




Environmental Safeguard Conference and Environmental and Social Framework Orientation Workshop

FOR CENTRAL AND WEST ASIA, AND EAST ASIA REGIONS

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An aerial photograph of Tbilisi, Georgia, showing the city's dense urban landscape, the Mtkhvari River, and the historic fortress on the hill. The city is surrounded by green hills and mountains in the background.

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ESS10

Stakeholder Engagement Information Disclosure & Grievance Mechanism



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Session Overview

Session Objective

Understanding ESS10's
structure and policy
requirements



What we will cover today

- ✓ Stakeholder identification and analysis
- ✓ Engagement during preparation and implementation
- ✓ **Information Disclosure**
- ✓ Stakeholder Engagement Plans and other new tools
- ✓ **Organizational Capacity**
- ✓ Meaningful Consultation
- ✓ Safe engagement and risk of reprisal
- ✓ Grievance Management



ESS 10 Objectives

- A **systematic approach** to stakeholder engagement to be established
- Stakeholders' **views to be considered** on project development, implementation and monitoring
- **Effective and inclusive engagement** with stakeholders to be ensured throughout **project cycle**
- **Information** on E&S risks and impacts to be disclosed in a timely, understandable, and accessible manner and format.
- The needs and concerns of **disadvantaged or vulnerable PAPs** to be recognized and accounted for.
- **Safe, accessible, and inclusive** means to raise questions, proposals, concerns, and grievances, **without threat of reprisal**.



Who are stakeholders under ESS10



The term stakeholder refers to individuals, communities, or groups who:

- **Are affected** or likely to be affected by a project, referred to as project-affected persons; and
- **May have an interest in a project**, referred to as other interested parties.
- **Stakeholder hierarchy** – primary, secondary...



Information Disclosure to Affected People



General Requirements

- Borrowers must disclose project information during project **preparation, implementation** and **monitoring**.
- **Minimum information** should be disclosed as early as possible to **enable meaningful consultation**, including project details, duration, analysis of alternatives, timeline for consultations, means to raise concerns.
- Information must be **understandable, accessible and culturally appropriate**.
- **Special measures** for groups with specific needs such as ethnicity, disability, literacy, gender, age, mobility, differences in language, or accessibility.
- If **project changes** result in additional E&S risks and impacts, affecting project-affected persons, **information on such will be provided** and meaningful consultation conducted.



New Tools of ESS10



- **Stakeholder Engagement Plan**
- **Framework approach** where subprojects/components are unknown at appraisal
- **Audit** conducted if engagement undertaken prior to ADB's involvement to determine gaps with ESS10



Stakeholder Engagement Plans



- **Borrowers must prepare, disclose, and update** a Stakeholder Engagement Plan (SEP).
- The SEP can be a standalone document **or** part of another document prepared under ESS1.
- SEP must be updated if project **conditions change**.

What an SEP must include:

- ☐ **Stakeholder identification**
- ☐ **Methods** and frequency of consultation.
- ☐ **Integrating feedback** into project design.



Disclosure of SEP and Engagement Record

Stakeholder Engagement Plan:

- Borrowers/clients must disclose the SEP and submit to ADB for disclosure **as early as possible** in project preparation but **no later than ADB's project appraisal** or final credit approval.
- If significant changes are made to the SEP, the borrower/client will **update and disclose the SEP** in a timely manner and will submit it to ADB for disclosure.

Disclosure of Engagement Record in ESIA (ESS1 Annex A-1):

- ☐ Description of the stakeholders consulted.
- ☐ Summary of the feedback received.
- ☐ Brief explanation of how the feedback was considered, or the reasons why it was not.



Meaningful Consultation

Provides detailed indicator level definition of meaningful consultation

Begins early in the project design & continues (Ongoing)

Is transparent and accessible

Is based on early disclosure

Is tailored to different stakeholder needs – disadvantaged & vulnerable

Supports inclusive engagement with PAPs

May involve separate discussions for different PAPs, considering the local languages of project-affected persons and educational differences as well as potential social bias

Considers and responds to reasonable feedback



Meaningful Consultation Outcomes

- **Build rapport, relationship and trust**
- **Disclose information (project design, benefits, adverse impacts, mitigation measures)**
- **Gather feedback (contribute to the project design, local knowledge, customs)**
- **Develop collaborative approach to project design and implementation**
- **Jointly identifying risks and mitigative measures**
- **Sense of ownership**
- **Empowering communities**
- **Brings in transparency and accountability (good governance)**
- **Enhances support for the project**
- **Successful project implementation**



ADB Staff and consultations under the Environmental and Social Policy

ESP PARA 57

ADB will participate in consultation activities led or organized by a borrower/client to **understand the concerns of project-affected persons, and how such concerns will be addressed** by a borrower/client in project design and mitigation measures in accordance with ESS10.

The **frequency of ADB participation will be determined at the scoping stage** and will be proportionate to the nature and scale of project's E&S risks and impacts.

ADB will monitor the implementation of consultation and stakeholder engagement by a borrower/client.



Safe Space for Stakeholder Engagement

ESF VISION: ADB does **not tolerate any form of reprisals** in ADB-financed projects; will seek to **take all steps** within the **limits of its ability** to work with appropriate parties **to address them**, including **requiring its borrowers/clients** to provide protection to project-affected persons who raise concerns or grievances in or about such projects.

Stakeholder engagement to be undertaken in a manner that is safe, accessible and inclusive for stakeholders, without **THREATS OF, or ACTUAL** coercion, intimidation, manipulation, force, or any form of reprisal.

Consultations to be **UNDERTAKEN** and **DESIGNED** in an atmosphere free of external manipulation, discrimination, coercion, intimidation, and threat of reprisal.

Confidentiality
and data privacy
protocols

The grievance mechanism to be implemented without external manipulation, discrimination, coercion, intimidation, and threat of reprisal.

Anonymous complaints
to be raised and
addressed.

Review and address
allegations and take
appropriate measures



ESS10

Agreed with ADB

PARA 8: The borrower/client will agree with ADB on the **management of confidential information or personal information** especially for project-affected persons, including the **timing and content of the disclosure** of such information.



Information Disclosure to Affected People

- Environmental and Social Impact Assessment
- Environmental and Social Management Plan
- Environmental and Social Audit
- Cumulative Impact Assessment
- Environmental and Social Management Framework
- Strategic Environmental and Social Assessment
- Environmental and Social Management System
- Land Acquisition Plan/ Framework
- Indigenous Peoples Plan/ Framework
- LA/IP Due Diligence Report

Disclosure of Documents to Affected People

- Disclosed timely, in an accessible place and in a **form** and **language/s** understandable to affected persons.
- E&S **assessment** and **management documents**
- **Relevant** information from **monitoring** reports





Grievance Management

All projects must establish a grievance mechanism

- **An effective grievance mechanism must:**
 - ✓ Be safe, accessible, and inclusive.
 - ✓ Have a clear process for receiving and resolving grievances.
 - ✓ Implemented without threat of reprisal.
 - ✓ Good record keeping
- **New requirements:**
 - ✓ Anonymous channels and response
 - ✓ GM assessment, update as needed and disclosure
 - ✓ Disclosure of resolution timelines



Grievance Management

- **ADB's Accountability Mechanism** is to be included in consultation and information disclosure.
- **Worker GM is separate** under ESS2, however, this will not impede their access to GM Under ESS10
- **SEAH GM** under ESS4 and ESS2 requires separate procedures
- **Other ESSs** have specific requirements related to the GM: ESS5, ESS7



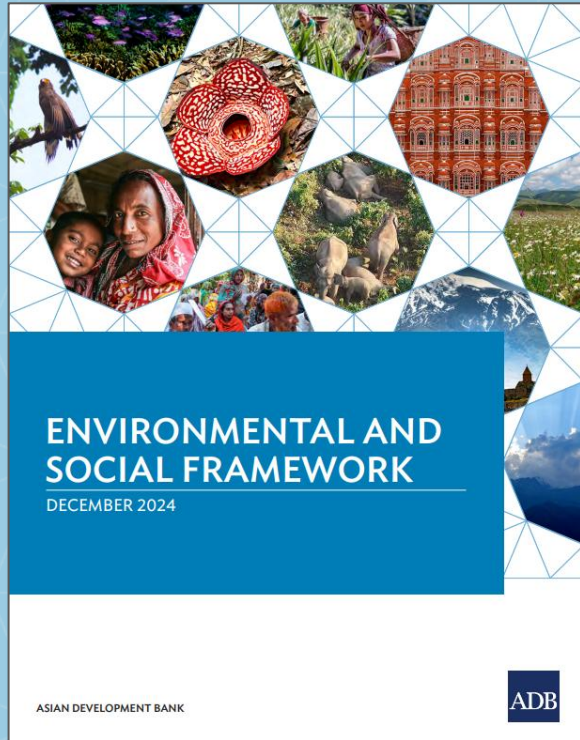
Organizational Capacity



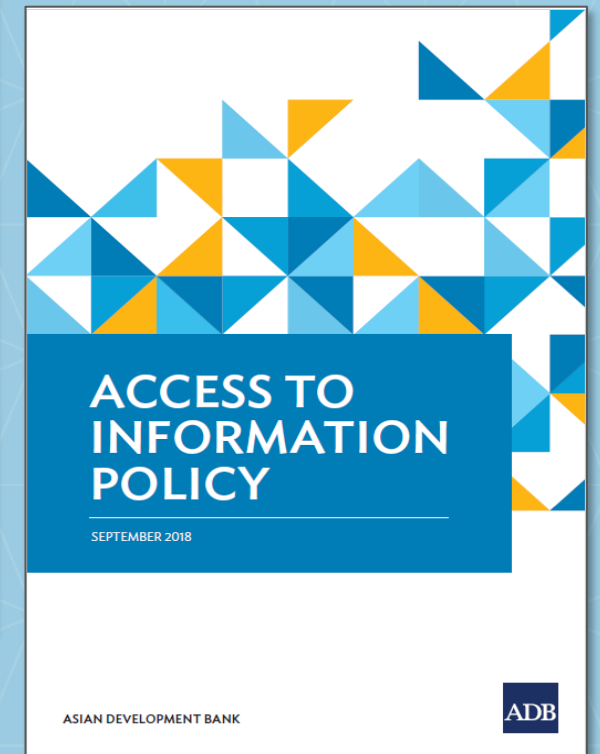
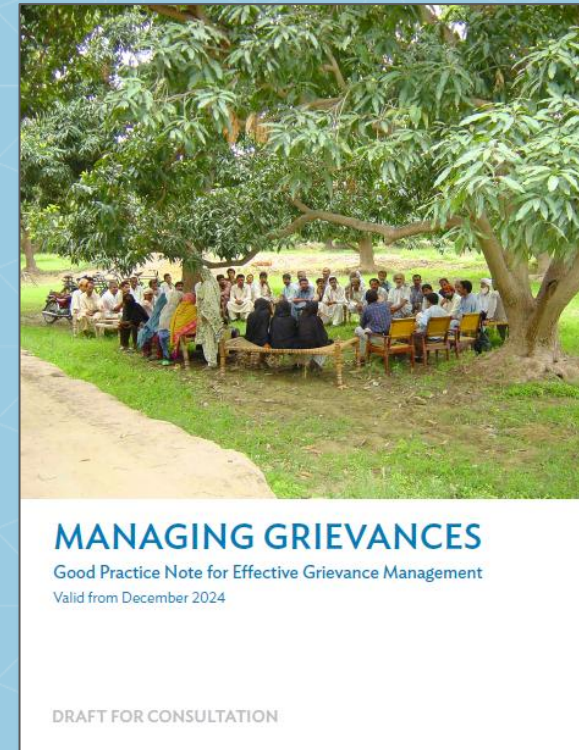
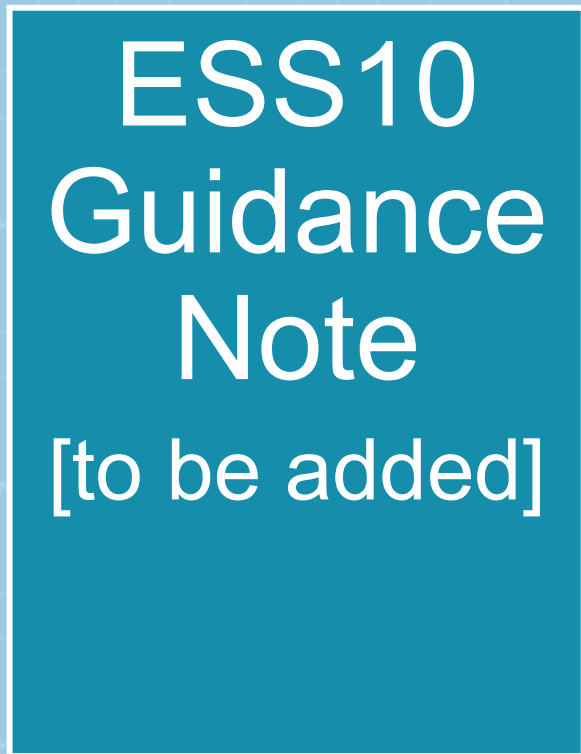
- ❑ Borrowers/clients must make **available** sufficient **financial** and qualified **human** resources
- ❑ **Designate specific personnel** to be responsible for stakeholder engagement
- ❑ Define their **roles** and **authority**.



Resources



ENVIRONMENTAL
AND SOCIAL
FRAMEWORK



ESS4

Health, Safety, and Security



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Welcome and Session Overview

Session Objective

Understanding ESS4's structure and policy requirements.

What we will cover today

- ✓ Overview of Requirements
- ✓ Hazards and Risks - Operationalize
- ✓ Hierarchy of Risk Controls
- ✓ Health and Safety Management Plan

4



1



Assessment and Management
of Environmental and Social
Risks and Impacts

2



Labor and Working
Conditions

3



Resource Conservation
and Pollution Prevention

4



Health, Safety,
and Security

5



Land Acquisition and
Land Use Restriction

6



Biodiversity Conservation
and Sustainable Natural
Resources Management

7



Indigenous Peoples

8



Cultural Heritage

9



Climate Change

10



Stakeholder Engagement
and Information Disclosure



The **applicability of ESS4** is established during the environmental and social assessment process described in ESS1. The potential risks to **project workers** and **project-affected persons** may vary depending on the nature, scope, and stage of a project. ESS4 establishes the requirements for ensuring the health, safety, and security of project workers and project-affected persons.

Objectives:

- a. Protect and promote the health, safety, and security of **project workers** by promoting a culture of safety, ensuring safe, healthy, and secure working conditions, and implementing protective measures proportionate to the nature and scale of the potential risks and impacts of a project.
- b. Anticipate and avoid and, where avoidance is not possible, establish measures and procedures to minimize, mitigate and respond to adverse impacts on the health, safety, and security, including **SEAH**-related issues, of **project workers** and **project affected persons**.
- c. Consider potential geophysical and physical climate risks and impacts in the design and construction of infrastructure.
- d. Avoid, or where avoidance is not possible, minimize and mitigate the exposure of persons and communities to project-related traffic and road safety hazards, diseases, and **hazardous chemicals, substances, and materials and wastes**.
- e. Ensure that the safeguarding personnel and property is carried out in a manner that avoids or minimizes risks to project workers and project-affected persons.



Health, Safety and Security

New Standard and Improved Requirements



General Requirements

- Designate a person responsible to implement the HSMP.
- Monitor and Report on Performance – **HSMP +ESCP**.
- Worker Right to refuse to work in unsafe environments.

Occupational Health and Safety (OHS)

- General and Sector Specific OHS risk assessment and management planning.
- Health and Safety Management Plan – **HSMP + ESCP**.

Community Health and Safety (CHS)

- General and Sector Specific CHS risk assessment and management planning.
- Health and Safety Management Plan – **HSMP +ESCP**.



General requirements of ESS4

A borrower/client must meet **all requirements of ESS4** that are **applicable** to a project:

- Adopt measures to **prevent fatality, accident, injury, and ill-health** among project workers and project-affected persons, arising from or associated with a project.
- Develop a project-specific **health and safety management plan (HSMP)** that may be a stand-alone plan or may be integrated into any relevant E&S assessment and management document
- Provide **information, guidance, instruction, and training** relating to health and safety hazards, risks, and emergency arrangements.
- **Meaningfully consult** with project workers and project-affected persons on how to mitigate these risks and impacts and on any additional mitigation measures that may be required.
- Project involves the provision of health services and/or involves the production, distribution and use of antimicrobials that may have significant health and safety risks, the borrower/client will incorporate **antimicrobial stewardship** in accordance with **World Health Organization requirements** to minimize antimicrobial resistance.



Health, Safety and Security

Specific Requirements

1. **Safety and security of communities and project workers:**

Assessment, planning, management and monitoring of safety and security related risks and impacts, including risks to community and project workers, traffic and road safety, and natural hazards.

2. **Incident reporting and management**

3. **Sexual exploitation abuse and harassment (SEAH):** requires that the borrower identifies, addresses and manage project related SEAH risks for workers and affected communities.

4. **Emergency preparedness and response:** risk hazard assessment for projects that could potentially cause an emergency and prepare an emergency response plan.

5. **Responsible security personnel:** where security personnel are hired to protect workers or property, they should not become a threat to the communities and workers.

6. **Product Safety** : ensure product safety through good design and manufacturing processes, as well as adequate storage, handling, and transportation for product distribution.

7. Infrastructure design and safety: ensure structural elements of a project comply with host country safety requirements, or good industry practice, and consider appropriate features for users age, ability or disability. Example of application is **Dam safety** indicates requirements for new and existing dam.

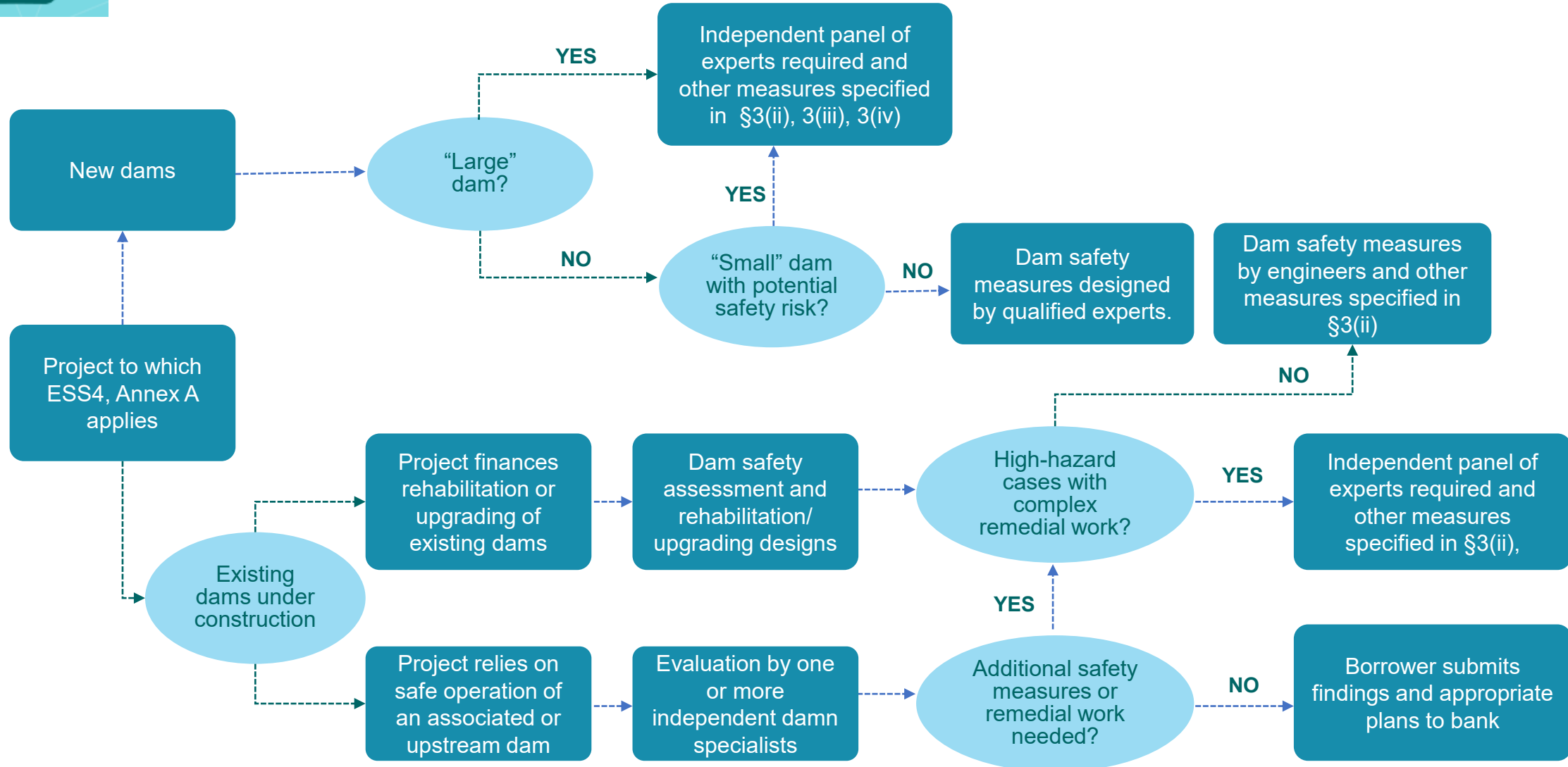
8. Natural Hazards: identify and assess the potential risks and impacts from extreme weather and geophysical hazards, as these relate to a project and will design and implement measures to avoid and/or minimize their impact

❖ **Health & Safety Management Plan (HSMP):** Will set out a systematic approach to the management of health, safety and security risks in projects. Could include **OHS**, **Community H&S**, **SEAH Risk management plan** and/or **Security Management plan** base on the type of project; the type, size, and location of the workforce and risks to surrounding communities.



Infrastructure, Building and Equipment Design and Safety

Example of application of Infrastructure, Building and Equipment Design and Safety is Dam Safety.



