



Session 3:

ADB's Safeguards Policy

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Bruce Dunn
Director, Office of Safeguards,
ADB

ADB Strategy 2030: Investing in Sustainability



Solar power in Indonesia



Wind power in India



Education in Sri Lanka



Health care in Mongolia



Gender equality in urban primary health care



Affordable housing in India



Upgrading road infrastructure in Uzbekistan

Photo Sources:

1. <https://www.seetao.com/details/37642.html>
2. <https://www.business.com.tm/post/5958/adb-approves-274-million-loan-to-upgrade-uzbekistans-road-infrastructure>
3. <https://www.roadtraffic-technology.com/news/adb-upgrade-highways-uzbekistan/>



New infrastructure can require land and lead to land acquisition, resettlement, and impacts on people, property and livelihoods.



Or.. it can lead to better housing and opportunities: Viet Nam, Song Bung 4 Hydropower Project resettlement sites



Impacts of road construction
in Kalimantan
(not an ADB-financed project)



Or... better project design:
Mitigating impacts on wildlife
through crossing designs in
Bhutan

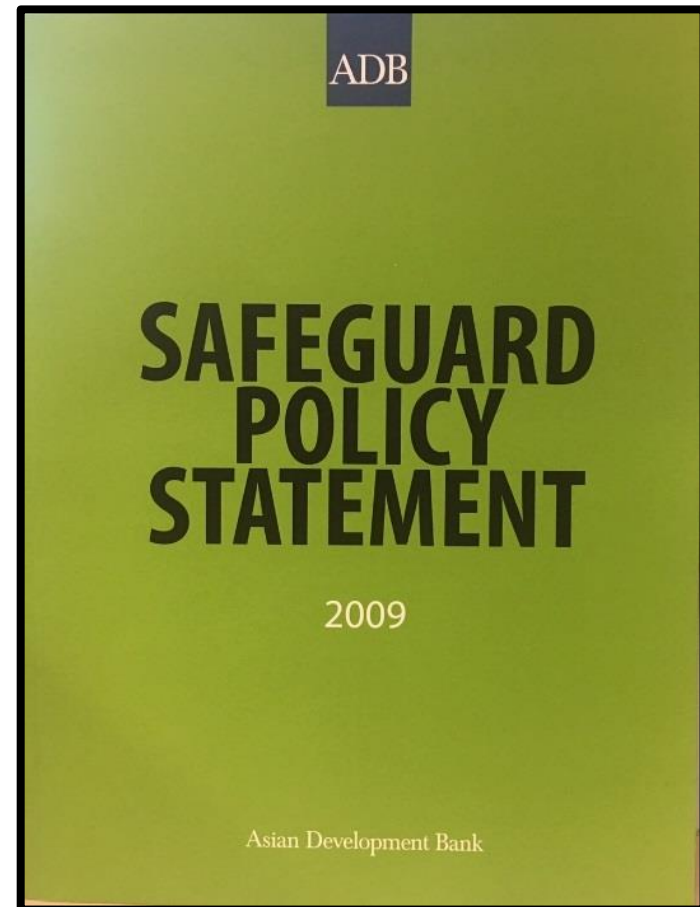
[Video link](#)



ADB Safeguards Policy Statement, 2009 (SPS)

Policy Scope and Architecture

- One umbrella policy statement.
- Three sets of policy principles. Environment (ENV), Involuntary Resettlement (IR), and Indigenous Peoples (IP)
- Borrower requirements for each policy area (Appendices 1–3)
- Requirements for different finance modalities (Appendix 4)
- Prohibited Investment Activities List (Appendix 5)
- Strengthening and Use of Country Safeguard Systems (Appendix 6)



