be sent to a basin or pit. A system of buried pipelines supplied from this basin could be built at low cost while making it possible to provide underground irrigation to a green space that will be developed.

c. Solid waste management:

- It will be necessary to ensure that the cuttings from the excavations are arranged according to the different layers of soil. This soil can then be turned over during landscaping and rehabilitation, in the correct order in which it was removed, which constitutes the last layer of soil;
- The contractor must put in place and adhere to a site waste management plan and provide waste collection facilities such as garbage cans;
- The contractor must comply with national requirements and building regulations for the storage of construction materials;
- The contractor should prioritize the use of durable materials that will not need to be replaced as often, thus reducing the amount of waste generated over time.

The fauna and the flora

The project promoter will ensure that there is a good delineation of the project area which will be affected by the construction engineering works of the sub-projects. This will ensure that any disturbance of flora is limited to the sub-project area and avoid spillover effects on neighboring areas. Along with that, there will be strict monitoring of construction vehicles to ensure they only work in the area to be disturbed. The promoter should set up a tree planting program to replace the vegetation or cleared trees in the area, probably in a public institution such as schools.

Air Quality Impacts in Vehicle Exhaust Emissions

- Drivers of construction vehicles should be educated so that they do not let vehicles idle and exhaust emissions are reduced.
- Maintain all machinery and equipment in good working order to ensure minimum emissions of carbon monoxide, NOX, SOX and suspended particles.

Dust emissions

The construction area should be fenced to reduce the effect of dust on surrounding populations.

- Scarves should be folded correctly to minimize dust emissions to the public;
- Sprinkle soil surfaces with water to reduce dust levels;
- Construction trucks transporting materials to the site, delivering sand and cement to the site must be covered to prevent dust emissions into surrounding areas;
- Masks should be provided to all personnel in areas prone to dust emissions during construction;
- Piles of excavated soil should be closed / covered / watered in dry or windy weather to reduce dust emissions;
- Drivers of construction vehicles must be educated in order to limit their speed to reduce dust levels.

Risks for the safety and health of workers

- The program should ensure that private companies / operators and their sub-contractors have Occupational Safety and Health (OSH) training which may include hazard awareness, safe work practices, and emergency preparedness for their employees. / workers to ensure that they are well informed about site work rules, personal protection and prevention of injury to co-workers.
- The program will require private companies / operators and their sub-contractors to implement an Environmental, Health and Safety (EHS) plan that will outline procedures for avoiding health and safety incidents and for medical treatment emergency. This will be achieved by making this aspect a component of a contractual agreement;
- The program will require all private mini-grid companies / operators and their sub-contractors to provide appropriate personal protective equipment (PPE) on job sites to prevent and minimize exposure to injury;
- Mini-grid companies / private operators and their subcontractors will need to carry out regular safety inspections to ensure measures to manage potential OSH risks.

Public Health Risks

- Sensitization by the ESIA team to the local population before construction;
- The contractor is obligated not to set up a construction camp on the site.

Increased demand for material consumption

- The contractor must procure all construction materials such as stones, sand, ballast and hard core from approved and approved sites;
- Ensure accurate budgeting and estimation of actual building materials to avoid waste;
- Reuse of building materials where possible.
- Avoiding the risk of oil spills
- In the event of accidental leakage, the contaminated soil must be evacuated and disposed of in an appropriate manner;
- It is proposed that the refueling and maintenance of large vehicles does not take place on site;
- Private companies or operators of mini-grids and their subcontractors are called upon to educate employees on the company's procedures in the event of spills and leaks from oil storage tanks of construction machinery through training in initiation and safety;
- Vehicles and equipment must be serviced regularly and kept in good condition to prevent leaks;
- In the event of a spill, the contractor must isolate the source of the oil spill and contain the spill using sandbags, sawdust, absorbent materials and / or other approved materials;
- Private companies or mini-grid operators and their subcontractors must also ensure security against vandalism when the site is unattended; and provide appropriate training in the handling and use of fuels and hazardous materials for construction workers;
- All chemicals should be stored in budding areas and clearly labeled, specifying the nature and amount of chemicals in individual containers;

Rainwater and wastewater

- The drainage system should be constructed in such a way that runoff water does not touch or flow into surrounding land;
- Construct a drainage system so as to follow the road and follow natural evacuation routes;
- Concrete only the surface required for installation and leave the rest of the land with vegetation such as grass;
- Construct a rain collection system on control buildings and harness them in storage tanks for use in irrigation or domestic activities.

Noise pollution during construction

These proposed mitigation measures aim to ensure that noise generated by construction and operation activities is minimized and meets relevant noise standards. These measures include:

- Fence of the site with iron sheets during construction;
- Install portable barriers to protect compactors, thereby reducing noise levels;
- Use of noise suppression techniques to minimize the impact of construction noise on the project site;
- Use equipment designed to control noise;
- Coordinate with the competent bodies for all construction operations.
- Control the project area to avoid unnecessary access by users;
- Limit vehicles to minimum idling time and observe a sensible approach to vehicle operation and encourage drivers to turn off vehicle engines whenever possible;
- Set and observe speed limits and avoid breaking motors
- The Contractor must ensure that construction activities are limited to working hours (ie 8:00 am to 5:00 pm daily) Monday through Friday or as required by law.

Visual and aesthetic impacts of the landscape

Negative visual impacts can be mitigated by installing a wall around the facility to prevent / filter out project piers, poles, cables and transformers by the project proponent.

Soil erosion

- Private mini-grid companies / operators and their sub-contractors must avoid land breaks during seasons of heavy rainfall to avoid erosion;
- Monitoring of areas of soil exposed during the rainy season during the construction phase of the project to ensure that any erosion incident is quickly brought under control;
- Companies / private operators of mini-grids and their subcontractors must ensure the recovery of exposed soils with grass and other plant surfaces as soon as possible;
- Areas compacted by vehicles during site preparation and construction must be scarified (torn) by the contractor to allow penetration of plant roots and regrowth of natural vegetation;
- Direct drainage to follow the natural course, e.g. along the road to avoid draining water into the land, especially after construction is completed;

- Appropriate drainage channels and leveling, especially of the access road, to reduce the speed of runoff and increase the infiltration of stormwater into the soil;
- Correct compaction will also be carried out along the access road.

Social risks linked to the influx of labor and gender-based violence (GBV)

- Provision of cultural awareness training for workers regarding engagement with the local community;
- Supply of local labor;
- Introduction of sanctions (eg dismissal) for workers involved in criminal activities;
- Provision of drug prevention and management programs;
- Code of conduct for workers recognizing zero tolerance for GBV;
- Implementation of the education program on HIV / AIDS;
- Information campaigns on STDs among workers and local communities;
- Education on disease transmission;
- Mandatory and regular training for workers on legal behavior required in the host community and the legal consequences for non-compliance with laws;
- Ensure that children and minors are not directly or indirectly employed on the project;
- Provision of casual employment for both men and women throughout the implementation cycle;
- Provide casual employment to men and women throughout the implementation cycle;
- Any gender-based violence must be reported and dealt with according to the law;
- Any dropping out of a child must be reported to the government agency concerned.

Hazardous waste mitigation measure and management / disposal plan

- Purchase of electronic equipment from credible manufacturers;
- Appropriate disposal and recycling whenever possible.
- Corresponding mitigation measures to successfully manage negative impacts on the environment depending on the stage of the project.

8.2 Mechanism for integrating social and environmental aspects into the project cycle

Although the institutional set-up for the implementation of the DtP program is under consideration, the establishment of a structure comprising a Project Coordination Unit (PCU) at the level of the target countries is planned. The Project Coordination Unit (PCU) at country level will oversee the validation of technical and feasibility studies and the implementation of the financing plan until the project is put into service and the subsequent handover to the implementing organization. The Country Project Coordination Unit (PCU) will recruit an Environmental and Social Safeguard Specialist (ESSS) and a Social Safeguard Specialist (SSS).

The “screening” selection process will take into account (i) the regulatory and legislative framework for environmental and social safeguard of the country concerned by the implementation of the program, (ii) the ADB's environmental and social management procedures and (ii) the Environmental and Social Performance Standards (PS) of the International Finance Corporation (standards applicable to the GCF project).

The determination of the environmental categories of micro-projects will be determined by the result of the environmental and social screening. The review and approval of micro-projects will be carried out by the National Agency / Directorate of the country concerned. This selection process aims to: (i) determine the activities that are likely to have negative environmental and social impacts; (ii) determine the appropriate mitigation measures for activities with adverse impacts; (iii) identify activities requiring separate environmental impact studies (EIA); (iv) describe the institutional responsibilities for the analysis and approval of the selection results, the implementation of the proposed mitigation measures, and the preparation of separate EIA reports;

Step 1: Filling in the environmental and social screening form

The purpose of this step is to ensure the identification and preliminary assessment (environmental examination and scoping). In collaboration with AfDB operations staff, each country will screen the environmental and social impacts, including the impacts of climate change, potential adaptation and mitigation measures and the vulnerability of populations and their means of recovery. livelihood to determine the specific type and level of environmental and social assessment. The selection is made in accordance with AfDB's SEA procedures.

Essentially, the environmental and social screening will include a selection for the categorization of sub-projects, the triggering of AfDB Environmental Safeguards and specific E&S aspects in each sub-project. The initial environmental and social selection for the categorization of subprojects and operating systems will be carried out with reference to AfDB Environmental and Social Impact Assessment procedures. Selection of AfDB operating systems and IFC performance standards will also be made and necessary recommendations for relevant safeguard instruments will be made. The verification of environmental and social protection, ie verification of the operating systems that have been triggered, should take place during the project preparation phase as soon as the site location is defined.

The steps to follow are as follows:

- I. Confirm the presence of environmentally sensitive areas from secondary sources or preliminary observations of the site;
- II. Check the extent of the applicability of the policies of the government of the concerned member country of the G5 Sahel and of the AfDB in the activities of sub-projects;
- III. Identify potential negative and positive impacts; clarify the issues to be explored in preparation for the environmental and social impact assessment that will be carried out at the design stage.

This should facilitate the sequencing of sub-projects and allow time frames, such as those associated with regulatory validation processes, to be taken into account in project implementation.

In accordance with the AfDB's Integrated Safeguards System (ISS), each sub-project will undergo an environmental and social assessment to determine whether the project can be financed to ensure that environmental and social considerations are well integrated into the project. planning, implementation and operation of sub-projects. Each sub-project under the DtP program will undergo an initial environmental and social review and will be classified accordingly at the initial stage of the project cycle to determine the nature and level of environmental and social investigations, disclosure information and stakeholder engagement. The results of the selection process will help identify the

scope of environmental and social studies (ESIA) and the time required to obtain regulatory approvals (if applicable). The formulation of the terms of reference specific to the sub-project should be made on the basis of the selection results, highlighting the environmental and social components that require detailed assessment at the ESIA stage.

The Environmental and Social Safeguard Specialist (ESSS) of the PCU of the country concerned will complete the screening form for the sub-project. In addition to the potential environmental and social risks and impacts, the screening results will also indicate the types of public consultations that were carried out during the screening exercise or that are required during the implementation of the activity and the safeguard instruments. required. This filling exercise makes it possible to determine the necessary safeguard actions (ESMP or simple mitigation measures).

The Environmental and Social Review Form is the first management tool created during the first stage of the project cycle (identification stage) to identify potential environmental and social risks, their categorization and the level of environmental and social studies. required by the sub-project and to be carried out during the appraisal phase.

Step 2: Validation of the selection and classification of the project

The results of these first form filling exercises will be sent at country level to the Agency / Directorate / Structure in charge of Environmental Assessment (BNEE for Niger) to analyze the information contained in the forms and proceed with the classification of the project.

Based on their environmental impacts on people, the AfDB classifies all funded projects into one of four possible categories, with values ranging from 1 to 4, using a Checklist for preliminary environmental and social screening.

It should be noted that the DtP program was classified in category 1 of the AfDB corresponding to category A of the GCF.

The project will carry out an appropriate environmental and social assessment of the sub-projects, and prepare and implement its sub-projects as follows:

- **Category 1:** projects in this category are those likely to cause significant negative environmental and / or social impacts that are irreversible, or significantly affect the environmental or social components considered sensitive by the AfDB or the borrowing country.

This category includes projects that may cause the most serious negative environmental and social impacts, including direct release of pollutants into the natural environment, large-scale physical disturbance at and around the project site, migration or displacement. of affected populations, significant changes in socio-cultural characteristics, negative effects on vulnerable groups, destruction or degradation of important biological resources, significant increase in risks to health and safety, or major changes in the hydrology or water quality.

Projects classified in Category 1 require a detailed environmental and social impact study (ESIA), including the preparation of an ESIA Report and an Environmental and Social Management Plan (ESMP). These projects can also be improved by carrying out additional studies, such as detailed

gender analyzes or institutional analyzes. The need for such further studies should be determined on a case-by-case basis during the preparation phase.

- **Category 2:** Category 2 projects are likely to generate harmful environmental and / or social impacts specific to the project site, which are less severe than those of Category 1 projects, since their scale of intervention is smaller. Category 2 projects include projects that can be improved by the application of mitigation measures or by the integration of internationally recognized design criteria and standards.

Projects in this category require the preparation of an Environmental and Social Management Plan (ESMP). Some Category 2 projects may also require detailed studies on certain environmental or social issues in order to prepare a full ESMP.

Certain projects initially classified in Category 2 must be transferred to Category 1, if they may negatively affect environmentally sensitive areas or sensitive social components.

- **Category 3:** these projects cause little physical intervention in the environment and must not generate any negative environmental or social impact. Therefore, no other environmental or social assessment activity is required for this category of the project. However, certain specific social studies may be required for the preparation of such projects.

Some projects initially classified in Category 3 should be transferred to Category 2, if they involve physical interventions potentially harmful to the environment or if they may be harmful to women, the poor, vulnerable groups or low-income segments.

- **Category 4:** applies to investments of AfDB funds by financial intermediaries (FIs). Since sub-projects financed by FIs can have negative environmental and / or social impacts, they should be screened and managed by FIs in accordance with the same procedures as those applicable for projects directly financed by the AfDB.

Step 3: Performing environmental work

After analyzing the information contained in the selection results and having determined the right environmental category, and therefore the extent of the environmental work required, the Environmental and Social Safeguard Specialists (ESSS) will make a recommendation to say whether: (a) environmental work will not be necessary; (b) application of simple mitigation measures will suffice; or (c) a separate Environmental Impact Assessment (EIA) should be carried out. Depending on the selection results, the following environmental work can be carried out on the basis of the use of the environmental and social checklist or else commission an environmental impact study which will propose the appropriate corrective measures.

1. **Application of simple mitigation measures:** This scenario applies when an EIA is not necessary (category requiring only simple mitigation measures such as environmental work). The environmental and social checklist that should be completed by the ESSS, describes simple mitigation measures for environmental and social impacts that do not require a full EIA. In these cases, the Environmental Focal Points (EFP) in connection with the National Environment Directorates of the countries concerned (BNEE for Niger) consult the ESMF checklist to select the appropriate mitigation measures.

2. **Cases requiring an environmental impact study (EIA):** In some cases, the results of the environmental and social screening will indicate that the planned activities are more complex and therefore require a separate EIA. The EIA will be carried out by individual Consultants or consulting firms. The EIA will identify and assess the possible environmental impacts for the proposed activities, assess the alternatives, and design the mitigation, management and monitoring measures to be proposed. These measures will be included in the Environmental and Social Management Plan (ESMP) which will be prepared as part of the EIA for each activity. The preparation of the EIA and the ESMP will be done in consultation with the partners concerned, including those likely to be affected. The ESSS, with the support of the services responsible for EIA, (i) prepare the terms of reference for the EIA; (ii) recruit consultancies to carry out the EIA; (iii) conduct public consultations in accordance with the terms of reference; and (iv) instruct the EIA authorization procedure. The EIA will follow established national procedures, supplemented by those of the World Bank.