4

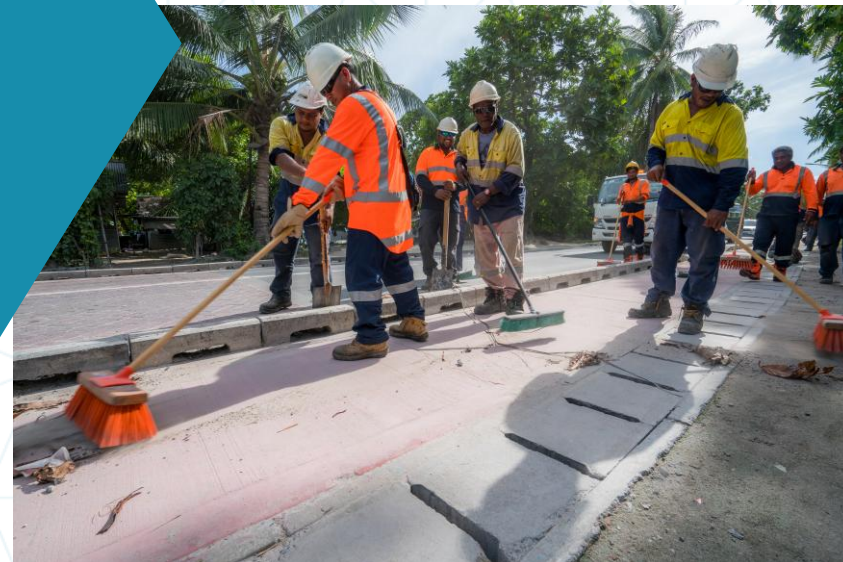


Worksite Safety

ADB



Every ADB-supported project is unique and has a different range of hazards and risks.





H&S Management Planning

Roles and Responsibilities

Project Processing

Environmental and Social Assessment

ESCP/ESAP

Construction ESMP

Operations
ESMP

ADB
Borrower/Client
Legal agreement
with ADB



Project Implementation

Health and Safety Management Plans
(including Emergency Response Plan)

Site
Specific
H&S Plan

Work
Specific
H&S
Plan

Operations/
Maintenance
& Decommissioning
H&S Plan

Borrower/
Contractor
Requirements &
Supervision
Consultant/
engineer





Environment and Social Policy

A New Approach to Risk Classification

Integrated environmental and social risk screening and classification:

- **Direct, indirect and cumulative** impacts
- **Inherent** risk factors in different sectors
- **Vulnerability and sensitivity** of people and environment

Additional considerations (new)

- **Contextual risk factors**
- **Capacity and past performance** of the borrower.

Due diligence and E&S documents required based on project risks

High Risk

Substantial Risk

Moderate Risk

Low Risk

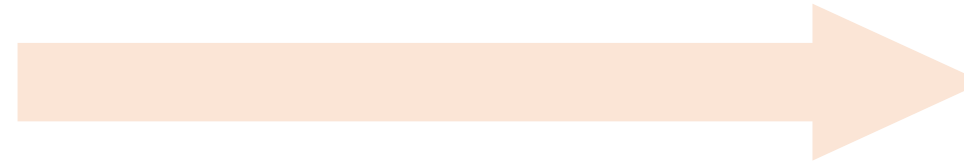
Simplified comparison to current policy (SPS, 2009)
Cat A (=High); Cat B (=Substantial or Moderate); Cat C (= Low)

Environment and Social Policy

A New Approach to Risk Classification

Guiding questions for the Risk classification

- Is there a risk that the project will result in health, safety and/or security impacts to project workers and project affected persons?
- Is there a risk that the project will result in sexual exploitation, abuse, and harassment (SEAH)?]
- Is there a risk of geophysical and physical climate impacts?
- Is there a risk of product safety as a result of project involving production of and/or trade in consumer products and related storage, handling and distribution (transportation)?
- Is there a risk of the project towards persons and communities as a result of traffic and road safety hazards, diseases, hazardous substances, and wastes?



Severity of adverse impact

Risk Rating Weighted Scores

High	SUBSTANTIAL	HIGH	HIGH	UNACCEPTABLE
Substantial	MODERATE	SUBSTANTIAL	HIGH	HIGH
Moderate	MODERATE	MODERATE	SUBSTANTIAL	SUBSTANTIAL
Low	LOW	MODERATE	MODERATE	MODERATE
	Low	Moderate	Substantial	High

Likelihood of adverse impact



Simplified comparison to current policy (SPS, 2009)
Cat A (=High); Cat B (=Substantial or Moderate); Cat C (= Low)

High – significant impact, high in magnitude and has the probability to result to fatalities or community wide impact

Substantial – some adverse impact are significant but not as complex as High.

Moderate – site specific, low in magnitude and probability, risk mitigation using SOP + specialist support.

Low - minimal risks to human population, risks mitigation using SOP.



ESS4 Hierarchy of Controls

Most
Effective

HIERARCHY OF CONTROLS

Elimination

Physically remove
the hazard

Substitution

Replace the hazard

**Engineering
Controls**

Isolate people
from the hazard

**Admin
Controls**

Change the way
people work

PPE

Protect the worker with
personal protective equipment

Least
Effective

HEAD PROTECTION



HEARING PROTECTION



EYE PROTECTION



SAFETY CLOTHING



HAND PROTECTION



FALL PROTECTION



FOOT PROTECTION





Defining “Hazard” vs “Risk”

Risk Management

Following Through
on Mitigation Plans

Identification
of Hazard

Assessing
Potential
Consequences
and Probabilities



HAZARD



RISK

Safe Work Practice Work at Heights

SAFE WORK PRACTICE WORK AT HEIGHT

ADB

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2 Responsibilities	1
3 Training	2
4 Work at Height General Practices	2
4.1 Site Specific Fall Protection Plans	2
5 Fall Protection	2
6 Personal Protective Equipment	2
7 Using Fall Protection Equipment	3
8 Inspections	3
9 Ladders	3
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APPENDIX A: Work at Height Checklist	5

1 PURPOSE AND SCOPE

This SWP outlines the proper practices to follow while working at height. Hazards associated with working at height include risk of falls, dropped objects, and associated injuries. Minimum control measures to reduce these risks are documented within this SWP. A work-specific task risk assessment (TRA) should be conducted prior to working at height.

This SWP informs worksite personnel about the hazards associated with working at height, along with the safety requirements and control measures required to safely work at height.

The scope of this SWP covers all ADB-funded worksites where working at height is required, including the proper use of ladders, aerial platforms, manlifts and the safe use of fall protection systems.

2 RESPONSIBILITIES

The **Project/Site Manager** is responsible for:

- ensuring that employees and contractors use and comply with this SWP at worksites under their supervision, and that work conducted meets the requirements of any applicable national legislation at all times;
- ensuring that work at height hazards are assessed, and controls (e.g., engineering, administrative and PPE) are implemented; and
- conducting routine safety checks, inspections or audits to ensure procedures and other control measures are being followed.

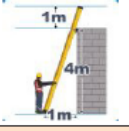


The **Worksite Supervisor** is responsible for:

- ensuring that daily operations are conducted in accordance with this SWP by reviewing/updating the TRA prior to commencing work, and through daily monitoring and compliance checks;
- ensuring that all equipment used in working at height (fall protection equipment, ladders, manlifts, aerial platforms) is inspected, stored, and maintained as outlined in this SWP;
- ensuring a work platform (e.g., scaffold, scissor lift, etc.) is used when work cannot be done from a ladder without a hazard to workers; and
- ensuring all workers are trained in this SWP.

Employees and contractors on the worksite are responsible for:

- following this SWP and other site-specific requirements to ensure their own safety and the safety of others;
- inspecting their fall protection equipment prior to use;
- tagging expired, defective, or unsafe equipment and reporting it to the worksite supervisor; and
- reporting to the worksite supervisor any incident and/or unusual conditions which may occur during the work, and stopping the work if necessary.

APPENDIX A: WORK AT HEIGHT CHECKLIST

Name:	Signature:	Date:	YES	NO		
Determine whether a permit to work is required, and if so, obtain it.						
Complete a written fall protection and rescue plan when working over 7.3 metres or 21 feet.						
Are all workers competent and trained for work at height?						
Is the equipment positioned on a level, stable surface?						
Has proper barricading been put in place?						
Is the equipment in good condition with a suitable load rating, and made from acceptable material?						
Is the work being conducted at a safe distance from high voltage cables?						
Ladders						
The ladder is tied off or a co-worker is holding the ladder.						
The top of the ladder extends 1 metre above the edge of the work.						
The ladder is at a suitable angle (3-4:1 ratio)						
There is a minimum overlap of 1 metre for extended sections.						
						
Power Elevated Platforms						
The platform annual inspection certificate is available and current.						
The man basket has been inspected for safety.						
A daily inspection is completed prior to use.						
In a bucket lift, workers are tied off at all times to an engineered point with a lanyard and shock absorber. In other lifts, workers are tied off with a maximum 2-metre lanyard without a shock absorber when in motion.						
						
Scaffolds						
Fall protection is used when erecting or dismantling scaffold at heights over 1.8m.						
Proper top guardrails, mid rails, and toe boards are installed.						
The working platform is fully decked, properly secured, and/or cleated.						
Each level is locked in place before installing the next level.						
Tie-ins are installed when the total height to base ratio exceeds 3:1.						
Scaffolds are erected by competent personnel and are tagged prior to use.						
Access to the scaffold is only made using a properly installed ladder or stairs.						
No work is permitted under the scaffold - only authorized workers in the work area.						
Equipment is lifted and lowered by rope, hoist, or worker-to-worker.						
						
Work Within 2.0 Metres of an Unguarded Edge						
Approved safety harnesses, lanyards, and/or lifelines are being used with suitable anchor points.						
All workers are wearing harnesses and are tied off at all times.						
The fully extended lanyard will prevent the worker from striking the ground (fall arrest).						
Lanyards are used to prevent workers from reaching the unguarded edge (fall restraint)						
Installing proper top guardrails, midrails, and toe boards has been considered.						

Safe Work Practice Excavation, Trenching and Backfilling

SAFE WORK PRACTICE EXCAVATION, TRENCHING, AND BACKFILLING

ADB

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6.2 Shoring	3
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1 PURPOSE AND SCOPE

This SWP outlines the proper practices to follow when excavating, trenching, and backfilling. This SWP informs workers about the hazards associated with these activities, along with the safety requirements and control measures required to safely do this work. The scope of this document covers all ADB-funded worksites.

2 RESPONSIBILITIES

The **Project/Site Manager** is responsible for:

- ensuring that employees and contractors use and comply with this practice at worksites under their supervision, and that work conducted meets the requirements of any applicable national legislation at all times;
- ensuring that hazards associated with excavation, trenching, and backfilling are assessed, and controls (i.e., engineering, administrative or personal protective equipment) are implemented where necessary; and
- conducting routine safety checks, inspections or audits to ensure procedures and other control measures are being followed.

The **Worksite Supervisor** is responsible for:

- ensuring that daily operations are conducted in accordance with this SWP by monitoring and compliance checks;
- advising workers of any potential or actual danger posed by the excavation, trenching, or backfilling activities at the worksite;
- inspecting the shoring and bracing of an excavation or trench on a daily basis;
- assisting workers with questions about excavation, trenching, and backfilling; and
- ensuring all workers have training that meets the requirements of this SWP and addresses safe work procedures for excavation, trenching, and backfilling.

Employees and contractors on the worksite are responsible for:

- following this practice and other site-specific requirements to ensure their own safety and the safety of others;
- attending and participating in pre-task safety meetings;
- wearing appropriate personal protective equipment (PPE);
- being competent in the use of equipment and processes to be followed in excavation, trenching, and backfilling activities;
- being aware of changing weather conditions that could affect site stability; and
- reporting to the worksite supervisor any concerns, incidents, or other unusual conditions which may occur during the work, and stopping the work if necessary.

3 TRAINING

All workers at ADB-financed worksites who are responsible for excavation, trenching, or backfilling tasks must be trained before they are permitted to do the work. Training should be conducted by a qualified person.

5.1 PRE-WORK PROCEDURES

Before work commences, the designated worksite supervisor must complete the following:

- Ensure all structures (including power poles) close to the excavation will remain properly supported.
- Monitor for excavation or trenching work being carried out within 1 metre (3 feet) of any underground utilities and ensure it is carried out under the direction and supervision of a designated responsible person.
- Ensure all spoil piles are sloped 45° or less from the horizontal and are located a minimum of 1.2 metres (4 feet) from the edge of the excavation or trench.
- Ensure machinery or heavy objects are not placed or working within a distance equal to the depth of the trench. Ensure if the trench is adjacent to or abutting a building or structure, additional shoring, certified by a professional engineer, is implemented.
- Ensure that sufficient work space is available so equipment and materials are kept a minimum of 1.2 metres (4 feet) from the edge of an excavation or trench.
- Ensure trees, utility poles, rocks and similar objects adjacent to the excavation are removed or secured if they could endanger workers.
- Ensure excavations or trenches are guarded by substantial railings or barriers to prevent workers, the public, wildlife and livestock from falling into them
- The accumulation of water or the presence of standing water must be controlled, as it can weaken excavation walls which may result in slope failure or cave-in and can create poor under-foot conditions for workers resulting in possible slips, trips, and falls. In the worst case, accumulated water presents a drowning hazard.
- Ensure shoring and bracing is constructed and installed in accordance with national or international shoring and bracing requirements.

6 SHORING, BRACING, AND TRENCH BOXES

The following information provides guidance, but is always superseded by more stringent national or international standards.

6.1 SLOPING

Sloping the walls is one way to keep a trench from collapsing. A common recommendation is that the trench or excavation must be sloped or benched to within 1.2 m (4 feet) of the bottom, with the slope or bench not exceeding 1 m (3.3 feet) vertical rise to each 1 m (3.3 feet) of horizontal run. If the

trench or excavation is cut in solid rock that is not stable, the walls and crests must be supported by rock bolts, wire mesh, shoring or another method that provides equivalent support.

6.2 SHORING

Shoring is a system that shores up, or supports, walls to prevent soil movement. It also helps to support underground utilities, roadways and foundations. The two types of shoring most commonly used are timber and hydraulic. Both consist of posts, wales, struts and sheathing. One major advantage of hydraulic shoring is that you don't have to enter the trench to install the system. Installation can be done from the top of the trench. Whenever possible, shoring should be installed as excavation proceeds. If there's any delay between digging and shoring, no one should enter the unprotected trench.

6.3 TRENCH BOXES

Trench boxes are not meant to shore up or support trench walls. They are only meant to protect workers in case of a cave-in. Boxes are capable of supporting trench walls if the space between the box and the trench wall is backfilled. Otherwise, a cave-in or collapse may cause the trench box to tilt or turn over. It's also easier to enter the box if soil comes right up next to it. Trench boxes are commonly used in open areas away from utilities, roadways and foundations. As long as workers are in the trench, they must stay inside the box and leave only when the box has to be moved.

7 ENTERING EXCAVATIONS OR TRENCHES

Whenever a worker is required to enter an excavation or trench which is more than 1.2 metres (4 feet) deep, the walls must be cut back, shored or braced, as follows:

- In hard compact soil, cut back to not less than 30°.
- In all other soils, cut back to not less than 45° from the vertical.
- Shoring and brace design must be constructed and installed in accordance with national or international standards or by a professional engineer.

When workers are required to be in trenches 1.2 metres (4 feet) or deeper, an adequate means of exit such as a ladder or steps must be provided and located so that no more than 7.6 metres (25 feet) of lateral travel is required. If ladders are used, their tips should extend 0.9 metres (3 feet) above ground level. Ladders must be securely tied off at the top and must be inspected regularly for damage.

When a trench is more than 1.2 metres (4 feet) in depth and entry by workers is required, the excavation is considered a confined space and applicable confined space entry procedures must be followed.



ADB's Focus on sexual exploitation, abuse and harassment

SEAH risks that may be related to ADB-assisted projects.

ADB-assisted projects are not the source of harm, but Projects may increase the risks for sexual exploitation, abuse and harassment.

Sexual exploitation, abuse and harassment by someone working on the Project may occur

**in the workplace,
worker-to-worker nexus**

**in the community,
worker –to community member**

SEAH in the ADB ESF

Environmental and Social Policy Standards (ESS)

ENVIRONMENTAL AND SOCIAL FRAMEWORK

1



Assessment and Management of E&S Risks and Impacts

E&S Assessment will consider potential risks of SEAH: borrowers will assess SEAH risks to project workers and project-affected persons to prevent and mitigate such risks

2



Labor and Working Conditions

Prevent and address any forms of violence, harassment, bullying, intimidation and exploitation against project workers, including SEAH: borrowers will take appropriate measures to prevent and address in a project context any forms of violence

4



Health, Safety, and Security

Sexual exploitation abuse and harassment (SEAH): requires that the borrower identifies, addresses, and manages project related SEAH risks for workers and affected communities

10



Stakeholder Engagement and Information Disclosure

Project workers Grievance Mechanism is separate under ESS2. However, this will not impede their access to GM under ESS10 **SEAH GM** under ESS4 and ESS2 requires separate procedures

TEMPLATE OF HSMP

Depending on the nature and complexity of the project, HSMP may contain the following:

- 1) Occupational Health and Safety Plan (OHSP)
- 2) Community Health and Safety Plan (CHSP)
- 3) SEAH Action Plan (SAP)
- 4) Security Management Plan (SMP)

ANNEX 2 HEALTH AND SAFETY MANAGEMENT PLAN – TEMPLATE OUTLINE

This is presented as general guidance and will be adapted to the specificities of the project context.

1. Introduction

- What is the scope of the project? What is the client/borrower aiming to achieve with this plan?
- Provide a description of the project and key dates.
- What are the key roles and responsibilities?

2. Local laws, regulations and other compliance requirements

- What health and safety legislation does the client need to abide by under the host country's applicable laws, including those laws implementing the host country obligations under international laws?
- What other requirements – that is, besides ESS4 – also need to be considered?
- How will legal compliance be checked?
- The client will consider compiling a complete listing of applicable laws, regulations, and compliance requirements (i.e., a legal register) and ensuring that this listing is checked periodically to take into account any new or upcoming legislation.

3. Communication

- What internal and external communication channels will be used, how will information be communicated and in what language?
- Internal – H&S committees, H&S weekly meetings, monthly H&S reports, notice boards, and so on.
- External – emergency responders, local communities, press, local and national government officials, and so on.

4. Hazard identification and risk control

- How are hazards to be identified? Who will be responsible for this?
- Hierarchy of control to be used.
- Hazards are to be prioritized by their magnitude (high, medium, low).
- Suitable control measures are to be documented.
- How will identified hazards and their risk controls be communicated to project workers and how will the client document the records of this communication?
- How often will the identified hazards and their risk controls be reviewed?
- Make clear that hazard identification and subsequent risk assessment will be an ongoing process throughout the life of the project. How are contractor risk assessments to be managed?
- Develop a stop-work process.

5. Objectives and targets

- What H&S objectives and targets have been set for this project?
- How will they be presented and measured?
- Develop a process to ensure actions are completed and a process for when they go over the target date.

6. Health and safety management

- The client will develop a management system.
- What welfare facilities will be provided?
- How will well-being be managed, including shifts, rest periods and stop-work arrangements (e.g. during high temperatures)?
- What activities will be undertaken on site? How will these be carried out safely? What arrangements will be in place?
- How will information and instructions be communicated and what are the supervision and training requirements?
- How will the client coordinate with the supply chain and contractors?
- How will consultation with project workers and other stakeholders be carried out?
- How will work equipment be selected?
- Stakeholder engagement – how will this be done and who will be responsible?
- Overview of the security situation.
- How will security be managed and what level of vetting will take place?
- What level of security supervision will be required?

7. Operational control – design

- Process for appointment of coordinators to manage H&S on site.
- Process for appointing suitably qualified and experienced personnel.
- Third-party contractor engagement in high-risk areas.
- Development of construction phase plan.
- Life and fire safety audits – when and how will these be carried out?
- What is the client's approach to universal access?

8. Operational control – construction

- What are the site rules, for example, with regard to speed, reversing vehicles, and so on?
- What plans are in place for access to site and access to key areas within the site? What site security measures will be in place?
- Who will carry out site inductions?

- Identify activities on site that require a permit to work (PTW). Develop a PTW system. How will this be communicated to key project workers?
- How will contractors and sub-contractors be managed? How will key H&S information be communicated?
- How will hazardous material be managed on site? Where will material safety data sheets be stored? How will these be communicated to project workers?
- Develop a traffic management plan and a journey management plan.
- Develop emergency and evacuation procedures. How often will drills be held?
- Develop an emergency plan for a range of scenarios, indicating key responsible persons and contact numbers. How will this information be communicated to key project workers?

9. Hazardous material management

- The client will follow classification labelling in accordance with the host country's applicable laws.
- How will hazards be depicted – through signal words or pictograms?
- Who will carry out risk assessments? When will they be carried out? How will information be communicated to project workers?
- PPE requirements – where will project workers go to request PPE?
- Where will SDSs be stored?
- Who is responsible for housekeeping?
- Hazardous materials, handling, storage transport and disposal – how will this be carried out?

10. Monitoring

- What leading and lagging indicators will be measured?
- How will this information be reported and to whom?
- How will incidents be investigated?
- Who be responsible for this?
- Will lessons learned be shared? Who will they be shared with? How will this be done?

11. Sexual Exploitation, Abuse and Harassment (SEAH)

- What oversight mechanisms will the implementing agency put in place to regularly monitor and enforce contractor and subcontractor compliance with SEAH-related commitments?
- What support services are available as part of the referral pathway for SEAH-reported incidents?
- How will the contractors' code of conduct and SEAH-related policies be communicated effectively to all workers and project-affected?

- What grievance mechanisms, incidents management and case handling, and investigation procedures will be in place to address SEAH allegations confidentially, safely, gender-responsiveness and in a survivor-centered manner?
- What SEAH prevention and response training will be required for all workers, including contractors and subcontractors?
- How will the client ensure buy-in and compliance from contractors, subcontractors, and suppliers regarding SEAH policies and expectations?

12. Budget and Resourcing

- Has adequate budget including contingencies been provisioned within the HSMP or the ESMP to ensure effective implementation
- Has the ~~JoR~~ ^{ToR} of the Health and Safety specialist been developed to ensure a competent specialist (suitably qualified with sufficient working experience) will be mobilized when needed during the project cycle?