Three Policy Objectives

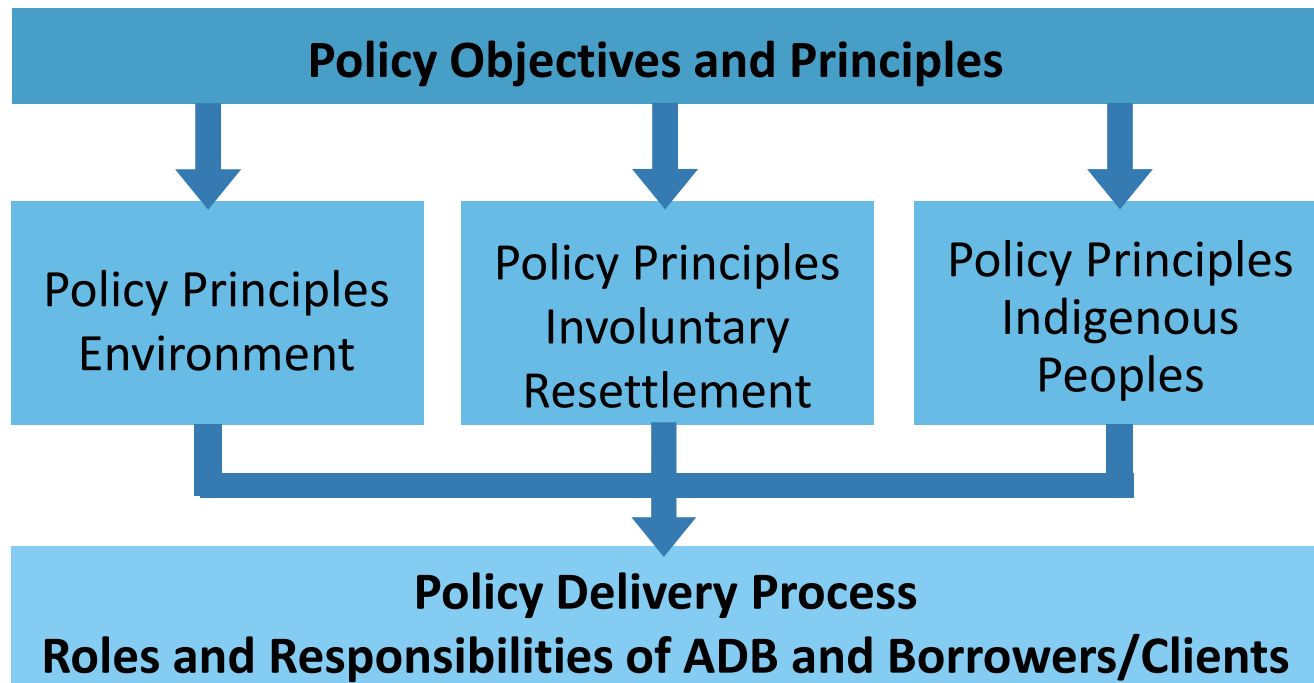
Avoid adverse impacts of projects on the environment and affected people, where possible;

Minimize, mitigate, and/or compensate for adverse project impacts on the environment and affected people when avoidance is not possible

Help borrowers/clients to strengthen their safeguard systems and develop the capacity to manage environmental and social risks.

Safeguard Policy Statement Structure

Principles and Requirements



Requirements for Borrowers/Clients/ADB:
1: Environment; 2: Involuntary Resettlement;
3: Indigenous Peoples; 4: Different Financing Modalities

Policy Implementation

Operations Manual
Section F1:
Internal Safeguard Review
Procedures
(ADB requirements and
responsibilities)

Sourcebooks for Environment,
Involuntary Resettlement, and
Indigenous Peoples

Key Components of Safeguards

Environment Safeguards

- I. Physical environment
- II. Ecological environment
- III. Occupational and community health and safety
- IV. Socio-cultural environment



Social Safeguards

- I. Involuntary land acquisition and land use restriction
- II. Indigenous peoples
- III. Special attention to vulnerable groups (7 groups)



National/local social and environmental policies, regulations



Institutional setup and capacity of executing and implementing agencies

General process steps for safeguards



Environment Safeguards

Objectives:

- Ensure the environmental soundness and sustainability of projects.
- Support the integration of environmental considerations into the project decision-making process.

Scope and triggers

- Environmental safeguards are triggered if a project is likely to have potential environmental risks & impacts (*based on screening and categorization*)

Policy principles: 11

Principles 1–7 cover environmental assessment and procedural requirements

Principles 8–9 cover key standards/requirements:

8. Biodiversity protection and natural resources management

9. Pollution prevention and abatement

10. Occupational and community health and safety

11. Physical cultural resources

Involuntary Resettlement (IR) Safeguards

Objectives

- **Avoid IR, wherever possible**
- **Minimize IR by exploring alternatives**
- **Enhance or at least restore livelihood in real terms**
- **Improve standards of living of poor/vulnerable.**

Scope and triggers

- **Covers physical displacement & economic displacement**
- **Covers losses and involuntary restrictions that are full or partial, permanent, or temporary.**