ESIA Studies are the most commonly used tool to ensure that environmental and social aspects are taken into account in decision making - influencing the design to avoid / minimize and inevitably mitigate residual negative impacts and / or improve positive impacts. They also provide a platform for obtaining the views of stakeholders, including the population directly concerned, in order to improve the design.

The general content of each social and environmental impact study under the project must comply with local legislation and meet AfDB requirements. The AfDB's ESIA Procedures recognize local legislation and national systems, to the extent possible, to ensure that the assessment complies with the legislation and standards applicable in the local jurisdiction, taking into account the equivalence of standards with those of the AfDB. Detailed guidelines for ESIA / EIS content according to requirements are stipulated in Operational Guarantee Principles 1: Environmental and Social Assessment.

The outcome of the selection process will sometimes determine whether a full ESIA is required and, if this is likely, it will often be more efficient to prepare a full ESIA up front. On the other hand, if it is decided that the subproject will not have a significant impact on the environment or the affected communities, or that the project sheet indicates sufficient mitigation measures to ensure acceptability anticipated impacts, an environmental authorization is issued. The environmental assessment studies will take into account the AfDB's operating systems and the local requirements described in the environmental laws of the G5 Sahel countries.

By carrying out environmental and social assessment studies, the DtP program will include and target the following aspects:

- i. Define the scope and content of ESIA studies according to the screening already carried out and the operational guarantees of the AfDB;
- ii. Obtain information from primary or secondary sources regarding the current conditions of environmental and social features in the area of influence of the sub-project (Review of baseline data);
- iii. Carry out effective consultations with stakeholders, including along the impact area of the proposed subproject. This will also include landless / marginalized communities whose livelihoods may be affected by the sub-project;

- iv. Identify possible alternatives for the proposed layout changes, the use of alternative technologies, etc. in close collaboration with the design team;
- v. Identify and quantitatively estimate (to the extent possible) key impacts and rank them to facilitate understanding and determination of their significance (by severity, duration, project phase, etc.);
- vi. Select measures that can help manage these impacts cost-effectively - reduce negative effects; and improve the positive results and estimate the residual impacts, including those that may require further study;
- vii. Clarify institutional arrangements, capacity building needs and necessary resources, including complaints mechanism and budget, as part of the preparation of the environmental and social management plan.

After identifying the likely negative impacts, the next step will be to quantify the impacts and develop action plans to mitigate these negative impacts.

➤ **Procedures for sub-projects requiring an EIA**

Steps	Activities
First stage	Preparation of terms of reference (ToR) Depending on the results of the identification and the necessary scope of the EIA, terms of reference will be prepared. The EIA will be prepared by a consultant and the report will follow the following format: Description of the study area Description of the sub-project Description of the environment Legal and regulatory considerations Analysis of the "without project" situation Determination of the possible impacts of the proposed sub-projects Public consultation process Development of mitigation measures and a monitoring plan, including institutional capacity building and cost estimation
Second step	Choice of consultant
Third step	Carrying out the EIA with public consultation
Fourth step	Review and approval of the EIA for the sub-project.

Step 4: Review and approval

The selection process (selection and classification of sub-projects) submitted by the ESSS will be validated and approved by the environmental services of the countries concerned by the project (BNEE for Niger) of the G5 Sahel.

The reports of environmental impact studies are also examined and validated at the level of the environmental services of the target countries which will ensure that all the environmental and social impacts have been identified and that effective mitigating measures have been proposed in the framework for the implementation of the project. In case of validation of an EIA, the environmental services draw up a detailed report, with a view to issuing an environmental compliance certificate.

Step 5: Public consultations and dissemination

The provisions of national EIA laws provide that information and public participation must be ensured during the execution of the environmental impact study, in collaboration with the competent bodies. Public information includes one or more meetings to present the project with the stakeholders. These consultations will make it possible to identify the main problems and determine the modalities for taking into account the various concerns in the Terms of Reference of the EIA to be carried out. The results of the consultations will be incorporated into the EIA report and will be made available to the public.

To meet the consultation and dissemination requirements of the AfDB, the GCF, the G5 Sahel countries will produce a letter of distribution in which they will inform the AfDB of the approval of environmental and social safeguard instruments; (ii) the effective dissemination of all the reports produced to all the partners concerned and, possibly, the people likely to be affected.

Step 6: Environmental and social monitoring

Environmental monitoring makes it possible to verify and assess the effectiveness, efficiency and effectiveness of the implementation of the environmental measures recommended within the framework of the project. Monitoring is essential to ensure that: impact predictions are accurate; prevention, mitigation and compensation measures are relevant; regulations and standards are respected. The results of the monitoring may, if necessary, allow the program activities to be reoriented. Environmental monitoring will be carried out as part of the overall monitoring system for project activities. Environmental and social monitoring tools are developed in the environmental monitoring program.

At the national level, monitoring will be carried out by the ESSS recruited or appointed in each of the five target countries in close collaboration with the national environmental services of the target countries.

Step 7: Monitoring indicators

Monitoring indicators will help in the implementation of mitigation measures, monitoring and evaluation of the entire project in order to assess the effectiveness of its activities. These indicators will be developed by consultants as part of the EIAs to be carried out, or by the IEPs if they are simple mitigation measures to be proposed. These indicators will be regularly monitored during the setting up and progress of the sub-projects and will be incorporated into the project monitoring system as well as in the Project Monitoring Manual.

8.3 Institutional strengthening measures

The implementation of institutional measures consists of:

- **Recruit an environmental safeguard specialist and a social safeguard specialist in each of the five countries and appoint an Environmental and Social Focal Point (for the regional coordination of the project).** These experts will benefit from training and support and from the AfDB, to carry out the following activities:
 - Completion of the environmental and social selection form; choice of mitigation measures proposed in the environmental and social checklist;
 - Preparation of the draft TOR for DtP activities requiring a separate EIA;

- Recruitment of qualified consultants and consultancies to carry out EIAs, if necessary;
 - Dissemination of EIA reports to appropriate institutions which are accessible to the public;
 - Conduct of environmental and social monitoring of activities and necessary adjustments as needed; and
 - Organization of information and training workshops on environmental assessment.
- **Establishment of partnership agreements with national institutions in charge of environmental assessment:** The agreements established aim to frame and facilitate collaboration between the Directorates / Agency in charge of the environmental and social assessment of countries. This partnership will facilitate the active participation of the National Office / Agency in charge of Environmental Assessment in the verification and validation of the environmental and social classification of the proposed projects, the supervision of additional EIA procedures and the environmental and social monitoring.
 - **Taking environmental and social management into account in the project cycle support process:** The reinforcement aims to integrate the tools and recommendations of the safeguard documents into the manuals and management procedures (manuals and procedures for procurement, execution, monitoring and evaluation) and in the preparation of the budget. This measure would strengthen the inclusion of legislative, regulatory and institutional frameworks in project management and support procedures.
 - **Updating the ESMF (program, schedule and budget):** At the level of each country, it will be a question of adapting the ESMF of the project to the context and reality of each country and to reflect the changes in the program, budget and the implementation schedule.
 - **Environmental and social measures for the management of project suppliers and service providers:** The DtP program will require that all suppliers and service providers involved in the sub-project comply with the provisions of the ADB's OPs, the environmental and social policies and standards of the GCF and those of the regulations and legislation of the countries where the sub-projects are implemented. . The project should: a) assess the environmental and social risks and effects associated with their supplier and service contracts; b) ensure that the suppliers and contractors involved in the project are legitimate and reliable companies, and have the knowledge and skills necessary to perform the tasks of the project in accordance with their contractual commitments; c) integrate the important considerations of environmental and social risk management in the tender documents; d) contractually requiring suppliers and service providers to apply the relevant aspects of environmental and social risk management and, in the event of non-compliance, to take appropriate corrective measures; e) ensure that suppliers and service providers comply with their contractual commitments; and f) require, in the event of subcontracting, that suppliers and service providers enter into equivalent contracts with their subcontractors.
 - **Organization of ESMF feedback and sharing meetings.:** It will allow: (i) to ensure the restitution, sharing and dissemination of the ESMF to the various stakeholders (ii) to have a common understanding of the recommendations of the ESMF; (iii) better clarify the institutional arrangements and the responsibilities of each actor; (iv) to agree on the methods and tools for applying the ESMF; (v) identify and propose all decisions, measures or reforms that could facilitate the achievement of the objectives of the ESMF.
 - **Adoption by the project of the Codes of conduct and action plan for the implementation of Environmental and social, health and safety (ESHS) and occupational health and safety (OHS)**

standards and the prevention of violence based on gender (GBV) and violence against children (VAC). This measure involves getting the project to adopt a set of key definitions, codes of conduct and guidelines in order to: (i) clearly define the obligations of all project staff (including subcontractors and labourers) concerning the implementation of environmental, social, health and safety (ESHS) and occupational health and safety (OHS) standards; and (ii) to help prevent, identify and combat GBV and VAC on the site and in neighboring communities.

The application of these Codes of Conduct will make it possible to ensure that the project meets its objectives in terms of ESHS and OHS standards, as well as to prevent and / or mitigate the risks of GBV and VAC on the project site and in the local communities. The people working in the project must adopt these Codes of Conduct which aims to:

- Raise awareness among staff operating in the project of ESHS and OHS expectations; and
- Create awareness about GBV and VAC, and:
- Create a consensus on the fact that such acts have no place in the project; and
- Establish a protocol to identify incidents of GBV and VAC; respond to such incidents; and sanction them.

8.4 Technical capacity building measures

The technical capacity building measures concern:

- **Design and operationalization of Complaints Management Mechanism:** This will involve developing and implementing a Complaints Management Mechanism for stakeholders (according to the African Development Bank's OPs) and a Complaints Management mechanism at the level of project workers (according to the IFC Performance Standard 2).
- **Development of a COVID prevention guide for project stakeholders:** The guide will offer recommendations and practical measures to be implemented in order to strengthen the protection of the health and safety of project stakeholders, including workers, against COVID. It will also make it possible to put in place prevention procedures covering basic hygiene, cleaning and disinfection, personal protective equipment (PPE), supplier management and visitor management for the benefit of the protection of all project stakeholders.
- **Development of a Manual of good environmental practices and safety standards in the solar energy sector**
- **Provision for the realization and implementation of any EIS / ESMP:** Following the environmental screening, EIAs may be required for certain projects and project activities. It is therefore necessary to provide a budget that will be used to pay consultants to carry out these studies and to implement recommendations that may arise from these studies.
- **Training on environmental and social safeguards:** This will involve training the project workers involved in the management of environmental and social safeguards on the ISS of the AfDB, the GCF but also on the national policies and procedures of environmental and social management and their application to the project. Emphasis will be placed on the actors who are responsible for ensuring the integration of the environmental dimension in the achievements of sub-projects (ESSS, Monitoring and evaluation specialist, Procurement specialist, etc.)

8.5 Capacity building of stakeholders

This will involve organizing a regional workshop (G5 Sahel) to upgrade and train trainers, but also national workshops in Niger involving the main actors of ESMF implementation (National environmental protection agency, Ministry in charge of Energy, NGOs, etc.) on the following themes:

- the safeguard policies of the AfDB group and the GCF;
- the Environmental and Social Assessment Tools (Environmental and Social Impact Studies, Environmental and Social Management Plan, Environmental Audit, etc.);
- environmental and social monitoring of projects;
- the Environmental Management System according to ISO 14001
- Health and Safety at Work according to ISO 45001

8.6 Institutional mechanism for implementing the ESMF

The institutional arrangements for the implementation of the ESMF are shown in the table below.

Table 5 - Summary of institutional arrangements for the implementation of the ESMF

No.	Steps / Activities	Responsible	Support / Collaboration	Providers
1	Identification location / sites and main technical characteristics of the various DtP sub-projects	Technical managers of project	<ul style="list-style-type: none"> • Technical services concerned • Municipalities / Districts concerned • Prefectures concerned • Beneficiaries 	<ul style="list-style-type: none"> • PCU ESSS • Consultants or design offices • Ministry in charge of Energy of the country concerned
2	Environmental selection (Screening-filling of forms), and determination of the type of specific safeguard instrument to be developed	PCU ESSS	<ul style="list-style-type: none"> • Beneficiaries • Town halls concerned • environmental focal points • Technical services concerned 	<ul style="list-style-type: none"> • PCU ESSS • Consultants or design offices • Ministry in charge of Energy of the country concerned
3	Approval of environmental categorization of under-project	Project coordinator	ESSS	<ul style="list-style-type: none"> • National Agency in charge of the country's environmental assessment: ✓ BNEE for Niger, • AfDB
4.	Preparation of specific environmental and social safeguards instruments			
4.1	Preparation, approval and TOR	PCU ESSS	PCU	<ul style="list-style-type: none"> • Bank • National Agency in charge of the country's environmental assessment: ✓ BNEE for Niger,
	Carrying out the study including public consultation		<ul style="list-style-type: none"> • SPM • PCU • Town halls concerned • Technical 	Consultants or design offices

			services concerned <ul style="list-style-type: none"> Beneficiaries 	
	Validation for obtaining the Certificate of Environmental Compliance by National Agencies in charge of the country's environmental assessment: 1. BNEE for Niger,		PCU	<ul style="list-style-type: none"> National Agency in charge of the country's environmental assessment: ✓ BNEE for Niger,
	Publication of the document		PCU	Media (website, newspapers) of countries AfDB
4.2	Integration in the tender documents of the sub-projects, of all environmental and social measures for the contractable work phase with the company	<ul style="list-style-type: none"> Specialist in Procurement Specialist in charge of technical aspects of DtP 		<ul style="list-style-type: none"> Specialist in Procurement Specialist in charge of technical aspects of DtP
4.3	Execution / Implementation of measures not contracted with the construction company	PCU ESSS	<ul style="list-style-type: none"> PCU Focal point for Technical services environment 	<ul style="list-style-type: none"> Private firms Consultants <ul style="list-style-type: none"> ONG Other
4.4.	Internal monitoring of the implementation of environmental and social measures	PCU ESSS	PCU	<ul style="list-style-type: none"> Control office National Agency in charge of the country's environmental assessment: ✓ BNEE for Niger,
	Diffusion of report of internal surveillance	Coordinator of PCU	PCU ESSS	<ul style="list-style-type: none"> PCU ESSS
	External monitoring of the implementation of	PCU ESSS	PCU	<ul style="list-style-type: none"> National Agency in charge of the country's

	measures environmental and social			environmental assessment: ✓ BNEE for Niger,
4.5.	Environmental and social monitoring	PCU ESSS-	<ul style="list-style-type: none"> • National Agency in charge of the country's environmental assessment: ✓ BNEE for Niger, • Town halls concerned • Riparian population • Beneficiary PCU- MEL Unit	<ul style="list-style-type: none"> • Environmental focal points of the technical services concerned • Laboratories • NGOs
4.6.	Capacity building of actors in the implementation of environmental and social recommendations	PCU ESSS	PCU	<ul style="list-style-type: none"> • Consultants • National Agency in charge of the country's environmental assessment: ✓ BNEE for Niger, • Competent public structures
4.7.	Audit of the implementation of environmental and social measures	PCU ESSS	<ul style="list-style-type: none"> • PCU • Town halls concerned • National Agency in charge of the country's environmental assessment: ✓ BNEE for Niger 	<ul style="list-style-type: none"> • Consultants • Design offices

8.7 Monitoring and evaluation program

Environmental monitoring ensures that the commitments and requirements of an environmental nature are effectively applied during the execution of the work. It is exercised throughout the work in order to integrate the dimension of environmental and social sustainability into the project cycle.