ADB HSS Good Practice Note (GPN)

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ESS4

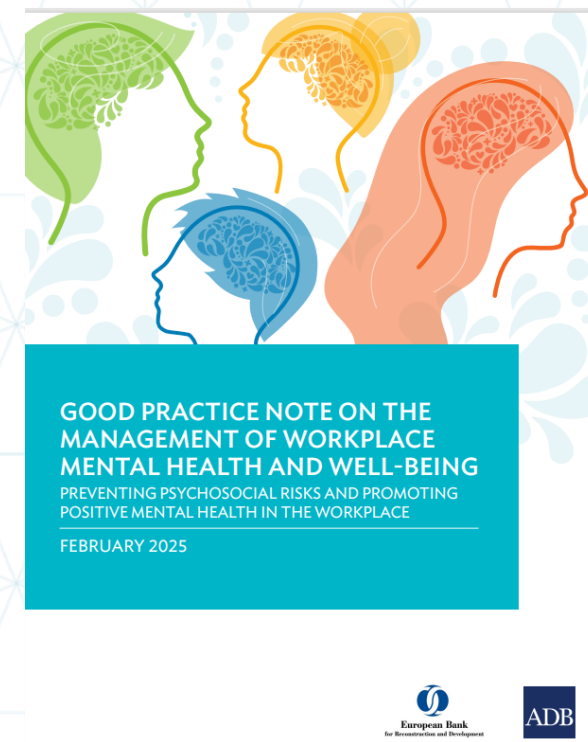
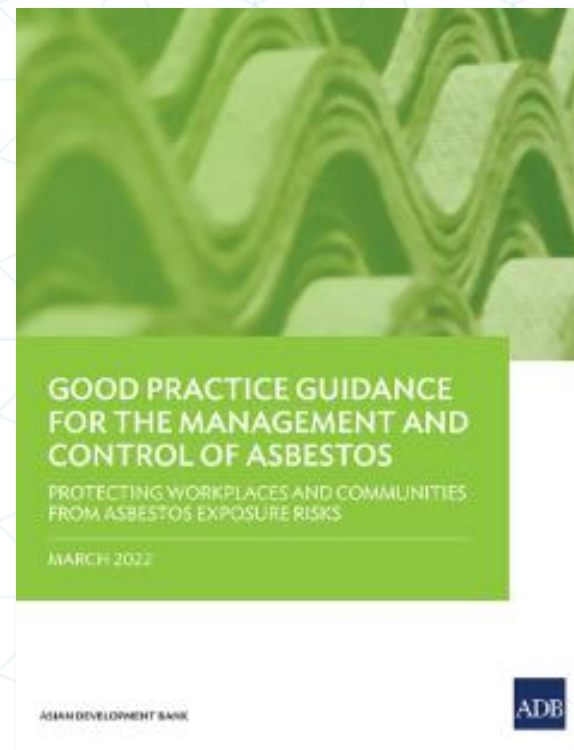
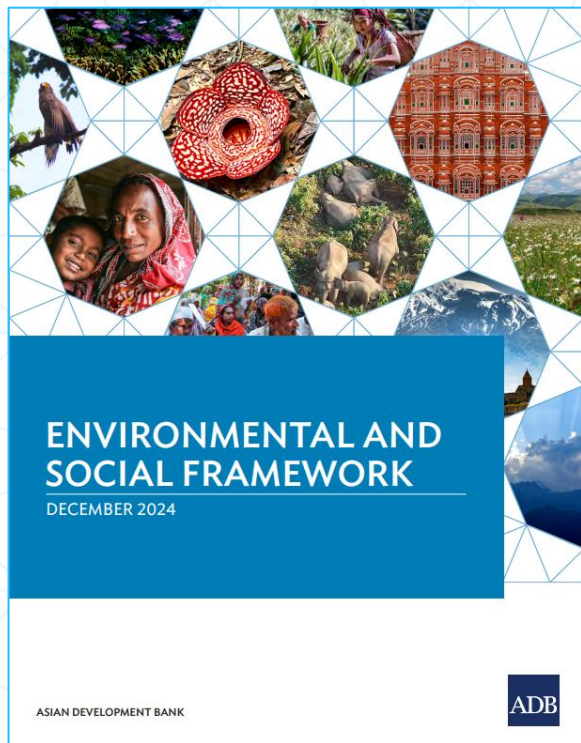
GPN
Manual

Safe Work
Practices (SWPs)

Supplemental Toolkit
/ Checklists

Peer reviewed by the UK based:
“Institution of Occupational
Safety & Health”
- IOSH

Resources





ESS2

Labor and Working Conditions

Felix Oku
Principal Safeguards Specialist
OSFG, ADB



ESS2: Labor and Working Conditions

OBJECTIVES

- Promote fair treatment, nondiscrimination and equal opportunity.
- Prevent and address violence and harassment, bullying, intimidation, and exploitation, including SEAH
- Support principles of freedom of association and collective bargaining
- Prevent the use of forced labor and child labor
- Promote, develop, and maintain transparent project worker relationship management.
- Provide project workers with accessible means to raise workplace concerns.

Good Practice Framework of Labor Regulations and Standards

Lenders Requirements on Labor (ADB ESF ESS2 etc.) for borrowers and clients to address



Host country's applicable laws

National labor codes and employment regulations, including host country's obligations under international instruments

Project Agreements

Specific labor provisions in project documents and procurement process



ILO Core Labour Standards

Core conventions on fundamental rights at work – addressed to various extent through national laws and regulations on labor.

Additional/Specific Lender Requirements

(to manage specific labor risks, e.g. monitoring, supply chain etc. – a risk-based approach)



ESS2: Labor and Working Conditions

ESS2 represents a significant advancement in how ADB approaches labor protections in its financed projects. It establishes clear standards that borrowers must follow to ensure worker welfare throughout the project lifecycle.

Covers ILO core labor standards/ fundamental conventions.

Application of a consistent systemic approach to improving the management of risks and impacts related to labor and working conditions in projects.

Management of project labor risks throughout the project cycle.

Application of differentiated and proportionate requirements to different categories of workers.

Sets the need for accessible means to raise workplace concerns.



ESS2 will be effective from January 2026, replacing previous safeguards with more comprehensive labor protections.



What does ESS2 cover?

Differentiated requirements applicable to direct, contracted, community, primary supply workers, government civil servants

Adoption and implementation of project labor management plans

Specification on terms and conditions of work

Emphasis on non-discrimination and equal opportunity and treatment

Requirements on accommodation and arrangements to promote health, and safety

Freedom of association and collective bargaining

Specific provisions addressing child labor and forced labor

Provisions on collective dismissal

Grievance mechanism for all project workers

Training of workers

Behavioral requirements, including Code of Conduct

Requirements for primary suppliers



What Are the Categories and Requirements for Project Workers?

Direct workers

Engaged or employed directly by a borrower/client

All ESS2 requirements apply and are the responsibility of the borrower/client

Contracted workers

Engaged or employed by a third-party (e.g., contractors, subcontractors, brokers)

All ESS2 requirements apply and are the responsibility of the contractor(s)/subcontractor(s)

Primary supply workers

Suppliers providing goods or materials essential to the project

Prohibition on child labor and forced labor. Mitigation of serious safety issues. Responsibility of supplier(s).

Community workers

Community labor engaged on a voluntary basis by a borrower/client

Similar rights to other workers. If relationship involves wages and benefits, they are considered contracted workers.

Government workers

People employed as government civil servants with public sector employment contract

Requirements relate to protecting the workforce: OHS, and prohibition on child labor and forced labor

Child Labor

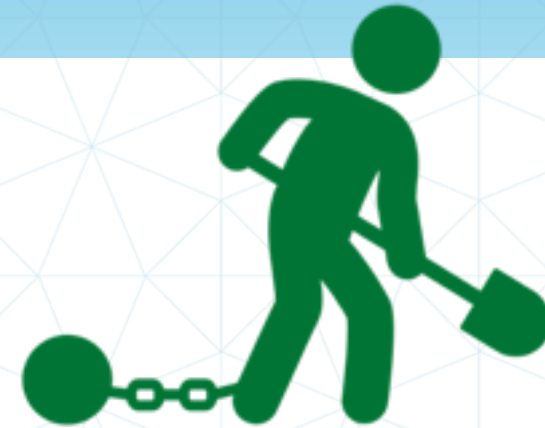


- Zero tolerance to child labor.
- Understand contextual risks.
- Borrowers/ client should have mechanism to monitor, prevent, identify and address any incidents of child labor in projects.

- 13 to 15 years:
 - Light work not harmful to the child's health, education, or development
 - If allowed by national law and agreed to by ADB
- 15 to 18 years:
 - Not economically exploitative or hazardous work
 - Not harmful to the child's health, education, or development
- If national law requires higher minimum working age it will apply in the project
- Requires prior assessment and regular monitoring
- Prevent and address violence, harassment, bullying, and exploitation including SEAH

Forced Labor

Zero tolerance to forced labor.
Includes no employment of trafficked persons.
Remember 11 ILO forced labor indicators.
Understand contextual risks.
Borrowers/ client should have mechanism to monitor, prevent, identify and address any incidents of forced labor in projects.



“Forced labor is all work or service which is exacted from any person under the threat of force or penalty and for which the person has not offered themselves voluntarily.”

(ESS2, para 25)

1. Abuse of vulnerability
2. Deception
3. Restriction of movement
4. Isolation
5. Physical and sexual violence
6. Intimidation and threats
7. Retention of identity documents
8. Withholding of wages
9. Debt bondage
10. Abusive working and living conditions
11. Excessive overtime



One indicator enough, often a cluster

Key questions:

Have the workers entered into employment **voluntarily**? Are they free to leave employment if they like?

Are **penalties** or **threats** used to keep workers from leaving employment?

What is discrimination in employment?



“any distinction, exclusion or preference made on the basis of:

1. **race**
2. **color**
3. **sex**
4. **religion**
5. **political opinion**
6. **national extraction**
7. **social origin**

which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation”


Freedom of Association and Collective Bargaining



1. Where national law recognizes workers' rights to organize and bargain collectively:
Workers will be informed of their rights
No discrimination or retaliation against workers who participate or act as representatives
2. Where national law restricts workers' organizations:
Borrower/client will allow alternative mechanisms for protection of workers' rights to represent their interests and protect their rights
Borrower/client will not influence or control these alternative mechanisms
3. Where laws are silent:
Borrower/client will not discourage worker representation
Borrower client will allow collective bargaining

Worker Grievance Mechanism

Labor and Working Conditions



ESS2

I. INTRODUCTION

1. This Environmental and Social Standard (ESS) 2 recognizes that the borrower/client can advance the social and economic well-being of **project workers** through employment generation and that project workers play a major role in delivering quality projects. The International Labour Organization sets and promotes standards and fundamental principles and rights at work. ESS2 promotes equitable standards for labor and working conditions and good human resources management and relationships that support respect for project workers.

II. OBJECTIVES

- Promote fair treatment, nondiscrimination, and equal opportunity for **project workers**, including those who are **disadvantaged or vulnerable**.
- Prevent and address any forms of violence and harassment, bullying, intimidation and exploitation of project workers, including any forms of **sexual exploitation, abuse, and harassment**.
- Support the principles of freedom of association and collective bargaining.
- Prevent the use of **forced labor and child labor**.
- Promote, develop, and maintain transparent project worker relationship management.
- Provide project workers with accessible means to raise workplace concerns.

III. SCOPE OF APPLICATION

2. The applicability of ESS2 is established during the environmental and social (E&S) assessment process described in ESS1. The scope of application of ESS2 depends on the type of employment and nature of the employment relationship between the borrower/client and **project workers**.

3. Project workers include:

- direct workers**—workers engaged or employed directly by a borrower/client (including the project proponent and the project executing and implementing agencies) to work on a project. The requirements in paras. 5–35 and 47–48 apply.
- contracted workers**—workers engaged or employed by a third-party (a party or entity that is not a borrower/client and including contractors, subcontractors, brokers, agents or intermediaries) to perform work and/or provide service processes essential for a specific project activity without which a project or project activity cannot continue, regardless of location. The requirements in paras. 5–35 (applied as described in para. 36), 36–37 and 47–48 apply.



“The borrower/client will establish, at the earliest opportunity, and implement a worker’s grievance mechanism to respond and manage workplace concerns and grievances.”
(ESS2, para 31)

Proportionate to labor risks and impacts and workplace concerns and grievances.

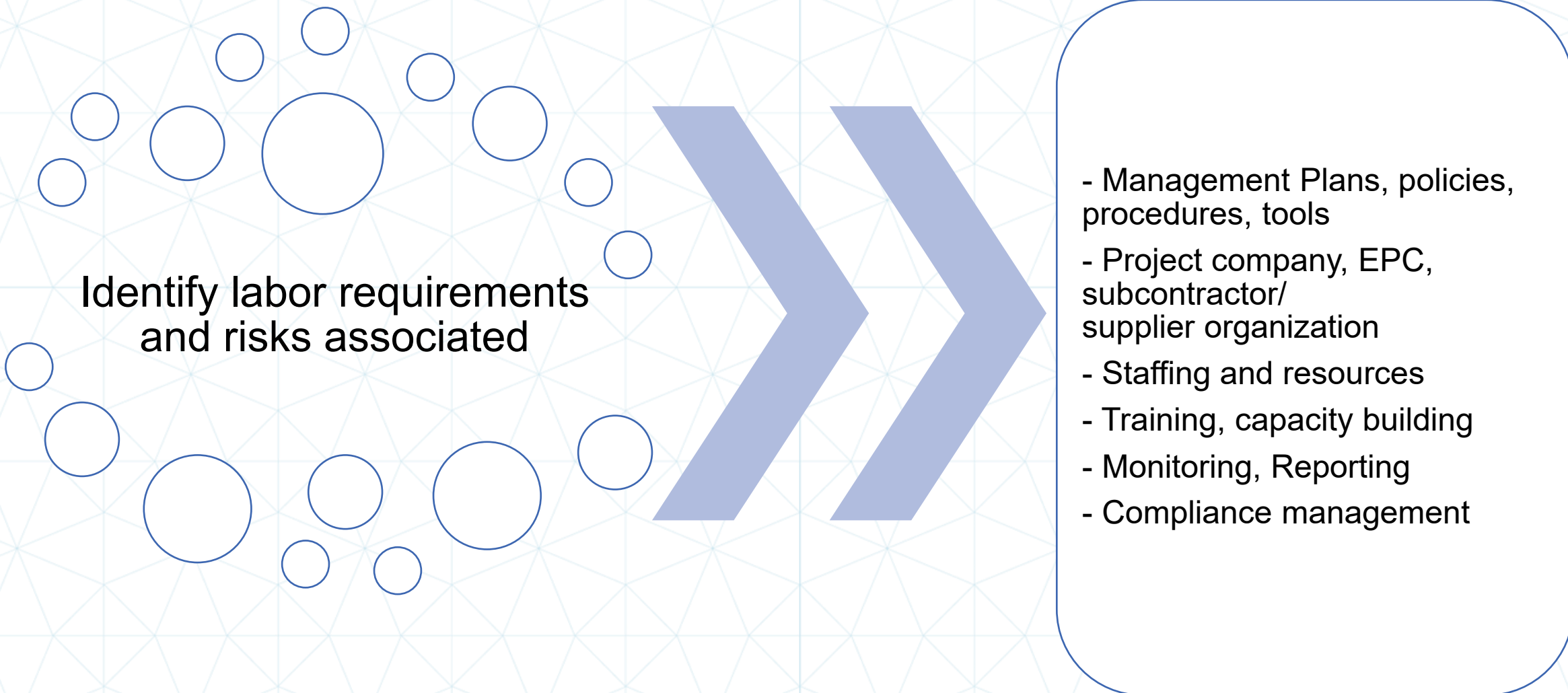
Same principles as ESS10 (*Stakeholder Engagement and Information Disclosure*).

Not impeding access to judicial or administrative remedies.

However, Worker Grievance Mechanism has specific receiving and processing channels.



Labor Management Plan and System



Identify labor requirements
and risks associated

- Management Plans, policies, procedures, tools
- Project company, EPC, subcontractor/supplier organization
- Staffing and resources
- Training, capacity building
- Monitoring, Reporting
- Compliance management



- Conceived during project planning.
- Stand-alone plan or part of other project E&S management documents.
- Proportionate to the size, needs and risks to project workforce.
- Living document – initiated early in project preparation, reviewed and updated throughout development and implementation of a project.
- Identifies main labor requirements and risks associated with the project, establishes how they will be managed.



The LMP and procurement documents (bidding documents, contracts with contractors) should inform each other



Key aspects of the LMP should be incorporated into contractual obligations of contractors and subcontractors

Labor Management Plan



The Borrower is required to develop and implement *labor management plans (LMPs)*



LMPs identifies the main labor requirements and risks associated with the project

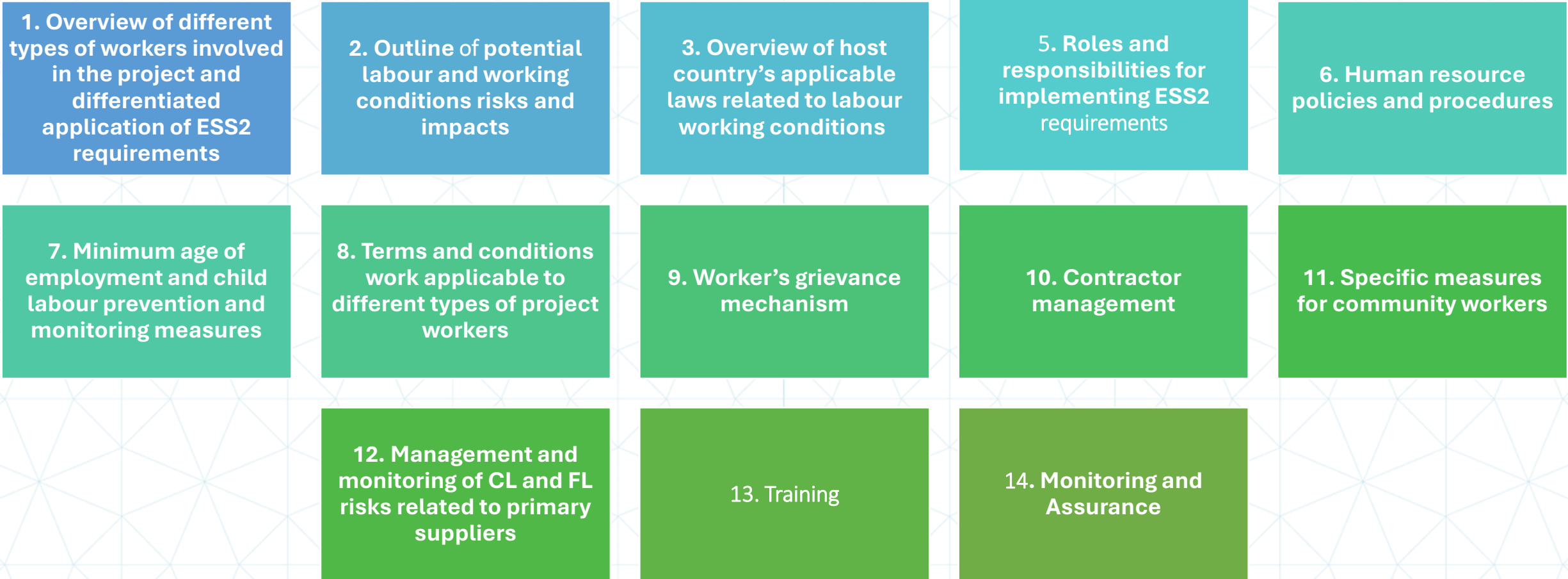


LMPs set out the way in which project workers will be managed (in accordance with national law and ESS2).

