FEDERAL REPUBLIC OF SOMALIA
MINISTRY OF ENERGY AND WATER RESOURCES

HORN OF AFRICA GROUND WATER FOR RESILIENCE PROJECT

ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK (ESMF)
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ABBREVIATION AND ACRONYMS

ASAL	Arid and Semi Arid Lands
AWD	Acute Watery Diarrhea
CBO	Community Based Organization
CDD	Community Driven Development
CIM	Capacity Injection Manual
CSO	Civil Society Organization
DG	Director General
EHSG	Environmental Health and Safety Guidelines
ESCP	Environmental and Social Commitment Plan
EIA	Environmental Impact Assessment
ESF	Environmental and Social Framework
ESIA	Environmental and Social Impact Assessment
ESIRT	Environmental and Social Incident Reporting Toolkit
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FAO	Food and Agriculture Organization
FCV	Fragility, Conflict & Violence
FGM/C	Female Genital Mutilation/Circumcision
FGS	Federal Government of Somalia
FLID	Farmer Led Irrigation Development
GIIP	Global International Industry Practice
GBV	Gender Based Violence
GDP	Gross Domestic Product
GHG	Greenhouse Gas

GIS	Geographic Information System
GM	Grievance Mechanism
GRS	Grievance Redress Service
GW4R	Groundwater For Resilience
HOAGWR	Horn of Africa Groundwater for Resilience
IA	Implementing Agency
IDA	International Development Association
IDMC	Internal Displacement Monitoring Centre
IDP	Internally Displaced People
IFC	International Finance Corporation
IGAD	Intergovernmental Authority on Development
ILO	International Labour Organization
IPCC	Intergovernmental Panel for Climate Change
IPF	Investment Project Financing
ITCZ	Inter-Tropical Convergence Zone
LMP	Labor Management Plan
MDA	Ministries Departments and Agencies
MoECC	Ministry of Environment and Climate Change
MOEWR	Ministry of Energy and Water Resources
MoF	Ministry of Finance
NAPA	National Adaptation Program of Action
NDC	National Determined Contribution
NDP	National Development Plan
NGO	Non-governmental Organization
NPCU	National Project Coordination Unit
PDO	Project Development Objective
PET	Annual Potential EvapoTranspiration

OHS	Occupation Health and Safety
OP	Operational Policy
PDO	Project Development Objective
PRMN	Protection Return Monitoring Network
PSC	Project Steering Committee
PSAWEN	Puntland State Authority Water Energy and Natural Resources
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RVI	Rift Valley Institute
SEAH	Sexual Exploitation Abuse and harassment
SESA	Strategic Environmental and Social Assessment
SPIU	State Project Implementation Unit
SDG	Sustainable Development Goal
UNDP	United Nations Development Program
UNFPA	United Nations Population Fund
UNHCR	United Nation High Commission for Refugees
UNICEF	United Nation Children Emergency Fund
UNOCHA	United Nation Office for the Coordination of Humanitarian Affairs
VDC	Village Development Committee
WBG	World Bank Group

EXECUTIVE SUMMARY

1. This Environmental and Social Management Framework (ESMF) was prepared by the Federal Government of Somalia (FGS) as one of a set of instruments required to address and manage environmental and social (E&S) risks and impacts associated with the Horn of Africa (HOA) Grounder Water for Resilience Project (GW4R). The GW4R project is being processed as a regional project whose aim is to strength resilience to climate change through groundwater management and exploitation. The project is planned to be implemented in five countries comprising of Kenya, Somalia, Ethiopia, Sudan and Djibouti. The HOA region is characterised by under-development, resource scarcity, conflict and violence, economic shocks, food insecurity and climate change impacts. The climate is characterized by short rainy seasons and recurrent droughts and about 30% of the region is Arid and Semi-Arid Lands (ASALs). Approximately 70% of the population live in rural areas and exhibit high levels of poverty (from 69.4% in Somalia to 22.5% in Djibouti) and high unemployment rates. Most of the population depends on rainfed agriculture and pastoralism for their livelihoods. The HoA is also home to a large number of displaced people, including countries of origin (Somalia), and countries of asylum (Ethiopia and Kenya), as well as internally displaced populations especially in Somalia.

Project Description

2. The Project Development Objective (PDO) is to *increase the sustainable access and management of groundwater in the Horn of Africa's borderlands*. The project consists of three main components: (1) delivery of inclusive groundwater services to priority areas; (2) generating groundwater information and strengthening regional and national groundwater institutions; and (3 support for project management, knowledge, and operations. Each component is subdivided into sub-components and linked activities. P**roject beneficiaries** will be communities that suffer from poor water conditions and that face increasingly future difficult conditions relating to climate change, a rapidly growing population, and increasing conflicts over scarce resources. The total number of beneficiaries is estimated at 350,000. They will include rural communities, livestock owners, women and girl-children, and urban populations.

Objectives and rationale of ESMF

3. The objectives of the ESMF are to clarify E&S Standards, processes, and mitigation measures, organizational arrangements and design criteria to be applied to subprojects, which are to be prepared during project implementation. ESMF is an instrument that examines the risks and impacts when a project consists of a program and/or series of subprojects, and the risks and impacts cannot be determined until the program or subproject details have been identified. This ESMF was prepared through information generated through extensive literature review including review of environmental and social frameworks including World Bank Environmental and Social Framework and Standards (ESF & ESSs), other relevant international environmental and social covenants and protocols, and Somalia's environmental and social policies, laws and regulations. Stakeholder consultations were carried out within the confines of COVID-19 Protocols. Main stakeholders engaged include government departments at federal and member state level, Civil Society Organizations, development partners (UN and bilateral partners) and community representatives including IDPs representatives.

Environmental Baseline

4. This ESMF provides some details of environmental and social baseline of Somalia relevant to the PDO. The analysis of environmental baselines focused on climate and physical environment, water resources, ecosystem and current and projected climate change and variability. Somalia's terrain consists mainly of arid and semi-arid plateaus, plains, and highlands. The northern highlands is characterized by rugged mountain ranges that rise from the Guban region and contains the country's highest peak (2407m). Somalia's landmass is about 80% Arid and Semi-Arid Lands (ASALs) and prone to extreme weather conditions including high mean surface temperatures, periods of extended drought, highly erratic rainfall and strong winds. Approximately 50% of Somalia's land area can be considered permanent pasture while 13% is suitable for cultivation. Tropical floodplain forest that once existed along the Shabelle River has been cleared for smallholder agriculture, including sugar and banana plantations. Somalia has the longest coastline in Africa (3025 km) with a few well developed reefs.

5. Somalia's climate is typically hot and semiarid and arid to arid, with two annual rainy seasons (Gu', which spans from April to June, and Deyr, which takes place from October to November). Average annual rainfall is of about 250 mm. There are spatial and temporal variations in distributions of rainfall, with about 500 mm recorded annually in the northern highlands and between 300 and 500 mm in the southern regions. The coastal plains register only between 50 and 150 mm. A few small areas along the coastal strip of Somalia are classified as sub humid. Annual Potential EvapoTranspiration (PET) is high, exceeding 2,000 mm in the northern basins and can be as high as 3,000 mm in the Gulf of Aden. The mean annual temperatures are projected to increase by around 3°C across all areas of Somalia by the end of the century. Precipitation projections indicate a general increase in annual rainfall by the end of the century with increase in variability, extreme precipitation and frequent low precipitation leading to increased droughts and floods.

6. Somalia is a water scarce country. The country has only two permanent rivers, the Jubba and the Shabelle, both of which begin in the Ethiopian highlands and flow southwards. It has nine major water basins namely: The Gulf of Aden, Darror, Tug Der/Nugal, Ogaden, Shabelle, Juba, Lag Dera, Lag Badana, and the Central Coastal Basin. Main types of aquifer in Somalia include unconsolidated, Volcanic, Sedimentary - Intergranular and Fracture Flow, Sedimentary - Fracture Flow, Sedimentary – Karstic, and basement.

7. The majority of the population depends on groundwater resources (especially berkads, hand-dug shallow wells, springs and boreholes) for domestic water supply, livestock and small-scale irrigation. However, many of these water sources are unprotected, poorly managed and are prone to pollution causing water borne diseases. Water prices in Somalia are one of the highest in Africa (up to $10 per cubic meter), making it difficult for the most vulnerable to access safe water. Water scarcity has also led to a high mortality rate amongst livestock and failed crop production, essential elements of household survival in Somalia. Many households, usually women and girls, walk long distances to access water, increasing their exposure to risks of sexual and gender-based violence. Southern Somalia has the best hydrogeological conditions for finding groundwater such as along the major toggas in the alluvial deposits and weathered basement. In the areas covered by the Gulf of Aden, the Darror and the Nugal Drainage basins, groundwater movements start in the mountainous areas and move in two directions. The first is from the south to the north from the mountainous regions to the coastal areas of the Gulf of Aden. The second is from the north to the south towards the Haud and Sool plateaus. The hydro-geological divide also mostly coincides with the surface drainage divide.