Environmental monitoring is both administrative and technical. Administratively, environmental monitoring consists of taking stock of the project. This is why this responsibility is entrusted to the Agency / Directorate / Structure in charge of the Environmental Assessment of the country concerned (BNEE for Niger).

The monitoring and surveillance program will consist of the following steps:

8.7.1 Environmental and social monitoring

The permanent monitoring of the activities of implementation of the environmental measures of the sub-projects of the DtP program in the field must be carried out by the control office if it concerns the construction of the infrastructure of the electricity network and solar power plants, which must preferably have within it, an environmentalist. If these are activities other than the construction of electricity grid infrastructure and solar power plants, the control will then be carried out by the environmental focal point of the Agency / Directorate / Structure in charge of the Environmental Assessment of the country concerned (BNEE for Niger) by the sub-project.

The control mission or the environment focal point must record in writing (compliance or non-compliance sheets) the orders to provide environmental services, their progress and their execution according to standards. The control mission must also refer to the Project Coordination Unit (PCU) for any particular unforeseen environmental problem.

Control missions or the Environment focal point must submit, at a frequency specified in their contract, a report on the implementation of the company's contractual commitments in terms of environmental and social management.

8.7.2 Inspection or supervision

The inspection or supervision must be carried out by the Specialist in Environmental and Social Safeguarding of the Project Coordination Unit (PCU) of the country:

- on the basis of the verification, reports which will be submitted to it either by raids on the sites of the sub-projects or because of complaints from the populations or municipal authorities;
- at the time of provisional acceptance of the works.

In the event of non-compliance or non-application of environmental measures, the PCU's ESSS, in conjunction with the control office, initiates the formal notice process addressed to the company. The ESSS must submit quarterly to the AfDB a summary report on the state of environmental and social management of sub-projects, problems encountered, and decisions taken with regard to sub-projects.

8.7.3 Environmental and social monitoring

Environmental monitoring will make it possible to verify, in the field, the correctness of the assessment of certain impacts and the effectiveness of certain mitigation or compensation measures provided for by the ESMP, and for which there is still uncertainty.

The knowledge acquired through environmental monitoring will make it possible to correct the mitigation measures and possibly revise certain environmental protection standards. The follow-up program describes:

- items to be monitored;
- monitoring methods / arrangements;
- monitoring responsibilities;
- the follow-up period.

8.7.4 Environmental and social indicators

The environmental and social indicators make it possible to check whether the environmental and social management process as defined in this environmental and social management framework (ESMF) is respected.

Indicators to be monitored by the PCU

The strategic indicators to be monitored by the country PCU are shown in the table below. Each year the monitoring will be described in an annual report.

Table 6 - Indicators for monitoring ESMF measures

Measures	Areas of intervention	Indicators	Periodicity
Technical measures	• Recruitment of the Environmental Protection Specialist	Recruitment report	First quarter of the first year of DtP implementation
	• Recruitment of the Social Safeguard Specialist	Recruitment report	First quarter of the first year of DtP implementation
	Environmental selection (Screening) of the activities of different under-project projects	Number of investments passed through screening	Second quarter of the first year of DtP implementation
	Performing ESIA's for programmed sub-projects	Number of ESIA's carried out (compared to the number of ESIA's recommended by the screening)	Before the start of the sub-project concerned

Measures Monitoring and devaluation	Environmental monitoring and environmental surveillance of different sub-projects	Number of monitoring missions carried out	Every quarter during the life of the project
Training	Thematic training in environmental and social evaluation and monitoring of sub-projects	<ul style="list-style-type: none"> • Number of training sessions organized • Number of people trained • Typology of people trained 	Each year during the first two years of project implementation
Sensitization	Sensitization and advocacy on the environmental and social challenges of sub-projects and good practices	<ul style="list-style-type: none"> • Number of sessions organized awareness raising • Number and profile of people sensitized 	Each semester during the duration of the project
	Dissemination and appropriation of the ESMF to stakeholders	Effectiveness of the appropriation and dissemination of the ESMF to stakeholders	First year of stake project implementation

Indicators to be monitored by PCU's Environmental and Social Safeguard Specialist

The indicators to be followed by the ESSS of the PCU are recorded in the table below.

Table 7 - ESMF measures monitoring indicators

Items to be assessed	Indicators	Frequency of measure / responsibility
Screening	Number of DtP sub-projects subject to screening	Once a year by the ESSS of the PCU
	Number of sub-projects for each category / total number of sub-projects	Once a year by the ESSS of the PCU
Development of ESIA	Number of sub-projects covered an in-depth or simplified ESIA	Once a year by the PCU ESSS
	Number of ESIA reports validated by the National Agency in charge of environmental assessment	Once a year by the PCU ESSS

Business contract	% of sub-projects for which companies have environmental clauses and social in their contract	Twice a year by the ESSS of the PCU
Control	Number of environmental and social monitoring reports submitted to the AfDB / number of total reports that should be delivered	1 time per month in the ESSS PCU report
Monitoring	Number of site visits made by the ESSS of the PCU / total number of sub-project sites	Once a month in the PCU ESSS report
	Number of complaints received / number of complaints processed and closed	Once a month in the PCU ESSS report
Inspection	Number of inspections carried out	1 time per quarter by the ESSS of the PCU
Training	Training report	1 time after training by the ESSS of the PCU

Indicators to be followed by the Agency / Directorate / Structure in charge of Environmental Assessment of the country concerned.

The Agency / Directorate / Structure in charge of the Environmental Assessment of the country concerned (BNEE for Niger) will ensure environmental monitoring through monitoring the implementation of the ESMF, in particular by checking the validity of the environmental classification of the sub-projects during the screening, development, validation and dissemination of any TOR and Environmental and Social Impact Studies (ESIA)) if necessary, and monitoring the implementation of ESMPs from ESIAs. The suitable periodicity is at least one mission per quarter.

8.7.5 Instruments for reporting

A series of environmental and social instruments (models) will be designed to be used to systematize the environmental and social activities that will be developed along the project cycle, organize the processes and keep records of the process. The models could be used for reporting: (i) Quarterly reports on environmental and social implementation, (ii) Environmental and Social Monitoring Report (ESMR), (iii); and the Final Environmental and Social Report (FESR). These various reports are internal tools to be used in day-to-day activities, while the quarterly implementation reports are external documents to be shared with the AfDB.

8.8 ESMF implementation schedule and budget

8.8.1 ESMF implementation schedule

The schedule for implementing and monitoring the environmental and social activities of the DtP program will be as follows in the table below.

Table 8 - Timetable for the implementation of program measures

		Achievement period						
Measures	Proposed actions	Year1	Year2	Year3	Year4	Year5	Year6	Year7
Reduction measures	See listing of measures mitigation by sub-project							
Institutional measures	Recruitment of environmental protection specialists and social							
	Update of the ESMF (program, schedule and budget)							
Technical measures	Realization of ESIA's and possible RAP for certain sub-projects of the project							
	Development of manual environmental practices and of safety standards							
	Drafting of clauses environmental and social to be included in the bidding documents							
Training	Training of environmental focal points in environmental assessment and social assessment							
Sensitization	Stakeholder awareness and mobilization							
Measures of monitoring	Environmental and social monitoring and surveillance of sub-projects							
	Mid-term ESMP evaluation							
	Final ESMP assessment							

8.8.2 ESMF implementation budget

The estimated budget for the implementation of environmental and social safeguard measures is presented in the table below.

Table 9 - Costs of activities to implement the environmental and social measures of the project

No.	Activity	Unit	Quantity	Unit cost		Total	
				Local (XOF)	USA \$	Local	USA \$
1	Institutional, technical and monitoring measures						
1.1	Recruitment of SSS Specialist	1	1	1200000	2218,115	1 200 000	2 218
1.2	Recruitment of ESS Specialist	1	1	1200000	2218,115	1 200 000	2 218
1.3	Implementation of partnership agreements with national institutions in charge of environmental assessment	1	1	60000000	110905,7	60 000 000	110 906
1.4	Design of Complaints Management Mechanisms (Stakeholders and project workers)	1	1	6000000	11090,57	6 000 000	11 091
1.5	ESMF feedback and sharing meetings	1	1	2000000	3696,858	2 000 000	3 697
1.6	Development of a Manual of good environmental practices and safety standards in the solar energy sector	1	1	1200000	2218,115	1 200 000	2 218
1.7	Development of a COVID prevention guide for project stakeholders	1	1	800000	1478,743	800 000	1 479
1.8	Training on environmental and social safeguards	1	1	1000000	1848,429	1 000 000	1 848
1.9	Provision for the realization of ESIA / ESMP	20	1	15000000	27726,43	15 000 000	27 726
1.10	Provision for the realization of RAP	10	1	15000000	27726,43	15 000 000	27 726
	Mid-term audit of the implementation of the ESMF	1	1	6000000	11090,57	6 000 000	11 091
1.13	Final audit of the implementation of the ESMF	1	1	6000000	11090,57	6 000 000	11 091

Sub-Total 1: Institutional, technical and monitoring measures						115 400 000	213 309
2	Capacity building of stakeholders						
2.1	Regional workshop (G5 Sahel) to upgrade and train trainers on ESS	1	1	2400000	4436,229	2400000	4436,229205
2.2.	National workshops (Burkina, Mali, Mauritania, Niger and Chad)	1	1	12000000	22181,15	12000000	22181,14603
Sub-Total 2: Capacity building of actors						14400000	26617,37523
3	Monitoring and evaluation program						
3.1	Mid-term ESMP evaluation	1	1	20000000	36968,58	20000000	36968,57671
3.2	Final ESMP assessment	1	1	20000000	36968,58	20000000	36968,57671
Sub -Total 3: Monitoring and evaluation program						40000000	73937,15342
	GENERAL TOTAL (F CFA)					169 800 000	313 863

9. MOBILIZATION AND CONSULTATION OF STAKEHOLDERS

9.1 Public consultation during project preparation

A virtual meeting, the objective of which was to take stock of the progress made by the “Desert to Power” (DTP) project, was held from 8 to 10 December 2020. The Energy Ministers Mali and Mauritania, and other senior government representatives from the G5 Sahel countries were present at this meeting as well as representatives of several organizations (African Union Commissioner in charge of Infrastructure and Energy, Director General of the International Renewable Energies Agency (IRENA), Executive Secretary of G5 Sahel, Executive Secretary of the Great Green Wall Agency, Steering Committee of “Desert to Power” and Moroccan Agency for Sustainable Energy (MASEN). Participants, including those from the private sector, exchanged views on major topics such as regional integration of energy markets, the role that innovative technologies, such as storage, can play in harnessing the region's solar potential, the challenges and opportunities that arise offer independent electricity producers, and how to understand the energy-agriculture and energy-health link, in particular in the context of the Covid-19 pandemic. It has enabled the countries of the G5 Sahel -Burkina Faso, Mali, Mauritania, Niger and Chad- to present their respective roadmaps for the deployment of the DTP and to enter into contact with a range of partners on their implementation, the necessary reforms and the priorities. During round tables devoted to the specific concerns of each State, the representatives of the governments of the G5 Sahel countries presented their main priorities, projects and strategic roadmaps to technical and financial partners. These sessions provided strong indications on the level of partner support for the projects presented by the G5 Sahel countries.

9.2 Stakeholder consultation requirements

Operational Safeguards 1 (SO 1) state that the borrower or client is responsible for conducting and providing evidence of meaningful consultation (free, prior and informed consultation) with communities likely to be affected by environmental and social impacts and with other local stakeholders. Equity and inclusion are the main goals of effective consultation. This means that the approach adopted must ensure that all groups (including those who are disadvantaged or vulnerable) are included in the consultation process on an equal basis and that all groups have the capacity to express their points of view. view and that they be taken into account.

They also indicate that the borrower or client is responsible for ensuring the satisfaction of a Large Community Support (LCS), in particular for category 1 projects and projects affecting indigenous peoples, in order to promote appropriate solutions. which do not harm the daily lifestyle of these populations. This consultation should be conducted with the objectives of ensuring broad community support for this project and that those directly affected by this project approve the proposed mitigation and management measures. Considered by the AfDB as a key principle. LCS is defined as a set of expressions by affected communities, by individuals or their recognized representatives, in support of the project.

Consultation with stakeholders in the DtP program should be tailored to the language preferences of affected communities, their decision-making process, and the needs of disadvantaged people or vulnerable groups.

The LCS will know whether the affected communities are favorable to the project and not whether there is a lack of opposition to the project. To ensure this LCS, the consultation must provide opportunities for affected

communities by enabling them to express their views on project risks, impacts and mitigation and management measures, which will enable the borrower or the client to take them into account and respond to them in a way that facilitates the ultimate achievement of the LCS.

The AfDB requires that the consultation be seen as an ongoing process, and not just a step in the procedures to obtain project approval. This consultation should start at the project identification stage, or at least earlier during project preparation and should continue throughout the life of the project until construction, operation and retirement of the project. As the AfDB recognizes local requirements for environmental and social standards, consultation and participation of stakeholders will also need to incorporate consultation requirements when performing Environmental and Social Assessment (ESA) as prescribed in environmental laws. from each of the five G5 Sahel member countries.

The results of the consultation should be adequately reflected in the design and documentation of the project. Directly affected communities have the opportunity to participate in key stages of project design and implementation. Therefore, stakeholders will be consulted to obtain their opinions in the preparation of the draft Terms of Reference for Environmental and Social Assessment (ESA), and the associated Environmental Assessment Studies (Draft Study Opinion). Environmental Impact Assessment or draft ESIA report / summary, and the draft ESMP report).

When the borrower or client has identified vulnerable communities that could be affected by the project, the project should engage in meaningful, informed consultation and participation with vulnerable communities, starting as early as possible in the project. project cycle before this project is submitted for approval for funding.

The client and the AfDB will make the documents related to the ESIA available to the public. The procedures require the public disclosure of summaries in accordance with the prescribed deadlines. All documents relating to category 2 operations must be made public 30 days before the Board's deliberations.

In addition, the AfDB Guidance Notes (EIIES) contain detailed information on the consultation mechanism defining various aspects of the consultation, including consultation objectives, requirements, approach in carrying out a consultation (how to do the consultation, how to approach the people to be consulted, who should be involved and at what stage). With particular emphasis on the specific aspect of stakeholder engagement, the Bank Guidance Notes (EIIES) also provide guidance on identifying vulnerable groups according to SO 1 relating to the needs of vulnerable groups and also offer differentiated measures for the inclusion of vulnerable groups in development.

9.3 Mechanisms ensuring proof of Large Community Support (LCS)

SO 1 Operational Safeguards indicate that the borrower or client is responsible for conducting it and providing evidence of meaningful consultation (i.e. consultation is free, prior and precise) with communities likely to be affected through environmental and social impacts, as well as with other local actors. Meaningful consultation focuses primarily on equity and inclusion. This means that the approach adopted must ensure that all groups (including those who are disadvantaged or vulnerable) are included in the consultation process on an equal basis and that all groups have the capacity to express their points of view. took into consideration.

To ensure broad community support, the consultation should provide opportunities for affected communities to express their views on project risks, impacts, and mitigation and management measures, and enable the borrower or client to take these views into account and respond to them in a way that facilitates the ultimate realization of this community support.