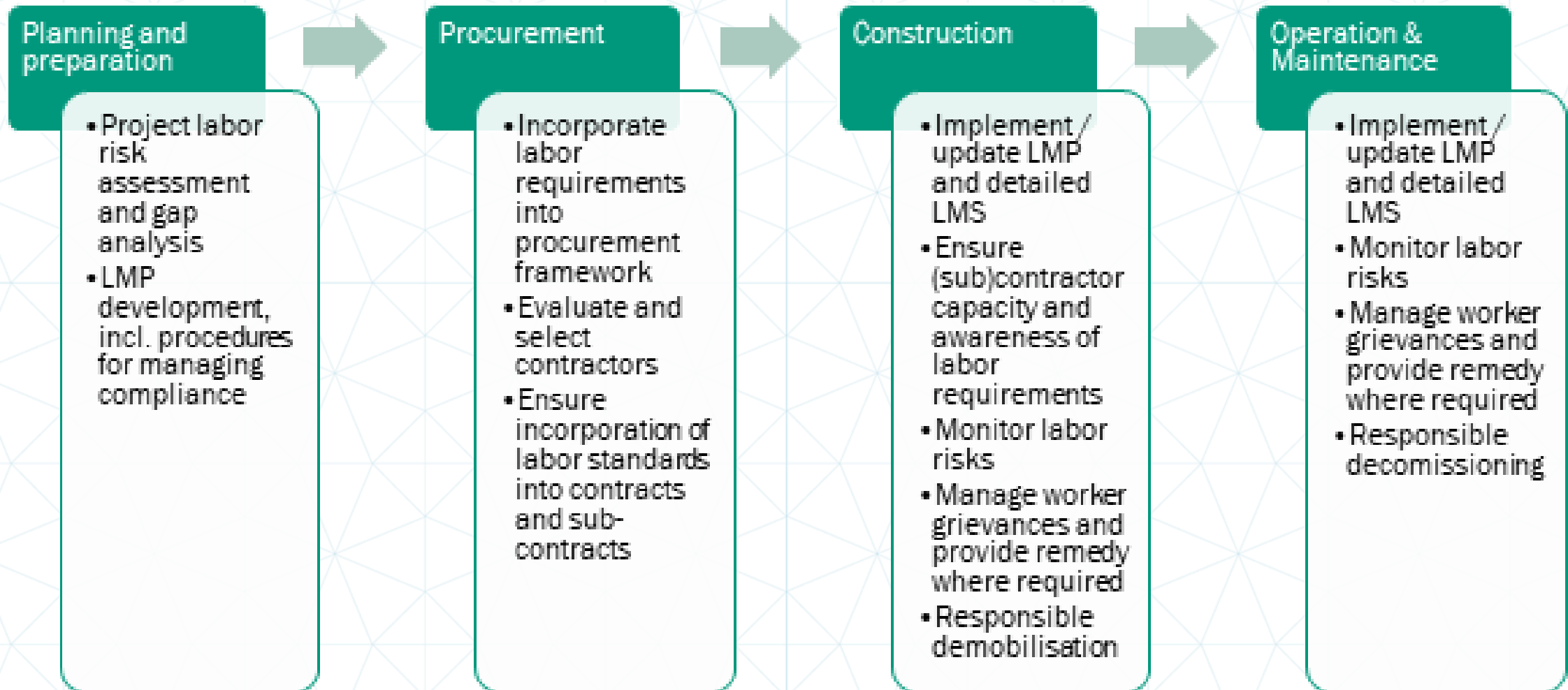


Sets out how ESS2 will apply to different types of workers within the project

Key elements of Labor Management Plan



Summary process diagram showing stages in the project life cycle



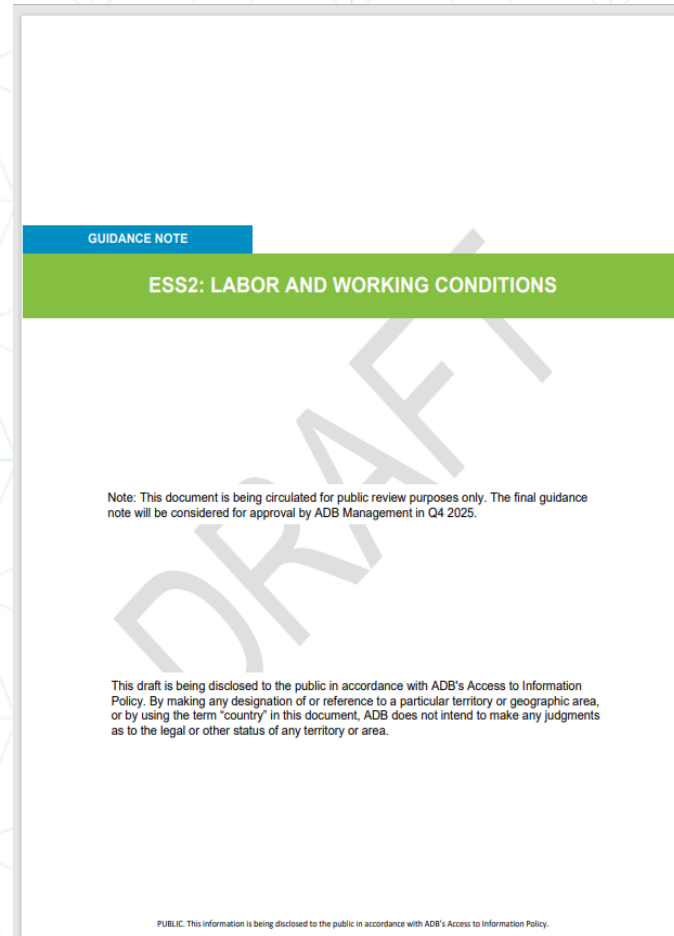
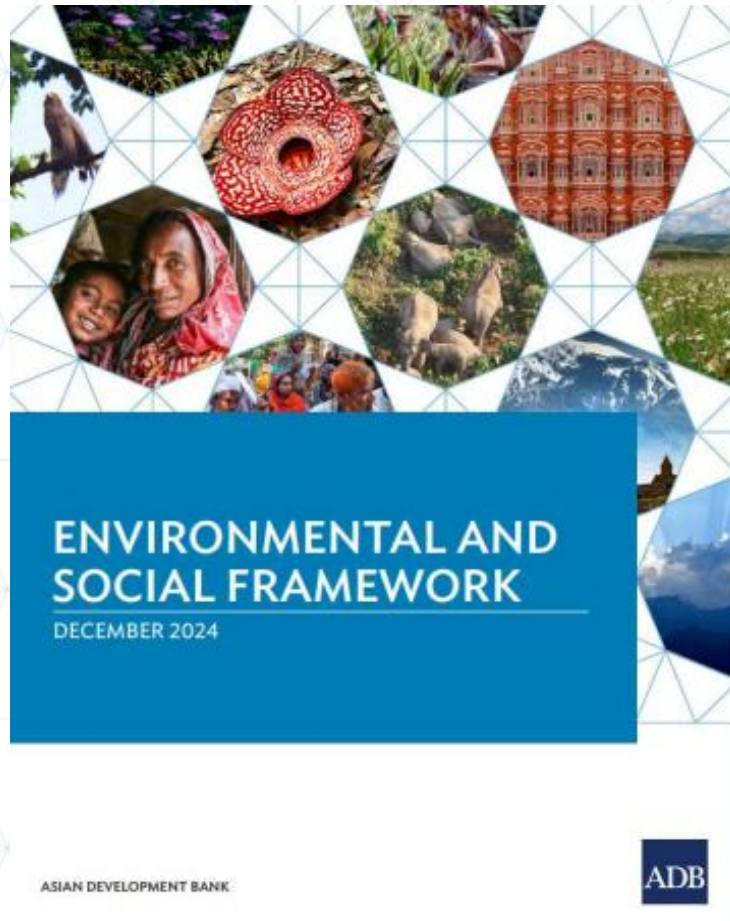
Contractor and Subcontractor Management Good Practices for Labor Compliance

Contractor and Subcontractor Oversight	Supervision of contractors and subcontractors clearly outlined in the labor management system
Clear Contracts and Terms	Contractors and subcontractor agreements clearly define OHS and labor obligations and penalties for non-compliance
Resourcing and systems	HR system (database, record keeping) should be established, comply with the national laws, be operated by competent staff
Training and Orientation	Provide regular training for contractor and subcontractors on OHS protocols and labor laws to ensure compliance on-site
Performance Reviews and KPIs	Regularly assess contractor and subcontractor performance based on metrics. KPIs help maintain compliance and performance standards. OHS and labor KPIs linked to milestone payments.
Third-Party Monitoring	For large projects, EPC contractor to consider using independent third-party auditing firms to assess subcontractor compliance with OHS and labor standards, ensuring an objective review process.

Key Messages

- Identify Applicable Requirements
 - Review both ESF and Cambodian labor law requirements; apply the more stringent standard where differences exist
- Prepare Required Documents
 - Develop Labor Management Plans, OHS Plans, and Worker Grievance Mechanism before bidding
- Include in Procurement
 - Integrate labor requirements into bidding documents and evaluate contractors' capacity to comply
- Monitor Implementation
 - Conduct regular site inspections, document compliance, and report to ADB as required

Tools Available for support



ESS 2
Good
Practice
Note
(to be published
in 2026 Q1)

Tools and Resources Available

ADB Resources

- **ESS2 Guidance Note**
interpreting the ESS2 provisions
- **ESS2 Good Practice Note**
 - Narrative guidance to Borrowers / clients on procedural aspects of ESS2 implementation (focus on project finance, but applicable to different modalities)
 - Series of tools / templates to support implementation (targeted at both borrowers /clients and ADB staff)

Training Opportunities

- **ESF Briefings, including ESS2 sessions**
- **Learning Path 1 – e-learning** provides ESS2 fundamentals and principles
- **Learning Path 2 and Learning Path 3 based on Good Practice Note - face-to-face or distance learning** with cluster-specific content tailored for ADB staff, borrowers, and private sector clients based on their distinct roles and responsibilities.

Technical Support

- **ADB Labor Safeguards specialists** for project-specific guidance
- **ADB Labor Helpdesk** (*work in progress*)

ADB

Thank you!

Let's stay in touch:
labor@adb.org

ADB Management-Led Grievance Redress Service [MGRS]

“Anticipate, Prevent and Facilitate Resolution”

Felix Oku

Principal Safeguards Specialist
OSFG, ADB

1. Why do we need the MGRS?

2. What is the MGRS?

3. Key Functions and Procedure

4. Organizational Structure and Resource



**Request to
Establish and
Implement a MGRS**

**Request to
Establish and
Implement a Grievance
Redress Service**



**Anticipate,
Prevent and
Resolve**

1.0 Why do we need the MGRS?

ADB's Grievance Ecosystem Framework

Respond to problems of locally affected people in ADB-assisted projects through a range of informal, flexible, and consensus-based methods.



3.1 – OSPF problem solving

3.2 – CRP compliance review



Investigate alleged violations of ADB's operational policies and procedures that have resulted, or are likely to result, in direct adverse and material harm to project-affected people.

2 – ADB operations departments' Grievance Redress Service



The focus of the GRS is to strengthen this component of the complaint ecosystem by (1) Providing **Direct Access** and (2) expediting prompt resolution to complaints.

1 – Project-level grievance redress mechanism

ADB = Asian Development Bank, CRP = Compliance Review Panel, OSPF = Office of the Special Project Facilitator,
Note: The figure does not correspond to the actual proportion of issues dealt with the different mechanisms.

Peer Institutions with GRS in place??



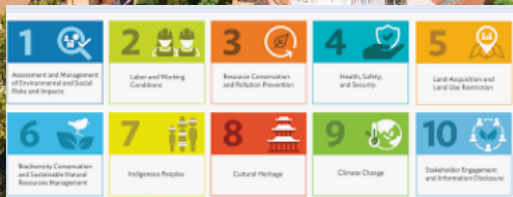
THE WORLD BANK
IBRD • IDA | WORLD BANK GROUP



MIGA Multilateral Investment Guarantee Agency
WORLD BANK GROUP



ESF Readiness (ESP, para 65)



FMRF Implementation

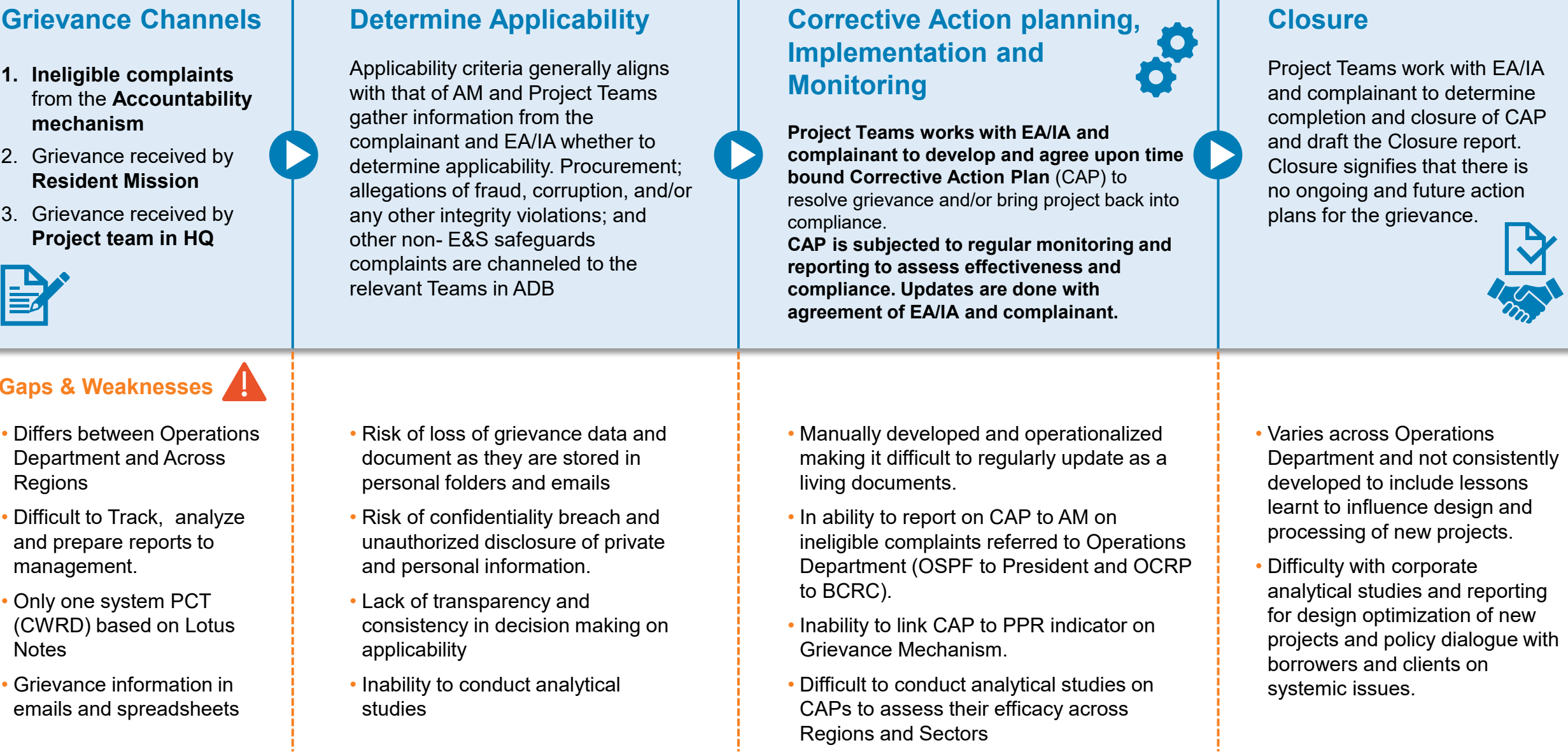


WORLD BANK GROUP

Facilitate Prompt Response to Complaint



Current Arrangement For Grievance Management – Requires Enhancements

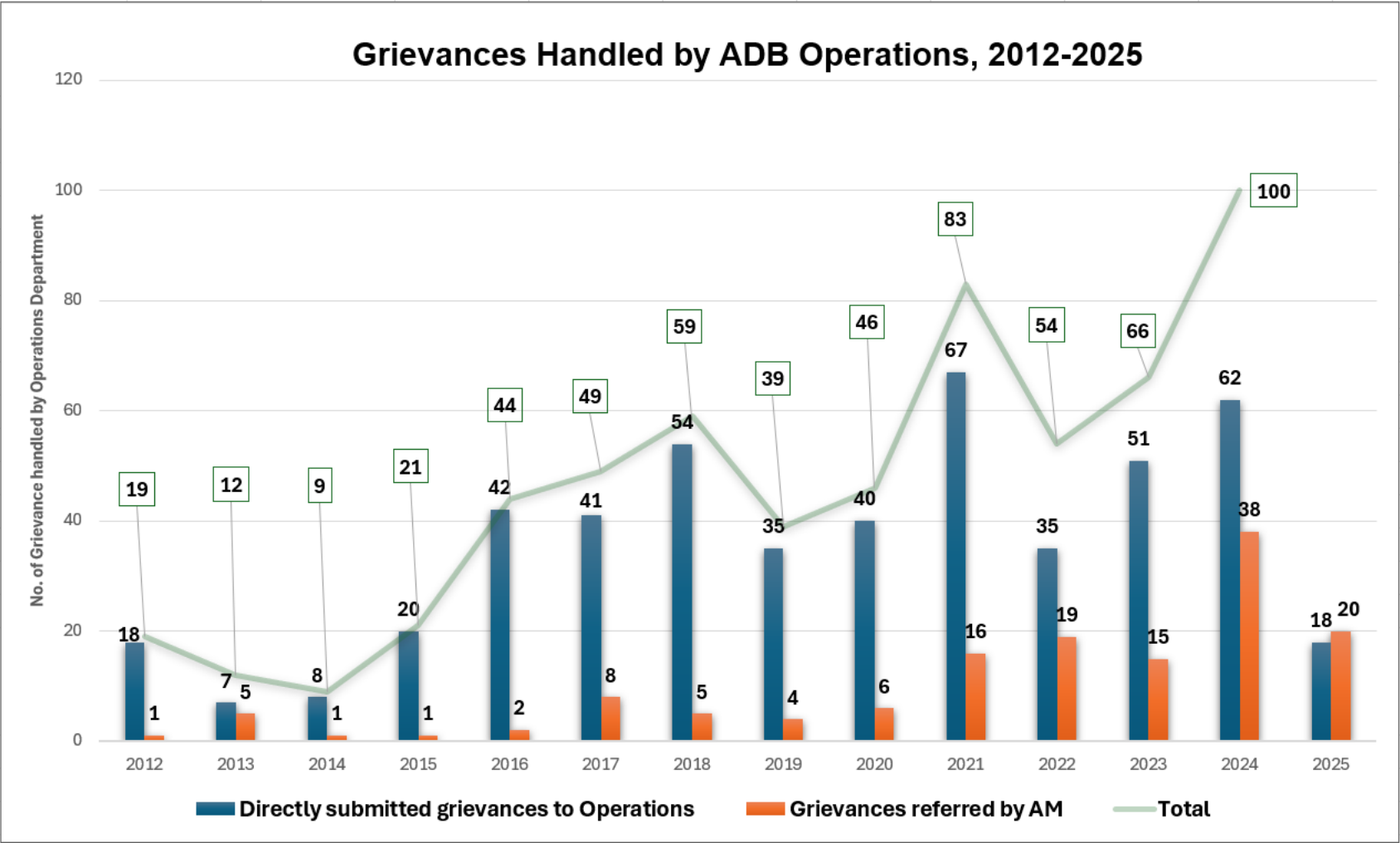


Volume of Grievance handled by ADB Operations Departments

Between 2012-2025, there has been a general increase in the number of grievance handled by the ADB Management/ operations departments.

The team expects that the number of grievance will continue to climb with an increase both in volume and the complexity of ADB’s operations.

Between 2012 to 2024, the number of approved projects increased by approximately 50 projects for sovereign operations.

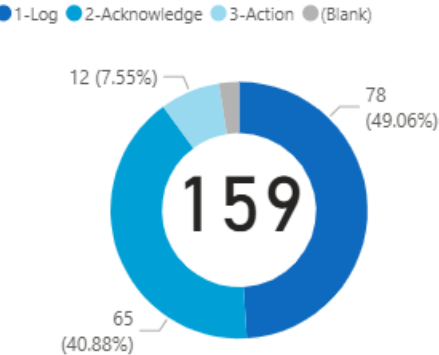


Complaints Overview – Since November 2024

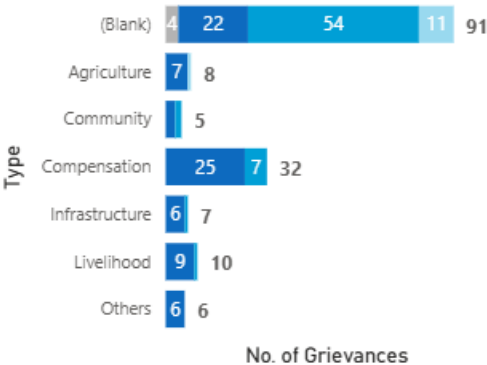


KEY STATISTICS ON ACTIVE GRIEVANCES

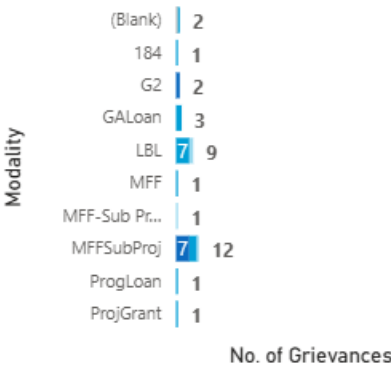
ACTIVE GRIEVANCES



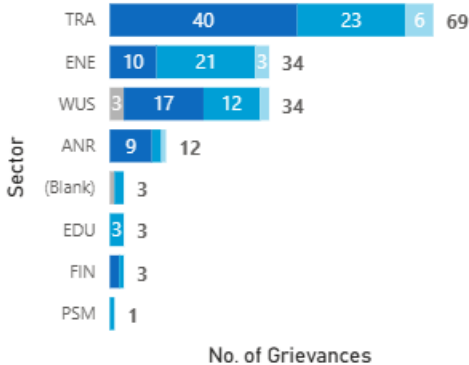
GRIEVANCES BY TYPE



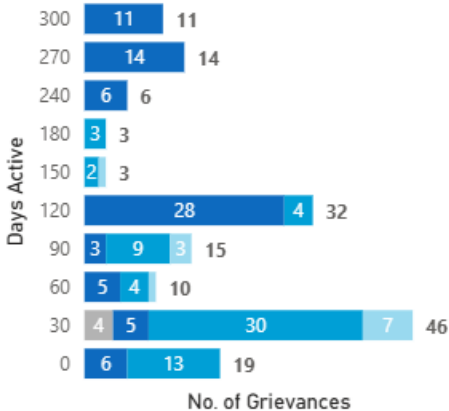
GRIEVANCES BY MODALITY



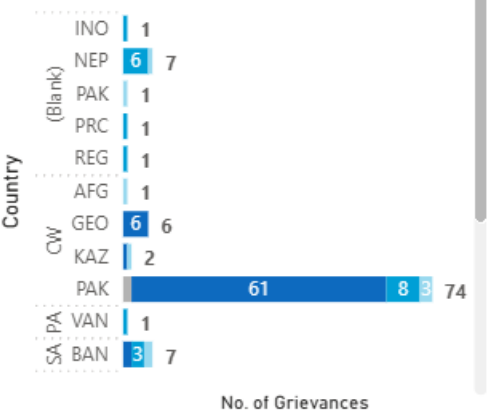
GRIEVANCES BY SECTOR



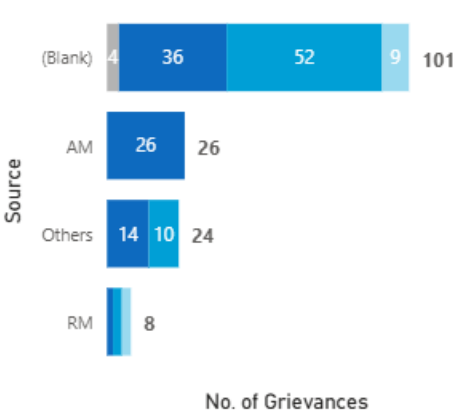
GRIEVANCES AGING



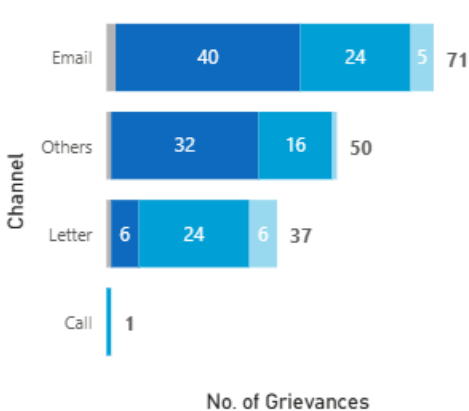
GRIEVANCES BY COUNTRY



GRIEVANCES BY SOURCE



GRIEVANCES BY CHANNEL



Project Level Grievance Mechanism

ADB Operations MGRS Coordinates

Business Process

Recording and notification – Develop systems (ISMS) to promptly record all grievance (Direct and Referred) and notify all relevant ADB Management - One ADB Project Team and other stakeholders on receipt and next steps.

Evaluation and risk classification - Coordinate the formation of a OneADB team with PTL as lead to risk classify the grievance, determine applicability and scope for the next steps for resolution and/or referral to relevant ADB teams/departments

Referred Grievance

Grievance received from all other channels apart from direct grievance.