Biodiversity

8. Somalia has a rich and very interesting flora and fauna with many endemic species. In particular, it has an exceptionally rich assembly of species adapted to the arid and hyper-arid zones. The percentage of endemic species of its flora and fauna are very high. For example, 800 out of the 3165 plant species (25%) are endemics. High percentages of endemism are also reported among its mammalian species (18%), reptiles (35%), amphibians (14%) and freshwater fish (31%). Somalia is a part of Somalia-Masai steppe geographic region of plant endemism (savannas and shrub lands) and has 24 important bird areas. Generally, fauna has been depleted due to hunting and culling to protect livestock. Invasive species (e.g., Prosopis spp. and the Indian House crow, Corvus splendens) have widespread effects on local fauna and flora and important to address, although Prosopis could be used to substitute endemic trees for charcoal production.

Social Baseline

9. According to the 2014 Government of Somalia and the UN Population Estimation Survey, Somalia's current population is projected to be around 16 million. The population is predominantly young with 75% of it estimated to be under the age of 30, and almost 50% under the age of 15. Somalia is also rapidly urbanizing and, according to the 2017-2018 Somalia High Frequency Survey, 40% of the population reside in urban areas, while nomadic pastoralists make up 2% and agro-pastoralist communities 23% of the population. Somalia has more than 2.6 million internally displaced persons who continue to face serious risks of marginalization, forced eviction and exclusion. Drought conditions, conflict and other climatic shocks are contributing to already pronounced rates of acute and protracted displacement. The Somali economy is largely natural resource-based with livestock and crop production sectors still accounting for the bulk of the GDP. According to the latest World Bank economic updates, Somalia's economy is rebounding from the "triple shock" of drought/floods, Covid-19 and locust infestation experienced in 2019 -2020. Protracted conflict and frequent natural disasters have also contributed to sustained poverty. About 69% per cent of Somalis live below the poverty line. Majority of the population, especially the youth, is unemployed.

10. Somalia ranks second on the Fragile State Index from 2019 with a total score of 112.3 as a result of decades of civil war. There is significant conflict at different levels in Somalia associated with clan competition and competition over resources. The situation is further compounded by the Islamist group Al-Shabaab which still controls some areas. This poses significant security risks for the population, and project activities. These include terrorist attacks, hijackings, abductions, and killings.

11. Clans and clannism determine one's origin, social standing and access to territory, property, and, to a large extent, power at the societal, economic and state level. Clannism has been source of conflict but clan elders help conflict mediation and clan-based customary laws used for negotiated settlement and clan-based blood-payment serve as a deterrent to armed violence. The most famous is the clan-based power-sharing model of the 4.5 formula that gives equal quota to the four "major" clans, and a half-point to a cluster of "minority" clans.

12. Minority groups (ethnic minorities such as Bantu, Bajuni, Benadiri, RerXamar, Bravanese; or occupational groups such as Midgan/Gaboye, Tumal, Yibir, Galgala) that are estimated to represent up to 1/3 of the Somalia population. They are generally excluded from political participation, have limited access to justice, are denied multiple rights and are disproportionately affected by natural hazards and conflicts.

13. The UNDP Somalia reports that Somalia has one of the highest gender inequalities in the world, at 0.776 (with a maximum of 1 denoting complete inequality). The country has an extremely high maternal mortality, rape, female genital mutilation and child marriage rates, and violence against women and girls is common. The participation and roles of women in politics and decision-making is minimal, which perpetuates limited female roles and inequality, although this is improving with the Somalia parliament now having one of the highest female representation in Africa (24.5%). Women from minority clans and/or among IDPs are particularly affected by multiple violations of their rights. Somalia has ranked as one of 'the worst countries to be a woman and one of the 'worst countries to be a mother'. According to Somalia Country Report 2014 (Beijing +20 review), women continue to suffer disproportionally from clan-fights and extremist interventions.

14. In relation to child labor and trafficking, in Somali culture, girls and boys are expected to take part in household chores from around the age of five years, especially in rural areas. The distribution of such tasks is highly gendered and the burden skewed towards girls. Poverty-driven child labor is not generally considered to be a violation of children's rights and children are forcibly recruited within Somalia and used as labor in agriculture, livestock herding, construction, sexual servitude, domestic service and sexual exploitation. Nearly 50% of girls are forced to marry before they turn 18.

15. Land conflicts in Somalia have risen to be one of the key issues of instability due partly to a complex situation of land tenure. The Provisional Constitution defines land as public property meaning formal legal frameworks

now exist alongside customary land management. Due to insecure land tenure arrangements in IDP settlements, it is often difficult for IDPs to secure their land rights, with large numbers of IDPs evicted from both public and private land, making them more vulnerable.

Potential Environmental and Social Risks and Impacts

16. The Program's environmental and social risks have been classified as High. The environmental risk rating is Substantial as the direct environmental risks of the Program are expected to be predictable, reversible, site-specific and are not likely to be highly significant. The social risk rating is High given the contextual risks including the security situation in the HOA, the risk of conflict which can be unpredictable and factors such as access to land and inclusion. The SEAH risk is also categorized as Substantial since SEA/SH may occur as a result of the program activities notably those associated with labor influx where even relatively small numbers can lead to increased risks and towards female workers who may be at risk of SEA or SH in the workplace.

17. Based on learning from other water projects, the subprojects will most likely consist of construction and rehabilitation of boreholes, shallow wells, sand dams/subsurface dams ((Wadis), surface water run-off storage in berkads and Hafir dams/earth dams, solar pumping for water supply for human and livestock consumptions, water for small scale agricultural activities/irrigation, and ground water recharge using appropriate technologies. The potential environmental risks and impacts linked to drilling and rehabilitation works may include: (i)loss of vegetation leading to soil erosion and land degradation; (ii) disposal and management of liquid and solid waste; (iii) disposal and management of hazardous wastes from and fertilizers; (iv) impact on Ecosystem (fauna and flora) disturbance leading to loss of habitats due to land clearance as well as loss of livelihood and ecosystem services; (v) decreased air quality; (iv) noise pollution; and (v) health and safety of employees and communities including those associated with operation of vehicles, risk of drowning, traffic, contaminations/pollution of water sources by pesticides and waste water, among others. Some of the main mitigation measures include re-vegetation, maintenance of machineries, waste management training, provision of waste bins, erection of road signage, wetting of lose soil to contain dust to mention but a few.

18. Key social risks and impacts include: (i) labor influx increasing the risk of HIV, disease transmission and other public health issues; (ii) communal conflict and conflict between pastoralist and famers; (iii) inequality in accessing water; (iv) GBV/Sexual exploitation abuse and harassment; (v) crop pest affecting harvest, hence affecting livelihoods; (vi) land acquisition and access to land; and (vii) security issues for workers and communities. Possible mitigation measures for the potential social risks include ensuring local workers are given priority in employment, development of water sharing agreement to avoid conflicts, awareness and sensitization on community health and safety among others.

Environmental and Social Assessment Process

19. Key steps in E&S assessments are subproject screening, assigning risks levels to determine whether it's eligible for funding and which type of assessment is to be conducted once subproject location is known. The next step is to undertake Environment and Social Impact Assessment (ESIA) and development of Environmental and Social Management Plans (ESMPs), review and approval of ESIA/ESMP, implementation, monitoring and reporting and disclosure of information. An environmental and social screening form is provided in Annex 1 and sample TOR for ESIA/ESMP is provided in Annex 2.

Institutional Arrangements for the Implementation of ESMF and other ESF instruments

20. The project will be implemented by: (i) The MoEWR, FGS in Mogadishu in close coordination and collaboration with the FMSs. National Project Coordination Units (NPCU) will be established at the FGS level and State Project Implementation Units (SPIU) will be established at the Ministries of water in FMS. The units will be staffed with environmental, social and gender specialists, who will ensure the ESF/ESS are implemented as required. To enhance intergovernmental coordination, project steering committee will be established with the membership including relevant Ministries, Departments and Agencies (MDA) of FMS and FGS. Contractors will also be responsible for ensuring E&S risks and impacts are avoided and mitigated and reported on. This will be

included in contractor's bidding documents and contracts. At community level, Village Development Committees (VDC) will be instituted and trained on the ESF/ESS and they will have a role in implementation and monitoring of E&S risks and impacts and implementation of mitigation measures. The World Bank will also provide training, review and approve ESF instruments, monitor ESF/ESS implementation and provide quality assurance. A third-party monitoring agent and capacity strengthening firm will be hired to provided additional capacity.

21. Stakeholder Engagement and Information Disclosure

22. As guided by ESS10 on Stakeholder Engagement and Information Disclosure, the government/implementing agencies are required to provide stakeholders with timely, relevant, understandable and accessible information. consultations should be conducted in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation. A stand-alone Stakeholder Engagement Plan (SEP) has been developed for this project. Project stakeholders are project affected persons (PAPs), those who have interest in the project; and disadvantaged/vulnerable individuals and groups. The key stakeholders for this project include communities (rural communities including pastoralist, farmers, and agro-pastoralist and urban communities) where subprojects will be implemented, government institutions and individuals who will benefit from capacity strengthening, contractors who will be contracted for civil works. The stakeholders will be analyzed to understand their interest and influence on the project. They will be engaged and information disclosed at all stages of project life cycle. Appropriate tools and methods will be used, such as stakeholder workshops (even virtual); audio-visual messages on project information (radio, TV in different local languages), printed materials on project information, social media (Twitter, Facebook, Instagram, WhatsApp), emails, websites and press releases among others. During preparation of this ESMF, stakeholders were consulted within the confines of Covid-19 protocols and their views taken on board. Stakeholder engagement will be monitored and reported back to the stakeholder groups and they will also be involved in monitoring stakeholder engagement.