The consultation must be documented; in particular, specific actions, measures or other examples of decision making that have been influenced by or are directly derived from the contributions of those who participated in the consultation. In addition, all specific consultation activities should also be documented, in the form of attendance records, meeting minutes, photographs and other forms of consultation log (such as diagrams or, drawings, etc.). If a consultation has already taken place on a project, the borrower or client must be able to provide sufficient written evidence of these prior consultations.

The results of the consultation should also be reported to the communities directly affected by the project as well as other stakeholders at regular intervals. Affected communities and stakeholders will want to know how their views and recommendations have been taken into consideration by the borrower or client, which ones have been adopted by the borrower or client, what risk mitigation measures or impact will be put in place to address their concerns, and how, for example, project impacts will be monitored.

9.4 Inclusion of vulnerable groups

The AfDB's ISS defines vulnerable people or groups as people within a project's area of influence who are particularly marginalized or disadvantaged, and who may therefore be more likely than others to experience the negative impacts of a project. Vulnerability can be determined by identifying the likelihood that a person or group will face more living conditions as a result of project implementation.

The status of "vulnerable" can arise from several factors, including the gender (male or female) of the group, economic status, ethnicity, religion, cultural behavior, sexual orientation, language or status, physical and psychological health. Vulnerable groups may include, but are not limited to, female-headed households, people living below the poverty line, landless people, people without legal title to asset ownership, ethnic, religious and linguistic minorities, indigenous peoples, people with disabilities, etc.

The AfDB is committed to promoting human rights on the African continent and protecting vulnerable groups - especially indigenous peoples - within the context of national regulations and systems.

The Operational Safeguards SO 1 state that "when assessing the potential impacts of a project on affected communities, the borrower or client should use appropriate and qualified expertise to identify individuals and groups likely to be directly affected, indirectly or disproportionately by the project because of their recognized precarious situation. "

SO 1 also state that, "when groups are identified as vulnerable, the borrower or client will implement inevitable differentiated measures aimed at ensuring that negative impacts do not fall disproportionately on these vulnerable groups and that they are not disadvantaged in sharing the benefits and opportunities of development, such as roads, schools, health centers ".

SO 1 also stress the need to assess gender issues in the context of vulnerability. A gender assessment must be carried out for each project and the data collected must serve as a basis for designing projects and compensation plans which aim at a better gender balance.

Finally, these standards note that groups that may be considered vulnerable may include social or cultural groups recognized as indigenous peoples. The Bank seeks to promote the safeguarding of the lands, natural properties and cultural heritage of indigenous peoples by its member countries and to ensure special protection for projects that may involve their resettlement.

In addition, the ISS requires that the environmental and social assessment (ESA) process systematically identifies vulnerable groups. The identification of vulnerable groups will be the result of a careful analysis of the social and economic context in which the project will operate. The presence of factors causing vulnerability should be analyzed, as well as the potential impacts of the project on vulnerable groups, the capacity of vulnerable groups to cope with or adapt to these impacts, and the potential to 'Mitigation of these impacts in a manner that takes into account the specific vulnerabilities or marginalization status in question.

9.5 Differentiated measures for the inclusion of vulnerable groups in development

Once groups have been identified as vulnerable, the borrower or client should propose and implement measures to ensure that the negative effects do not disproportionately affect them and that these groups are not disadvantaged in sharing benefits, development benefits and opportunities. Differentiated measures are needed to meet the demands of specific types of vulnerable groups. The AfDB ISS provides guidance on requirements for differentiated measures to specific types of vulnerable groups, including measures targeting vulnerable groups, indigenous populations, resettled vulnerable groups and other vulnerable groups, such as disabled, etc.

Meaningful consultation is vitally important to determine what differentiated measures are needed for the vulnerable groups in question, as well as to seek Large Community Support (LCS) from these vulnerable groups. There should be a focused and meaningful consultation process, supported by adequate information and carried out with each vulnerable group.

Specific and targeted consultation sessions with each vulnerable group are important as consultations with non-vulnerable groups may not always reveal the particular conditions or concerns of vulnerable groups and how these can be approached in a differentiated and targeted manner. (see Guidance Note).

Consultation around differentiated measures for vulnerable groups requires a socially and culturally appropriate approach that guarantees:

- the expression of the points of view of these vulnerable groups, their concerns and proposals, in the languages and modes of their choice, without external manipulation, interference, coercion or intimidation;
- Representative bodies and civil society organizations, as well as a sufficient number of group members who are themselves vulnerable, are included in the consultation process;
- Local leaders chosen to "represent" the views of vulnerable members of the community have obtained consent from these members and understand their views and goals;

- Discussion spaces are created that are perceived as “safe” from the perspective of the vulnerable group and easily accessible.

Consultations with each vulnerable group should primarily seek to elucidate the particular conditions and concerns of the group in question and the form that the associated differentiated measures should take to ensure that the vulnerabilities of the group in question are not intensified by the project and that the group has the possibility and the capacity to benefit from the project according to its points of view and needs.

9.6 Gender Mainstreaming and Vulnerability Assessment

The term “vulnerable groups” refers to people who, by virtue of gender identity, ethnicity, age, disability, economic disadvantage or social status may be more severely affected by the effects of the project than others and who may be limited in their ability to claim or obtain benefits from the project. Vulnerable people and / or groups may also include people who live below the poverty line, landless people, households headed by the elderly, women or children, refugees, displaced people in within their own country, ethnic minorities, communities dependent on natural resources or others who are not protected by national or international law.

The primary objective of the assessment and assistance measures for vulnerable people is to avoid the appearance of a vulnerability induced by the project and, if necessary, to mitigate its effects through preventive measures and monitoring.

The criteria used to assess the vulnerability induced by the project include pre-project poverty, household composition, income, food supply, housing, social support and health.

The criteria are used to establish the vulnerability of households to local conditions. Vulnerability thus becomes defined locally as those households that are recognized as being in a difficult situation in the context of general poverty in the region.

Vulnerability should be viewed in two stages: pre-existing vulnerability and vulnerability related transition difficulties. Pre-existing vulnerability includes this phase that would be present with or without the development of the project. Vulnerability to transient hardship arises when people directly affected by the project, whether predisposed or not, cannot adapt to new conditions due to shock or stress associated with project activities.

Project measures to identify vulnerable households and individuals include:

- Participatory engagement techniques to confirm the community's perception of well-being and identify households at risk;
- Basic data analysis to identify at-risk households;
- The implementation of household surveillance surveys intended to reveal trends in social protection (composition of households, assets, sources of income, expenditure, etc.);
- Self-registration in the offices of households that identify themselves as vulnerable or at risk; with all these records leading to an assessment of this household by the project / investor team in order to assess the vulnerability of households; and

- Regular visits to all physically displaced households and economically displaced households identified as vulnerable during the resettlement planning and implementation processes to reassess the vulnerability of these households. These visits will take place at least once a quarter; and each visit will be recorded in the database indicating the changes made to the indicators that pose a problem.

9.7 Involuntary Resettlement Policy

The main objective of the AfDB's Involuntary Resettlement Policy is to ensure that when Bank interventions force people to be displaced, they are treated fairly and can enjoy the benefits of resettlement. The ISS provides guidance to Bank staff and borrowers and sets up a mechanism for monitoring the performance of resettlement programs. Most importantly, the ISS requires that a Resettlement Action Plan (RAP) be prepared following a development approach that takes into account livelihoods and level. life of the displaced, using a participatory approach at all stages of project design and implementation.

The policy provides that internally displaced persons and host communities be meaningfully consulted early in the planning process and encouraged to participate in the planning and implementation of the resettlement program. Displaced persons should be informed of their options and rights relating to resettlement. They must have real choices between technically and economically possible resettlement alternatives. To this end, special attention should be paid to the location and scheduling of activities. For the consultation to be relevant, information on the proposed project and on the resettlement and rehabilitation plans should be made available to local populations and national civil society organizations in a timely manner and in a form appropriate and understandable to the local population. In addition, special attention should be paid to the organization of meetings. The possibility of holding separate meetings for women and equitable representation of female heads of household, in addition to mixed meetings, should be explored. Furthermore, the way in which information is disseminated should be planned with caution as levels of literacy and networking may vary by gender. special attention should be paid to the organization of meetings. The possibility of holding separate meetings for women and equitable representation of female heads of household, in addition to mixed meetings, should be explored. Furthermore, the way in which information is disseminated should be planned with caution as levels of literacy and networking may vary by gender. special attention should be paid to the organization of meetings. The possibility of holding separate meetings for women and equitable representation of female heads of household, in addition to mixed meetings, should be explored. Furthermore, the way in which information is disseminated should be planned with caution as levels of literacy and networking may vary by gender.

Particular attention should be paid to the needs of disadvantaged groups among the displaced, especially those below the poverty line, the landless, the elderly, women and children, and ethnic, religious and minorities. linguistic; including those without legal title to property possession, female headed households.

9.8 GRIEVANCE REDDRESS MECHANISM (GRM)

AfDB defines GRM as a systematic process to receive, assess and facilitate the resolution of concerns of people affected by the project, complaints and grievances about the social and environmental performance of the borrower or client on a project. The AfDB requires its clients to be aware of and respond to stakeholder concerns related to the project in a timely manner. To this end, the client will establish an effective grievance

mechanism, process or procedure to receive and facilitate the resolution of concerns and grievances from stakeholders, in particular on the environmental and social performance of the client.

9.8.1 General guidance for GRM

In SO 1 operational safeguards, the AfDB obliges the borrower / client to put in place a credible, independent and empowered local complaints and redress mechanism to receive, facilitate and monitor the resolution of grievances and concerns of those affected by performance. environmental and social aspects of the project. The local grievance mechanism should be sufficiently independent, autonomous and accessible to stakeholders at all times during the project cycle and all responses to grievances should be recorded and included in project supervision formats and reports.

Certain Bank operations can inevitably have an impact on the well-being of the local population. The objective of the GRM of a project is therefore to enable people fearing to suffer or suffering negative impacts to be heard and assisted. People potentially or actually affected by a Bank-financed project need a reliable method for expressing and resolving project-related issues, and it is necessary that in the project design, an effective way of responding to issues is included. concerns of those affected. The GRM provides a structured and managed means of voicing and addressing the concerns of those affected, including by the borrower / client's project management staff and, in certain circumstances,

The main advantages of establishing and maintaining an appropriate GRM linked to a Bank-financed project are:

- Help maintain good development conditions on the ground, conducive to harmonious and sustainable development;
- Minimize the risk of violent or destructive behavior, as well as the associated economic and social costs;
- Help protect local groups and the most vulnerable individuals;
- Mitigate the risk of increased disputes or conflicts, such as cases brought and submitted to the Bank's Independent Review Mechanism.

The GRM design process should be integrated into the overall approach to project preparation, as provided for in the Bank's ISS system. The Bank's ISS through its Guidelines on Integrated Environmental and Social Impact Assessment (ESIA) provides guidance on the development and implementation of the GRM.

These guidelines should also be included in the concrete actions required in the environmental and social management plan (ESMP) for category 1 projects and, on a case-by-case basis, for category 2 projects with specific potential social tensions, in particular the risks of mismanagement of compensation / resettlement programs or the presence of particularly vulnerable groups in the project area of influence.

Note: Project affected persons should have representative in the GRM.

9.8.2 Independent Inspection Mechanism (IIM)

The AfDB has established its own accountability mechanism, the Independent Inspection Mechanism (IIM). This mechanism makes it possible to determine whether a project approved by the Bank complies with the

ISS. The IIM is accessible to any group (at least 2 people living in the project area of influence) effectively or potentially affected by a project financed by the Bank. The IIM reports to the Bank's Board of Directors and is therefore independent of the Bank's management. So far, this mechanism has received about six requests for intervention. On the basis of the experience gained by the Inspection Group of the World Bank in 1993, which has dealt with 80 requests since then, the IIM is expected to intensify its activities in the coming years.

The IIM was set up by the Bank to achieve more transparency. It is also an expensive mechanism to trigger. Setting up local GRMs can help alleviate the need for applicants to use IIM, while problem solving can be done faster and more cheaply at the local level. The cultural context in which GRMs operate also helps to reduce complaints and find appropriate and proportionate solutions.

9.8.3 Project Level Grievance Mechanism (GRM)

The GRM in the DTP program will be established in accordance with the guidelines provided by the AfDB's ISS, through its Guidelines on Integrated Environmental and Social Impact Assessment (ESIA). The first step is to determine the primary objective of the GRM, which would typically be to resolve specific grievances in a way that meets both the needs of the project management and the community, but with significant local variation. The extent of the grievances that can be legitimately raised by the communities and / or individuals concerned should be defined in advance. This scope will generally cover most, if not all, of the issues raised in a typical environmental and social assessment: natural resources, pollution, cultural property,

The second step is to design the GRM by:

- Preparing a preliminary design;
- Selecting the ways and means to receive, record, evaluate and respond to grievances;
- Choosing grievance resolution approaches;
- Designing a way to track and monitor grievances;
- Developing the infrastructure of the grievance mechanism;
- Examining and refining the design.

The design of GRM can be carried out with the assistance of the team of specialist independent consultants (if resources will be available). The GRM should be designed based on the following principles:

- Involvement of people of mixed levels and functions (e.g. operations, environmental affairs, community relations, legal affairs, entrepreneurs). Equipping the design team with just one function, such as community relations or human resources, is unwise;
- Inclusion of a balanced group of community representatives, representing the range of constituencies and demographics that will use the grievance mechanism, while keeping the team small enough to be responsive;
- Support on clear terms of reference and a work plan describing the objectives, roles and responsibilities of the team, the level of decision-making power, hierarchical lines, tasks, deadlines and products;
- Using multiple channels (eg face to face, phone conversation, mail, SMS or email, message on a dedicated website), responsive to traditional cultural customs and methods that may influence or hinder the expression of grievances;

- Existence of a central point of contact who will receive complaints and register them in a central register;
- Existence and functioning of staff hired for the resolution of designated complaints;
- Process for acknowledging receipt of a grievance and informing the complainant about the time frame within which a response to their complaint could be received.

Appointment of Members of the Grievance Settlement and Redress Committees (GRC)

The DtP program will include the creation of a Grievance Resolution Committee (GRC) at the level of each sub-project, for example the staff involved in the grievance redress mechanism (GRM). As a rule, all project staff, senior staff of agencies involved in the project, and government administrators will take responsibility for handling complaints. Members of the GRC should be qualified, experienced and competent staff capable of earning the respect and trust of affected communities. It is also important to maintain a gender balance in committees. The selection criteria for the different members could be as follows:

- Knowledge of the project, its objectives and its results
- Technical knowledge and expertise to understand the design and requirements of the project;
- Understanding of social, economic and cultural environments and community dynamics;
- Ability to solve problems to be addressed and to actively contribute to decision-making processes;
- Social recognition and status; and
- Equitable representation of men and women.

Procedures, channels for handling complaints and timeline for grievance mechanisms

As there is no ideal model or one-size-fits-all approach to grievance resolution, the best solutions to conflicts are usually achieved through localized mechanisms that take into account specific issues, cultural background, local customs, conditions. and the scope of the project. The process by which a complaint will be accepted or rejected must be carefully designed and must maximize interactivity and cultural sensitivity. The acceptance or rejection of a complaint will go through a discussion phase during which the complainant and GRC staff will interact on the basis of the grounds and motivations for the complaint, after which the complainant should be informed clearly and fully. transparency if their complaint is eligible and will be dealt with. The

The processing of the complaint, if it is accepted, must go through different phases:

- Filing of the complaint and labeling with an identification code communicated immediately to the complainant;
- Assessment of the complaint (including the seriousness of the risk / impact);
- Formulation of the response.

The selection of the grievance resolution method is a key. There are four general approaches to choose from:

- The project management proposes a solution;
- The community and the project management decide together;

- Project management and the community look to a third party to decide;
- The project management and the community use traditional or customary practices to reach a solution.