Direct grievance

MGRS receives grievance directly from **external** individuals, communities or their representatives

Solution seeking & proposal formulation - The MGRS will provide admin and coordination support to the OneADB project team, borrowers and clients, complainant and all stakeholders including fielding technical experts where required to help draft and agree on action plans for resolution.

Overview of MGRS Business Process

1.Record &
notify receipt
[2 business
days]

2.Evaluation
[10 business
days]

3.Solution-seeking
& proposal
formulation
[60 business days]

4.Implementation
& Monitoring
[depends on nature
of actions]

5.Case Closure
[depends on
nature of
actions]

Implementation and Monitoring - Agreed resolution plans will be digitized for monitoring and regular status reporting to One ADB project Teams and other stakeholders including the AM for referred grievance from the OSPF.

Case Closure and Lessons learnt Reporting

- The MGRS will coordinate drafting of closure reports and lessons learnt across regions and sectors to guide design and processing of new projects to avoid similar future grievance.

Request to
Establish and
Implement a Grievance
Redress Service

2.0 What Is the MGRS?

Business Process

Project Level
Grievance Mechanism

ADB Operations
GRS facilitates

Referred Complaint

Complaints received from all other channels apart from direct complaints.

Direct complaint

GRS receives complaints directly from **external** individuals, communities or their representatives

Overview of GRS Business Process

1. Intake & notification of receipt
[2 business days]

2. Evaluation
[10 business days]

3. Solution-seeking & proposal formulation
[60 business days]

4. Implementation & Monitoring
[depends on nature of actions]

5. Case Closure
[depends on nature of actions]

Intake and notification – Develop systems (ISMS) to promptly register all complaints (Direct and Referred) and notify all relevant ADB Management - One ADB Project Team and other stakeholders on receipt and next steps.

Admissibility (Evaluation and risk classification) - Facilitate the formation of a OneADB Team with PTL as lead to risk classify the complaint, determine admissibility and scope the next steps for resolution and/or referral to relevant ADB project Teams/Departments

Solution Seeking & proposal formulation - The GRS will provide admin and facilitation support to the OneADB Project Team, borrowers and clients, complainant and all stakeholders including fielding technical experts where required to help draft and agree on action plans for resolution.

Implementation and Monitoring - Agreed resolution plans will be digitized for monitoring and regular status reporting to One ADB project Teams and other stakeholders including the AM for referred cases from the OSPF.

Case Closure and Lessons learnt Reporting - The GRS will facilitate drafting of closure reports and lessons learnt across regions and sectors to guide design and processing of new projects to avoid unnecessary complaints.

Close collaboration with AM Office - The GRS will facilitate sharing of lessons learnt to inform design of future projects to minimize unnecessary complaints.

MGRS - Enhanced Support for Prompt Resolution of Grievance



Operations Department (OneADB Project Team) – Ultimately takes the lead with management of grievance including negotiating resolution with clients and borrowers. The MGRS will **support and work collaboratively** with OneADB Project Teams, Borrowers/Clients, complainants, and other relevant stakeholders to resolve issues and deliver lasting and sustainable solutions.

Referred Grievance – Including complaints from the Accountability Mechanism and grievances from all other sources other than directly received by the MGRS. The MGRS will **support and work collaboratively** with OneADB Project Teams, on all actions for both problem solving or compliance review.

Direct Grievance - The MGRS will **support and work collaboratively** with OneADB Project Teams, Borrowers/Clients, complainants, and other relevant stakeholders to resolve issues and deliver lasting and sustainable solutions.

Better Coordination with AM - The MGRS will **provide update reporting to AM on status of Referred grievance**.



GRS Criteria of Admissibility

- The complaint relates to an ADB-assisted project in preparation, implementation or post- implementation.
- The complaint is submitted by individuals or communities affected by an ADB-assisted project, or by their authorized representative; and
- The complainant(s) allege that they have been or will be affected by the ADB-assisted project.
- Procurement; allegations of fraud, corruption, and/or any other integrity violations; and other non- E&S safeguards complaints will be registered and channeled to respective offices such as PPFD and OAI

Next Steps and Action plan



Item #	Action Items	Estimated Time	Status
1	Internal Consultation with key stakeholders <ul style="list-style-type: none"> OSFG Management VPAC OGC AM/BCRC/AMP Update Steering Committee SPD Sectors Departments All Board Suites BPMSD PPFD OAG DOCK NGOC Selected RMs (PRM, NRM, INRM, GRM, PNRM etc.) 	March-August 2025	Completed
2	Address feedback from internal consultation and re-circulate	August - September 2025	Ongoing
3	Develop One pager for MGRS TA to secure funding for GRM implementation	July 2025	WPBF 2026 completed
4	Draft and circulate internally for comments and concurrence of safeguard business processes to implement management of direct and referred grievances. Develop protocols to ensure confidentiality, reprisal risks and data privacy of complainants.	September - November 2025	pending
5	Develop Templates for grievances receipt, grievance handling including monitoring and reporting. Develop internal and external websites (in different languages – Russian, Mandarin etc.)	September - December 2025	pending
6	Draft Detailed Terms of Reference for staff positions	August - September 2025	Ongoing
7	Pilot Test MGRS procedure in ADB	Nov-Dec 2025	Pending
8	Develop Outreach and Communication Plan <ul style="list-style-type: none"> Awareness raising and training for ADB staff Awareness raising and training for Borrowers and Clients 	September – November 2025	pending
9	Develop and enhance the Grievance Case Management System to align with the MGRS business process conduct grievance handling case management – ISMS	Aug-Dec 2025	pending
10	Develop and rollout training program with certification for Staff to strengthen grievance handling by OSFG and Project Teams	Feb – April 2026	Pending



ESS9

Climate Change

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ESS9 : CLIMATE CHANGE CLINIC- AGENDA



1. **What?** The ESF and ESS9: Climate Change
 - I. Objectives, Overview and Quick Refresh
 - II. The Environmental and Social Management System
2. **How?** Specific Requirements
3. **When?** Risk Classification
4. **Why?**

ADB's Environmental and Social Standards (ESS)

1



Assessment and Management
of Environmental and Social
Risks and Impacts

2



Labor and Working
Conditions

3



Resource Conservation
and Pollution Prevention

4



Health, Safety,
and Security

5



Land Acquisition and
Land Use Restriction

6



Biodiversity Conservation
and Sustainable Natural
Resources Management

7



Indigenous Peoples

8



Cultural Heritage

9



Climate Change

10



Stakeholder Engagement
and Information Disclosure



I. Introduction

ESS recognizes the urgency and importance of tackling climate change, which poses a global threat and reversed development gain.

II. Objective

- a. Minimize **absolute** and **relative GHG emissions** attributable to a project by considering alternatives, and monitor and report project-related GHG emissions, where applicable.
- b. Manage project-related **climate risks** and contribute to enhancing **climate resilience**.

III. SCOPE OF APPLICATION

The applicability of this ESS9 is established during the assessment process described in ESS1. This ESS9 sets out borrower/client requirements for assessing, managing, monitoring and reporting (i) a project's **absolute** and **relative** GHG emissions and (ii) project-related climate risks.



IV. Requirements

- a. Minimize absolute and relative GHG emissions attributable to a project by considering alternatives, and monitor and report project-related GHG emissions, where applicable.
- b. Manage project-related climate risks and contribute to enhancing climate resilience.

V. Monitoring and Disclosure

As described in ESS1, the assessments as required under this ESS9 will support the analysis of impacts and identification of GHG reduction and climate change adaptation and resilience measures and will be part of or may be annexed to the E&S assessment undertaken for a project.



Disclosure

The borrower/client will monitor the absolute emissions as required under para. 10 and the implementation of the GHG reduction and climate change adaptation and resilience measures prepared under this ESS9 in accordance with the requirements in the environmental and social commitment plan (ESCP)/environmental and social action plan (ESAP) and ESS1 and ESS10.

Disclosure's:

- **When?**
- **How?**
- **What?**



“The borrower/client will monitor the absolute emissions as required under para. 10 (ESS9) and the implementation of the GHG reduction and climate change adaptation and resilience measures prepared under this ESS9 in accordance with the requirements in the environmental and social commitment plan (ESCP)/environmental and social action plan (ESAP) and ESS1 and ESS10. (ESS9, para 17)

For Sovereign Operations* Borrowers Responsibility under CRA Overview:

- monitor the absolute emissions
- climate change adaptation and resilience measures.

**For Non-Sovereign Operations, the disclosure will be determined on case basis. This will be covered in detail in Guidance Note for ESS9*





ESS9: Climate Change Specific Requirements

Assessment and Management of Mitigation (Greenhouse gas emissions):

- **Threshold level:** +/- 20,000 tons of CO₂ equivalent (tCO₂e) per year
- **Significant changes:** 5 % change from the original estimate

Assessment and Management Climate Risks:

The borrower/client will undertake a climate risk assessment (CRA) to:

- (i) establish the climate risk context of a project;
- (ii) assess the direct and indirect climate risks to a project and the potential for the project to generate increased climate change vulnerability and/or exposure of project-affected persons; and
- (iii) identify and develop climate change adaptation and resilience measures to address identified climate risks of a project.



Why? ESS 9: Climate Change Action Plan

ADB aims to guide accelerated action on climate change through a new [Climate Change Action Plan \(2023-2030\)](#).

The CCAP aims to direct ADB's strategic vision and policies—including Strategy 2030 and key shifts in ADB's new operating model—to ensure high-quality climate outcomes.

According to the (CCAP), the keys operational areas are :

- Partnership
- Investment and finance
- Country Engagement
- Advancing Solutions Across Operations
- Implementation & Monitoring

In essence, ADB intends to make climate action a central aspect of all its operations, working with various partners and DMCs to achieve sustainable, low-carbon, and climate-resilient development across Asia and the Pacific.



Why? ESS 9: Energy Policy (2021)

The Asian Development Bank's (ADB) Energy Policy (2021) guides its operations to support energy access and the transition to low-carbon energy in Asia and the Pacific. It aligns with [ADB's Strategy 2030](#), the [Sustainable Development Goals](#), and the [Paris Agreement](#), emphasizing five key principles.

Key Aspects of the 2021 Energy Policy*:

- Focus on Low-Carbon Transition
- No New Coal-Fired Power Generation
- Selective Support for Natural Gas
- Energy Transition Mechanism (ETM)
- Emphasis on Grid Modernization, Renewable Energy, and Energy Efficiency
- Regional Cooperation

** Midterm review of Energy Policy is currently on-going.*

Why? ESS 9: SPS: What is different?



Environment Safeguards

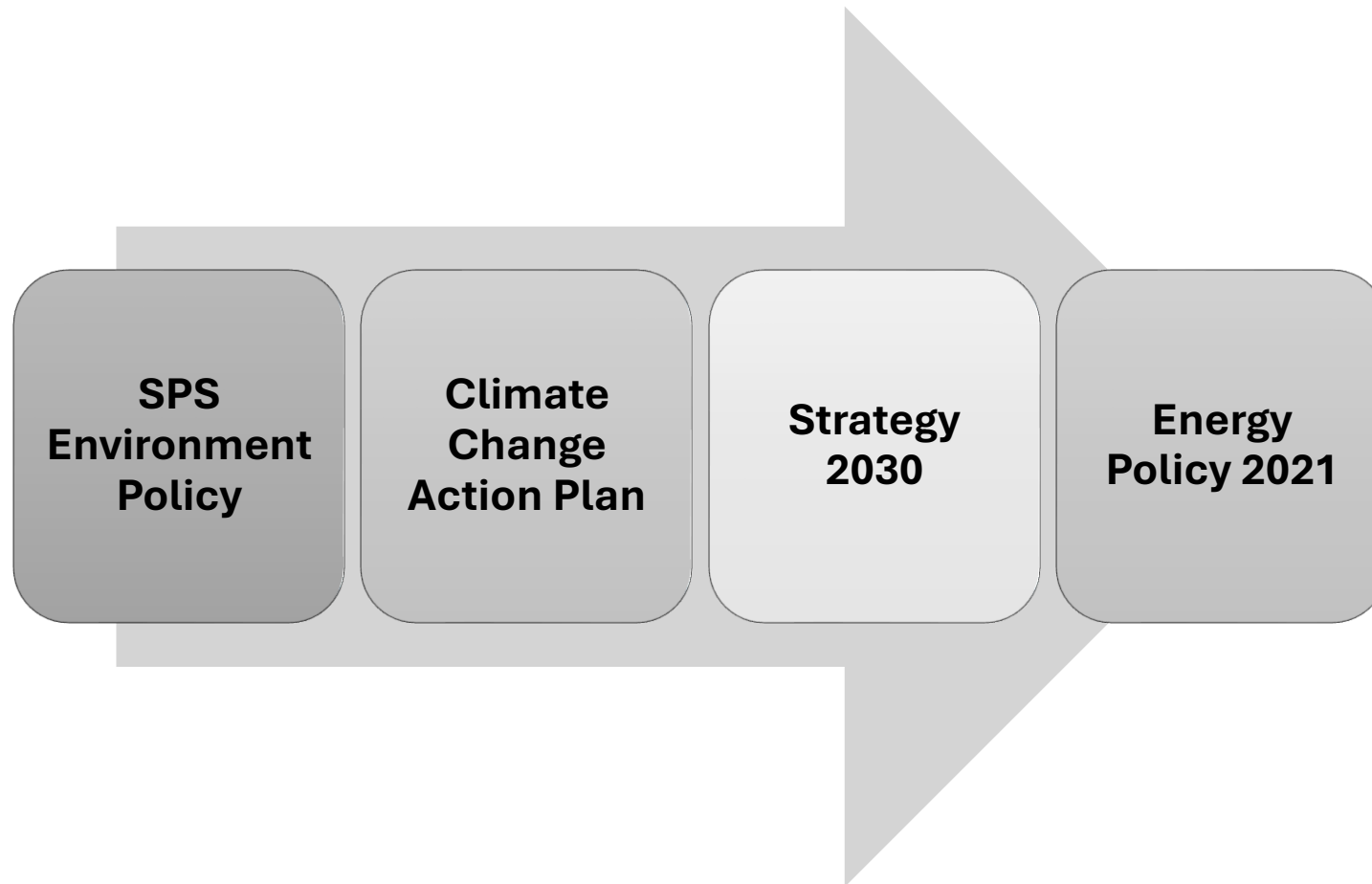
Sound environmental management is critical to sustainable development and poverty reduction in Asia and the Pacific. The [Safeguard Policy Statement](#) (SPS) requires borrowers to identify project impacts and assess their significance; examine alternatives; and prepare, implement, and monitor environmental management plans.

The SPS requires borrowers to consult people likely to be affected by the project and disclose relevant information in a timely manner and in a form and in languages understandable to those being consulted.

According to the SPS, Environmental Safeguards policy principles:

“Conduct an environmental assessment for each proposed project to identify potential direct, indirect, cumulative, and induced impacts and risks to physical, biological, socioeconomic (including impacts on livelihood through environmental media, health and safety, vulnerable groups, and gender issues), and physical cultural resources in the context of the project’s area of influence. Assess potential transboundary and global impacts, including **climate change**. Use strategic environmental assessment where appropriate”

ESS9: Why now? What is new?



- Assess and consider alternatives to avoid and minimize **greenhouse gas emissions**
- Assess and manage project-related **climate risks**

Key Policy Provisions

ESS9: Climate Change



- Provides requirements to **minimize** greenhouse gas (GHG) emissions attributable to a project and manage project-related climate risks and contribute to enhancing climate resilience.
- In accordance with the **Host country's** commitments under international agreements, ADB supports and promotes climate change mitigation and build climate resilience.
- It includes requirements for project-related **GHG emissions estimation and reporting, and climate risk assessment and management.**
- Clarifies alternative measures to minimize GHG emissions to include measures such as lower-carbon energy sources and energy inputs, conservation of high carbon value resources, and the use of best-available-low-carbon technologies and equipment.
- Requires the **monitoring and disclosure** of the implementation of the GHG reduction and climate change adaptation and resilience measures.

ESS6

Biodiversity Conservation and Sustainable Natural Resources Management



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Biodiversity Conservation and Sustainable Natural Resources Management

New Standard and Improved Requirements

ADB

HIGHLIGHTS

ESS 6 emphasizes biodiversity conservation, sustainable resource management, and the protection of ecosystem services, recognizing their vital role in development and the livelihoods of Indigenous Peoples and affected communities.

The ESF introduces stricter, more prescriptive requirements, particularly in biodiversity protection, offset use, and supply chain management. The ESF also places greater emphasis on preventing invasive species and ensuring no-go zones for specific high-value ecosystems.



ESS6 differences with SPS

Theme	What the SPS required	How ESS 6 maintains (or tightens) it
Mitigation Hierarchy	Avoid → Minimise → Rehabilitate → Offset.	Identical sequence; adds stricter feasibility test before offsets.
Baseline & Impact Assessment	Borrower must conduct biodiversity baseline and EIA (or IEE) proportional to risk.	Same duty, now framed as “Biodiversity Assessment” embedded in ESIA.
Critical / Natural Habitat Protection	Projects in critical habitats require stringent conditions and demonstrable conservation gains.	Retains this safeguard; clarifies “no-go” areas (23–24) and Net-Gain expectation. Definition of Priority Biodiversity Values (PBVs)
Legally Protected Areas	Development must comply with national law and maintain PA values.	Same rule, site co-management plans.
Offsets for Significant Residual Impacts	Allowed when technically and financially feasible, aiming for No Net Loss.	Same principle; adds explicit “offsetability” screening and long-term financing test.
Invasive Alien Species (IAS) Prevention	Borrower to prevent introduction of IAS in project design/operation.	Retained; now a dedicated clause with biosecurity protocols.
Sustainable Natural-Resource Use	Forestry, fisheries, agriculture must follow good international practice.	Same requirement; adds animal-welfare and One-Health considerations and international certifications where feasible.
Stakeholder Engagement & Indigenous Peoples	Information disclosure and meaningful consultation; respect customary resource rights.	Identical principles, integrated with ESS 7 (Indigenous Peoples) and ESS 10 (Stakeholder Engagement).
Compliance with International Agreements	Projects must comply with host-country obligations under treaties (e.g., CITES, RAMSAR).	Same clause; cross-references Paris Agreement and Kunming–Montreal GBF.



ESS 6 in the ESF Architecture

Complements ESS 1 and informs ESIA/ESMP

ESS 6 on Biodiversity Conservation and Sustainable Management of Living Natural Resources is part of the overall risk management under ESS 1

Critical links to ESS 3 and ESS 7

Pollution/waste (ESS 3) and Indigenous Peoples (ESS 7) both intersect with habitat and ecosystem-service risks covered under ESS 6

Alignment with national laws and global pacts

Ensures projects meet requirements of multilateral agreements like CBD, CITES, Ramsar, Paris climate targets where stricter than domestic rules

Applies from screening to closure

Biodiversity requirements cascade through due diligence, contractual conditions, monitoring, and post-closure handover



Objectives of ESS 6: Biodiversity Conservation and Sustainable Use of Natural Resources



Conserve biodiversity & ecosystem integrity

Protect species, genetic diversity, habitat structure, and ecological processes



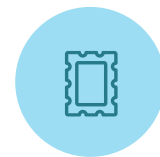
Apply mitigation hierarchy toward No Net Loss (NNL) or Net Gain

Avoid, minimize, rehabilitate/restore, and offset impacts; aspire to Net Gain in Critical Habitat



Safeguard ecosystem services

Sustain benefits communities receive, such as water, food, flood control, and cultural values



Promote sustainable natural-resource use

Agriculture, forestry, and fisheries must follow Good International Practice and credible certification or management plans

By implementing these objectives, ESS 6 aims to conserve biodiversity, safeguard ecosystem services, and promote sustainable natural-resource management, ensuring long-term environmental and community resilience.



Biodiversity Impact Screening



Applies to projects with potential biodiversity impacts

During construction, operation, or decommissioning phases



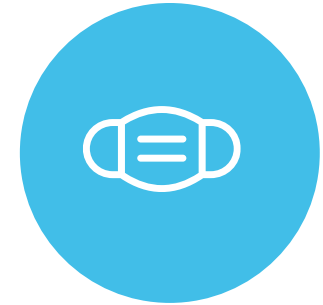
Key risk pathways include habitat loss, over-extraction, invasive species

Pollution, altered hydrology, and climate change stressors



Automatic 'red flags' include activities in critical habitats or protected areas

Threatened species records, and resource-dependent supply chains



Early screening determines depth of biodiversity assessment

Need for qualified experts, disclosure plan, and stakeholder engagement

Comprehensive assessment of potential biodiversity impacts is crucial for sustainable project development.



Key Habitat Definitions

Habitat Type	Key Characteristics
Modified Habitat (MH)	Significantly altered by people yet still may support meaningful native biodiversity.
Natural Habitat (NH)	Mostly intact native species assemblages; ecological functions largely undisturbed.
Critical Habitat (CH)	Can be present both in MH and NH. Highest-value areas containing Priority Biodiversity Features; triggers stricter NNL / Net-Gain test.



Biodiversity Management Process Flow

Screen & Scope Early

Use desktop datasets and site reconnaissance to identify potential critical habitats, priority biodiversity features, and ecosystem service dependencies.

Baseline & Impact Assessment

Collect seasonally representative data using qualified specialists to assess direct, indirect, and cumulative effects.

Integrate into ESIA/ESMP

Align the mitigation hierarchy with design decisions, budgets, schedules, and contractor obligations.

Plan Offsets/ Restoration

Demonstrate the feasibility, governance, financing, and measurable No Net Loss/Net Gain targets.