Policy principles: 12

Principles 1, 2, 8, 9, 12 cover assessment, planning and procedural requirements

Principles 3, 4, 5, 6, 7, 10, 11 cover key standards/requirements:

3. Measures to restore or improve livelihood

5. Measures for vulnerable groups

7. Informal settlers

4. Relocation assistance

6. Negotiated settlement

10. Cost of involuntary resettlement

11. Timing of compensation

Indigenous Peoples (IP) Safeguards

Objectives

- Foster full respect for identity, dignity, human rights, livelihood systems, & cultural uniqueness of Indigenous Peoples, so that IPs:
 - ✓ Receive culturally-appropriate social & economic benefits,
 - ✓ Do not suffer adverse impacts
 - ✓ Participate actively in projects

Scope and triggers

- Project that directly or indirectly affects the dignity, human rights, livelihood systems, or culture of IPs; or
- affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as an ancestral domain or asset.

Policy principles: 9

Principles 1, 2, 3, 6, 7, 9 cover assessment, planning, and procedural requirements

Principles 4, 5, 8 cover key standards/requirements:

4. Consent

5. Protected areas

8. Customary rights

Main Safeguard Documents

Environment

- Environmental Impact Assessment (EIA) for Category A projects
- Initial Environmental Examination (IEE) for Category B projects
- Environmental Due Diligence Report (EDDR) (or Environment and Social Due Diligence Report) for Category C projects
- Environmental Management Plan (EMP) – included in the EIA or IEE
- Environmental Assessment Framework (EARF) – for sector loans and multitranche financing facility loans (which have subprojects)

Social Safeguards (IR and IP)

- Land Acquisition and Resettlement Plan (LARP)
- Land Acquisition and Resettlement Framework (LARF)
- Social Due Diligence Report (SDDR)
- Indigenous Peoples Plan (IPP)
- Indigenous Peoples Planning Framework (IPF) for sector and multitranche financing facility loans

Others

- Environment and Social Management System (ESMS) for financial intermediaries
- Project Safeguards System Assessment (PSSA) for results-based loans



Roles and Responsibilities

ADB

- Conducting due diligence.
- Reviewing, monitoring, and supervising projects

Borrower/Client

- Assessing projects and their environmental and social impacts.
- Preparing and implementing safeguard plans.
- Engaging with affected communities through information disclosure, consultation, and informed participation.



Roles and Responsibilities

Contractors

- Preparing and implementing safeguard plans that are under the contractor's responsibility (based on contracts). Typical requirements include:
 - ✓ Ensuring bids address safeguards requirements
 - ✓ Technical expertise and resources to implement
 - ✓ **Preparation and implementation of construction environmental and social management plans**
 - ✓ Further assessment / confirmation work areas and permits (e.g. quarry sites, waste disposal, worker camps, equipment storage)
 - ✓ Safe healthy working conditions and protection of community, including worker code of conduct
 - ✓ Information and communication with affected people (e.g. on traffic and electricity disruption, blasting etc)
 - ✓ Grievance mechanism and incident reporting



Tenders and Contracts

**Condition of
contract**

**Properly
costed**

**Supported by
management**

**Systems to
ensure
compliance**

EMP must be incorporated into Tender & Contract Documents

Environmental
responsibilities

Envi-related
costs

Implementation
plan

Example Work Requirements

Examples

Particular designs or requirements

- re-vegetation of a slope

Particular performance standards

- acceptable parameters for the discharge from wastewater treatment system

Other important sections

Evaluation and Qualification Criteria - where can nominate type/number env specialist(s) and experience in EMP implementation

Bidding Forms – can identify in Bill of Quantities or BOQ (provisional sum or lumpsum) and specific requirements or items in respect of EMP implementation

Typical Contract Clause

“The Contractor **shall prepare and submit** their site environmental management plan (SEMP)...to meet the requirements of the Environmental Management and Monitoring Plan **for the approval of the Employer** and follow all directions of the Employer. This shall include **site-specific environmental management plans**. The damages due to the violation of the stipulations by the Contractor shall be **compensated and/or restored by the Contractor** at his or her own expense.”