The Bank's ISS recommends applying a “Decide Together” approach, which is generally the most accessible, natural, and least risky way for communities and project management to resolve disputes. With the possibility of resolving perhaps the majority of all grievances, this approach should be the centerpiece of any grievance mechanism's resolution options. In its simplest form, a grievance mechanism can be broken down into the following main components:

- Receive and register a complaint.
- Check and validate the complaint (depending on the nature and type of complaint);
- Formulate a response;
- Select a resolution approach based on consultation with the person or group concerned;
- Implement the approach;
- Solving the problems ;
- Monitor and evaluate results;
- Learn from the experience and communicate to all parties involved.

The time limit set for grievance committees must be agreed upon and documented, depending on the nature and seriousness of the complaint.

A number of mechanisms will be available to injured parties to obtain redress. These should include specific institutions (internal) to a project and put in place from its inception or others that may have emerged over time in response to needs identified as the project evolved. Other institutions that already exist in a country's judicial, administrative and / or political systems and that exist outside of a project should also be used. These include government bureaucracy; judicial institutions; and political institutions such as district councils, provincial councils, etc. In addition, the Bank itself sometimes has to provide a forum for resolving complaints.

Channels for presenting complaints could include the presentation of complaints by third parties (eg village elites / traditional leaders, community organizations, lawyers, non-governmental organizations [NGOs], etc.); face to face meetings; communications by facsimile, telephone and electronic mail; written complaints; etc.

An example of a grievance form to be completed is presented in Appendix 5.

9.8.4 Proposed framework for information disclosure

As highlighted in previous sections, the Bank requires that consultation be seen as an ongoing process, and not just a step in the procedures for obtaining project approval. It should start at the project identification stage, or at least at an early stage of project preparation, and continue throughout the life of the project through construction, operation and decommissioning. As the Bank recognizes local requirements for taking E&S considerations into account, stakeholder consultation and engagement will also incorporate national requirements as prescribed in Niger's environmental laws.

The PCU and any sub-project leader will make specific ESIA / ESMP documents available to the public. The procedures require public disclosure of summaries in accordance with specified deadlines.

In addition to disclosing information on environmental assessment studies. Other information that directly affects the concerns of different categories of stakeholders will also be disclosed. The mechanism for disseminating information should be simple and accessible to all. The program will use two mechanisms, including briefing materials and the organization of community consultation sessions. Information materials (all to be prepared in the local language) may take the form of (a) brochures (including information on the project, land needs and details on rights, including compensation and assistance to PAPs) which can be kept in the premises of local authorities and the PCU; (b) posters to be displayed in prominent places and (c) leaflets that can be distributed in the affected area of the sub-project.

The PCU should also organize consultation meetings at regular intervals to inform the PAPs and relevant stakeholders of the following:

- i. Project schedule and progress;
- ii. Information on compensation and rights;
- iii. Information on the acquisition of land and valuation of property at market price;
- iv. Deadlines for acquisition.

Disclosure of information will strengthen governance and accountability, especially with regard to strengthening monitoring indicators to help AfDB monitor compliance with agreements and assess impact on results. In accordance with AfDB's ISS, project management should ensure the disclosure of relevant project information, including:

- the nature and scope of the project;
- the duration of the activities of the proposed project;
- any risk and potential impact on the environment, worker health and safety, public health and safety and other social impacts on communities, and proposed mitigation plans;
- envisaged consultation process and possibilities and means of public participation
- time / location of all planned public meetings and process by which meetings are notified, summarized and reported.

Information should be disclosed in the local language (s) and in an accessible and culturally appropriate manner, taking into account any vulnerable person (eg ethnic groups or displaced persons). The following describes the proposed arrangement.

During the preparation phase

The project should have good media access, all news regarding the work in the subproject areas should be disclosed to the public through national and local media, including state owned, etc.

In addition, social media should be used to publish information related to the project in the regions concerned. To facilitate effective public information, a technical officer should be responsible for communicating with people and providing information on the site.

During the construction phase

During construction, the PCU should provide permanent information to people in the project areas and surrounding areas. The information should relate to planned, unplanned and ongoing construction activities. This could include security measures near construction sites, traffic management, employment opportunities, service provision possibilities (e.g. catering, laundry, etc.) and any other information identified during the development of the ESMP. This information could be provided in various ways, including through:

- Monthly meetings with the community representation committee;
- Face to face meetings, which could involve the whole community or smaller focus groups;
- written updates posted to the local school;
- via the community committee; and
- Annual project progress reports, including environmental and social impacts, health and safety performance and implementation of the external complaints mechanism.

During the operational phase of the project

During operation, the PCU and individual sub-project promoters / mini-grid operators should continue to provide information on the project as necessary. This could focus on monitoring operational impacts such as emissions and any issues raised by stakeholders during previous phases of the project.

Suggested disclosure of complaints and redress mechanism

Grievances can arise during the construction and operation phases of subprojects, addressed to an individual project or to the program as a whole. To ensure that stakeholders have a simple mechanism for making their grievances known and seeking redress, detailed grievance procedures should be established. The aim is to respond to stakeholder complaints in a timely and transparent manner, without resorting as much as possible to complicated formal channels.

It is proposed that anyone be empowered to present a grievance regarding the project if they believe that a work practice or aspect of the project has a negative impact on the community, the environment or its quality of life.

APPENDICES

Annex 1: Environmental and social screening form

Section A: General Information

Name of the project	
Estimated cost ()	
Project Site	
The project's objectives	
Main Activities of the Proposed Project	
Name of Evaluator	
Date of Evaluation Field	

Section B: Brief Description of Proposed Activities

- Provide information on the type and scale of the construction / rehabilitation activity (e.g. area, land required and approximate size of structures);
- Provide information on construction activities including support / auxiliary structures and the activities required to build them, e.g. need for quarry or excavation of borrow material, water source, roads to access, etc.;
- Describe how the construction / rehabilitation activities will be carried out. Include a description of the support / activities and resources required for the construction / rehabilitation.

Section C: Selection Form - Identification of AfDB Operational Safeguards and IFC Performance Standards (PS) And Identification of an Appropriate Safeguard Instrument

AfDB SO / IFC Performance Standards	Triggered		If yes (Reason / Details)	Safeguard instrument / Required documents
	Yes	No		
SO1 / PS1,				
SO 2 / PS5				

SO 3 / ES6				
SO 4 / PS 3				
SO 5 / PS 4, PS 2				
SO1 / PS 7				
SO 1 / PS 8				

Guidance: The guidelines for categorizing sub-projects and triggering operating systems are available in the AfDB's ESS document (Annex 2 with particular emphasis on the environmental and social checklist).

Conclusion on the safeguarding instruments required

in accordance with AfDB's ESS, and the following ____ The sub-project is classified as a category project
safeguard instruments will be prepared:

1. _____
2. _____
3. _____
4. _____
5. _____

Section D: Environmental and Social Information on the Sub-Project Site - Brief Description

Basic information type	Brief description
Geographical location	
Zone name	
Proposed location of the project (Include a site map of at least 1: 10,000 / or GPS coordinates)	
Terrestrial Resources	
Topography and geology of the region	

Soils of the region	
Main land uses and economic activities	
Water resources	
Quantity of surface water resources (rivers, lakes, etc.) and quality	
Biological resources	
Flora (include threatened / endangered / endemic species)	
Wildlife (include threatened / endangered / endemic species)	
Sensitive habitats, including protected areas eg. national parks and forest reserves	
Weather	
Temperature	
Rainfall	
Social	
Number of Potentially Affected People	
Type and magnitude of impacts (impact on land, buildings, crops, living conditions, etc.)	
Socio-economic overview of those affected	

Section E: Impact Screening Criteria During Project Implementation, Impact Areas and Impact Assessment and Potential Mitigation Measures

S / N	Areas of impact	Yes / No	Impact assessment		Potential mitigation measures / remarks
			Extent or coverage (3- 5 km or + 5km)	Importance (weak, medium or strong)	

			On the spot	Within 3-5 km	Beyond 5 km	Low	Way	High	
1.0	Is this sub-project site / activity in and / or will it affect respect for the environment Sensitive areas? (exclusion criterion)								
1.1	National Parks & Wildlife Reserves								
1.2	Wet area								
1.3	Agropastoral zones								
1.4.	Areas of rare or threatened flora or fauna								
1.5	Areas with exceptional landscapes / tourist sites								
1.6	Steep slopes / mountains								
1.7	Tropical dry forest								
1.8	Along the lakes, along the beaches, by the river								
1.9	Nearby cultural sites / heritage								
1.10	Groundwater recharge areas								
1.11	Runoff water								
1.12	Will the subproject use international water sources?								

1.13	Cultural sites, cemeteries, monuments								
------	---------------------------------------	--	--	--	--	--	--	--	--

2.0	Criteria for selecting impacts during implementation and operation (Does the implementation and operation of the sub-project in the selected site generate the following externalities / costs / impacts?)								
2.1	Deforestation								
2.2	Soil Erosion and Sedimentation								
2.3	Sedimentation of streams								
2.4	Environmental degradation due to mining construction materials								
2.5	Damage to wildlife and their habitat								
2.6	Hazardous waste, asbestos, PCB, pollution								
2.7	Nuisances - Smell or Noise								
2.8	Reduced water quality								
2.9	Increased water costs								
2.10	Soil contamination								
2.11	Long-term depletion of water resources								

3.0	Will the implementation of the sub-project activities in the selected site generate the following socio-economic costs / impacts?								
3.1	Loss of land / acquisition of land for human settlement, agriculture, grazing								
3.2	Loss of assets, property, houses or agricultural production								
3.3	Loss of livelihood								
3.4	Require a RAP								
3.5	Disruption of the social fabric								
3.6	Interference in the marriages of the local population by the workers								
3.7	Potential spread of STIs and								
	HIV and AIDS due to immigrant workers								
3.8	Increased incidence of communicable diseases								
3.9	Health hazards for workers and communities								
3.10	Conflicts over the use of natural resources, eg water, land, etc.								
3.11	Land ownership								

	disputes								
3.12	Disturbance of important routes, roads.								
3.13	Increased flow of people								
3.14	Loss of ability to generate income								

ENVIRONMENTAL AND SOCIAL MONITORING REPORT

E&S Category:

Name of the project:

Project Manager:

Signature

Evaluator: E&S expert:

Signature

1. Environmental and social effects

Summary of the environmental effects of the project predicted during project planning.

2. Environmental and social effects observed during the field visit

Summary of the environmental effects observed during the field visit:

Anticipated effects and nature of observation; and

Unpredictable effects and nature of the observation.

The people participating in the visit on the ground:

Last name	Institution	Function	Signature

3. Compliance with environmental and social specifications

Assessment of the project's compliance with environmental design specifications, including environmental protection and control, mitigation, and reimbursement and compensation measures, if applicable.

4. Results of the field visit

Provide the results of the assessment of specific biophysical and socioeconomic effects, including deviations from reference values, if applicable.

5. Conclusions and recommendations for the operation of the project

Adjustments recommended in the operation of the project, if any, including the rationale for the recommendations.

6. Conclusions and recommendations of the follow-up program

Recommended adjustments to the monitoring program, if any, including the rationale for the recommendations.

7. Other observations, recommendations and conclusions

Annex 3: Final Environmental and Social Monitoring Report

FINAL ENVIRONMENTAL AND SOCIAL MONITORING REPORT

Name of the project: E&S Category:

Project Manager:

Signature

Evaluator: E&S Expert:

Signature

1. Tasks carried out

The date) ____, the final examination of the environmental and social aspects corresponding to the activity____ was carried out to verify compliance with the mitigation measures proposed for the project, and to verify whether other negative impacts appeared during the period in which the activity took place.

The commission is made up of the following people:

Last name	Institution	Function	Signature

2. Context

Capture a case record, including dates, a brief description of the issue, and recommendations from previous opportunities.

3. Exam results

Describe in detail the conditions under which the mitigation measures were developed, the degree of achievement, and the current status, explaining the reasons why the measures were not completed. Completing the table below will help visualize this information.

Nº	Mitigation measures	Accomplishment			There is still time to complete measurements	Observations
		Yes	No	%		

--	--	--	--	--	--	--

4. Conclusions

Based on the review, draw conclusions regarding compliance with mitigation measures and recommendations

Annex 4: Example of a Complaint Form

ID number:

Name (Complainant):

(Identification number of PAPs) Contact details:

(Village; mobile phone)

Nature of grievances or complaint:

Date - People contacted - Summary of discussion

Signature:

Date of signature

Signed (Complainant)

(if different from the depositor) Position or relationship with the depositor

Name of the person making the complaint:

Review / Resolution

Date of the conciliation session:

Was the depositor present? Yes No

Has a field verification of the complaint been carried out? Yes No

Findings of the field survey:

Summary of the discussions of the conciliation session:

Problems

Has agreement been reached on the issues? Yes / No If an agreement has been reached, detail the agreement below:

If an agreement has not been reached, specify the points of disagreement below:

Independent observer

Sign:

signed (Applicant):

Signed (Conciliator):

Dated:

Annex 5: Complaint registration form

Date:

Complaints committee, Municipality of

File N °

COMPLAINT

Name of complainant: _____

Address : _____ Municipality:

Land and / or Building affected:

DESCRIPTION OF THE COMPLAINT:

.....
.....
.....
..... At, on

Signature of complainant

COMMITTEE OBSERVATIONS:

.....
.....
.....
..... At, on

(Signature of the committee representative)

COMPLAINANT'S RESPONSE:

.....
.....
..... At, on

Signature of complainant

RESOLUTION

.....

.....