Disclose & Consult

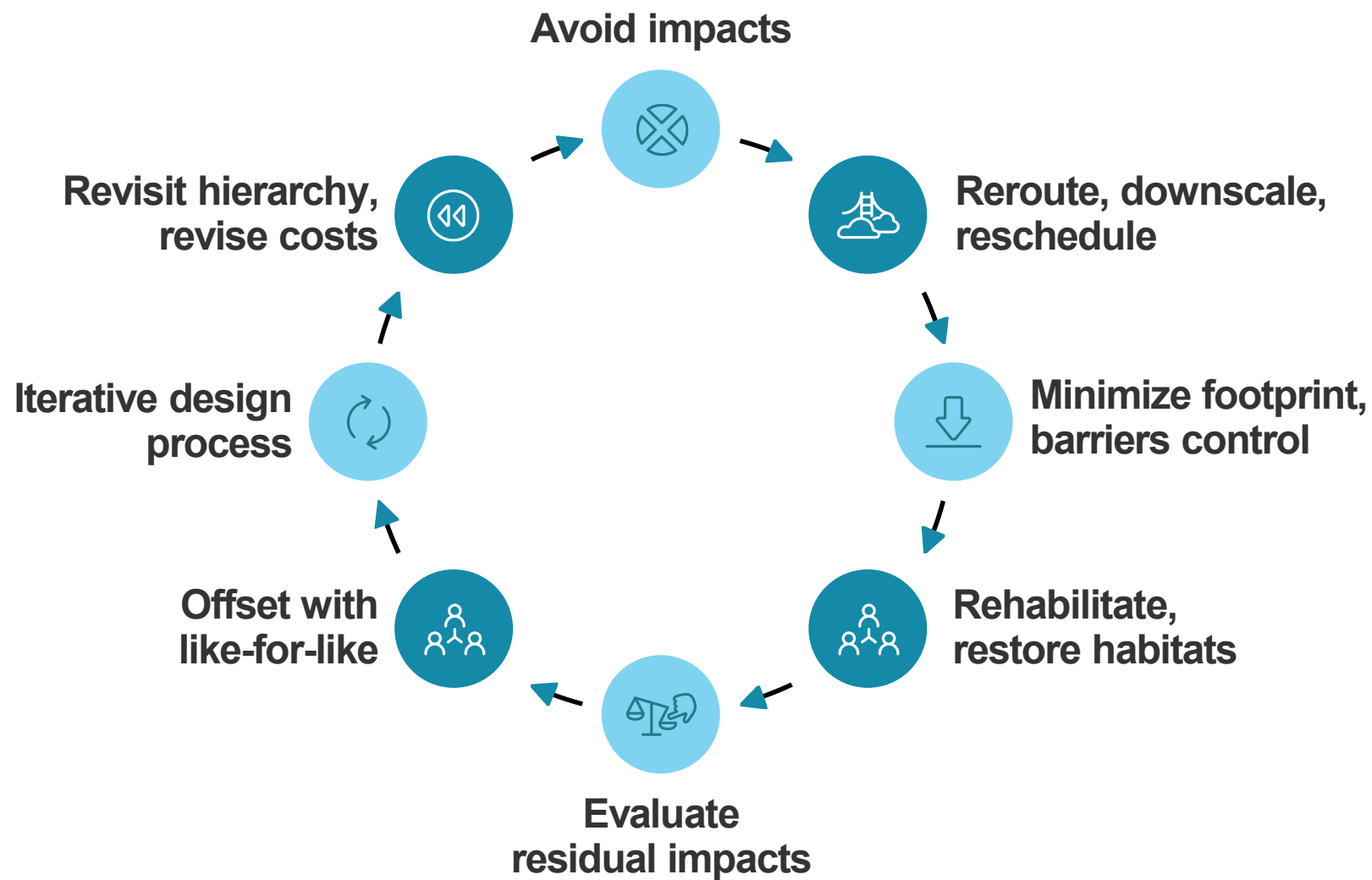
Share findings, maps, and management measures; incorporate feedback and seek Indigenous Peoples' FPIC where required.

Implement, Monitor, Adapt

Track indicators, report publicly, and adjust actions when thresholds are crossed.



The Mitigation Hierarchy





Preserving Ecological Integrity in Modified Habitats

The Modified Habitat (MH) requirements focus on **maintaining and enhancing the ecological integrity of human-altered landscapes**, such as plantations, grazed grasslands, and secondary forests. These areas may still harbor native biodiversity, but have been modified by human activities. The goal is to avoid further degradation, restore native vegetation, improve habitat connectivity, and remove invasive species to boost the overall habitat condition. Where appropriate, NNL should be achieved.





Requirements in Natural Habitat (NH)



No significant conversion or degradation

Maintain species composition, ecological function, and landscape connectivity; small, reversible disturbances may be acceptable



Exceptional-circumstance test

Proceed only when (i) no viable alternative sites/designs, (ii) mitigation hierarchy achieves demonstrable NNL, (iii) robust long-term management funded



Independent review & disclosure

External experts validate impact predictions, proposed measures, and NNL calculation methodology



Adaptive management covenant

ESMP must include SMART thresholds; failure triggers design/operation changes or additional offsets

By adhering to these requirements, the Natural Habitat (NH) project aims to minimize environmental impact, ensure long-term sustainability, and achieve no net loss of biodiversity.



Critical Habitat Decision Framework



Highest-value sites

Hosts **Priority Biodiversity Features** whose loss would cause global, regional, or national population declines



Exceptional-circumstance gateway

Project allowed only if **all criteria met** → viable alternatives lacking, meets legal protections, stakeholders agree, Net Gain ensured



Independent, transparent review

Third-party specialists validate baseline, impact model, offset design, and long-term financing



Offsetability limits

Certain CH (e.g., Alliance for Zero Extinction sites, UNESCO World Heritage, Free-Flowing Rivers ≥ 500 km) are of such high importance that projects in these location may not be allowed.

By adhering to this critical habitat decision framework, projects can navigate the complex biodiversity landscape and ensure effective conservation of the most valuable natural resources.



Priority Biodiversity Features & Ecosystem Services

What are Priority Biodiversity Features (PBFs)?

A subset of biodiversity that is irreplaceable or highly vulnerable, spanning threatened or geographically-restricted ecosystems, species/assemblages, migratory/congregatory aggregations, areas key to evolutionary processes, and ecological functions/connectivity vital to biodiversity viability.

Why do PBFs Matter?

Loss of PBFs impairs global or regional biodiversity values and may elevate a site to Critical Habitat status.

Ecosystem Service Lens

Assess impacts and dependencies on provisioning, regulating, cultural, and supporting services that sustain communities.

Integrated Assessment

Overlay PBF hotspots with Ecosystem Service supply areas to guide avoidance and focus stakeholder dialogue.



Sustainable Management of Living Natural Resources

Applies to industrial agriculture, forestry, fisheries & livestock

Must follow Good International Practice or an agreed certification standard

Prevent habitat conversion & over-extraction

Trace supply chains; exclude products from Natural/Critical Habitat or protected areas

Manage agri-chemicals & livestock waste

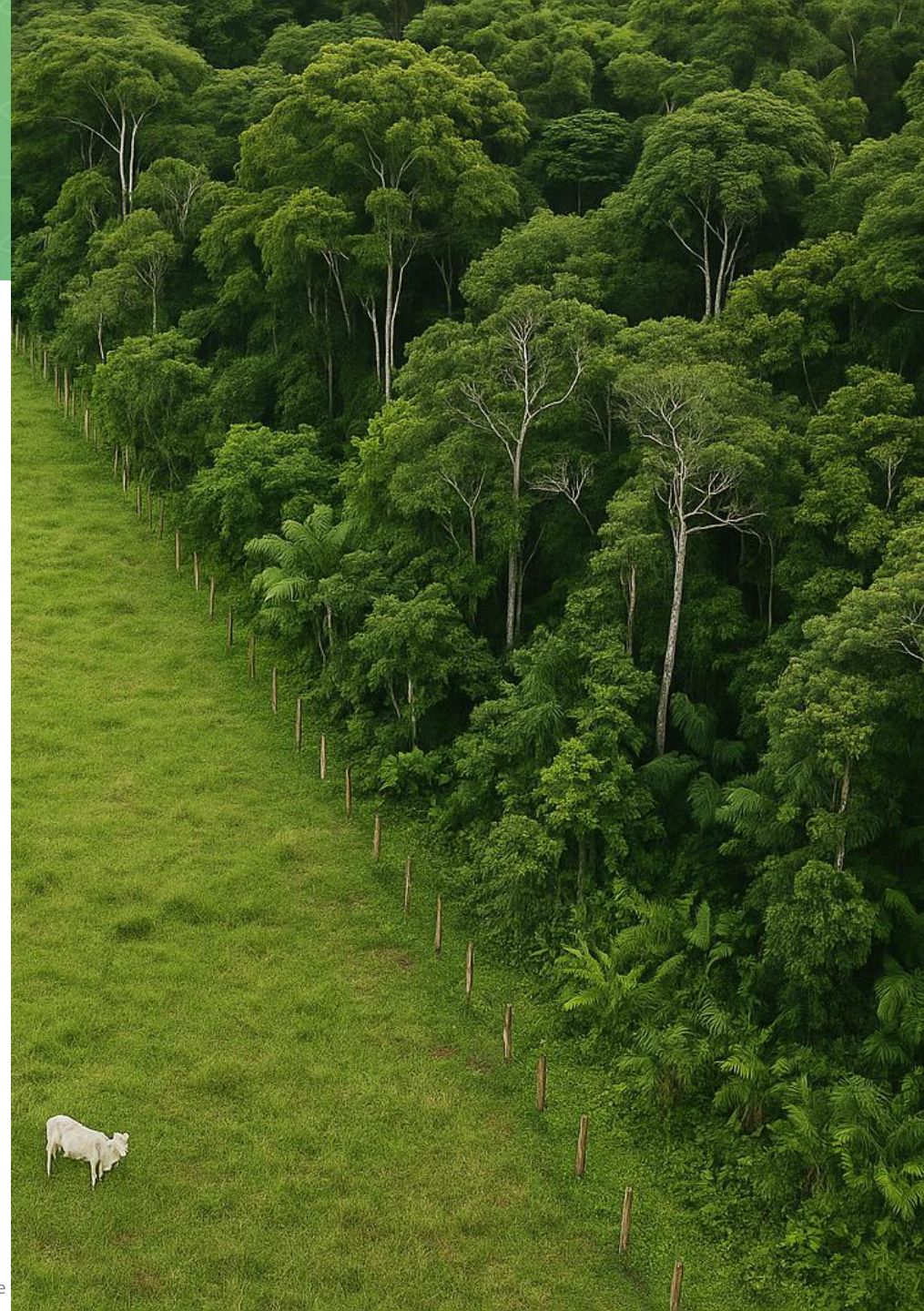
Control runoff, choose low-risk pesticides, avoid routine antibiotic growth-promoters to curb AMR

Animal-welfare & One-Health focus

Provide humane housing, biosecurity, vaccination; assess zoonotic-disease risks at wildlife–livestock interfaces

Link to ESS 3 & 7

Pollution controls, circular-economy inputs, Indigenous Peoples' resource rights all interact here





Invasive Alien Species (IAS) Management

Prevent IAS Introduction

Avoid intentional or accidental introduction of Invasive Alien Species (IAS); prevention is the cheapest and most effective approach.

Regulatory Compliance

Follow host-country biosecurity laws, CBD, IMO Ballast Water Convention, and Cartagena Protocol for GMOs/LMOs.

Identify Risk Pathways

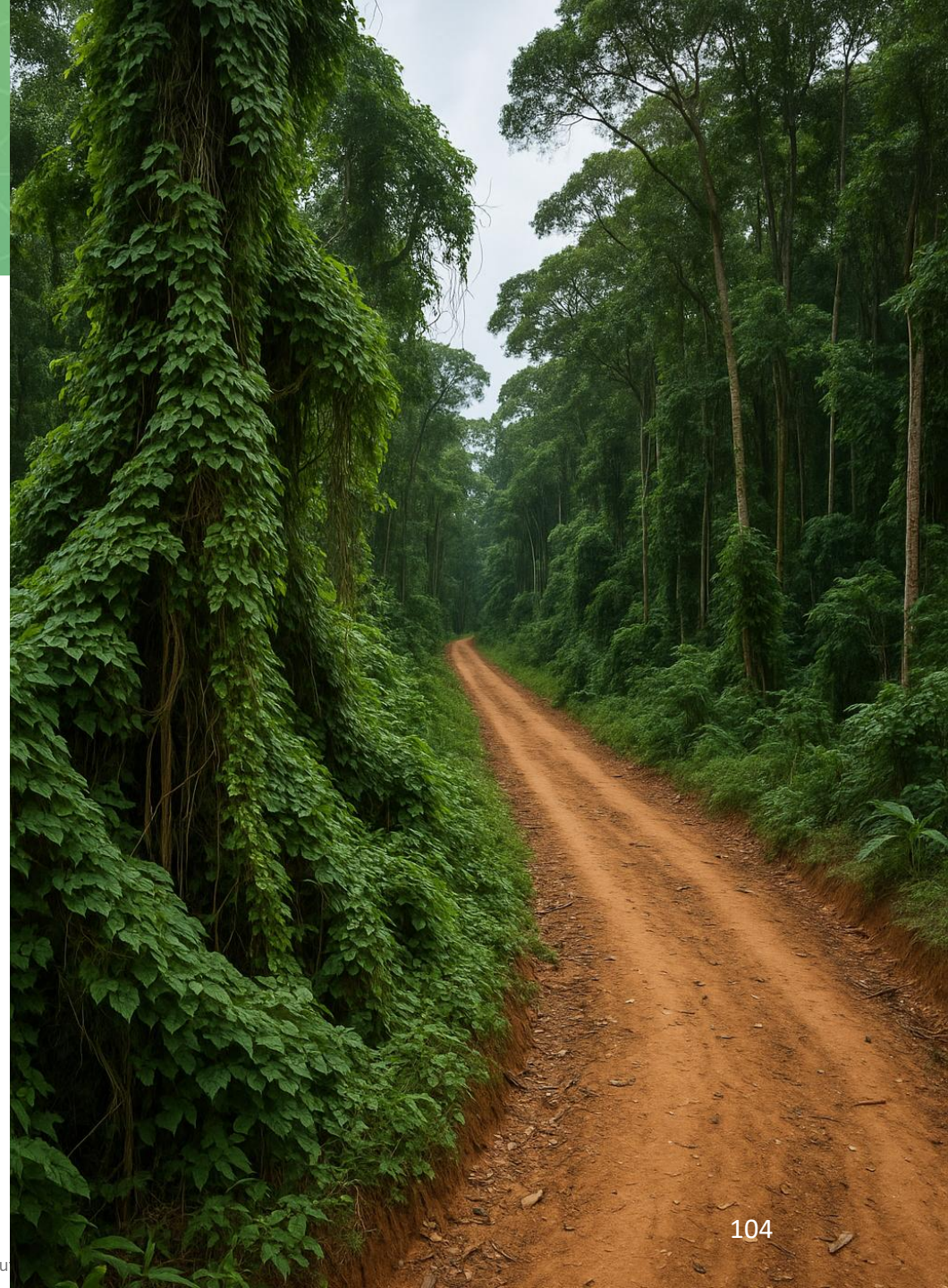
Common vectors include linear infrastructure, ballast water, hull fouling, soil/plant material, heavy equipment movements, and non-native crops or fast-growing timber.

Implement Biosecurity Protocols

Adopt wash-down, quarantine, material sourcing checks, early-detection, and rapid-response plans as part of the CEMP/BAP; stricter invasive-species plan required for Critical Habitat.

Document and Monitor

Record IAS risk mitigation in BMP/BAP, track spread indicators, and adjust actions via adaptive management loops.





Biodiversity Offsets: Last-resort Remedy with Strict Feasibility Pillars

Last-resort remedy: Consider biodiversity offsets only after all avoidance, minimisation, and restoration options are demonstrably exhausted.

Ecologically equivalent: Offsets must be like-for-like or better in terms of ecological equivalence.

Additional to existing conservation: Offsets must be additional to any existing conservation commitments.

Measurable with clear metrics: Offsets must have clear and measurable biodiversity metrics.

Permanent and secured: Offsets must be permanent and secured by long-term tenure and finance.

Socially acceptable: Offsets must be socially acceptable and backed by inclusive stakeholder agreement





Climate & Nature Synergies



Conserve biodiversity & ecological connectivity

Embed adaptation into the mitigation hierarchy to address climate change impacts



Map climate-relevant ecosystems

Identify mangroves, peatlands, old-growth forests, altitudinal gradients, and potential refugia for resilience planning



Conduct vulnerability assessment

Analyze species and habitat sensitivity to temperature, hydrology, and extreme events; design measures and offsets for long-term robustness



Implement nature-based solutions

Utilize wetlands for flood control, forests for carbon sequestration; quantify co-benefits and embed targets in ESMP and monitoring plan

Integrating climate-smart approaches, ecosystem mapping, vulnerability assessment, and nature-based solutions can help conserve biodiversity and ecological connectivity in a changing climate.



Biodiversity in Project Planning and Management

Start early

Integrate biodiversity thinking at the concept stage; avoidance saves time, cost, offsets.

Use qualified experts

Seasonally robust baseline + transparent GIS underpin credible decisions.

Mitigation hierarchy + adaptive management

Cornerstones for No Net Loss and long-term project resilience.

Stakeholder trust matters

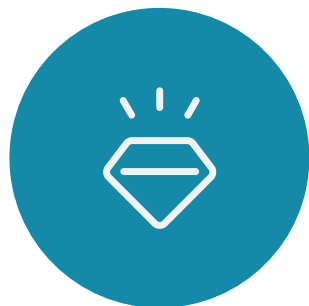
Continuous engagement, FPIC, and open data reduce conflict and reputational risk.

Essential references

ADB ESS 6 Guidance Note (2025) · IFC PS6 GN · IUCN Red List & KBAs · Good-practice notes on offsets, IAS, ecosystem services.

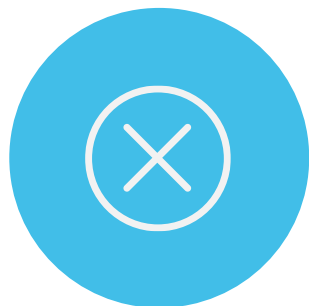


No-Go Areas (ESS 6 para 23 & 24)



Absolute protection zones

No project activities allowed in **Alliance for Zero Extinction (AZE) sites, UNESCO Natural/Mixed World Heritage Sites, and free-flowing rivers ≥ 500 km**



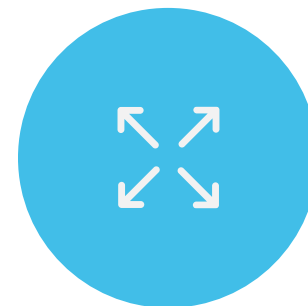
Financing normally not allowed

ADB will not support projects that would measurably harm these irreplaceable areas



Narrow exceptions

Activities allowed only if they demonstrably enhance the site's conservation values **or** ADB explicitly agrees after rigorous review and consultation



Buffer & indirect effects

Within ~ 5 km or hydrologically connected, apply same 'no-go' caution; conduct detailed risk assessment and stakeholder engagement

Protecting irreplaceable natural areas through a comprehensive set of restrictions and safeguards to ensure conservation of these invaluable ecosystems.

ESS3

Resource Conservation and Pollution Prevention



Mark Kunzer
Consultant, OSFG, ADB



Resource Conservation and Pollution Prevention

New Standard and Improved Requirements

ADB



ESS 3 aims to PREVENT pollution, PRESERVE finite resources, and PROTECT ecosystems by applying the precautionary approach, polluter pays principle, and circular economy strategies while prioritizing mitigation at the source.



Resource Conservation and Pollution Prevention

New Standard and Improved Requirements

ADB

OBJECTIVES

- Promote **sustainable use of resources** (energy, water, soil, sand, raw materials)
- **Prevent** pollution impacts on health and the environment; **minimize** when avoidance isn't possible.
- **Prevent** emissions and discharges; **minimize** pollution to air, water, and soil when unavoidable.
- **Prevent** waste generation; **minimize** and **manage** hazardous and non-hazardous waste properly.
- **Prevent, minimize, and manage** risks from hazardous chemicals in use, storage, transport, and production.
- **Prevent, reduce, and manage** risks from pesticide use.





Key Requirements Unchanged from Previous Policy

- **Use of More Stringent Standards**

Borrower/client must apply measures for resource conservation, efficiency, and pollution prevention that comply with applicable national requirements or internationally recognized standards, **whichever is more stringent**.

- **Precautionary Approach**

Borrower/client must take action to prevent environmental harm when there is a credible risk, even if full scientific certainty is not yet established. The burden of proof lies with the borrower/client.

- **Use of GIP/Alternate Standard if Justified**

If proposing **less stringent standards** than GIP, the borrower/client must provide detailed assessment and justification, demonstrating consistency with ESS3 objectives and unlikely to result in significant environmental or social harm.

- **Use of Modelling Tools**

Borrower/client must apply appropriate reliable **modeling tools** to assess potential impacts of pollutant emissions and discharges, considering local conditions, existing ambient quality, and sensitive receptors.

- **Requirements for Existing Facilities**

For projects involving existing facilities or previously used sites, the borrower/client must carry out a **preliminary E&S site assessment** to characterize any legacy contamination risks and implement remedial actions accordingly.



Risk-Based Approach



Risk-based Approach

Conduct detailed assessments that are **proportional to the level of environmental and social risks**, and apply **progressively stricter prevention and mitigation measures** where risks are higher.



Identification of High Resources/Energy Users

Identify projects that will be significant users of energy, water, or raw materials, and demonstrate that all practical measures have been considered to **optimize resource efficiency, reduce waste, and lower overall consumption**.