Grievance Mechanism (GM)

23. GM structures and processes will be established for this project and lessons from another World Bank financed project, the Biyoole project, will be considered. The structures will be at the FGS, FMS and community levels. The social specialists will lead on this subject. The GM aims to strengthen accountability and ensure transparency to beneficiaries, and to provide channels and structures for project stakeholders to provide feedback and/or express grievances related to project supported activities. The GM is designed in a culturally appropriate way and is able to respond to all questions, concerns and complaints of project-affected parties. All contractors and suppliers will be expected to sensitize their workers on the Project GM and have a focal person to receive complaints regarding the construction and their workers. Grievance mechanisms specific to the workers will be detailed in Labour Management Plan (LMP)) which will be developed once the project becomes effective. GBV/SEAH cases will be reported through the general Project GM. However, additional channels will be identified and integrated into the GM (details to be provided in the GBV/SEAH Prevention and Response Plan). The availability of these GMs does not prevent recourse to judicial and administrative resolution mechanisms. The World Bank Grievance Redress Service is available for all WB financed activities.

1. INTRODUCTION

1.1 Background

1. The World Bank, in consultation and collaboration with Horn of Africa (HoA) target countries and regional authority–Intergovernmental Authority on Development (IGAD), is preparing a regional project aimed at strengthening resilience to climate through groundwater (GW) management and exploitation. The project, ***Horn of Africa Groundwater for Resilience Project*** (GW4R), is planned to be implemented in Kenya, Somalia, Ethiopia, Sudan and Djibouti. The HOA is characterised by under-development, resource scarcity, conflict and violence, economic shocks, food insecurity and climate change impacts. The climate is characterized by short, rainy seasons and recurrent droughts and about 30% of the region is Arid and Semi-Arid Lands (ASALs). Approximately 70% of the population live in rural areas and exhibit high levels of poverty (from 69.4% in Somalia to 22.5% in Djibouti) and high unemployment rates. Most of the population depend on rainfed agriculture and pastoralism for their livelihoods. The HoA is also home to a large number of displaced people, including countries of origin (Somalia), and countries of asylum (Ethiopia and Kenya), as well as internally displaced populations especially in Somalia.

2. Somalia, one of the target countries, is generally arid with limited surface water resources and only 2 permanent rivers, in the south. Elsewhere, all rivers are ephemeral, flowing only for hours or days at best after the rains. Somalia is a water scarce country. Renewable fresh water per capita has declined dramatically over time from 2,087m^3 in 1962 to 411m^3 as of 2017 (World Bank, 2020), which is far below the UN recommended threshold of 1,000m^3 per capita per year. This continuous decline in freshwater availability has resulted in fierce competition over water resources and has resulted in conflicts in some regions. The deteriorating quality of GW resources as a result of over-exploitation, increasing population and pollution is another challenge. Furthermore, these challenges have been exacerbated by climate change which has been manifested through recurrent floods and droughts.

3. Groundwater is the most important and available water resource for most of the country. However, accessing it is difficult and expensive. Somalia has insecure areas, with potential conflict over water and land use, between agriculturalists, pastoralists, and domestic water users including IDPs, minority groups and castes. There are gender and age dynamics in water access and management with women focused on access for domestic use, men are decision makers in water resource management and water use and the youth are represented in customary water sharing management arrangements. Land is generally under communal ownership and land rights and access to land can be complex, with women having less say on land matters. The project will be implemented taking cognizance of these social and environmental challenges.

1.2 Project Description

4. The Horn of Africa Groundwater for Resilience Project (P174867) for Somalia is part of a regional, multi-phased initiative project planned to be implemented by Kenya, Ethiopia, Somalia, Djibouti, Sudan and the Intergovernmental Authority in Development (IGAD). The project will benefit from regional cooperation and is designed to initially focus on borderland needs for improved water supply and transboundary cooperation, before addressing the numerous urgent needs that exist for improved water supply in inland areas, as identified by FMSs and project management. Investments in borderland areas, which a potential transboundary effect on deep GWs, requires careful discussions and cooperation across borders. These investments will benefit from services provided by IGAD as a regional actor and facilitator. Shallow GW, however, is local water, as such it lacks similar hydrological implications and can be developed across a larger area.[1]

[1]Please reference the Projet Appraisal Document (PAD) for activities to be implemented in the other countries – Kenya, Ethiopia, Djbouti and Sudan.

5. The project gives emphasis to community level use and engagement in the management, operation and maintenance of Ground Water (GW), cost-effective infrastructure interventions, GW information and knowledge, as well as institutional capacity building to ensure inclusive access and sustainability of the resource. This is intended to strengthen the sustainable management of GW in Somalia, so as to ensure that the resource continues to be used by people and communities, and to foster economic growth over time, long after the project is concluded. This project will be coordinated and monitored by the FGS and implemented by the FMSs (Galmudug, Hirshabelle, Jubaland, Puntland and South West States).

6. The project implementation consists of an initial period focused on preparatory activities in order to strengthen the country's GW supply and pilot field investments, followed by activities focused on delivering improved governance, management and monitoring, build knowledge and capacity. All the activities will be implemented within a five-year period. Investments in improved water conditions in the initial stages will focus on so-called "low-hanging fruits", i.e., interventions that are easy to initiate, manage and can deliver tangible results to people as well as preparing the project for the subsequent main investment period. The subsequent investments will be based on the experience gained in early activities.

7. The project focuses on GW development, the sustainable management of investments, and improved water usage. It is important to note that although the project focuses on the identification of GW and wells to construct and rehabilitate, it also includes community mobilization and management of new water schemes and improved water use. Engaging communities in managing and maintaining new water schemes is critical to the project at large. An appropriate community engagement approach will be developed, based on the Biyoole guidelines and lessons learned and how to best strengthen community engagement to ensure their participation in decisions. The project will exclude activities that may cause long-term and irreversible impact on the community and those that can have significant adverse E&S effects.

1.2.1 Project Development Objective (PDO)

8. The proposed Project Development Objective (PDO) is to *increase the sustainable access and management of groundwater in the Horn of Africa's borderlands*. The project consists of three main components: (1) delivery of inclusive groundwater services to priority areas; (2) generating groundwater information and strengthening regional and national groundwater institutions; and (3 support for project management, knowledge, and operations. Each component is subdivided into sub-components and linked activities.

9. While project activities focus on the identification of GW resources and waterpoints to construct and rehabilitate, sustainable GW management, and improved water usage, it also includes community mobilization and management of new water schemes. Engaging communities in managing and maintaining new water schemes is critical to the project at large. An appropriate community engagement approach will be developed, based on the Biyoole guidelines and lessons learned[2] and how to best strengthen community engagement[3] to ensure their participation in decisions about GW investment needs, ownership and maintenance and the gradual transition of responsibilities from implementing partner to community organizations.

10. Productive, efficient and sustainable water usage is of equal importance for the country's GW development. New water sources will only remain sustainable if the user side is adequately addressed. Systems for water allocation and use, balancing water recharge and discharge, and establishing conflict resolution mechanisms will be developed, disseminated and supported. Issues include small-scale distribution schemes, support to local water utilities, and enhanced WASH conditions in rural areas. Altogether, this requires cooperation and coordination between different types of professionals, including e.g., GW hydrologists, economists, engineers, local leaders, and planners. All stated investments – like drilling new or rehabilitating old wells – include both supply and use side activities.

2 Biyoole Water for Agro-Pastoral Productivity and Resilience Project Manual; Assessing Potential for Small Dam Developments in Somalia, March 2019.
[3] Community Engagement Operational Guidelines Somalia, 5 September 2020; Community Engagement Operational Guidelines Somalia, 5 September 2020, WB Final Report

11. Gender is a key factor determining the current and future of water management in Somalia and given much attention in project implementation. Somali women routinely allocate a significant amount of time fetching water while their corresponding role in water decision-making is limited. In order to improve access to and utilization of clean water, women's participation must change. Women and girls spend a significant portion of their time on water collection activities, which take longer than 30 minutes in 42.2% of households in northeast Somalia[4]. At the national level, gender inequality is evident in women's low participation in leadership/ decision-making role.[5] [6] The project contributes to that by shortening the walking distances to improved water sources and by arranging water committees where women are both included and empowered to take part in planning and decision making. A project also ensures the activities include community mobilization – of all type of citizens, both women and men, leaders and the public – and training, gender balanced capacity development of water professionals and vocational training of field-level technicians, and the establishment of village centers in each location where an improved water sources are arranged.