..... At, on

(Signature of committee representative) (Signature of complainant)

Annex 6: RESETTLEMENT POLICY FRAMEWORK (RPF) - NIGER

LIST OF ACRONYMS AND ABBREVIATIONS

AfDB	African Development Bank
AIDS	Acquired Immune Deficiency Syndrome
ARAP	Abbreviated Resettlement Action Plan
CBOs	Community Based Organizations
EIA	Environmental Impact Assessment
ESAP	Environmental and Social Assessment Procedures, AfDBs
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
FI	Financial Intermediary
FRAP	Full Resettlement Action Plan
GCF	Green Climate Fund
GBV	Gender Based Violence
HIV	Human Immunodeficiency Virus
IAES	Increased Access To Energy And ICT Services
IESIA	Integrated Environmental and Social Impact Assessment
IR	Involuntary Resettlement
IRP	Involuntary Resettlement Plan
ISS	Integrated Safeguard System
M&E	Monitoring and Evaluation
NGO	Non-Governmental Organisation
OS	Operational Safeguard
PAPs	Project Affected Person(s)
PMU	Project Management Unit
RAP	Resettlement Action Plan
REA	Rural Electrification Authority
RPF	Resettlement Policy Framework
SME	Small And Medium Enterprise
TA	Technical Assistance
TOR	Terms Of Reference

DEFINITIONS

Affected Population	Defined as those who stand to lose, as a result of the project, all or part of their physical and non-physical assets, such as homes, communities, productive lands, resources such as forests, range lands, fishing areas, important cultural sites, commercial properties, tenancy, income-earning opportunities, and social and cultural networks and activities
Census	A complete and accurate count of the population that will be affected by land acquisition and related impacts. When properly conducted, the population census provides the basic information necessary for determining eligibility for compensation and for preparing and Money or payment in kind to which the people affected by the project are entitled to, as decreed by government regulations or laws in order to replace the lost asset, resource or income.
Consultation	The means by which a project communicates with the people living in the project's area of influence, as well as with other relevant stakeholders - a two-way process between a project and its affected communities / other stakeholders.
Cut-off Date	Date by which PAPs and their affected assets have been identified and new entrants to the site cannot make claims to compensation or resettlement assistance. Persons whose ownership, use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance, regardless of their identification in the census.
Disadvantaged Groups	Distinct groups of people that may suffer dis-proportionally from project related activities (e.g. female-headed households, children, elderly, ethnic, religious and linguistic minorities, handicaps, etc.).
Displaced Persons	The people or entities directly affected by a project through the loss of land and the resulting loss of residences, other structures, businesses, or other assets.
Eligibility	The criteria for qualification to receive benefits under a resettlement programme.
Entitlement	Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected people, depending on the nature of their losses, to restore and improve their economic and social base.
Environmental and Social Assessment Procedures (ESAPs)	The Bank's procedures for applying its Oss to its operations, setting out the steps to be followed by borrowers/clients and Bank staff at different stages of the project cycle.
Environmental and Social Impact Assessment (ESIA)	A tool to identify and assess the likely environmental and social impacts of a proposed project, to determine their magnitude and significance, and to define management or mitigation measures designed to avoid and minimize where possible, or if not, to offset or compensate for adverse impacts and risks.
Environmental and Social Management Framework	An instrument, to be applied in the context of programmatic lending that sets out a unified process for assessing and managing all environmental and social safeguard issues for subprojects from preparation, through appraisal and approval, to

(ESMF)	implementation.
Environmental and Social Management Plan (ESMP)	An instrument developed as the outcome of an ESIA of a proposed project that sets out the action plan of environmental and social management measures to be implemented by the borrower or client.
Environmental and Social Screening	An instrument used by Bank staff in the early stages of the project cycle, according to provisions of the ESAPs, to determine the Environmental and Social Assessment Category of a specific operation.
Financial Intermediary (FI)	A financial institution, such as a bank, insurance or leasing company or micro- finance provider, to which the Bank may provide finance that will be lent on to or invested in subprojects.
Full Cost of Resettlement	Compensation based on the present value of replacement of the lost asset, resource or income without taking into account depreciation.
Grievance and Redress Mechanisms (GRM)	A systematic process for receiving, evaluating and facilitating resolution of affected people's project-related concerns, complaints and grievances about the borrower's/client's social and environmental performance on a project.
Host Community	Community residing in or near the area to which affected people are to be relocated.
Household Head	For purposes of a census, the household head is considered to be that person among the household members who is acknowledged by other members of the household as the head and who is often the one who makes most decisions concerning the welfare of the members of the household
Household	The term household refers to a group of people who reside together and share in the functions of production and consumption. It is also the smallest unit of consumption, and sometimes production.
Indigenous Peoples	Social or cultural groups recognized as Indigenous Peoples, either by national legislation or according to their own identification as members of a distinct cultural group with collective attachment to geographically distinct habitats or ancestral territories; having customary cultural, economic, social or political institutions separate from the dominant society or culture; and an indigenous language – often different from the official language of the country
Integrated Safeguard System (ISS)	The Bank's environmental and social safeguards system, incorporating an Integrated Safeguards Policy Statement; a set of Operational Safeguards (OSs) and a revised set of Environmental and Social Assessment Procedures (ESAPs). It also includes an updated set of Guidance Notes and Sector Keysheets.
Integrated Safeguard Tracking System (ISTS)	A Bank database system to act as a repository for and to track key safeguard compliance information linked to the progress of the project cycle and to provide a means of making safeguard compliance information accessible to the public.
Involuntary Resettlement	Development project results in unavoidable resettlement losses, which people affected, have no option but to rebuild their lives, incomes, and asset bases elsewhere. Involuntary resettlers are thus people of all ages, outlooks and capabilities, many of whom have no option but to give up their assets. Bank policy

	designates involuntary resettlers as requiring assistance.
Livelihood Restoration	Measures required to ensure that Project Affected Persons (PAPs) have the resources to at least restore, if not improve, their livelihoods. It requires that people are given the means and assistance necessary for them to improve, or at least restore, their livelihood and living conditions to pre-project levels. Inventory of Losses means the pre-appraisal inventory of assets as a preliminary record of affected or lost assets.
Operational Safeguards (OSs)	A set of brief and focused policy statements that clearly set out the operational environmental and social requirements with which Bank financed operations must comply.
Project	In this RPF the “project” means AfDB-GCF programme Desert To Power G5 Sahel Facility (DtP)
Project Area	Areas in and adjacent to the construction areas and other areas to be modified by the project (e.g. impoundment of reservoirs, rights of way for infrastructure projects, irrigation command areas)
Rehabilitation	Re-establishing incomes, livelihoods, living, and social systems.
Relocation	Rebuilding housing, assets, including production land, and public infrastructure in another location.
Resettlement Action Plan (RAP)	A comprehensive planning document that specifies the procedures that an involuntary resettlement process shall follow, and the actions that shall be taken to compensate affected people and communities.
Resettlement Impacts	The direct physical and socio-economic impacts of resettlement activities in the project and host areas.
Resettlement Plan	A time-bound action plan with budget setting out resettlement strategy, objectives, entitlement, actions, responsibilities, monitoring and evaluation.
Resettlement	The entire process of relocation and rehabilitation caused by project related activities.
Scoping	An early step in the ESIA process that aims to focus the remainder of the ESIA on those impacts that are likely to result in significant effects. This is achieved through data collection and stakeholder engagement, followed by analysis of the information gathered. Ideally, the scoping process should also identify the potential impacts that can be avoided through early stages of project design.
Voluntary resettlers	Voluntary resettlers are generally self-selected, young, and willing to pursue new opportunities. Voluntary settlement may form part of a resettlement plan, provided measures to address the special circumstances of involuntary resettlers are included.
Vulnerable Groups	Those groups within a project’s area of influence who are particularly marginalized or disadvantaged and who might thus be more likely than others to experience adverse impacts from a project. Vulnerable status may stem from a group’s gender, economic status, ethnicity, religion, cultural behaviour, sexual orientation, language or physical and psychological health conditions.

1. INTRODUCTION

1.1 Background

The Programme description has been presented in the ESMF document for the programme. Since, the specific sites where subprojects will be carried out have not yet been selected; the proper safeguard instrument to be prepared for compliance with the GCF requirements and the AfDB operational Safeguard policies is a Resettlement Policy Framework (RPF). While any resettlement activities are expected to be minimal, this RPF defines the process by which potential subproject resettlement impacts leading to the need for an ARAP will be screened, and impact assessment and compensation measures developed and implemented. Once the sub-projects, specific sites and the beneficiary communities have been defined clearly, all sub-projects and activities will be screened and the appropriate Mitigation tools such as ESIA's or Environmental Impact Notices, ESMPs and ARAP will be developed were applicable in line with the provisions of the local regulations and AfDB safeguards.

This Resettlement Policy Framework (RPF) provides the necessary background to ensure that any subprojects that might involve land acquisition and/or resettlement and loss of livelihoods of any people will comply with both Niger law and the Bank's Operational Safeguards.

The RPF will prescribe the process from the preparation, through review and approval to implementation of the sub-projects that will ensure that the substantive concerns of all African Development Bank's Operational Safeguards and relevant Niger policy and legal frameworks will be adequately addressed.

Since, only projects that fall under category 2 of the AfDB ISS categorization, Abbreviated Resettlement Action Plans (ARAPs), where applicable, consistent with the guidance prescribed in this RPF, will be submitted to the AfDB for approval once specific information about land expropriation becomes available. The RPF describes the design criteria for the resettlement of affected persons in the course of implementation of the project, the legal context, the process for the preparation of a ARAP, the content of a Plan, the process for its execution and finally the required institutional organization.

1.2 Resettlement Policy Framework Purpose

Involuntary resettlement involves the displacement of people arising from development projects which encroach on their productive assets, cultural sites and income sources viz, land, grazing fields, other assets, etc. What distinguishes involuntary from voluntary resettlement is that the former involves people who may be displaced against their wishes, as they are often not the initiators of their movement.

The implementation of the programme activities may trigger the involuntary resettlement policy as minimal displacement is anticipated because land may be acquired for sub-projects activity purposes and affected persons will need to be compensated for loss of land, crops, dwellings and other structures, and livelihoods.

This Resettlement Policy Framework (RPF) has therefore been prepared to appropriately deal with matters such as the necessity for land acquisition, compensation and resettlement of people affected by the implementation of the sub-projects.

1.3 Objectives of the Resettlement Policy Framework

The overall objective of the RPF is to provide guidance on how to deal with issues relating to land acquisition, compensation and resettlement during the implementation of the project. This will ensure that displaced

and resettled persons are compensated for their loss at replacement cost, given opportunities to share in project created benefits, and assisted with the move and during the transition period at the resettlement site.

The specific objectives of the RPF are as follows:

- to minimize, as much as possible, acquisition of land for implementation of project sub-components, where such acquisition or project related activities will result in adverse social impacts,
- to ensure that where land acquisition is necessary, this is executed as sustainable programs to enable people share in the project benefits,
- to ensure meaningful consultation with people to be affected or displaced; and
- to provide assistance that will mitigate or restore the negative impacts of the project implementation on the livelihoods of people affected in order to improve their livelihoods or at least restore to pre-project levels.
- outline roles and responsibilities by various stakeholders in the planning, implementation, monitoring and evaluation of resettlement activities.

It further seeks to:

- Allow redress among communities affected by project activities; and
- Reduce stress on project affected communities/households.

The operational objective of the framework is to provide guidance to stakeholders participating in the mitigation of adverse social impacts of the project, including rehabilitation/resettlement operations, in order to ensure that project affected persons (PAPs) will not be impoverished by the adverse social impacts of the project.

The target groups for the RPF are Ministry of Energy, other Government departments relevant to the implementation of the programme, Sub-projects Proponents implementing off-grid sub- projects, and communities where the sub-projects will be implemented. Other institutions include Local Authorities and relevant Non-Governmental Organizations (NGOs).

1.4 The RPF Methodology

The preparation of this RPF has largely been undertaken on the basis of secondary data from within the Government of Niger and the AfDB to gain insight into the AfDB and Niger legal framework on resettlement related issues. Reference has also been made to similar frameworks prepared for projects proposals for the Niger Government.

Relevant stakeholders have been consulted during the preparation of the AfDB-GCF programme DtP. The RPF will be disseminated to key stakeholder institutions that may play a role in resettlement activities, including local government officials and traditional authorities should such cases arise during implementation of the project. Any ARAP required when specific sub-component projects are known will be consulted with affected communities and disclosed at national and local levels through Ministry of Energy and ABER websites and other communication channels. The ARAP shall also be posted in the Bank's Public Information Center (PIC) and the Bank's web site for public review and comments in accordance with the Bank's disclosure policy and the Bank's Environmental and Social Impacts Assessment Procedures (ESAP

2013).

2. POTENTIAL RESETTLEMENT IMPACTS AND SAFEGUARDS APPROACH

The project includes a number of activities for which screening may be required leading to preparation of ESIAs, Environmental Impact Notices, ESMPs and ARAPs where applicable. Although impacts are expected to be minimal, infrastructure and construction related activities for the sub-projects may require some land acquisition or the temporary or permanent displacement of crops, structures or persons.

As noted above, the project will include Mini-grid plants and connections to end users (distribution networks and associated facilities) and thus some small portions of land may need to be acquired. Some temporary relocation and compensation for lost assets and income of PAPs located where construction works will occur may be necessary.

Based on the experience from previous projects, the sub-projects in the programme DtP will most likely be situated on lands that has been provided by the village Authorities on customary land allocated by traditional community leaders. In most cases, the installations are not expected to cause any resettlement (which exception of few areas with properties), and may at best require a minimal loss of assets (e.g. trees, crops) needing to be cleared to install solar arrays and pave the way for end-user connections.

Consultations with affected communities will be held to ensure the relatively small footprints of all phase's installations will be sited so as to minimize or eliminate the need for any significant temporary or permanent resettlement or loss of assets or income. The developer is responsible for any compensation (if required) for any land acquired for subprojects, or any other compensation for lost assets or income, from its own resources, independent of project funds.

The RPF provides the procedures to address potential resettlement impacts. However, specific sub-project details such as the site locations and designs are not expected to be available during the course of project implementation.

2.1 Monitoring and Evaluation

Monitoring is a crucial element for the success of any resettlement project as it is important to accurately verify the information related to implementation of the Resettlement Plan, and

should be planned and costed as early as possible in the project. The monitoring will provide feedback to project management which will help keep the programs on schedule and successful.

2.2 Monitoring Process

In order to comply with AfDB requirements the overall internal monitoring procedures will include internal performance monitoring, Impact monitoring and final external evaluation.

3. POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK GOVERNING RESETTLEMENT

This section of the RPF reviews the policy framework that is relevant to the AFDB-GCF DtP Programme activities, and assesses the adequacy of national legislation in terms of the policy principles of this RPF. The legal framework relating to resettlement issues consists of the various pieces of Niger legislation and AfDB Operational Safeguards.

3.1 Niger Legal Framework Affecting Resettlement

In Niger, there are laws and decrees on ownership rights and land expropriation, and which are reviewed below.

Land ownership system in Niger

Niger's land tenure system is mainly governed by the Rural Code (Principes d'Orientation du Code Rural, Ordinance 93-015 of 2 March 1993) and customary law. The Rural Code seeks to strengthen tenure security by recognizing the private property rights of groups and individuals if such rights were acquired according to either customary or formal law. Customary land tenure practices govern all types of land, including agricultural land, pasture land, and housing plots. The laws have significant regional variations in subjects such as the right to inherit land, individual and family tenure, and women's land access. Most customary practices reflect the influence of Shari'a law.

Urban land rights are allocated by the government in the form of use rights, which the state regulates. Urban lands are owned and managed by the state and by collectives. Vacant lands are also owned by the state. Rural lands are managed by customary institutions that hold lands according to a variety of indigenous tenure forms. Many customary rights to land are recognized under the Rural Code and can be registered.

The types of land tenure that are recognized in rural Niger are individual ownership rights, land-use rights and tenancy. They are discussed below:

Individualized ownership rights. Successive regimes beginning in 1960 imposed land reforms that granted ownership rights to holders of customary rights to rural land. Chiefs and those with economic

and political power obtained ownership rights to land during these years, supported by formal or informal documentation. Landowners have the right to use the land as they wish, exclude others from the land, and lease or sell the land.

Land-use rights. Use rights can be held by families or individuals and range in the extent of authority over the land. In some cases, families hold individualized parcels over which they have complete control, but traditional leaders and principles of customary law discourage them from selling. In other cases, families and individuals borrow land from pooled community land managed by the village chief. The landholder cannot lease, lend, or sell the land and must return it to the pool if it is not used.

Tenancy. The system also recognizes tenancy relationships in which landowners or the traditional authority controls the use and management of the land with the tenant providing labor.

Complaint and conflict management process

The Land Commissions established to manage the identification of land rights and registration of land do not have authority or capacity to hear and address land disputes, yet require all competing claims to land to be resolved before land is registered. Multiple institutions are involved in dispute resolution, including local administrative institutions, the formal court system, and traditional institutions (including village and canton chiefs). Landholders most often approach traditional institutions before turning to administrative forums or the formal court system. Where the Land Commissions are not functioning or are not able to register land, landholders may also seek to formalize their land rights through the traditional authority, circumventing the requirements of formal law altogether.

Article 21 of the Nigerien Constitution provides that no one can be deprived of property except when taken for public use and when the landholder is fairly compensated in advance. The Rural Code narrowed the state's ability to expropriate land for public use. Previous legislation had declared all unregistered land as property of the state and stated that such land could be appropriated at will with no compensation. The Rural Code strengthens individual and community property rights and requires the state to pay just compensation for land expropriated for a public use.