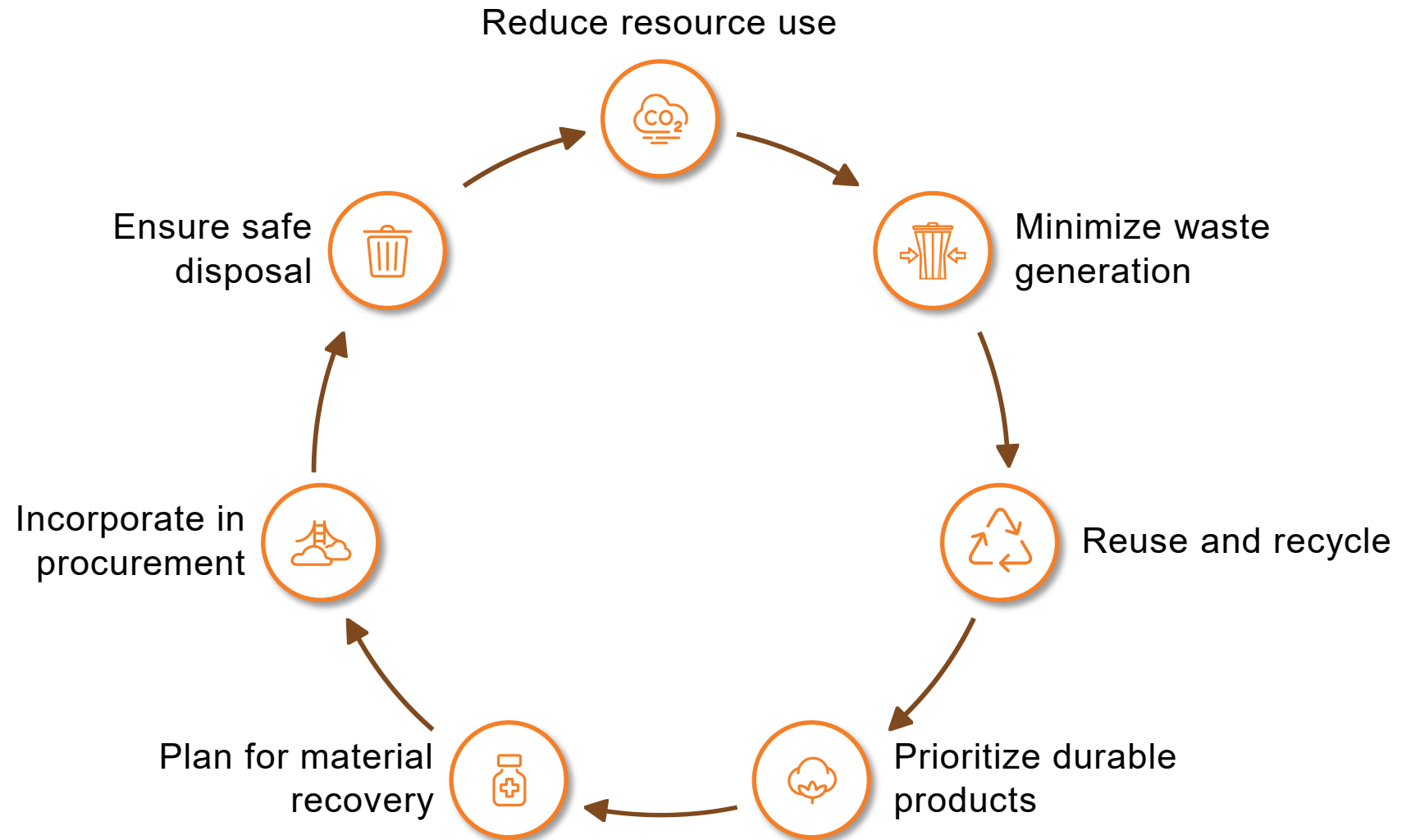


Best Available Techniques (BAT) Study for High-Risk Projects

Conduct a **BAT review** to identify and evaluate proven technologies and practices that can minimize resource use, reduce emissions and discharges, and achieve higher environmental performance. Incorporate BAT findings into **project design, procurement, and operational plans**, with clear justification if BAT is not applied.



Circular Economy Principles





RESOURCE CONSERVATION & CIRCULAR ECONOMY

- **Circular Design & Procurement**

Incorporate circular principles across all project phases, from design to decommissioning, to enable resource conservation and reuse.

- **Waste Minimization**

Prioritize reducing raw material extraction, minimize inputs and waste at source, and re-enter outputs into productive use.

- **Reuse & Recycling**

Reuse inert construction waste where possible, comply with local laws, and store/separate materials to maintain quality.

- **Sustainable Sourcing**

Use legally sourced materials, minimize transport distances, and prioritize local procurement to lower GHG emissions and community impact.

- **Best Available Technologies**

Assess and apply the best available technologies early to reduce resource demand, cut waste, and benchmark performance.

- **Lifecycle Analysis**

Evaluate technical alternatives to boost circularity using lifecycle cost and whole-life analysis.

- **Independent Certification**

Where feasible, get credible third-party certification to prove sustainable resource management.



Energy Use Requirements

Identify Significant Energy Use

Assess if the project will be a **high energy consumer**. Consider energy-intensive processes, continuous high-load operations, or large-scale infrastructure.

Optimize Energy Efficiency

Seek to sustainably use energy across all stages of the project through process optimization, good operational management, and the **adoption of best available technologies (BAT)** where feasible. For significant energy users, conduct a detailed assessment of energy efficiency options at the early design stage.

Utilize Renewable Energy

Incorporate renewable energy sources into project operations, where technically and financially feasible. Consider the reuse of waste energy.

Benchmark and Monitor

Benchmark the project's expected energy performance against international comparators, and monitor and report actual energy consumption during project implementation.



Water Use Requirements

Determine if the project will be a significant user of water, and quantify the water demands.

Implement efficient design, technology, and management practices to minimize water consumption.

Implement water reuse, recycling, and rainwater harvesting strategies to reduce freshwater withdrawals.

Safeguard local water sources, catchments, and ecosystems from potential impacts of the project.

Identify Water Use

Optimize Water Use

Reuse and Recycle Water

Protect Water Sources

Offset Unavoidable Impacts

Develop a Water Management Plan

Engage Stakeholders

Monitor and Report

Implement compensatory measures, such as watershed restoration, to offset any unavoidable water use impacts.

Prepare a comprehensive water management plan with annual reporting and continuous improvement actions.

Collaborate with stakeholders to promote shared water stewardship and address water-related concerns.

Regularly monitor and report on water use, reuse, discharge, and savings to ensure transparency and accountability.



Implementing Water Offsets

"only as a last resort (...) to maintain total demand for water resources within the available supply"

- **Restore local catchments**

Fund or implement watershed rehabilitation, such as reforestation of degraded upstream areas to enhance groundwater recharge.

- **Support community water supply improvements**

Invest in local infrastructure (e.g., leakage reduction, rainwater harvesting) to free up water resources for wider use.

- **Not beyond site boundaries**

Ensure offset measures benefit the same catchment or basin affected by the project's water use.

- **Verify and monitor**

Use measurable performance indicators (e.g., volume of water saved, improved flow) and ensure third-party validation.



Raw Material Use Requirements

Determine if the project is a significant user of raw materials and quantify the expected consumption.

If new raw material extraction is required, ensure it is done through legally approved quarries or pits.

Prepare a material management plan to reduce waste and inefficiency in raw material use.

Identify Raw Material Use

Prefer Reuse and Recycling

Legal Extraction

Local Sourcing

Material Management Plan

Monitoring and Improvement

Prioritize the reuse and recycling of existing materials over the extraction of new raw materials whenever possible.

Minimize transportation emissions by sourcing raw materials locally whenever feasible.

Monitor, report, and continuously improve raw material use over time to optimize consumption and reduce environmental impact.



Sustainable Soil Management Practices

- **Treat soil as a valuable natural resource**

Recognize soil as an essential component of ecosystems, not just a material to be used and discarded.

- **Protect topsoil quality during excavation, storage, and reuse**

Carefully handle topsoil to preserve its structure, nutrients, and biological activity.

- **Avoid soil erosion, compaction, and contamination**

Implement practices to prevent the loss, degradation, and pollution of soil.

- **Use soil-regenerating techniques for agricultural or land-based projects**

Employ methods like cover cropping, composting, and no-till farming to maintain and improve soil fertility.

- **Minimize loss of productive land by planning site works carefully**

Thoughtfully design and execute site development to minimize the impact on valuable agricultural or natural lands.

- **Restore disturbed areas to maintain soil health and ecosystem function**

Rehabilitate and revegetate areas affected by construction or other disturbances to preserve soil integrity and ecological balance.

- **Monitor soil conditions and adjust management as needed**

Regularly assess soil properties and make adaptations to management practices to ensure long-term soil health.



Pollution Prevention & Management

Address
historical
pollution

Use **pollution offsets only as a last resort**, ensuring measurable and verifiable benefits elsewhere

Estimate emissions using the best available, **site-specific data**

Carry out a **comprehensive risk assessment**, considering assimilative capacity and local sensitivities

Screen for **emerging pollutants** (e.g., PFAS, microplastics, pharmaceuticals)

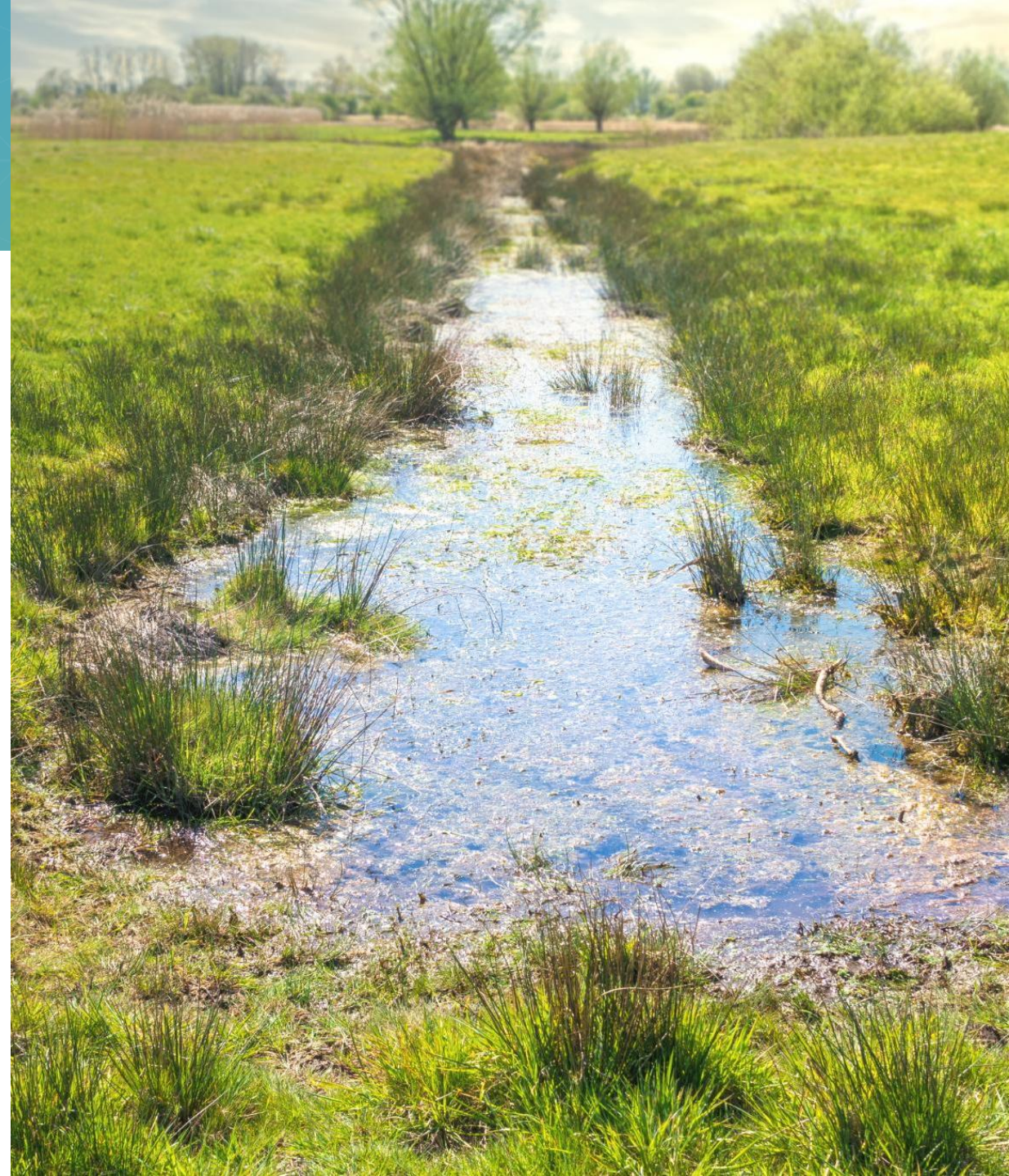
Prepare for **non-routine releases and accidental spills with clear response plans**

For significant emission sources in already **degraded areas**, prioritize avoidance and minimization



Pollution Offsets

- Use offsets only for **unavoidable residual impacts in already degraded areas**.
- Ensure offsets achieve **measurable pollution reductions**.
- Prioritize **like-for-like** offsets for better outcomes.
- Tie offsets to **clear baselines** for monitoring.
- Engage local stakeholders for project validation.
- Beware of **common pitfalls** in offsetting practices:
 - » **Offsetting does not replace good design:** Offsets must be the last step, not a substitute for on-site pollution prevention.
 - » **Displacement risk:** Offsets located far away may not benefit the affected communities or ecosystems.
 - » **Uncertain outcomes:** Weak monitoring, poor maintenance, or vague commitments can make offsets ineffective.
 - » **Double-counting:** Avoid claiming credits for actions that would happen anyway.





Sustainable Waste Management

Conduct a **waste estimation study** during project design to quantify expected waste types and volumes.

Reuse **inert construction waste** where feasible, and dispose of remaining waste legally.

Use only **licensed disposal sites** that meet Good International Practice; assess safe alternatives if none exist.



Follow a circular economy approach to avoid generating waste where possible.

Apply the waste hierarchy by prioritizing recycling over other waste management options.

Maintain **complete chain of custody** records for all waste transferred off-site.



Pesticides & Antimicrobials Management

- **Give preference to Integrated Pest Management (IPM) and Integrated Vector Management (IVM)**
Prioritize holistic, sustainable approaches that combine physical, biological, and cultural controls before resorting to chemical pesticides.
- **Use traditional, indigenous, and biological methods first, apply chemical pesticides only as a last resort**
Leverage local knowledge and environmentally-friendly techniques such as natural predators, pheromones, and habitat modification before considering pesticides.
- **Prepare a Pest Management Plan (PMP) if significant pest issues are expected**
Develop a comprehensive plan to address anticipated pest and vector problems, including monitoring, control measures, and emergency response procedures.
- **Ensure public health pesticides are registered, safe for humans and animals, and used with resistance management**
Verify that all pesticides used for public health purposes are properly registered, pose minimal risks to human and animal health, and are applied in a manner that prevents the development of resistance.
- **Manage spatial risks: identify sensitive areas and apply extra safeguards**
Recognize and protect environmentally sensitive areas, such as water sources, habitats, and human settlements, by implementing additional control measures and buffer zones.
- **Implement antimicrobial stewardship measures to help prevent antimicrobial resistance (AMR), following WHO guidance**
Adopt responsible practices for the use of antimicrobials, including proper prescription, administration, and disposal, to mitigate the development and spread of antimicrobial resistance.



Hazardous Chemicals & Materials Management

- **Avoid manufacture, trade, and use of banned or restricted hazardous chemicals and substances**

Identify and eliminate the use of hazardous chemicals that are banned or restricted by international agreements.

- **Exclude chemicals covered by international conventions ratified by the host country**

Ensure compliance with international treaties such as the Stockholm Convention on Persistent Organic Pollutants (POPs), the Rotterdam Convention, the Basel Convention, the Minamata Convention, and the Montreal Protocol.

- **Follow the intent and key provisions of applicable international agreements if national laws are lacking**

In the absence of robust national regulations, adhere to the principles and requirements of relevant international conventions to manage hazardous chemicals and materials.

- **Assess all hazardous chemical use during the environmental & social assessment**

Conduct a thorough evaluation of the use of hazardous chemicals and materials throughout the project's operations and supply chain.

- **Identify safer alternatives: prioritize avoidance, substitution, or control of hazardous substances**

Explore and implement safer alternative chemicals, materials, and processes to eliminate or minimize the use of hazardous substances.

- **Apply robust engineering, administrative, and procedural controls to protect workers, communities, and the environment**

Implement a comprehensive management system, including engineering controls, administrative measures, and well-defined procedures to ensure the safe handling, storage, and disposal of hazardous chemicals and materials.



Monitoring & Disclosure Requirements

- **Additional Studies and Assessment Documents**

Borrower/client required to prepare additional studies and E&S assessment and management documents based on risk and impact levels

- **Supplementary Assessments and Risk-Specific Tools**

Borrower/client to prepare additional technical studies and management instruments for high risks projects related to pollution, waste, resource efficiency, or hazardous materials

- **Integration and Disclosure of Management Tools**

Management tools developed under ESS3 should be fully integrated into the overall E&S management system and disclosed to ensure meaningful stakeholder engagement

- **Monitoring and Adaptive Management**

Monitoring of ESS3-related commitments, including performance standards, resource use, pollution control, and mitigation effectiveness, should be implemented and aligned with project-specific indicators



Resource Conservation and Pollution Prevention

New Standard and Improved Requirements

SUMMARY

- **Resource use should be minimized** by evaluating alternatives, improving efficiency, adopting circular economy approaches, and using the **best available technology (BAT)** for resource-intensive projects. Where feasible, projects should obtain **independent certification** for sustainable resource management.
- **Energy-intensive projects** should follow **sector-specific standards**, reuse waste energy where possible, and prioritize **renewable or low-carbon energy sources**.
- **Water-intensive projects should be avoided** when possible. If necessary, they must minimize water use, improve efficiency, conduct thorough studies (e.g., water balance, annual use intensity), and meet **benchmark standards**. **Water consumption offsets** should only be used as a last resort.
- **Raw material use** must comply with **host country regulations** and prioritize **recycled materials, reuse strategies, and legally approved sources** to reduce environmental impact. Transportation of materials should also be minimized.



Resource Conservation and Pollution Prevention

New Standard and Improved Requirements

SUMMARY

- **Prevent soil degradation and erosion** and promote **sustainable or regenerative farming** in agriculture projects when feasible.
- **Prioritize pollution prevention**, considering **existing environmental conditions, land use, climate impacts**, and **proximity to sensitive areas**.
- **Adopt a circular economy approach to waste management**, requiring additional **waste estimation studies** for projects generating large amounts of waste. Includes **hazardous and non-hazardous waste disposal requirements**.
- **Prohibit hazardous chemicals, including banned pesticides, persistent organic pollutants, and harmful industrial substances**. If alternatives are not available, ensure **safe use** to protect workers, communities, and the environment.
- **Favor traditional, indigenous, and biological pest control methods** over chemicals. Encourage **integrated pest or vector management** and require compliance with **WHO guidelines** to minimize antimicrobial resistance.

ESS8

Cultural Heritage



Darshani De Silva
Principal Safeguards Specialist
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Session Outline

ADB

1. Introductions
2. SPS (2009) vs ESF ESS8
3. UNESCO World Heritage Sites
4. Untangling Intangibles
5. Six New Requirements
6. New Support
7. Q&A





SPS: Protects Physical Cultural Resources (PCR)

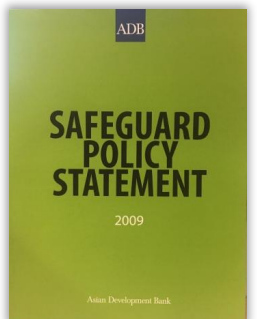
“Movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Physical cultural resources may be located in urban or rural settings and may be above or below ground or under water. Their cultural interest may be at the local, provincial, national, or international level”





Implementation Challenges of SPS

- **Infrequent application** of PCR safeguards across DMCs
- **Varied geographical presence** of PCR between and within DMCs
- **Lack of guidance** and requirements
- Misinterpretation of PCR and/or **overlooking international practice**
- **Poor integration of social/community** PCR interests
- Failure to consider **natural cultural features and landscapes**





Key ESF Enhancements

- ✓ **More explanation**
- ✓ **More support**
- ✓ **More guidance**
- ✓ **Getting the right expertise**





Theme	SPS Requirements	How ESS8 maintains or strengthens
Protecting / conserving cultural heritage	Conserve physical cultural resources and avoid destruction or damage	Same in principle, to protect cultural heritage from adverse project impacts and support its conservation
Baseline and impact assessment	Projects required to site and design components to avoid significant damage to PCR.	Same, but GN provides more detail and guidance regarding the expertise and data necessary for some types of projects
Mitigation hierarchy	Identifies appropriate measures to avoid or mitigate impacts and provides options, from full site protection to salvage and documentation	Same, although ESS8 provides more detail on the critical importance of avoidance for CH
Community consultation to manage access to sites	Sourcebook (2012) touches upon issues relating to restricting access	Strengthened, to express the importance of using community consultation to ensure that access to sites for festivals or events is considered and managed during implementation. user access is applicable.
Employ qualified and experienced experts	Field-based surveys are required to employ qualified and experienced experts during environmental assessment(s)	Strengthened, the ESS8 Guidance Note and Handbook provide far greater detail to advice and guide on the types of expertise potentially required in the project cycle
Legal protection status	Safeguard requirements are applied regardless of whether these resources are legally protected or not	Strengthened, to include more guidance, the need to include measures to conserve CH in accordance with area management plans
Intangible cultural heritage	N/A as SPS only focused upon ‘physical’ cultural resources	New requirement



Theme	SPS Requirements	How ESS8 maintains or strengthens
Stakeholder Engagement	SPS requires “meaningful consultation” with affected people and to also “consult with affected communities who use, or have used them within living memory, for long-standing cultural purposes to identify physical cultural resources of importance and to incorporate the views in to the decision making process”	Same principle as objectives require the promotion of meaningful consultation with local experts and other stakeholder. However, engagement guidance has been strengthened to include intangible and unidentified cultural heritage
Chance find procedures	Provide a “chance find” procedures	Strengthened,
Removal of physical heritage	Project(s) cannot remove physical cultural resources unless conditions are met: (i) No alternatives to removal are available (ii) overall benefits of the project substantially outweigh anticipated cultural heritage loss from removal (iii) Any removal is conducted in accordance with national and/or local laws, regulations	Same, Movable heritage has its own chapter and requirements, plus ESS8 has many references to requirements in order to comply with national and international standards if there is a need to move CH.
Confidentiality	N/A	New, requiring a determination whether disclosure of information regarding cultural heritage could compromise or jeopardize the safety or integrity of the cultural heritage
Compliance with intern. law	ADB will not finance projects that do not comply with SPS, or do not comply with the host country’s social and environmental laws and regulations, including obligations under international law.	Same, although more extensive details provided



Key Challenges in Safeguarding Cultural Heritage

Challenge	What It Means	Why It Matters
A. Limited Early-Stage Identification	Cultural assets—tangible and intangible—are often missed during initial scoping or baseline surveys.	Late discovery can lead to project delays, reputational risks, or irreversible damage.
B. Inadequate Community Engagement & Consent	Local communities may not be meaningfully consulted about heritage sites, practices, or values.	Without consent, interventions risk cultural insensitivity, social conflict, or loss of trust.
C. Pressure from Timelines & Budgets	Fast-tracked infrastructure delivery can sideline heritage considerations.	Safeguards may be compromised, leading to rushed mitigation or non-compliance.
D. Weak Institutional Capacity & Coordination	Limited technical expertise or unclear mandates across agencies responsible for heritage protection.	Leads to fragmented implementation, inconsistent standards, and missed opportunities for integration.
E. Lack of Inventory or Mapping of Heritage Assets	Many countries lack comprehensive databases of cultural sites, practices, or landscapes.	Makes early screening difficult and increases the risk of unintentional damage or exclusion.
F. Overemphasis on Tangible Heritage	Focus tends to be on monuments and physical sites, overlooking oral traditions, rituals, and cultural landscapes.	Intangible heritage is often more vulnerable and harder to restore once lost.