12. Project activities address drought and climate change issues in many ways. First, the collection of surface runoff, stored underground, and used in times of water scarcity is a very sound strategy to manage scarce water resources sustainably. Second, the walking distance for women and girls to collect water increases in times of droughts. The project will establish water points closer to where people live. Third, project activities focusing on community management, conflict resolution, and improved water use efficiency are all highly relevant in periods of drought and enhanced water scarcity. It is also at such periods that the importance of communication, cooperation and shared solutions are particularly important.

13. Investment plans - a learning approach. Investment plans for new water infrastructure will be based on a thorough assessment of the status of existing systems needing rehabilitation. This may be due a variety of technical and social reasons including poor siting, design and construction, and/or poor operation and maintenance due to insufficient ownership by the users, lack of finance, poor technical knowledge and lack of spare parts. The learnings from the assessment will be used to introduce measures and guidelines to promote sustainability. Improved systems design provides an opportunity to invest in solar-powered systems and other low-carbon activities and mitigate project effects on climate change.

14. **Regionality, borderlands and border districts.** Due to the regional character of the project, and benefitting from regional cooperation, the Somalia subproject is designed to initiate implementation in the borderlands meeting needs for improved water supply and transboundary cooperation, before addressing the many urgent needs that exist for improved water supply in inland areas and as identified by member state governments and project management. Investments in borderlands will consist of developing new, deep wells, delivering GW that have potential transboundary implication and thus requiring careful discussions and cooperation across borders. These investments will benefit from services provided by IGAD as a regional actor and facilitator. Shallow GW, however, is local water and as such lacks similar hydrological implications and can therefore be developed across a larger area. The project's strong regional focus is shown in the Figure 1, where deep wells are located in borderlands (green) and shallow wells mainly located in border districts (red and blue), albeit, as mentioned above, carrying limited transboundary implication. The World Bank Somalia Economics of Water Study highlighted opportunities for piloting manual shallow well drilling in coastal areas. As the project progresses a few trials will be done with the intention of scaling this technology in the MPA phase two if it works.

[4]UNICEF Somalia and Ministry of Planning and International Cooperation (2014). *Northeast Zone Multiple Indicator Cluster Survey 2011, Final Report.* UNICEF: Nairobi.

[5]Gender inequality is alarmingly high in Somalia at 0.776 out of a value of 1 (complete inequality), with Somalia at the fourth lowest position globally on the Gender Inequality Index, if internationally comparable data were available. Women suffer severe exclusion and inequality in all dimensions of the index—health, employment, and labor market participation (UNDP 2015).

[6] UN Mission in Somalia, 2018. Somalia Gender Equality Strategy. UN Mission in Somalia.

15. Alignment with IGAD regional planning. Given the GW4R's regional approach, engaging several countries on the HoA and the central role played by IGAD in facilitating transboundary cooperation, capacity development, and data and information sharing, the Somalia subproject is closely aligned with overarching IGAD plans. Annex 3 provides a summary of regional (i) activities, (ii) programs, and (iii) required inputs from Somalia. As a result, all such inputs have a corresponding numbered sub-component and activity-based output in the presented Somalia project or are intended to be provided by the project staff established either at FGS/MoEWR or by Water Ministries in Member States.

1.3 Project Beneficiaries

16. Project beneficiaries will be communities that suffer from poor water conditions in Somalia, and that face increasingly future difficult conditions relating to climate change, a rapidly growing population, and increasing conflicts over scarce resources. The total number of beneficiaries is estimated at 350,000 including:

i. Rural communities - lacking enough clean water to maintain healthy living conditions;
ii. Livestock owners - delivering about half of Somalia's food security and a very large share of the countries' export value;
iii. Women and girl-children - traditionally being responsible for collecting household water, often from very far distances from the household; and
iv. Urban populations - depending on rural GW sources and trucked into cities by private operators, sold at often exceedingly high prices.

17. The Program's environmental and social risks have been classified as High. The environmental risk rating is Substantial as the direct environmental risks of the Program are expected to be predictable, reversible, site-specific and are not likely to be highly significant. The social risk rating is High given the contextual risks including the security situation in the HOA, the risk of conflict which can be unpredictable and factors such as access to land and inclusion. The SEAH risk is also categorized as Substantial since SEA/SH may occur as a result of the program activities notably those associated with labor influx where even relatively small numbers can lead to increased risks and towards female workers who may be at risk of SEA or SH in the workplace.

1.4 Project Implementation Arrangements

18. All project interventions will be led by state-level ministries, while overall coordination, tracking and reporting of project progress will happen at the federal level. The project will establish a National Project Coordination Unit (NPCU) at Federal Level and State Level Project Implementation Units (SPIU) in each of the five States implementing the project.

1.4.1 Federal Level Roles and Responsibilities

19. A federal inter-ministerial project steering committee (PSC) will be established for the purposes of the project and will consist of representatives from the following federal ministries: (i) Ministry of Energy and Water Resources (MoEWR); (ii) Ministry of Finance (MoF); and (iii) Federal Member State Water Ministries. The membership of the steering committee will consist of three representatives from the MoEWR, one representative from MoF, and two representatives from each of the FMS Water Ministries. The PSC will be chaired by the MoEWR. The steering committee will meet quarterly to review project progress, resolve cross-sectoral and cross-ministerial project implementation issues and identify policy and regulatory issues. Minutes of the PSC meetings will be provided by the National Project Coordinator.

20. A National Project Coordination Unit (NPCU) headed by a National Project Coordinator will be housed in the Federal Ministry of Energy and Water Resources. The National Project Coordinator will be an individual contracted by the Ministry of Energy and Water Resources (MoEWR). The National Project Coordinator will be selected through a competitive process. The Project Coordinator will be a member of the Project Steering

Committee (PSC) and will also act as the Secretary. The Project Coordinator will work closely with counterparts in the World Bank and the Chair of the Project Steering Committee (PSC).

21. The National Project Coordinator will be supported by a team of water engineers, senior GW specialist, fiduciary specialists (procurement and finance), one full time environmental specialist, one full time social safeguard specialists, GBV specialist and a security specialist from the MoEWR. All supporting staff will be selected on a competitive basis and receive a responsibility allowance. If qualified staff cannot be found within government, then consultants may be contracted following the World Bank procurement policies and Capacity Injection Manual (CIM). Other specialists required for medium and short-term inputs will be appointed on an ad hoc basis.

1.4.2 State-Level Roles and Responsibilities

22. State Level Project Implementation Units. The project will establish Five State Level Project Implementation Units (SPIUs). Each of the five FMSs, namely Puntland, South West, Galmudug, Hirshabelle, and Jubaland will establish a SPIU in the Ministry of Water Resources. The objective of these PIUs will be to manage implementation of project activities. The SPIUs will be staffed with civil servants who will receive responsibility allowances. Specialists will be contracted as needed depending on the state level mix of activities selected from the three components of the HoA GW4R results framework. The specialists will include, but are not limited to, project management personnel, fiduciary specialists, one full time environmental specialist and one full time social/GBV specialist. Drawing from prior WB projects where improved project implementation outcomes were realized due to increased key roles for women in PIUs, the GW4R PIUs will aim to be gender balanced. This will also help to develop a cadre of women engineers or water experts for Somalia.

23. Community level institutions and mobilization. Project activities that are implemented at the community level will work through representative community institutions-the Village Development Committees (VDC) supported by the District Authorities (the district water officers). These community level units should include representatives from various stakeholder groups within the village/community. The main role of these community level units will be to provide oversight to the GW4R activities implemented in their respective communities. The GW4R will channel community level project activities through existing Village Development Committees where possible. The GW4R project will draw significantly from the World Bank financed Biyoole project which is enabling government to pioneer country led community driven development.

24. Community mobilization and planning. Community level institutions will lead the identification and prioritization of water sector investments which fall under the scope of the GW4R. These local and district level committees will be in charge of operating, managing, and maintaining infrastructure in their respective district/community levels, this will include construction of infrastructure (hand dug and manual drilled wells by local entrepreneurs).

25. The community institutions through VDC will be sensitized and trained on the basics of ESS. Their roles will, among others, include active participation during screening of projects, ESIA/ESMP development and implementation and monitoring of mitigation measures and GM. In addition, the project contractors will be required to implement an Environmental, Health and Safety (EHS) plan which will outline procedures for avoiding health and safety incidents and for emergency medical treatment. This will be achieved by making it a component of the contractual agreement.

2. ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK (ESMF)

2.1 Purpose and Scope of the ESMF

26. This document presents the ESMF for the proposed GW4R Somalia component. This ESMF is a management tool to assist in managing potential adverse E&S impacts associated with activities of GW4R project in line with the requirements of country and world Bank ESS. The implementing partners of the Project and the PMU will follow this ESMF to ensure the E&S risks and impacts are fully assessed and management measures are in place prior to the implementation of the relevant Project activities.

27. The ESMF identifies the steps for detailed screening and assessment for the project's potential E&S risks, and for preparing and approving the required management plans for avoiding, and where avoidance is not possible, reducing, mitigating and managing these potential adverse impacts.