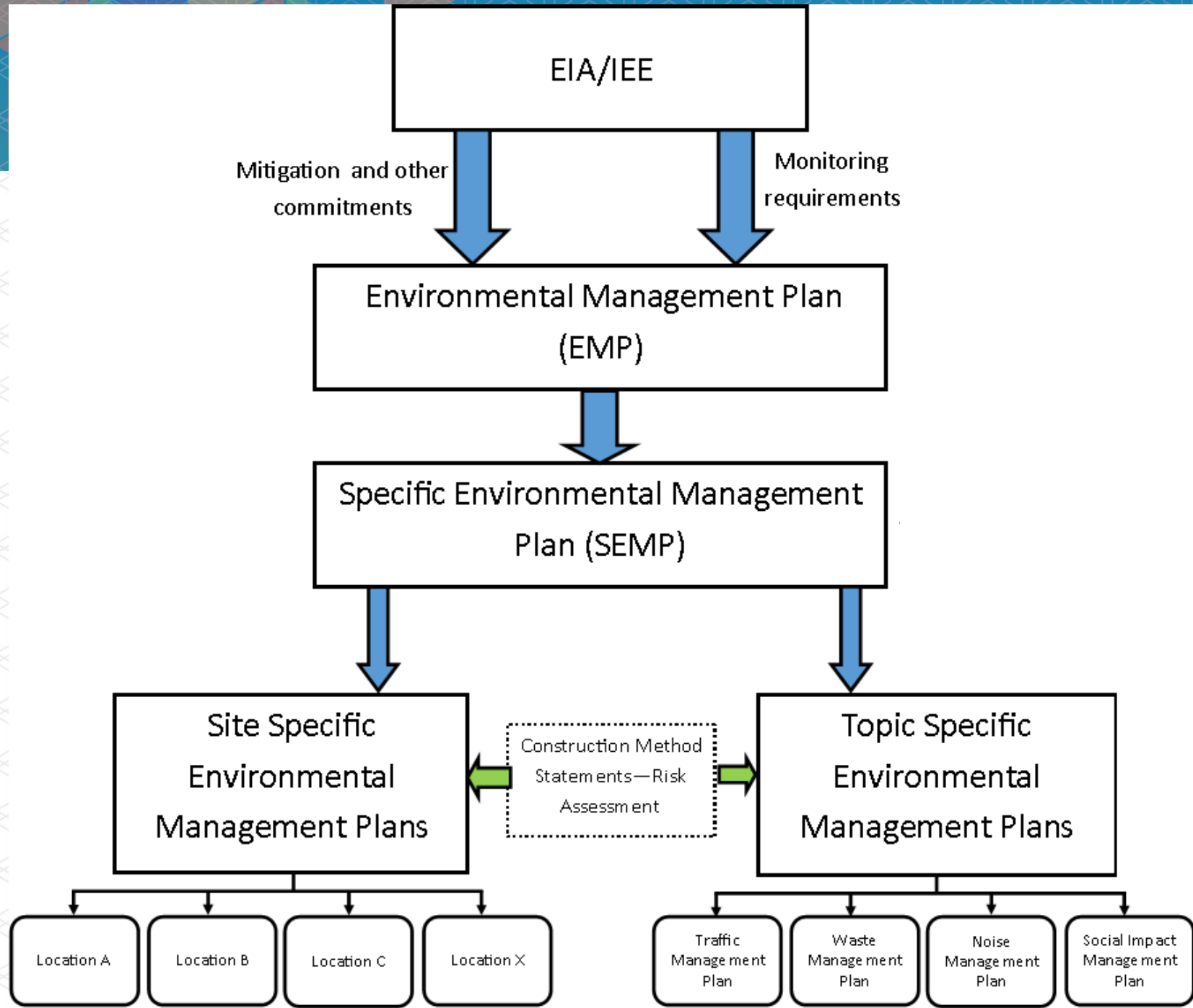
Site-Specific Environmental Management Plans