UNESCO World Heritage Sites: Are ADB projects allowed?



- There are 1200+ UNESCO sites globally
 - c. 900 cultural heritage sites
 - c. 300 natural heritage site(<https://whc.unesco.org/en/list/>)
- ESS8 Para.25 applies to legally protected cultural sites:
 - Projects must **align with site management plans**
 - Robust consultation** required, leading to consensus





UNESCO World Heritage Sites: Are ADB projects allowed?

- Minor works
- Tourism (CAM)
- Road enhancements
- NEP / IND examples





UNTANGLING INTANGIBLES





UNESCO Definition of ICH



unesco
Intangible Cultural Heritage

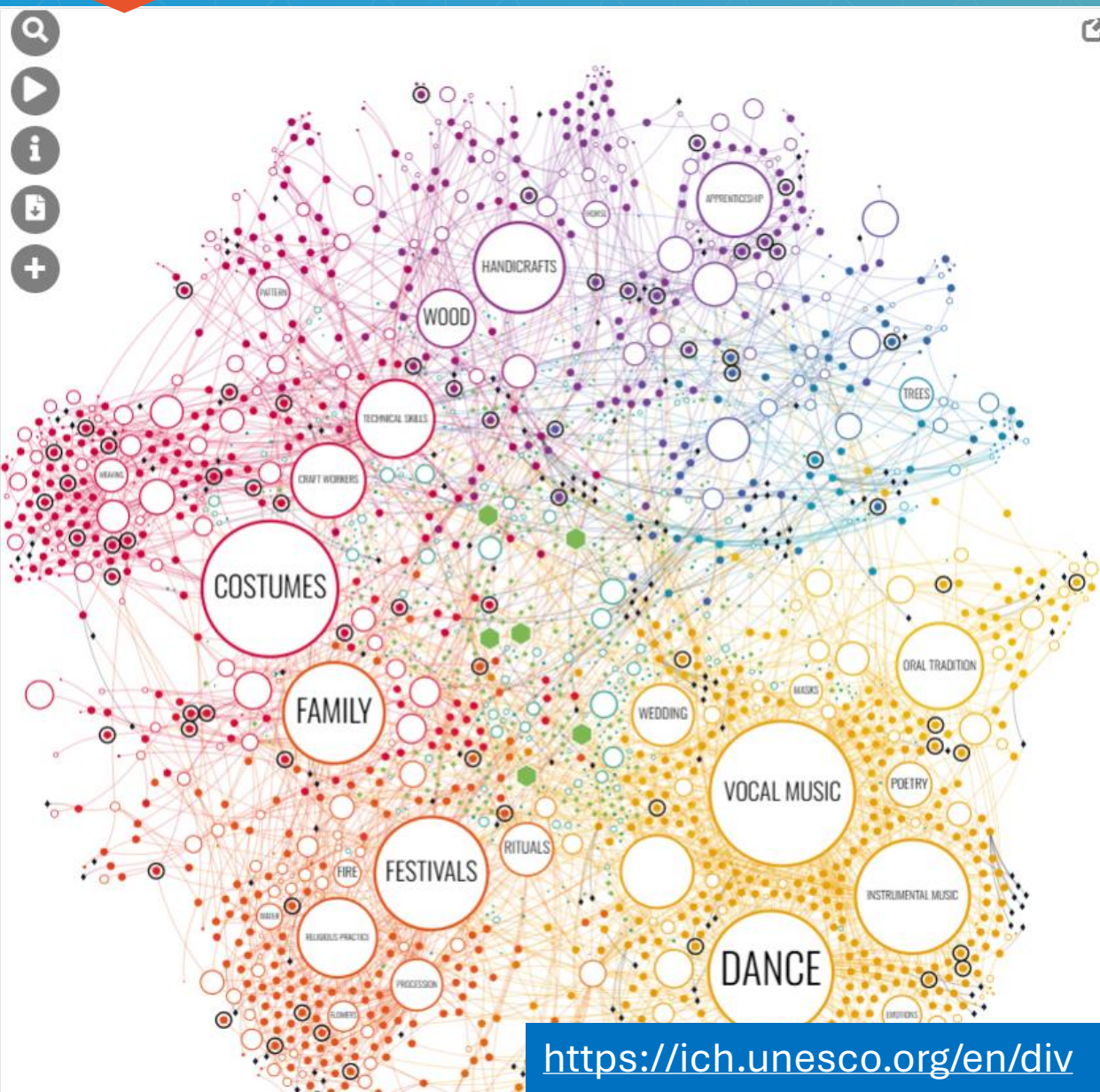
“practices, representations, expressions, knowledge, and skills that communities, groups, and sometimes individuals recognize as part of their cultural heritage. This includes oral traditions, performing arts, social practices, rituals, festive events, knowledge about nature, and traditional craftsmanship. It's a living heritage, passed down through generations, constantly recreated, and providing a sense of identity and continuity”



UNESCO Infographic on ICH



unesco
Intangible Cultural Heritage



<https://ich.unesco.org/en/div>



International Day of the Intangible Cultural Heritage 20th anniversary of the Convention Explore UNESCO English Connection
Convention Events Themes Lists Safeguarding Actors Country

UNESCO > Culture > Intangible Heritage > Lists > Dive into intangible cultural heritage!

Dive into intangible cultural heritage!





How does ESS8 address ICH?

- **All** cultural heritage has an intangible aspect
- Understanding intangibles helps **identify and protect**
- ESS8 protects pure intangibles in rare instances:
 - Direct project affects on transmission (Para.5)
 - Commercialization (Para. 40 & 41)





ESS8 Policy Language on ICH

ESS8 Paragraph 5 . . . *The extent of application of ESS8 to pure intangible culture, such as language and ritual, will be determined through the impact assessment process and will be agreed between the project-affected persons and the borrower/client. ESS8 is not intended to prevent modernization or cultural assimilation, which are rightfully subject to individual and community choice.*

ESS8 Paragraph 40 ii *The borrower will enter a documented good-faith negotiation process with project-affected persons, including the traditional or indigenous users of a cultural heritage site or collection, or the holders of intangible cultural heritage, to reach agreement on an arrangement that provides for fair and equitable sharing of benefits from the proposed use or development of such cultural heritage consistent with the customs and tradition. heritage, consistent with their customs and tradition.*



ICH: Rogun HPP Tajikistan



Crafts – Making and playing traditional musical instruments, like *dutar*, *setor*, *doira* and flute. This comprises the storage of wood (usually apricot) underground for six months to reduce its acidity and make it less likely to crack. Cow skin is usually used on the surface of the instruments. According to this informant, the *doira* (or tambourine) is predominantly played by women, particularly at social gatherings.



A Local displaying his Collection of Handmade Musical Instruments (Ashurmadova, 2023)

Practice (Rituals and Ceremonies) – Several practices are undertaken during the wedding ceremony:

A chapoti (bread), said to be a symbol of healing, is distributed.

Elakdaroron - on the wedding day the groom accompanies the bride from the house to the table where, a basket and a sieve were placed. They lifted the sifter three times in turn and put it on the ground, and candy is eaten mainly with the intention of opening one's own or one's children's fortune.

Chador - The mother of the bride wears a chador made of fabric.

Khusur Salam - The bride and groom and the groom's relatives, go to the bride's house to exchange gifts.

Dstarkhuonandoz (table setter) - a woman sets the table for the party, and the mother, aunt or sister of the bride gives her a cloth or scarf for this.

Dstovgir (hand washing) - a woman before bringing food, washes the hands of the bridegroom's bride's mother, aunt or sister.

Kandov - Before the food is brought, a teapot full of sugar is brought to the *mrovahs* (bridesmaids), which symbolizes that the bride and groom will have a sweet life.

Kashk - The first meal - crushed wheat, beef belly, red, white beans and other grains, white rice, boiled overnight in a pot with oil, brought to the bride's guests.

In the past, they brought up to 7 types of national dishes to *mrovahs*: "*Shirrughan*", "*Shirbat*", "*Shirbirin*", "*Oshi barik*", "*Gushtbiryan*", "*Shurbo*", "*Oshipalav*" and others.

Practice (Beliefs) – The name Chano represents the four sycamore trees planted here for the first time. The villagers help celebrations, especially Nowruz and for rain, in the shade of those trees.

There were great *chantors* in the village, where people gathered to pray.

It is believed that no food must be cooked in the house of the deceased for three days to avoid misfortune.

Practice (Rituals and Ceremonies) – They have some wedding ceremonies that are still practiced for the prosperity of the couple. After three days of the wedding, the bride kneads dough and bakes bread in the oven.



ESF: Six New Requirements

- **Archaeological Sites and Materials**
- **Underwater Cultural Heritage**
- **Burials / Human Remains**
- **Built Heritage**
- **Natural Features with Cultural Significance**
- **Moveable Cultural Heritage**



Archaeological Sites and Materials

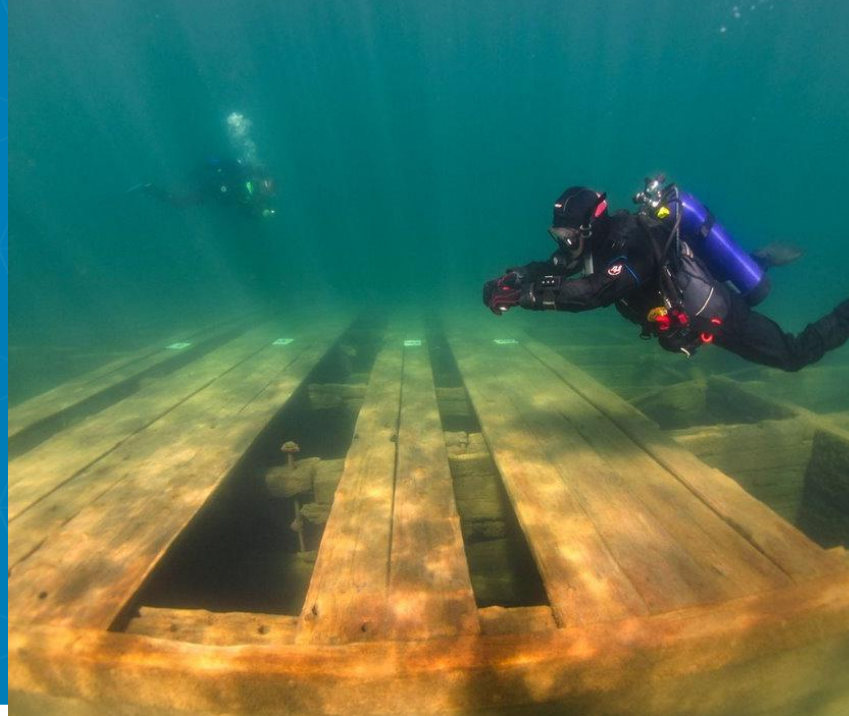
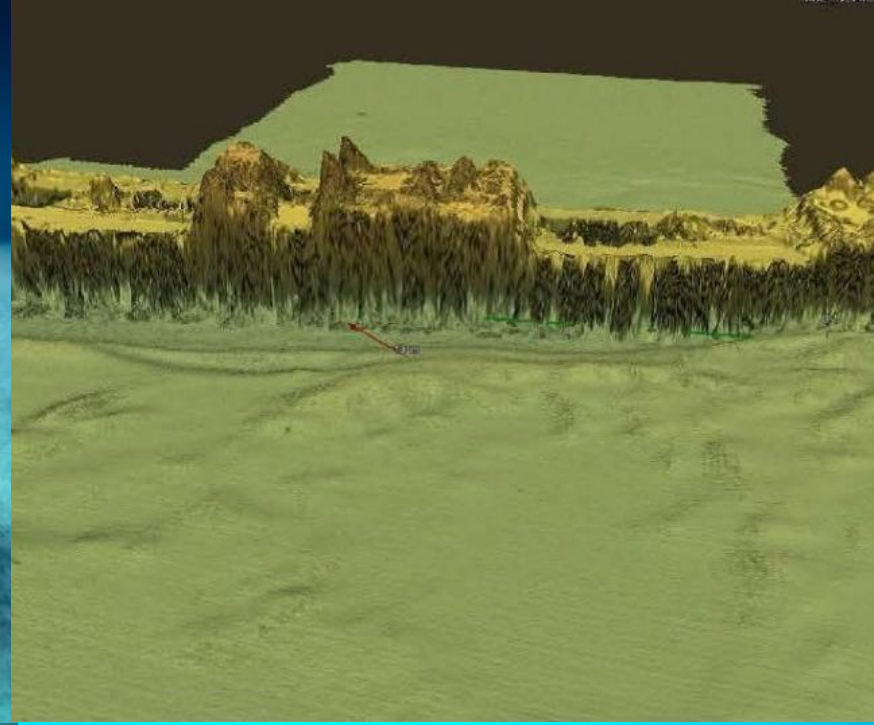


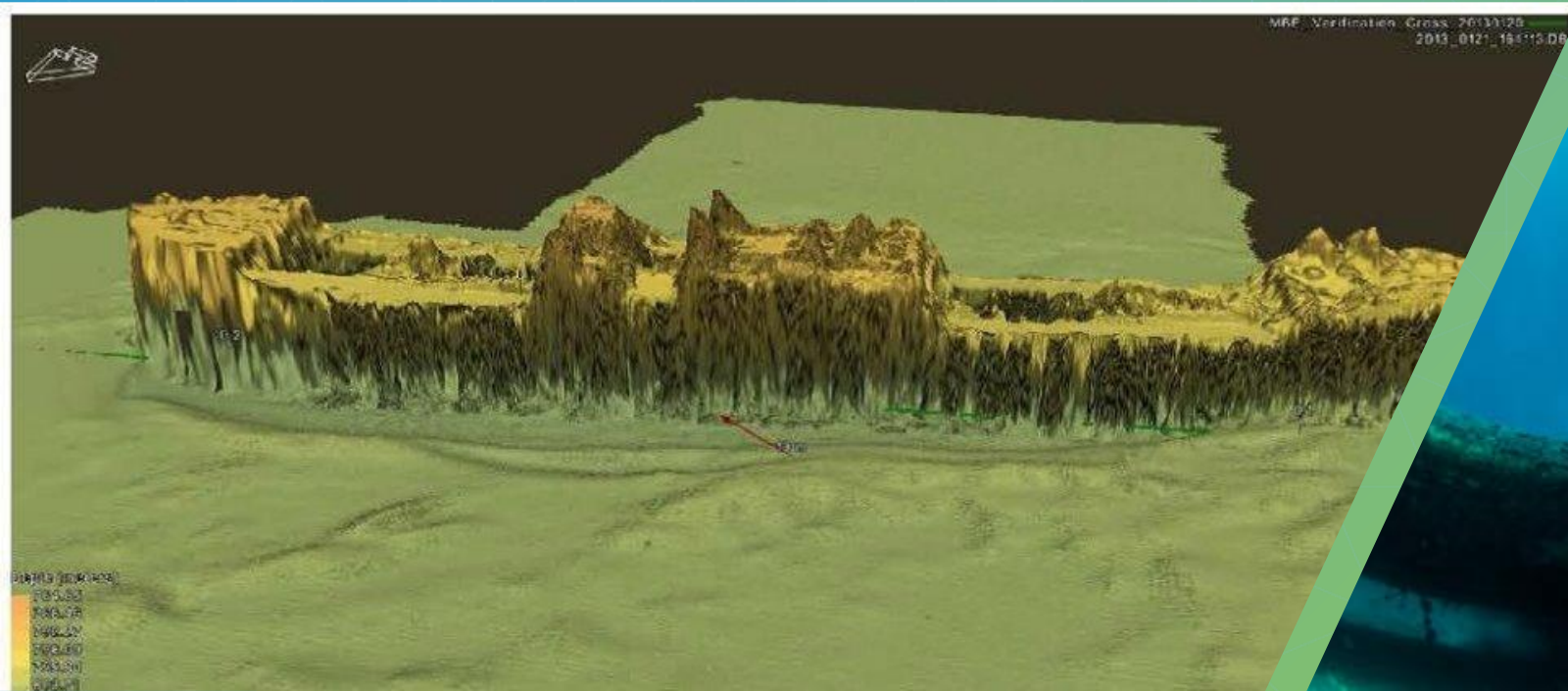
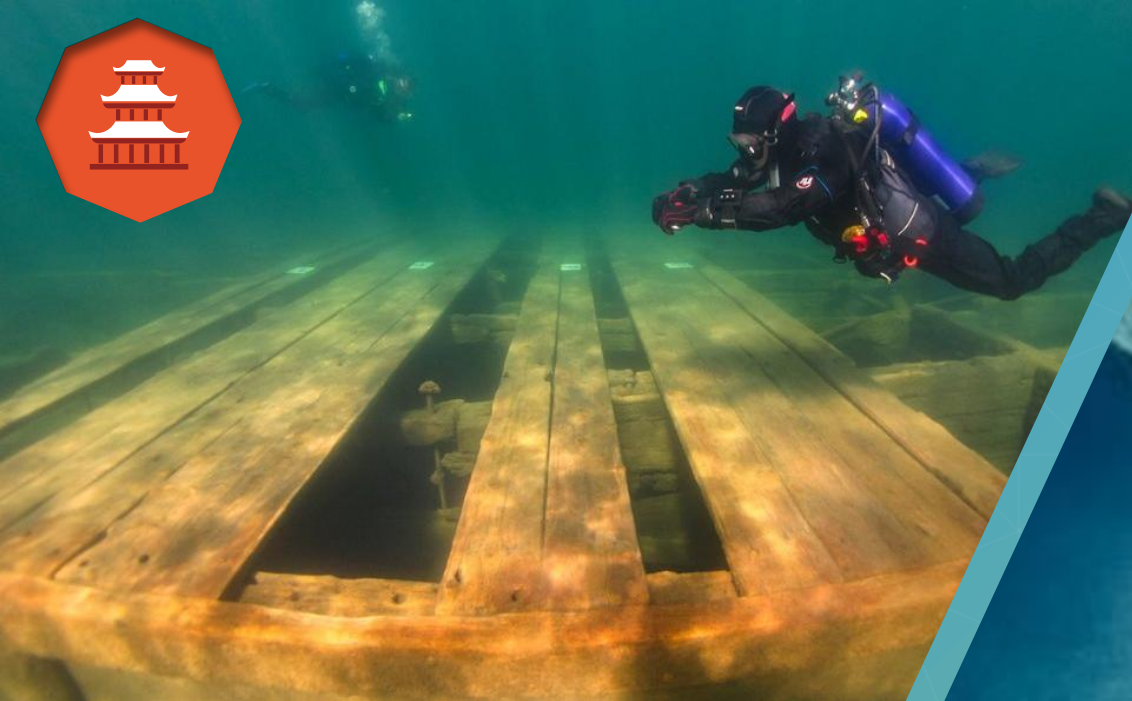






Underwater Cultural Heritage







Burials / Human Remains





Built Heritage



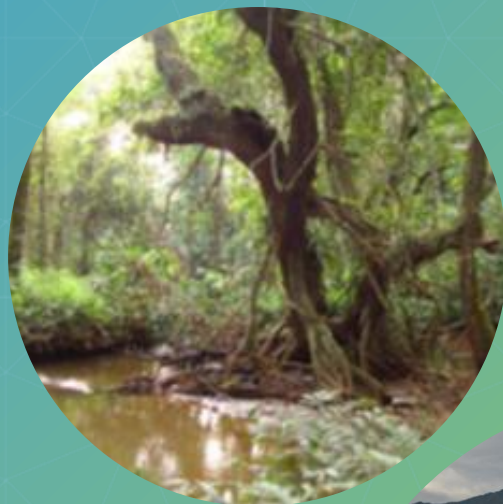


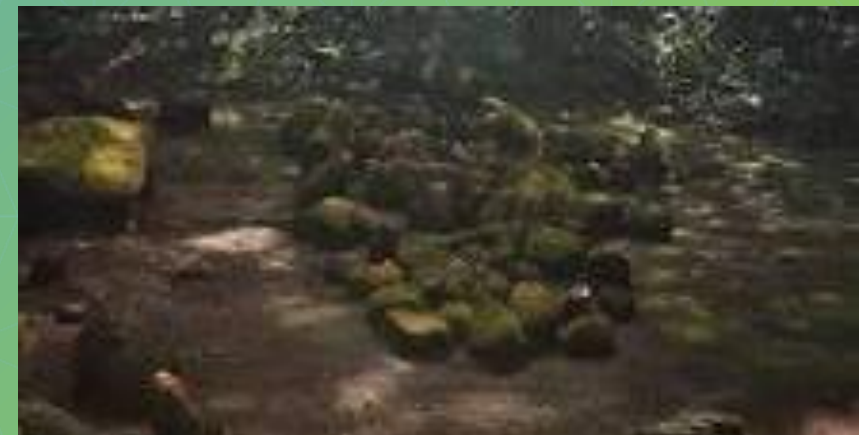
ADB





Natural Features with Cultural Significance







Movable







Here to Support YOU!

- **ESS8 Website**
- **TORs for consultants**
- **Cultural Heritage Management Plans (CHMP)**
- **Consultant address book**
- **Reference material**
- **Links**
- **Project examples**



Guidance Note and Handbook – An Early Look



- SPS (2009) focused on protecting ‘physical cultural resources’
- ESS8 now references **intangible aspects**
- **GIP** recognizes **community-level heritage** may be no less **important**
- Discusses the benefits of a ‘**generalist**’ **cultural heritage expert**
- Cultural heritage and the **impact assessment process**
- Explains **GIP**, guides upon **CHMP**, **CFP**, and **inventories**
- Provides key details, tips, and advice for the **six new requirements**



A Cultural Heritage Handbook

- **A user-friendly tool, a go-to reference to reduce CH risks**
- **Handbook applicable to all participants in the IA process: lenders, borrowers, heritage officials, and consultants.**
- **Provides ‘how to’ information to conduct CH assessments**
- **Gives practical tips, examples, case studies, and reference materials**
- **Addresses both lender requirements and impact assessment needs**



For further clarifications on ESF/ESS Standards:
Email: AskESF@adb.org

Guidance Notes (Draft for Public Review) are now available through:
<https://www.adb.org/documents/environmental-social-standards-ess-guidance-notes>



Thank you!