2.2 ESMF Rationale

28. The ESMF clarifies appropriate E&S management policies, processes, and mitigation principles, organizational arrangements and design criteria to be applied to subprojects, which are to be prepared during project implementation by the respective SPIUs in the Member States and private sector companies participating in the GW4R project. The NPCU and SPIUs will use and refer to this ESMF during implementation of the project. Where appropriate, Environmental and Social Management Plans (ESMPs) will be prepared during project implementation following guidelines in the ESMF. It remains the responsibility of the E&S specialists of SPIUs to ensure that the necessary mitigation plans are developed, implemented and adhered to by the project beneficiaries.

2.3 Objectives of ESMF

29. The ESMF sets out the principles, rules, guidelines and procedures to assess the E&S risks and impacts of the proposed project. The ESMF only applies to those activities that will be financed, either directly or indirectly, by GW4R, and not to any other activities that supported beneficiary entities may be otherwise involved in. All language in this ESMF should be interpreted in this light. Specifically, this ESMF covers many aspects including:

i. Identifies World Bank Environmental and Social Standards applicable to the project;
ii. Provides for potential risks and impacts that may occur;
iii. It proposes measures and plans to avoid, reduce, mitigate and/or offset adverse risks and impacts;
iv. Make provisions for estimating and budgeting the costs of such measures;
v. Provides information on the agency or agencies responsible for addressing project risks and impacts, including on its capacity to manage environmental and social risks and impacts;
vi. Includes adequate information on the general area/locations in which subprojects are expected to be sited, including any potential environmental and social vulnerabilities of the area;
vii. Provides the project implementers with an E&S screening process and risk management procedures that will enable them to identify, assess and mitigate potential E&S impacts of subproject activities, including through the preparation of a site-specific Environmental and Social Impact Assessments (ESIA) and/or ESMP where applicable;
viii. Identifies relevant laws, policies, regulations that may be applicable and that the project activities scheduled for implementation are compliant with as well as the World Bank Environmental and Social Frameworks and standards; and
ix. Provides for how stakeholders will be engaged and consulted, how information will be disclosed and how project related grievances will be received and addressed.

2.4 ESMF Development Methodology and Consultations

30. The ESMF was prepared through information generated through extensive literature review and stakeholder discussions. The main reference documents included World Bank ESF and standard documents and guidelines, draft Project Appraisal Document (PAD) for the GW4R project and the Somalia PAD which is annexed to the overall project PAD, ESMFs of similar projects implemented in Somalia and the region, relevant national legislation, policies, and guidelines, international covenants and treaties, among others.

31. Consultation with key stakeholders in the application and implementation of the ESMF for the Project was conducted on the December 04, 2021. The aim was to provide input to the ESMF broad content areas of E&S baseline information, social and environmental risks and how to mitigate it, legal and policy environment, stakeholders engagement mechanisms, and handing of project related grievances. The participants during the consultation were representatives of relevant organizations in the water sector and disadvantaged groups at the FMS and FGS levels. The participants provided input and suggestions on improving the ESMF. The main suggestions and how they will be addressed are enumerated in Annex 6. The ESMF will be disclosed in country prior to appraisal.

3. POLICY, LEGISLATIVE, ADMINISTRATIVE AND INSTITUTIONAL FRAMEWORKS

32. This section describes the existing policy, legislative, administrative and institutional frameworks that will be important for consideration in the design, implementation, monitoring and evaluation of the GW4R project and ESF documents. It is instructive to note that the general policy and legislative environment in Somalia is nascent and some of the existing policies are outdated due to protracted conflict since 1991. It was only after 2012 that the state formation process started. Most of the federal members states are still in it embryonic state with limited capacity to legislate. It is for this reason that one of the project components will focus on investment in institutional capacity including policy development. Where national polices and legislations is non-existent, World Bank ESS and other relevant International Agreements and Covenants will guide the implementation of the project.

3.1 Federal Government Laws, Policies, Regulations and Institutional Frameworks.

33. There are federal laws, policies, administrative and institutional frameworks that are relevant to the GW4R project generally and for ESMF in particular.

3.1.1 The Federal Republic of Somalia Provisional Constitution, 2012:

34. The overarching legal document is the Provisional Federal Constitution, which was adopted on August 1, 2012. There are several provisions that are relevant for this project as summarized below.

i. ***Article 11 (1 & 4) Equality:*** All citizens, regardless of sex, religion, social or economic status, political opinion, clan, disability, occupation, birth or dialect shall have equal rights and duties before the law. It also provides that all State programs, such as laws, or political and administrative actions that are designed to achieve full equality for individuals or groups who are disadvantaged, or who have suffered from discrimination in the past, shall be deemed to be not discriminatory.

ii. ***Article 14 Slavery, Servitude and Forced Labour:*** stipulates that a person may not be subjected to slavery, servitude, trafficking, or forced labor for any purpose.

iii. ***Article 15 Liberty and security of person:*** prohibits Female Genital Mutilation (FGM) as it amounts to torture.

iv. ***Article 24 Labour relations***: Every person has the right to fair labour relations; right to strike; form, join and participate in trade unions; and right to engage in collective bargaining on labour related issues. All workers, particularly women, have a special right of protection from sexual abuse, segregation and discrimination in the workplace. All labor laws and practices shall comply with gender equality in the workplace.

v. ***Article 25 Environment***: states that every Somali has the right to an environment that is not harmful to their health and wellbeing, and to be protected from pollution and harmful materials. Every Somali has a right to have a share of the natural resources of the country, whilst being protected from excessive and damaging exploitation of natural resources.

vi. ***Article 26 (section 1 and 2) Property:*** states that a) every person has the right to own, use, enjoy, sell and transfer property, b) the state may compulsorily acquire property only if doing so in the public interest, c) any person whose property has been acquired in the public interest has the right to just compensation from the State as agreed by the parties or decided by a court.

vii. ***Article 27 (1 & 5) Economic and social rights***- right to clean portable water. Women, aged and disabled and minorities who have suffered discrimination to be supported to realize their full potential.

viii. ***Article 43 Land:*** land is recognized as primary resource and the basis of the people's livelihood; b) land shall be held, used and managed in an equitable, efficient, productive and sustainable manner; c) the FGS shall develop a national land policy, which shall be subject to constant review, d) no permit may be granted regarding the permanent use of any portion of the land, sea or air of the territory of the Federal Republic of Somalia, e) the FGS, in consultation with the FMS and other stakeholders, shall regulate land policy, and land control and use measures.

ix. ***Article 44 Natural resources:*** Allocation to be negotiated by FGS and FMS in accordance with the Constitution.

x. ***Article 45 Environment:*** states that the Government shall give priority to the protection, conservation, and preservation of the environment against anything that may cause harm to natural biodiversity and the ecosystem. Furthermore, all people have a duty to safeguards and enhance the environment and participate in the development, execution, management, conservation and protection of the natural resources and the environment. The FGS and the governments of the FMS affected by environmental damage shall take urgent measures to clean up hazardous waste dumped on the land or in the waters of the FGS; take necessary measures to reverse desertification, deforestation and environmental degradation, and to conserve the environment and prevent activities that damage the natural resources and the environment of the nation, among other measures.

xi. ***Article 115 Civil service:*** outlines civil service values and protection of their rights.

3.2.3 National Water Resource Strategy (2021 – 2025)

35. The proposed project aligns with the NWRS Strategic Goals that provides the basis for future water sector developments thus:

Goal 1: Establishing a *Functional Water Sector Governance Framework* - Provides the strategic approach and actions towards strengthening water sector governance*;*

Goal 2: Operationalizing Integrated Water Resources Management - Provides the strategic approach and actions towards improved and integrated water resource management as a basis for ensuring sustainable water resource development and the provision of sanitation services; and

Goal 3: Improving the Provision of Priority Water Services – Provides the strategic approach and actions to guide the development of water resources to realize improvements in the various services. During the assessment phase of the strategy development, many issues and challenges were identified. These were collated into clusters, resulting in twenty sub-strategies that will collectively realize the three Goals.

3.2.4 National Adaptation Programme of Action on Climate Change (NAPA) 2013

36. In 2013, Somalia developed NAPA. The NAPA has helped the Government and development partners address climate risks and increase the resilience of the economy and livelihoods of the nation. Droughts, floods, extreme high temperatures and strong winds were identified as the major climate related hazards experienced in Somalia. However, floods and droughts represent the most severe climate risks and a priority in the NAPA. Water sector was identified as the one of the most vulnerable sectors to climate change. The proposed project is thus in line with the needs identified in the NAPA for adaptation activities.