- Key Points

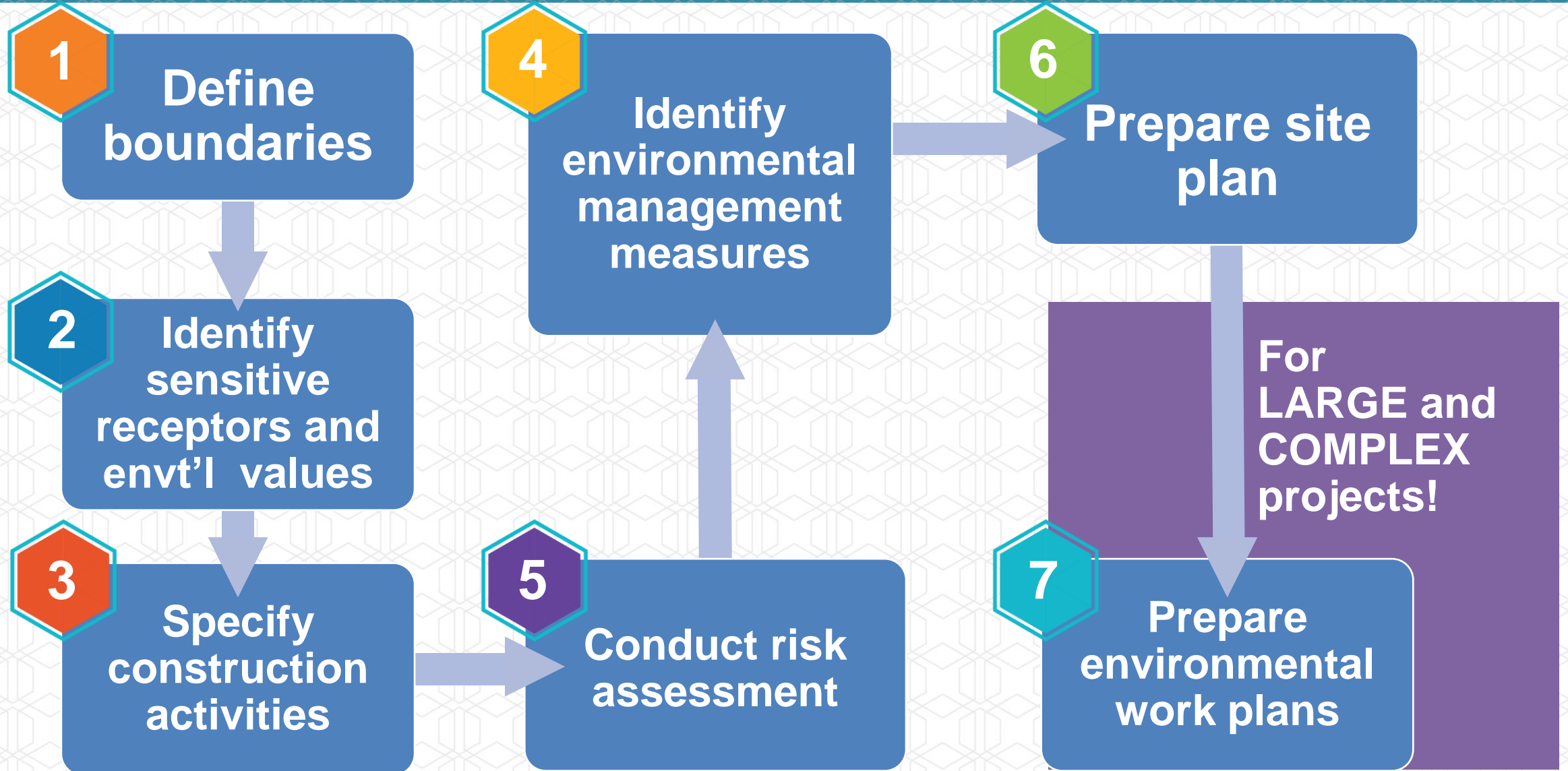
- Contractor to prepare a SSEMP
- SSEMP will detail construction methodology and approach
- SSEMP is prepared by the contractor, reviewed by CSC/PIU and approved by PMU **before construction starts**
- Not “one off” - is updated during construction as required; SSEMPs can be prepared and submitted in a phased manner

Outline of SSEMP

- Project details and coverage
- Organizational structure, roles, responsibilities
- Document map
- Sub-plans for specific components, activities and sites
- Communication, information disclosure and GRM
- Monitoring and reporting
- Annexes