3.2 AfDB Involuntary Resettlement Policy

The African Development Bank (AfDB) Group exists to contribute to poverty reduction in Africa by spurring sustainable economic development and social progress in its regional member countries (RMCs). The Bank Group is committed to avoiding or minimising adverse environmental and social impacts in its projects. As part of this effort, in 2003 it adopted its involuntary resettlement (IR) policy to cover any involuntary displacement and resettlement of people caused by a Bank-financed project.

The policy applies when, because of a Bank project, people residing in the project area are compelled to relocate or they lose their shelter, their assets are lost or livelihoods affected, or their access to natural resources is restricted. The primary goal of the IR policy is to ensure that when people must be displaced

they are treated equitably and share in the benefits of the project that involves their resettlement.

The policy aims to ensure that disruption to the livelihoods of people in the project area is avoided or at least minimised, and that the displaced persons receive resettlement assistance to improve their living standards. It provides guidance to Bank staff and borrowers, and sets up a mechanism for monitoring the performance of the resettlement programmes.

Operational safeguard 2 – Involuntary resettlement: land acquisition, population displacement and compensation

This Operational Safeguard (OS) aims to facilitate the operationalization of the Bank's 2003 Involuntary Resettlement Policy in the context of the requirements of OS1 and thereby mainstream resettlement considerations into Bank operations.

The objectives are: to avoid involuntary resettlement as much as possible, or minimize its impact and when involuntary resettlement is inevitable, alternatives to the project should be considered; ensuring that displaced persons are truly consulted and are given the opportunity to participate in the planning and implementation of the resettlement programs; and ensure that displaced persons receive substantial assistance for resettlement within the framework of the project, so that their standard of living, their ability to generate income, their production capacities, and all of their livelihoods are improved beyond what they were before the project.

Scope of application of the OS

It covers all components of a project, including activities resulting in involuntary resettlement that are directly and significantly related to a Bank-assisted project and necessary to achieve its objectives—whether the resettlement is led by a government, a private sponsor, or both—and carried out or planned to be carried out contemporaneously with the project. It aims to clarify all aspects of impacts related to land acquisition; issues related to physical and economic displacement but not specifically related to land acquisition are dealt with in OS1.

The objectives are to minimize disruption to the affected people, avoid irreversible negative impacts, provide satisfactory temporary services and— where appropriate—compensate for transitional hardships.

This RPF will establish resettlement and compensation guidelines and design criteria to be applied to the sub-projects which will be prepared during project implementation in compliance with the Niger legislations and the AfDB's policy on involuntary resettlements.

OS 2 Requirements

The operational safeguard entails several requirements regarding involuntary resettlement. These include the following:

Project design

The borrower or client considers feasible alternative project designs, including re-siting and re-routing, to avoid or minimize physical or economic displacement, while balancing environmental, social, and financial costs and benefits.

Consultation, participation and broad community support

The OS requires that the affected people be consulted about their preferences pertaining to resettlement and gives them genuine choices among technically, economically, and socially feasible resettlement options. In particular, they are given the opportunity to participate in the negotiation of compensation packages, and in decisions on resettlement assistance and how standards of living, income-earning capacity, production levels and overall means of livelihood might be improved through the Resettlement Action Plan.

They are also consulted about decisions on eligibility requirements, the suitability of proposed resettlement sites and the proposed resettlement timings. The consultation of the affected people should follow all the requirements of stakeholders' consultation, participation and broad community support as per guidelines provided in the AfDB IESIA Guidance notes.

Resettlement planning

The borrower or client (in this case the Niger Government) carries out a comprehensive socioeconomic survey— in line with international standards for social and economic baseline studies as agreed to in the environmental and social assessment process— including a population census and an inventory of assets (including natural assets upon which the affected people may depend for a portion of their livelihoods). This survey identifies the people who will be displaced by the project; all the relevant characteristics of those people, including conditions of vulnerability; and the magnitude of the expected physical and economic displacement.

The baseline survey includes gender and age-disaggregated information pertaining to the economic, social and cultural conditions of the affected population. It contains various official materials (maps, numerical records, special reports, research and knowledge pieces, etc.), records of interviews with stakeholders about their preferences, supply chain due diligence material, and a protocol to fill any gaps in data and ancillary information, and it identifies opportunities to improve community welfare. The survey process also ensures that ineligible people, such as opportunistic settlers, cannot claim benefits. This information from the survey will determine the extent and magnitude of displacement and thus aid in planning effective resettlement.

At a minimum, the borrower or client conforms to any relevant host government procedures. In addition, or in the absence of host government procedures, the borrower or client establishes a cut-off date for eligibility that is acceptable to the Bank. The borrower or client documents the cut-off date(s) and disseminates information about it (them) throughout the project area of influence in a culturally appropriate and accessible manner, before taking any action on clearing land or restricting local community access to land.

Resettlement Action Plan

The OS 2 requires the borrower or client prepares a Full Resettlement Action Plan (FRAP) for the following nature of displacement:

- (i) any project that involves 200 or more persons (as defined by the involuntary resettlement policy), or
- (ii) any project that is likely to have adverse effects on vulnerable groups.

The outline of a typical RAP can be found in Annex A of the Involuntary Resettlement policy and the related IESIA Guidance Note.

For any project in which the number of people to be displaced is fewer than 200 people and land acquisition and potential displacement and disruption of livelihoods are less significant, the borrower or client prepares an Abbreviated Resettlement Action Plan (ARAP). Annex B of the Involuntary Resettlement policy describes an ARAP, and related guidance can also be found in the relevant IESIA Guidance Note.

In the Niger, for the Programme DtP, the extent of displacement is anticipated to be very minimal and thus an ARAP will be a tool for addressing all issues related to involuntary displacement. An outline of an ARAP is presented in Annex 2 of this RPF.

The Project Management Unit (PMU) as the main executing agency of the programme, shall submit the ARAP as a formal document to the relevant national, local and/ or municipal agencies and to the Bank. Usually, the FRAP is finalised as a supplement document to the Environmental and Social Impact Assessment report, and the ARAP is finalized as a supplement document to the Environmental and Social Management Plan (ESMP) (as it will be done for the Dtp Programme where an Environmental Impact Study Notice or ESMP will be prepared).

Therefore, the Bank shall post the ARAP in its Public Information Centre and on its website for public review and comment, in accordance with the Bank's ESAPs. The ARAP shall be released to the public at least 30 days before Board presentation.

3.3 Organizational Responsibility

The National Committee on the Rural Code is the central decision-making body responsible for the implementation of the Rural Code. The Permanent Secretariat of the Rural Code is responsible for developing policies and laws that complement and support the Rural Code, create a resource center, and evaluate the work of the decentralized land commissions. The Rural Code establishes Land Commissions at three levels: department, commune, and village. Land Commission members include technical government departments at the local level, municipal departments, customary authorities, and civil society. Women are represented at every Land Commission level.

Land Commissions implement the Rural Code at the local level and are given responsibility to verify and confirm land rights and to record land and ownership rights. They are also responsible for educating the local public about the Rural Code. Local Land Commission membership includes the technical government land administrative departments at the local level, representatives of the municipal departments, customary leaders, and local civil society representatives.

3.4 Eligibility

Eligibility criteria for people affected by the project

Definition of Project Affected Persons (PAPs)

The definition of displaced persons most widely used by the international community is that which is found in the "Guiding principles relating to displacement of persons inside their own country", published by the

United Nations. These are persons or groups of persons that are forced to leave their usual home, but have not crossed the State's internationally recognized borders. In other words, this is any person, who, because of this project, loses rights of ownership and use or other rights on a building, land, crops or other movable or immovable property in whole or in part either permanently or temporarily.

PAP eligibility criteria

In accordance with AfDB OS.2 relating to land occupation rights, the following three categories of persons are eligible for the resettlement:

- Those who have formal and legal rights on land, particularly customary traditional rights recognized by the applicable national laws;
- Those who do not have formal and legal rights on land during the census, but have claims on such land in case these claims are recognized by applicable national laws;
- Those who do not have any recognized right or legal claim on the land they are occupying.

From these assumptions, the PAP categories are as follows:

- PAP without any title deed of enjoyment, whose commercial or craft activities are partially or totally affected;
- PAP suffering partial or total loss of commercial or utility buildings temporarily or permanently;
- PAP with a legal occupation title deed or customary right, whose commercial activities are partially or totally affected;
- PAP suffering loss of community or collective property.

Eligibility Date

The corresponding deadlines or cut-off dates correspond to the end of census operations for the determination of households or properties eligible for compensation. Only households or property that have been identified and listed by end of the deadline will be eligible for compensation. Consequently, those established after the passage of the census team will no longer be eligible. In addition, any subsequent development, after the deadline, will no longer be eligible for compensation or any other form of assistance whatsoever.

When the need for involuntary resettlement in any of the subproject has been determined, the Implementing Agency of the sub-project will carry out a census to identify the persons who will be affected by the subproject activity. This exercise will help determine who will be eligible for compensation and assistance before the implementation of the project commences. It will also help to prevent an inflow of ineligible people living outside the subproject area who might want to take advantage of claiming assistance from the project. The cut-off date will be the date of the completion of the census, which will be explained in consultations held with affected communities, prior to conducting the census, as part of general discussion to describe the project, its phases and activities, and likely impacts, and to solicit community concerns. Those

coming into the area after the cut-off date will not be eligible for compensation.

3.5 Assessment of compensation and compensation for losses

The estimate of compensation levels refers to Niger practices, such as the commodity price list, to the principles adopted during public consultations while respecting the requirements of the Bank's procedures.

Bases of valuation of lost property

The general principles of compensation measures are based on the following points:

- compensation of property in cash at its full replacement value, without any depreciation, as defined in the scale determined by mutual agreement;
- gender equity in the processing of compensation, equity towards all affected persons;
- specific assistance to vulnerable persons;
- monitoring and evaluation of resettlement implementation impacts to correct possible poor performance in time;
- involvement of PAPs and all actors in the resettlement implementation monitoring/evaluation process.

Compensation calculation methods will be done in accordance with AfDB OS.2 based on the principles of assessment of losses at full replacement value of property the lost. According to Niger legislation, the value of each property must be assessed by relevant competent technical services (agriculture for farmland; housing for developed sites and environment for trees). Preference to the assessment method will be given to AfDB operational policy requirements and special methodology will be devised and adopted in order to adapt to local realities (local replacement cost).

Forms of compensation

Two types of compensation are highlighted at the level of this CRP:

- Compensation in cash: This consists in conducting a financial assessment of investments made on the site, for purposes of compensation payment.
- Compensation in kind: This consists in replacing the property affected by a similar one.

Compensation procedure

The compensation process includes the following steps:

- i. Disclosure and information on eligibility criteria and compensation principles;
- ii. Estimation of individual and collective losses,
- iii. Discussions of compensation to pay to those affected,
- iv. Conclusion of agreements and/or attempt of mediation
- v. Payment of compensation

- vi. Monitoring of displacement and resettlement
- vii. Support to vulnerable people,
- viii. Settlement of disputes.

4. PRINCIPLES AND STRATEGIES GUIDING RESETTLEMENT IN THE FRAMEWORK

The overarching objective regarding resettlement in the implementation of the project is to minimize as fully as possible the extent of land acquisition and land-use change and to mitigate to as fully as possible the adverse impacts of all unavoidably necessary land acquisition and involuntary resettlement.

Minimization of resettlement and mitigation of its unavoidable consequences requires careful planning and conscientious implementation. When the details of land acquisition and involuntary resettlement are fully known, a Resettlement Action Plan (RAP) can be defined to provide an implementation guide for the operation. When, however, the details of land acquisition and involuntary resettlement are not fully known, the Resettlement Policy Framework will provide the policy principles for the development of specific RAPs (or ARAPs as for the case of DtP Programme) and will be available for public information and discussion. This section highlights the principles and strategies to guide resettlement under this RPF.

4.1 Principles to Guide Resettlement

The following are the principles that should guide the implementation of this RPF and the ARAP:

- i. Transparency: ensure that affected people are consulted and give their demonstrable acceptance to the resettlement plan;
- ii. Displacement is done in the context of negotiated settlements with project affected people;
- iii. Maintain standards of the Bank's Integrated Safeguards System (ISS) on Involuntary Resettlements;
- iv. Adherence to world's best practices regarding disclosure of information to the PAPs; the process should be driven by consultation and participatory planning;
- v. Compensate with modern replacement value and restore livelihoods, with minimum disturbance and sustainable benefits;
- vi. The RPF applies to all components under the project, whether or not they are funded in whole or part by the Bank;
- vii. The policy applies to displaced or impacted persons regardless of the total number involved, severity of the impact, ethnicity, race or colour, whether or not they have legal right or claim to the land they are occupying, and those who may not be protected through the Niger legislations;
- viii. Where feasible, involuntary resettlement and land acquisition should be avoided or minimized by exploring all viable alternatives;
- ix. Where relocation or loss of shelter occurs, measures to assist displaced persons should be implemented in accordance with a plan of action for resettlement and compensation;
- x. Absence of legal title to land should not be a basis for denying compensation and Resettlement assistance.
- xi. Displacement or restriction to access should not occur before necessary measures for resettlement and compensation are in place. Apart from compensation, these measures should include provision of other assistance required for relocation, prior to displacement, and preparation and provision of settlement sites with adequate basic

facilities.

- xii. The displaced must be relocated to areas with basic amenities like schools, potable water, health facilities, etc.
- xiii. All affected persons and entrepreneurs or institutions should be assisted to restore their incomes and livelihood sources to at least pre-resettlement levels. Particular attention will be paid to the needs of the elderly, women and children, the handicapped, and the landless, among other vulnerable groups.
- xiv. Wherever possible, those impacted by involuntary resettlement should be considered for employment in various project activities including construction works and provision of other services.
- xv. Vulnerable groups such as the elderly, orphans and women-headed households should be entitled to a special benefit package in addition to compensation entitlement.

4.2 RPF Strategies

The following RPF strategies will be adopted:

- Resettlement activities will be a participatory process guided by informed participation.
- Abbreviated Resettlement Action Plans (ARAPs) will be produced and adequately consulted on and disseminated. The ARAPs will be made available to those involved and upon request, by the project developer.
- ARAPs will describe all measures for restoration of the livelihoods of affected persons and will include an annual budget for implementation of resettlement and other related activities.
- All affected people will be entitled to compensation for lost assets. They will be paid a replacement cost agreed between themselves and the developer in consultation with relevant Government Agencies. The compensation will be based on the valuation done by either the Government Valuator or Private Valuation Firm engaged by the developer, and will either be the market value or other value dependent on negotiations between the two parties and witnessed by a third party.
- Whenever possible, land for land, as close as possible to the homestead should be provided as part of compensation.
- Ownership of the compensated land/or property will be transferred to the state or sub-project beneficiaries by agreement.
- If the affected land is under tenancy, both the landowners and tenants as affected persons will be eligible for compensation and entitlements.
- Compensation for loss of potential crops and trees should be calculated as annual net product value multiplied by the number of years for a new crop to start producing.
- The seriously affected people should be at least as well off, if not better off, than they were before the project.
- Mechanisms will be developed to protect the economically and socially vulnerable.

- Priority for employment arising from project activities will be given to affected persons losing assets.
- A functional mechanism for resolving conflict arising out of the resettlement process will be established.