3.2.5 The Labour Code of 1972

37. Some provisions of the labour code are relevant to the World Bank's ESS2:

i. It stipulates that all contracts of employment must include a) the nature and duration of the contract; b) the hours and place of work; c) the remuneration payable to the worker; and c) the procedure for suspension or termination of contract. Furthermore, all contracts must be submitted to the competent labor inspector for pre-approval.

ii. In regards to OHS, the employer is obligated to provide adequate measures for health and safety for protecting staff against related risks, including the provisions of a safe and clean work environment and of well-equipped, constructed and managed workplaces that provide sanitary facilities, water and other basic tools and appliances ensuring workers' health and safety.

iii. The Code further stipulates that workers have the right to submit complaints and the employer must give the complaints due consideration. Remuneration must be adequate in view of the quality and quantity of the work delivered, and must be non-discriminatory with regards to age, gender and other aspects. Maximum number of working hours per week are 8 hours per day and 6 days per week.

iv. Some work is considered dangerous and unhealthy and forbidden for women and youth (defined as 15-18 years of age). This includes the carrying of heavy weights or working at night.
v. The Labor Code further forbids work for children below the age of 15 but allows employment of children between the age of 12-15 on the condition that the work is compatible with proper protection, health and the moral of children and in case where it is necessitated by special local conditions and technical requirements of the work. The Labor code also forbids the employment of young persons below the age of 16 in work done on flying scaffolds or portable ladders in connection with construction activities.
vi. The Code also recognizes freedom of association. Employers are prohibited from engaging in any kind of discrimination or restriction of the right of freedom of association. Workers are allowed to join trade unions.
vii. The Labor Code stipulates the right to equal pay for women for the same work as men and paid maternity leave. Women are entitled to 14 weeks of maternity leave at half pay.

3.2.6 The Somali Penal Code of 1962

38. The Code criminalizes rape and other forms of sexual violence as well as forced prostitution. Articles 398-9 provide that 'carnal intercourse' and 'acts of lust comimtted with violence' are punishable with 5-15 years and 1-5 years of imprisonment. Abduction for the purpose of lust or marriage is prohibited under Art 401.

3.2.7 the Urban Land Distribution Law of 1973

39. The legislation states that all urban land was public property (Article 7) and ownership by Somali nationals was permanent, while foreign nationals were required to renew leases every 50 to 99 years (Article 15). Land for permanent development, referred to as daminyaale land, was to be authorized by the Ministry of Public works. However, after amendments made December 17, 980, authority over all land in the city was transferred to the Mogadishu municipality. 'Registers, documents and maps relating to land for permanent use in Benadir Region, which was previously managed by the Ministry of Public Works' (Article 19).

3.2.8 The Agricultural Land Law (1975)

40. The law transfers all land from traditional authorities to the government. Individuals desiring land were to register their holdings within a 6-months period. The law does not recognize customary land holdings.

3.2.9 Family Code of 1975

41. Minimum age for marriage is 18 years for males and females. Females between the age of 16 and 18 can marry with their guardian´s consent. Marriage is based on equal rights and duties. A husband can divorce by repudiation (talaq). The mother retains custody of the children after separation but she loses custody if she remarries.

3.2.10 Somalia National Gender Policy (2016)

42. Includes strategies to eradicate harmful traditional practices such as FGM/C and child marriage and to improve services for the management of GBV cases.

3.2.11 National Climate Change Policy, 2020

43. This environment and climate change policy brief aims at briefly presenting key environmental sustainability challenges and opportunities in Somalia, their linkages to poverty reduction and the Sustainable Development Goals.

3.2.12 National Environmental Policy (2020)

44. The National Environmental Policy was approved by Cabinet, on February 13, 2020 the stated goal of environmental policy is to improve the health and quality of life of the Somali people.

3.2.13 Other Draft Laws and Policies

45. The Federal Government is in the process of developing the following policy, legal and regulatory frameworks:

i. Draft National Environmental Management Act;
ii. Draft National Environmental and Social Impact Assessment Regulations;
iii. Draft National Ozone Layer Protection Regulation;
iv. Draft National Forest Management Policy; and
v. Draft National Charcoal Policy.

46. In addition to these, there are other sectoral policies, acts and regulations relevant to the labour, water, livestock, agriculture, petroleum, fish and marine resource sectors.

3.2.14 Institutional capacity for environmental management and other relevant sectors

47. The Somali federal government has introduced changes in the institutional set-up dealing with environmental issues in the country. A Directorate of Environment has been formed within the Office of the Prime Minister. The Directorate of Environment (DE) is mandated to draft the national environmental policies, regulations and legislations including establishing of the Environmental Quality Standards, Sectoral Environmental Assessments (SEAs), Environment Impact Assessments (EIAs) and Environmental Audits (EAs), among others. The process of drafting the ESIA Regulation together with the Environmental and Social Audit is underway through DE.

48. **The Ministry of Labour and Social Affairs:** The Ministry is mandated to provide policy direction and guidance on all labour administration and vocational training matters. It is also mandated to protect and develop the labour force to contribute to the socio-economic development of the Somalia Federal Government. The Ministry is in the processes of developing relevant laws and policies most of which are in draft form.

49. **Ministry of Women and Human Rights:** The ministry is responsible for promotion of rights of women, children and people with disabilities. It is mandated to develop relevant policies and programs to protect women, children and persons with disabilities and put in place measures to address GBV/SEAH. The NPCU will coordinate with the ministry to develop appropriate GBV/SEAH Prevention and Response Plans for this project.

3.2 Federal Member States laws, policies, strategies, regulations and institutional frameworks

50. The legislative and policy environment in Federal members States is still weak except for Puntland which is ahead. The following are key laws, policies, strategies, plans, regulations and institutional frameworks that will guide the implementation of the project and management of E&S risks and impacts (see table 1).

3.2.1 Puntland

51. The state of Puntland has an Environmental Policy which was produced in 2014 and framework documents for ESIA guidelines and regulations is in place. Puntland ESIA operationalizes a technical team, known as the "Environmental Impact Assessment Unit" at the Ministry, headed by a Director of ESIA and comprising a team of qualified and with specialized training in EIA whose functions are : (a) receive, process and safeguard all documents related to ESIA that are submitted to the Ministry; (b) review and recommend to Director General; and (c) recommend to the Ministry that a proposed major project be objected to commence or continue due to the unacceptable environmental impacts of the potential or existing project. Other existing policies, laws and regulations in Puntland State relevant to environmental management include the following:

i. Environmental Policy (2014) approved by the Cabinet and Parliament;
ii. Puntland Rangeland Management Policy 2nd Edition (2016-2025);
iii. Puntland Waste Management Policy (2016);
iv. ESIA Act and Regulation (2016) approved by Cabinet and Parliament;
v. Puntland Climate Change Strategy (2016); and
vi. Ministry of Environment and Climate Change Strategic Plan (2016-2020).

Table 1: Summary of Puntland Laws, Policies, Strategies, Regulations and Institutional Frameworks

S/N	Laws, policies, strategies, plans, regulations, institutions	Key provisions relevant for this project and ESMF
1.	Puntland Constitution	In Article 96, the importance and protection of the environment. Among the key features include combating deforestation, soil erosion and pollution. The Constitution forbids exportation of charcoal trading in endangered plant and animal species. Prohibition has been placed too on creating of unsustainable urban-like sprawls in rural settings.
2.	The Puntland Environmental Policy (2015)	Provides the overall guiding policies relating to the management of the environment and natural resources. This policy allows a rationalization of administrative regulations and policies to eliminate deficiencies or inconsistencies with other previous policies. The policy promotes the use of appropriate environmental assessment instruments such as the EIA and Strategic Environmental Assessment.
3.	Ministry for Environment, Agriculture, and Climate Change (MoECC)	The MoECC has responsibility for climate change mitigation and adaptation strategies, supported by a five–year plan (2017-2021). The M inistry collaborates with the Humanitarian Affairs and Disaster Management Agency (HADMA) in the development of climate change, early warning and drought resilience strategies.
4.	Ministry of Energy Water and Minerals Puntland Water Development Agency (MoEWM & PWDA)	MoEWM & PWDA are is the key institution responsible for policy, planning, coordination, regulation and development of available water resources in Puntland.
5.	Environmental Management Policy 2014 and EIA Act and Regulation (2016)	Provides guidance on environmental management, conservation and preservation and standards.
6.	Puntland Waste Management Policy (2016)	Deals with matters of waste management.
7.	Puntland Climate Change Strategy (2016)	Make provision of climate change risk identification and adaptation and mitigation measures.
8.	Private Sector Employee law (labour code no: 65)	The law applies to non-civil servants and articulates employment procedures defining the rights and responsibilities of the employees and the employer, terms and conditions of services, wages, rights to labour organizations and provisions against discrimination of employees on race, religion and gender among others. The law also established directorate of labor to deal with labor related issues.
	Puntland Sexual Offences Act (2016)	The act prohibits sexual harassment.

3.2.2. South West State

52. South West State has within the government echelons the Ministry of Environment and Tourism (MoE&T), which manages environmental related issues. The MoE&T has developed and passed ESIA regulations, which is meant to govern environmental matters, including licensing of landfills, waste pits and medical waste incinerators, in addition to oversight over environmental governance.

3.2.3. Hirshabelle, Galmudug and Jubaland

53. All the States have Ministries of Environment, which manage environmental issues. The State Ministries of Environment are to be consulted before any infrastructure activities are implemented in their respective state with potential E&S risks and impacts. The institutional arrangement for the E&S safeguards related matters including the approval process are yet to be established or agreed upon. The States and municipalities have offices responsible for land adjudication matters. The project will rely on the existing national E&S legal frameworks and World Bank ESS.