SEMP steps



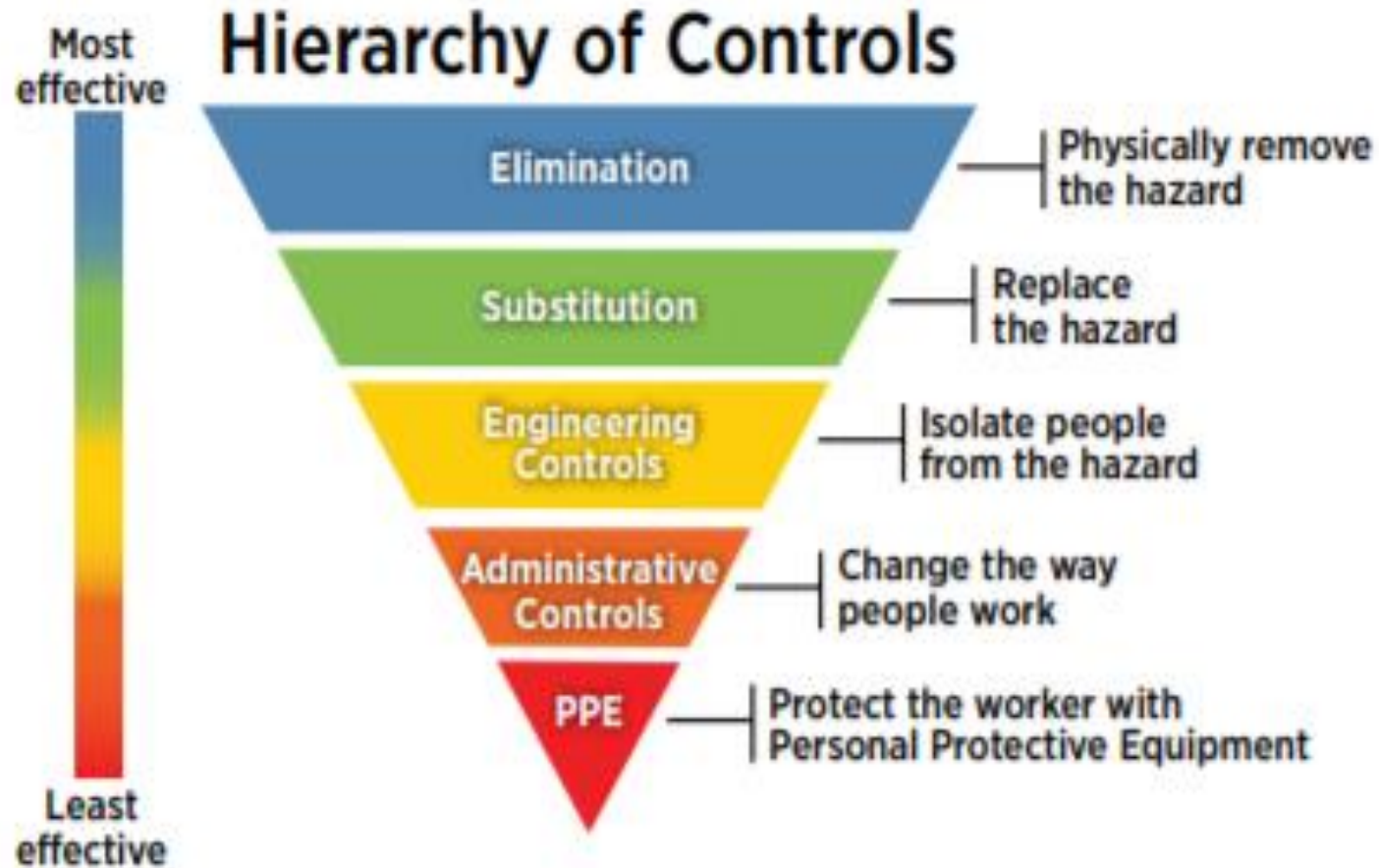




General Approach

- Good planning essential
- Identification of hazards in IEE and EMP followed by specifics and details elaborated in the SSEMP
- Plan and program the works and activities (incl. controls and safety measures)
- Need to embed a “culture of H&S”

Construction Health & Safety



Source: NIOSH

Employers Responsibility

- Identify hazards
- Implement 'safe system of work'
- Provide employees with adequate training
- Ensure that appropriate work equipment is provided
- Report accidents and maintain records of accidents and injuries

Workers Responsibility

- Participate in appropriate training
- Adhere to and implement employer's H&S policies
- Make proper use of any PPE and safety equipment
- Report and record any injuries (incl. near misses), strains or illnesses
- Identify to the employer any H&S related issue that may affect work performance

Further Resources

Safeguards on [ADB.org](http://www.adb.org)

<http://www.adb.org/site/safeguards/main>

eLearn Courses

<http://elearn.adb.org>



Overview of the
Safeguard Policy
Statement



ADB's Environment
Safeguard
Requirements



ADB's Indigenous
Peoples Safeguard
Requirements



ADB's Involuntary
Resettlement
Safeguard
Requirements



e-Learning on Core
Labor Standards

Discussion

Open Floor





Lunch Break

12:00 – 15:00