5. RESETTLEMENT ACTION PLAN PREPARATION, REVIEW AND APPROVAL

This RPF is triggered because the project could require the involuntary taking of land, other assets or economic impact in some subproject locations. Since the specific locations of these interventions were not known at the time of the preparation of the project, the preparation of this RPF is conditionality for appraisal of this project. However, during implementation of this project, in a process defined here below, the identification of these areas, if any, will be made. When that happens, land may be acquired and people may be affected. At that stage, the RPF calls for the preparation of ARAPs that must be consistent with the guidelines provided in it. As highlighted before, the preparation of ARAPs shall be prepared in compliance with AfDB and Niger legislative requirements.

The preparation of the ARAP will be coordinated and overseen by the PMU. All sub-projects will be screened to determine the nature of resettlement and the compensation required.

However, the purpose of the RPF is to establish the mechanisms by which the appropriate tools, screening checklists and ARAPs will be implemented to mitigate potential resettlement impacts once subprojects have been identified.

5.1 Steps in Preparing Resettlement Action Plans

If the preliminary assessments (scoping and screening exercises) indicate the need for involuntary resettlement, then an ARAP shall be prepared in accordance with this Resettlement Policy Framework, the relevant Niger legal requirements and the AfDB operational Safeguards as outlined in this RPF.

The preparation of the sub-project ARAPs may be outsourced by projecting Implementing Agencies to specialists. In this case, terms of reference for the preparation of the ARAP should be prepared. TORs for ARAPs may be simpler, as long as they contain instructions for carrying out all the requirements of an ARAP specified under Annex 13 of the AfDB ESAP.

When the nature and scope of private sector participation in the sub-projects has been determined, responsibility for carrying out ARAPs in some cases may be assigned to the private operators. Such responsibilities and related requirements will be spelled out in any tender documents and contracts prepared to authorize such funding arrangements.

Preliminary Assessments of Sub-Projects

Implementing Entities of sub-projects shall examine whether any environmental study is required for the subproject being proposed. The initial assessments and surveys at this stage should include:

- Potential social impacts,
- direct consultations with individuals and groups who are expected to be directly affected by the sub-project activities; and
- Identification of the major population groups that may be affected by the proposed project.

These surveys and assessments at this preliminary stage would form the basis for preparing the scope for

the ARAPs.

Preliminary Information

Preliminary information shall include a description of the nature, scope and location of the proposed sub project, accompanied by location maps and any other details.

If the preliminary information indicates that the project has any potential involuntary resettlement, such as involving taking of land which might result in physical displacement of persons, loss of assets, loss of livelihood or restriction of resource use, then this RPF is triggered and an ARAP, needs to be prepared.

Socio-economic Baseline Census

A socio-economic baseline census shall be carried out to provide baseline data on various factors including the following:

- a) *Identification of current occupants of the affected area*, to establish the basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
- b) *Standard characteristics of displaced households*, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- c) *The magnitude of the expected loss of assets*, total or partial, and the extent of displacement, physical or economic;
- d) *Information on vulnerable groups* or persons for whom special provisions may have to be made;
- e) *Land tenure and transfer systems*, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
- f) *The patterns of social interaction* in the affected communities, including social networks and social support systems, and how they will be affected by the project;
- g) Public infrastructure and social services that will be affected;
- h) *Social and cultural characteristics of displaced communities*, including a description of formal and informal institutions (e.g., community organizations, ritual groups); and
- i) *Non-Governmental Organizations (NGOs)* that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

The preliminary assessments and information from the socio-economic baseline census will assist in determining the cut-off date, period of registration of claims and valuation of land and immovable assets.

The socio-economic census methodology and format will be developed on a case by case basis if resettlement activities take place and adapted to the location.

5.2 ARAP Disclosure Process

The PMU shall ensure that the draft ARAPs are made available at a place accessible to impacted persons, local NGOs, and other interested parties in a form, manner and language that are understandable to them once a draft ARAP has been prepared.

The Draft ARAP shall be transmitted to the AfDB for appraisal and review at the same time. Once the ARAP has been finalized, the Bank shall post the ARAP in its Public Information Centre and on its website for public review and comment, in accordance with the Bank's ESAPs. The ARAP shall be released to the public at least 30 days before Board presentation.

The final ARAP will also be disclosed in-country at Provincial and National level. ARAP implementation (and subsequent project works) can only commence once the AfDB and relevant Niger Authorities are satisfied with the public disclosures and have approved the ARAP.

5.3 Implementation and Monitoring of Resettlement Action Plans

The overall responsibility of monitoring and evaluating the ARAP activities shall lie with Ministry of Energy or its delegated agency, PMU. There shall be both internal and external monitoring of the resettlement activities. Internal monitoring of the operation of the resettlement program shall be done by the PMU, while external monitoring may be done by a monitoring agency or private entity designated to carry out external monitoring of the project.

Where an ARAP is required and has been implemented, a ARAP completion report will need to be carried out by PMU within 6-12 months of completion of the resettlement implementation. The objective of this report is to determine if all mitigation and compensation measures required in the ARAP have been met, and if not, what additional corrective action may be required.

6. MECHANISMS OF ASSISTANCE AND MONITORING OF AFFECTED PEOPLE

6.1 Consultation and dialogue.

Upon resettlement implementation, briefings will be organized with the support of traditional chiefs, and an expert in social communication. They focus on resettlement implementation mechanism and the compensation principles and methods. During this phase, the RIC will prepare certificates of compensation agreement and have them signed by those affected.

6.2 Specific assistance for vulnerable people

As part of resettlement, people considered vulnerable are those affected with low income. These people can be made even more vulnerable during a displacement operation. They are likely to be excluded from the benefits of the compensation operation and suffer only from the disadvantages of the system, for instance due to negligence, for not being able to attend information briefings, or not being eligible for compensation by omission, etc.

Assistance to vulnerable people will take the following forms, depending on the needs and demands of the persons concerned:

- i. Assistance in the compensation procedure (further explanation of the process, ensuring that documents are understood, support the person at the bank so that they can count properly),
- ii. Assistance in the period following payment so that the compensation is made safe and that the risks of misuse or theft are limited;
- iii. Assistance in moving: to provide the means of transport (vehicle) and close support, help the person find their resettlement site (plot) to ensure that others do not come to settle in it, etc.
- iv. Assistance in rebuilding: provide a mason or materials, or to fully support the reconstruction
- v. Assistance in the period following the relocation, especially if the solidarity networks (food aid, health monitoring, etc.) benefited by the vulnerable person cannot be immediately restored;
- vi. medical assistance where necessary during critical periods, especially during resettlement and transition thereafter.

6.3 Monitoring and evaluation

Monitoring-evaluation

Monitoring and evaluation are the key components of resettlement activities, and therefore of this Action and Resettlement Plan. They have the following main objectives:

- Monitor specific situations and difficulties arising during implementation, ensure

implementation compliance with AfDB-defined objectives and methods, as well as Niger regulations;

- Assess long-term resettlement impacts on affected households, their livelihoods, their incomes and their economic conditions, on the environment, on local capacities, on housing, etc.
- Within the meaning of this document, monitoring seeks to correct implementation methods “in real time” during project implementation, whereas evaluation seeks to verify if general policy objectives were respected and to draw lessons from the operation, with a view to changing strategies and implementation from a longer term perspective. Monitoring will be internal, and evaluation external.

Monitoring of RAP implementation

Objectives and content

Monitoring will deal mainly with the following aspects:

- Social and economic monitoring: Monitoring of the situation of displaced and resettled persons, and trend of housing costs in the displacement area and that of resettlement;
- Monitoring of vulnerable persons;
- Monitoring of the complaints processing system;
- Assistance for the restoration of livelihoods: agriculture, fishing, hunting, commercial or handicraft activities, and monitoring of any assistance measures implemented in this area.

Indicators

The following overall indicators will be used:

- Number of households and persons affected by project activities,
- Number of households and persons physically displaced by project activities,
- Total amount of compensation paid.

In addition, socio-economic indicators will be established and monitored for a sample of PAPs:

- Average monetary income, and average total income (with valuation, if possible, of self-consumption),
- Average breakdown of household spending,
- Number of fully unemployed persons,
- Number of school children.
- An annual monitoring report on resettlement activities will be prepared by the project management unit.

Resettlement

evaluation

Objectives

Reference documents for the evaluation will be as follows:

- The present RPF and the ARAP,
- Niger laws,
- African Development Bank (AfDB) policies.

The evaluation's objectives are as follows:

- Overall evaluation of implementation compliance with the objectives and methods specified in the resettlement policy;
- Evaluation of implementation compliance with Niger laws and regulations, as well as with AfDB policy,
- Evaluation of compensation, displacement and resettlement procedures,
- Assessment of adequacy of compensation and resettlement measures in comparison to losses incurred,
- Assessment of resettlement programme impact on incomes, living standards, livelihoods, and the maintenance of living standards at their previous level,
- Evaluation of corrective measures that could be taken in monitoring and evaluation changes to be made in resettlement strategies and methods.

The evaluation will use documents and materials from internal monitoring, and evaluators will also conduct their own field analyses through surveys of stakeholders and project affected persons.

Process

The evaluation of each resettlement programme undertaken within the project will be conducted by external auditors with solid experience in the matter and any Niger specificities. The association of international and Niger auditors is recommended.

The evaluation should be conducted in two stages:

- Immediately after completion of resettlement operations,
- If possible, two years after completion of resettlement operations.

7. COMMUNITY PARTICIPATION

7.1 Public Consultation

Stakeholders' engagement (as highlighted in the ESMF) shall be carried out based on a participatory approach and relied, on the one hand, on on-site visits, the use of basic documents, and, on the other hand, on interviews with centralized and decentralized technical services, traders, socio-professional groups, local residents, administrative authorities, mayors and traditional leaders. This approach has resulted in (i) enhancing the project, developing and refining the alternatives by taking into account the concerns of all stakeholders, (ii) promoting the involvement of the local population in the project, (iii) creating an atmosphere of trust and cooperation underpinned by an objective approach.

The PMU and the resettlement Implementation committee shall hold meetings with PAP in the presence of the governor, the mayors of the municipalities concerned, traditional leaders and other relevant decentralized Institutions.

At each of the meetings held, the content of the Project and its economic, social, and environmental stakes will be outlined. Information will be collected including the perceptions and expectations vis-à-vis the project as well as views and comments of stakeholders. There emerges from these consultations, the will of the interviewed people and administrative authorities and people's representatives to support the Project and particularly advocate it in such a way that the Project:

- avoids or reduces to the maximum the destruction houses and involuntary displacement of people. If necessary, they recommend the compensation of properties including the compensation of the persons directly affected by the Project due to loss of trees/crops;
- may use local labor and train it to perform menial tasks during future construction work;

7.2 Informing the PAPs

As part of the Abbreviated Resettlement Action Plan for the people affected by the Project, information sessions, focusing on the entire project to inform people about the level of preparation of the Project and the principles of compensation of those affected.

The principles agreed as the basis in setting compensation are the following:

- i. The movement of people affected by the Project fits into the logic of expropriation and as such should be done in line with the Niger regulations;
- ii. in the case where the Niger legislation however harms the PAPs, some provisions of the Bank will be applied, if such provisions are more favorable.
- iii. All persons affected must be compensated without cultural or social or gender discrimination, insofar as these factors do not increase the vulnerability of these affected persons;
- iv. Affected people should be compensated at replacement cost without depreciation, before starting work on the Project;
- v. The compensation process must be fair and respectful of human rights of the people

- affected by the Project;
- vi. Cash compensation is preferred in respect of individual losses, including income for commercial use. But in the case of equipment or services, compensation options - either in cash or in kind - will be subject to a more detailed estimate so as to offer to the affected persons the option of their choice;
 - vii. Compensation in kind includes rebuilding or upgrading affected structures (properties, fences, etc.)
 - viii. Other measures will accompany the program in the interests of fairness and impartiality of those who will be affected by the Project.

An emergency assistance is planned for to help vulnerable people that are usually very affected by any change, and who do not have financial resources to adapt and avoid finding themselves in a more precarious situation. Accompanying measures and economic support will include relocation allowances, transport allowances, etc. This assistance will be financed from the budget line earmarked “unforeseen expenditures”. To ensure that emergency assistance is provided only to those who are actually vulnerable, the Resettlement Implementation Committee (RIC) will be asked to validate each request made for assistance.

8. DESCRIPTIONS OF COMPLAINTS AND GRIEVANCE REDRESS MECHANISMS

Grievance procedures for programmes such as this in the Niger context differ depending on the nature of programme being implemented. However, in general terms, it is recommended that any matter decided upon by an authority needs to be taken to the immediate superior authority as an appellant authority. Aggrieved parties also have access to the Arbitration system and when all else fails, have recourse to the court system for settlement of grievances.

In this project and with particular reference to resettlement, once the resettlement plan is approved and individual compensation contracts are signed, affected individuals would have been informed of the process for expressing dissatisfaction and to seek redress. It is however, anticipated that land acquisition would be avoided or at least minimized, thereby reducing complaints arising from loss of land or resources as a result of implementing any sub-project activities.

To this effect the grievance procedure will be simple, administered as far as possible at the local level to facilitate access, flexible and open to various proofs taking into cognizance the fact that most people are illiterate requiring a speedy, just and fair resolution of their grievances. The framework of the GRM in this project will be as described in the ESMF for the programme.

ANNEXES

Annex 1: Resettlement and Compensation Screening Checklist

Sub-project name:

Sub-project Location (e.g. Province/Village) (Include map/Sketch):

Type of activity (e.g. on grid installations, off-grid installations, new construction, rehabilitation, periodic maintenance):

Estimated Cost:

Proposed Date of Commencement of Work:

Sensitivity

Issue	Site Sensitivity (provide specific examples why this level of sensitivity is selected)			Rating (low, moderate, high risk)
	Low	Medium	High	
Loss of land by private owners				
Loss of household or business structures				
Loss of rental accommodation by renters				
Permanent or temporary loss of crops, fruit trees and household infra- structure				
Loss of community structures (churches, schools, community meeting areas)				
Other				

Physical data:

Yes/No answers and bullet lists preferred except where descriptive detail is essential

Site area in ha:

Extension of or changes to existing land use: Any existing property to transfer to sub-project? Any plans for new construction?

(Refer to project application for this information)

Public participation/ information requirements

Has consultation been completed? Yes___No___

Indicate the time frame of any outstanding consultation process.

Land and resettlement

What is the likelihood of land purchase for the sub- project? How will the proponent conduct the land purchase?

What is the likelihood of people losing income or property due to sub-project implementation?
Approximately how many households will be affected by the need for physical or economic relocation (temporary/permanent)? Use estimated ranges if necessary.
Approximately how many persons will be affected by the need for physical or economic relocation (temporary/permanent)? Use estimated ranges if necessary.
What level and type of compensation is planned? Who will monitor actual payments?

Recommendations:

Requires a ARAP to be submitted on date: _____
Does not require further study for resettlement: _____
Reviewer Name, Title, Organization: _____
Signature: _____
Date: _____

RECOMMENDATION OF PMU (or other entity conducting Screening exercise)

Circle one of the following screening recommendations:

ARAP is required (less than 200 PAPs)

No resettlement or compensation plans are needed

Signed:

PCU Coordinator

Date:

Annex 2: An outline of an Abbreviated RAP

1. A census survey of the expected size of the displaced persons, their socio-economic status including the value of their assets and other sources of livelihood should be carried out.
2. The displaced people and the host population should be consulted about acceptable project alternatives and should be informed about project's potential impacts on them.
3. Description of compensation options to be offered and other resettlement assistance to be provided should be documented and discussed with the resettlers including their preferred choice. It would be preferable to use local NGOs in this process.
4. Institutional responsibilities for implementation of the resettlement plan including involvement of NGOs in monitoring the plan should be established; and
5. The schedules, budget and sources of funds should be agreed upon with the executing agency.