3.3 Applicable International Conventions and Agreements

54. There are a number of international treaties, agreements and conventions that have been signed or ratified by Somalia, which are relevant for the GW4R project. These conventions and agreements are aimed at halting environmental degradation and improving the sustainable use of natural resources, climate change adaptation and mitigation, labour management, among others. Among the relevant conventions that Somalia is a signatory are the:

i. Convention on International Trade in Endangered Species of Wild Fauna and Flora;
ii. Convention on the Conservation of Migratory Species of Wild Animals;
iii. Regional Convention for the Conservation of the Red Sea and the Gulf of Aden Environment;
iv. Protocol concerning Regional cooperation in Combating Pollution by Oil and other Harmful Substances in Cases of Emergency;
v. UN Convention on the Law of the Sea;
vi. Protocol concerning Co-operation on Combating Marine Pollution in cases of Emergency in the Eastern African region;
vii. Convention for the protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention);
viii. Somalia ratified both the United Nations Framework Convention on Climate Change, and the Convention on Biodiversity in 2009;
ix. Sedai Framework for Disaster Risk Reduction (2015 – 2030);
x. Cartagena Protocol on Biosafety in 2010;
xi. Stockholm Convention on Persistent Organic Pollutants in 2010;
xii. In February, 2021 Somalia's ratified Convention 190 and six other International Labour Organization (ILO) conventions, to improve labour standards, and will promote gender equality at the workplace and will prohibit sexual and gender-based violence which is adversely affecting women and girls. The Convention will also assist unions in their campaigns for the introduction of a sexual offences bill in the federal parliament;
xiii. Convention 144 on tripartite consultation will promote better industrial relations and improve stakeholder relations with government, employers, and trade unions;
xiv. Further, Conventions 187 and 155 on health and safety and protect workers' rights and will help to end unsafe working conditions and improve workers well-being; and
xv. Conventions 97 on migration for employment, Convention 143 on migrant workers and Convention 181 on private employment agencies seek to address the abuse and exploitation faced by Somali migrant workers abroad. by providing legal protection

3.4 World Bank Environmental and Social Standards

55. The Project E&S risk rating is high. Seven of the Bank's ESSs are deemed applicable. Compliance with these ESSs is required to, among others, to avoid, minimize, and mitigate the adverse effects of projects it is financing and to assure that the Project is eligible for World Bank support. To ensure total compliance with the World Bank ESS, the following documents have been prepared at this appraisal stage: (i) an Environmental and Social Management Framework (presented herein); (ii) a Resettlement Policy Framework (RPF); and Stakeholder Engagement Plan (SEP). During implementation, subproject instruments will be developed and implemented including ESMP, Security Management Plan (SMP); Sexual Exploitation, Abuse and Harassment (SEAH) Prevention and Response Plan; and Labor Management Procedures (LMP). The table below provides details of the ESS and polices applicable to the project.

Table 2: WB Environmental and Social Standards applicable under GW4R project

ESF standards	Applicable	Description and application
ESS1: Assessment and Management of Environmental and Social Risks and Impacts	Yes	The primary objective of the ESS1 is to identify, evaluate and manage environmental and social risk and impacts of the projects at each stage of the project to achieve outcomes consistent with the environmental and social standards. There will be GWinfrastructure activities to be funded under the component two of the project which means land will be acquired, workers will be recruited, pest control measures will be undertaken in the irrigated land and all these will most likely have environmental and social impacts while much care will be taken to ensure that the risks and impacts are minimized, avoided and/or mitigated. CCD process will be used to identify priority and the process will be inclusive. However, there may be possibility that vulnerable and marginalized groups are inadvertently left out of the local processes. It is therefore imperative that E&S screening for each subproject is done as part of the preparation of the subproject and based on the outcomes of the screening and national regulations, an Environmental and Social Impact Assessment (ESIA) or ESMP shall be conducted to identify potentially adverse environmental and social risks and impacts to provide input to the design of the subproject under the project at an early stage.
ESS2 -Labor and Working Conditions	Yes	The objective is to promote sound worker management and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions and space to air their concerns. The standard applies to all project workers, including those recruited to manage the projects (direct workers), those contracted by the project contractors and third parties including members of the community who will be employed to work at the sites as skilled or unskilled labour. Issues of labor and working conditions will be covered during environmental and social assessment and in the Labor Management Procedures (LMP)
ESS3: Resource Efficiency, Pollution Prevention and Management	Yes	The objective is to promote sustainable use of resources including energy, water, and raw materials, avoid or minimize pollutions, hazardous waste and emissions and its impact on humans and environment by the project activities. The main type of investments will include rehabilitation and constructions of boreholes, sand dams/subsurface dams, (Wadis), surface water storage (Berkads, sand dam or earth dams,), shallow wells, water for agriculture activities (e.g. small scale irrigation), solar pumping for water points for human and livestock consumptions, and ground water recharge activities using appropriate technologies. Pollution related to these types of subproject will be presented and managed using appropriate methods.
ESS4: Community Health and Safety	Yes	ESS4 addresses the health, safety, and security risks and impacts on project-affected communities. Project-related community health and safety risks and impacts will be avoided or minimized, with particular attention to people who, because of their particular circumstances, may be vulnerable. During design and implementation of subprojects, the implementers both government operators and contractors will ensure the infrastructure designs are done professionally and all safety measures considered. Since the project focus is on water provision, risk related to community exposure to water-borne and vector disease should be minimized. Through labour influx community may be exposed to communicable disease especially COVID-19, hence necessary measures following government health protocol should be adhered to. Use of solar panels may expose communities to hazardous waste thus mitigation measures should be put in place. Additionally, given that Somalia is generally high risk area, security personnel will mostly likely be engaged for prevention and defense at the project sites and elaborate security risk management will be needed for community safety. Depending on the results of subproject E&S assessment and security risk assessments, preparation of community emergency preparedness and response plan maybe developed in an inclusive manner to help reduce and manage injury to health and safety of the community.
ESS5 Land Acquisition, restrictions on land use and involuntary resettlement	Yes	ESS5 applies to permanent or temporary physical and economic displacement resulting from land acquisition or restrictions on land use undertaken or imposed in connection with project implementation. The project will avoid involuntary resettlement and if it is inevitable, sustainably mitigate its impact and ensure e that resettlement activities are planned and implemented with appropriate dis- closure of information, meaningful

		consultation, and the informed participation of those affected. As required, involuntary resettlement instruments including Resettlement Action Plans and Livelihood Restoration Plans will be prepared with participation of the project affected persons.
ESS6: Biodiversity conservation, sustainable management of living natural resources	Yes	ESS6 recognizes that protecting and conserving biodiversity and sustainably managing living natural resources are fundamental to sustainable development. As determined by the subproject-specific environmental and social assessment, the requirements of this ESS will be applied to each subproject that potentially affects biodiversity or habitats, either positively or negatively, directly or indirectly, or that depend upon biodiversity for their success. It also applies to projects that involve primary production and/or harvesting of living natural resources.
ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities	No	MoEWR to confirm the presence of IP/Sub-Saharan Historically Underserved Traditional Local Communities as per ESS7 to determine the applicability of the standard.
ESS8 Cultural Heritage	Yes	Given the nature and scope of the proposed project activities significant impacts on cultural heritage are not anticipated. The project impact on cultural heritage and relevance of this ESS8 will be further assessed during the project implementation. The project will not finance activities that will affect cultural heritage resources, and this will be included in the exclusion list in the ESMF and ESCP. Although no impacts on cultural heritage are anticipated, the project does incorporate "chance finds" procedures in the ESMF. Furthermore, the environmental and social screening procedure in the ESMF does consider impact identification of cultural heritage and assessment of tangible and intangible heritage in consultation with affected stakeholders.
ESS10: Stakeholder engagement and information disclosure.	Yes	ESS10 objectives are to establish a systematic and inclusive approach to engage stakeholders and sustain the relationship; assess their interest and influence; ensure disclosure of project related information in timely, understandable, accessible and appropriate manner and format and provide project-affected parties with accessible and inclusive means to raise issues and grievances and allow Borrowers to respond to and manage such grievances. Effective stakeholder engagement will improve the environmental and social sustainability of projects, enhance project acceptance, and make significant contribution to successful project design and implementation. Grievance redress mechanism will be established. The ESS10 is applicable to all projects supported under Investment Project Financing, of which this project is part.

3.5 World Bank Group EHS Guidelines

56. WBG has guidelines for Environment, Health and Safety (EHS) that projects it finances are expected to comply with. The EHS Guidelines contain the performance levels and measures that are acceptable to the WBG, and that are generally considered to be achievable in new facilities at reasonable costs by existing technology. The guidelines contain information on many crosscutting areas, potentially covering all sectors including: environment (waste management, ambient air quality, noise and water pollution); occupational health and safety; community health and safety; construction and decommissioning; among others. The relevant EHS guidelines are applicable to subprojects to be implemented under the HOAGW4R project. The information on the EHS can be found on this website.
http://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/our+approach/risk+management/ehsguidelines

3.6 Gap Analysis

57. The activities in the GW4R project need to comply with both Somali laws and regulations and World Bank ESS. However, this project will mainly reference the World Bank Group ESSs since there are gaps in the implementation and enforcement of nationals standards even where they exist. Table 3 provides a summary gap analysis.

Table 3: Gap analysis for WB and FGS Policies, Laws & regulations relevant to this ESMF

ESF Objectives	Summary provisions of National Laws and Requirements	Gaps	Proposed Gap Filling Measure
ESS1: Assessment and Management of Environmental and Social Risks and Impacts			
Objectives of ESS1 are: To identify, evaluate and manage the environment and social risks and impacts of the project in a manner consistent with the ESSs. To adopt a mitigation hierarchy approach to: (a) Anticipate and avoid risks and impacts; (b) Where avoidance is not possible, minimize or reduce risks and impacts to acceptable levels; (c) Once risks and impacts have been minimized or reduced, mitigated; and (d) Where significant residual impacts remain, compensate for or offset them, where technically and financially feasible. To adopt differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable, and they are not disadvantaged in sharing development benefits and opportunities resulting from the project. To utilize national environmental and social institutions, systems, laws, regulations and procedures in the assessment, development and implementation of projects, whenever appropriate. To promote improved environmental and social performance, in ways which recognize and enhance Borrower capacity.	Provisional Constitution of the Federal Republic of Somalia. Art 25: Citizen right to environment that is not harmful to health and wellbeing and protection from pollution and other harmful materials -Art 43: Land is primary resource and to be held, used and managed in an equitable, efficient, productive and sustainable manner. -Art 44: Natural resource. Allocation to be negotiated by FGS and FMS in accordance with the constitution. -Art 45: Environment: Government shall give priority to the protection, conservation, and preservation of the environment against anything that may cause harm to natural biodiversity and the ecosystem. All people to safeguard it. -Puntland constitution, Art. 96 on the importance and protection of environment	Laws to operationalize the provisional constitutional provisions have not been developed yet. ESIAs not incorporated in federal law yet, and not strong in State-level legislation	To aid assessment and management of E&S impacts at this early stage in project appraisal and planning, this ESMF provides a general E&S impact identification framework to assist project implementers identify preliminary E&S risks of the projects and propose measures to address adverse environmental and social impacts. RPF is also prepared to give guidance on resettlement issues. At Implementation stage, selection of investment options will be based on feasibility studies and ESIA/ESMP/ after environment and social screening. reports to be prepared at later phases of the project. RAP is also prepared at implementation stage once sites have been identified, if needed. The ESMF constitutes the counterpart commitment and compliance to ensure HOAGWR project is implemented in accordance with the Environmental and Social Standards (ESSs). The project will invest in capacity building of project staff and other key stakeholders on World Bank environmental and social frameworks and standards.
ESS2: Labor and Working Conditions			

ESF Objectives	Summary provisions of National Laws and Requirements	Gaps	Proposed Gap Filling Measure
The Objectives of ESS2 are: To promote safety and health at work. To promote the fair treatment, non-discrimination and equal opportunity of project workers. To protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate. To prevent the use of all forms of forced labor and child labor. To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law. To provide project workers with accessible means to raise workplace concerns.	Provisional Constitution of the Federal Republic of Somalia. Art 14 stipulates that a person may not be subjected to slavery, servitude, trafficking, or forced labor for any purpose.	-The new labor code, amending the code from 1972, has not been passed yet -The implementation of the existing articles in practice may not be very strong -A legislation in Puntland prohibiting FGM have been drafted.	The Project will not allow any forced and child labor. It will hold all contractors liable to the implementation of the LMP which will be developed once the project becomes effective. The NPCU and SPIU will have overall responsibility to monitor the implementation of the LMP
	Art 24.5 stipulates that all workers, particularly women, have a special right of protection from sexual abuse, segregation and discrimination in the workplace. Every labor law and practice shall comply with gender equality in the workplace The Puntland Sexual Offences Act 2016 prohibits sexual harassment. Human trafficking: A person may not be subjected to slavery, servitude, trafficking or force labour offences. Every labour law shall comply with gender equality. Dismissal for pregnancy. All women have a special right of protection from discrimination.		The LMP will spell out a workers' grievance redress mechanism; and the GBV Action Plan provides referral pathways for cases of GBV.
	The Labour Code of 1972 stipulates that all contracts of employment must include a) the nature and duration of the contract; b) the hours and place of work; c) the remuneration payable to the worker; and c) the procedure for suspension or termination of contract. Furthermore, all contracts must be submitted to the competent labor inspector for pre-approval.	n/a	The Project will fully comply with WB ESS2. This will be set out in the LMP.
	The Labour Code of 1972. The employer is obligated to provide adequate measures for health & safety protecting staff against related risks, including the provisions of a safe and clean work environment and of well-equipped, constructed and managed workplaces that provide sanitary facilities, water and other basic tools and appliances.	n/a	The Project will apply occupational health and safety management system that is consistent with the WBG General Environmental Health and Safety Guidelines (EHSGs) on Occupational Health and Safety

ESF Objectives	Summary provisions of National Laws and Requirements	Gaps	Proposed Gap Filling Measure
	The Labour Code of 1972. Workers have the right to submit complaints and the employer must give the complaints due consideration.	n/a	The LMP to be developed will set out a workers' grievance redress mechanism
	The Labour Code of 1972. Remuneration must be adequate in view of the quality and quantity of the work delivered, and must be non-discriminatory in regards to age, gender and other aspects. Maximum number of working hours per week are 8 hours per day and 6 days per week.	Women are restricted from being employed in night work in rural areas, and the specific types of work prohibited for women may be prescribed by decree. No provisions on the protection of the rights of domestic workers	The Project will fully comply with the national law and WB ESS2. This is set out in the LMP to be developed (See LMP TOR)
	The Labour Code of 1972. Some work is considered dangerous and unhealthy and forbidden for women and youth (defined as 15-18 years of age). This includes the carrying of heavy weight or work at night.	n/a	The Project will only allow deployment from the age of 15 (to be defined in LMP). However, children under 18 are not to be considered for hazardous work and the work cannot interfere with their education or be harmful for their health.
	The Labour Code of 1972. The Labor Code forbids work for children below the age of 12, but allows employment of children between the age of 12-15, yet employment has to be compatible with proper protection, health and the moral of children.	Children are deployed in worst forms of child labor (forced recruitment by army, forced labor in domestic work, agriculture and herding, breaking rocks for gravel, construction work, commercial sexual exploitations) However, Somalia made efforts to construct a rehabilitation center for former child combatants and establish a Human Trafficking and Smuggling Task Force. Children are further deployed in agriculture (farming, herding livestock, fishing); industry (construction, mining and quarrying); services (street work, working as maids in hotels, domestic work, voluntary recruitment of children by army); children also perform dangerous tasks in street work	The Project will only allow deployment – in all project worker categories – from the age of 18 (To be defined in LMP). Rigorous monitoring will ensure the application of the LMP.

ESF Objectives	Summary provisions of National Laws and Requirements	Gaps	Proposed Gap Filling Measure
		Laws do not identify hazardous occupations or activities prohibited for children, and child trafficking for labor and commercial sexual exploitation is not criminally prohibited. Government does not employ labor inspectors and conducts no inspections.	
	The Labour Code of 1972. The Code also recognizes freedom of association. Employers are prohibited from engaging in any kind of discrimination or restriction of the right of freedom of association. Workers are allowed to join trade union.	n/a	The project will follow national law and ESS2.
ESS3: Resource Efficiency and Pollution Prevention and Management			
The Objectives of ESS3 are: To promote the sustainable use of resources, including energy, water and raw materials. To avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities. To avoid or minimize project-related emissions of short and long-lived climate pollutants. To avoid or minimize generation of hazardous and non-hazardous waste.	Provisional Constitution of the Federal Republic of Somalia. Somalia passed its Provisional Constitution in 2012.	Laws to further operationalize provisions of the Constitution are still not available. Implementation of the laws and Constitution may be hampered due to the weak justice system.	The Project will promote the sustainable use of resources and avoid or minimize adverse impacts on human health according to the Constitution and the WB's ESS3. General measures are laid out in this ESMF and specific measures will be established in subproject specific ESMPs.
	Provisional Constitution of the Federal Republic of Somalia. Art 25 of the Constitution states that every Somali has the right to an environment that is not harmful to them, and to be protected from pollution and harmful materials. Every Somali has a right to have a share of the natural resources of the country, whilst being protected from excessive and damaging exploitation of natural resources.		
	Provisional Constitution of the Federal Republic of Somalia. Art 45 states that the Government shall give priority to the protection, conservation, and preservation of the environment against anything that may cause harm to natural biodiversity and the ecosystem. All people have a duty to safeguards and enhance the environment and participate in the development, execution, management, conservation		

ESF Objectives	Summary provisions of National Laws and Requirements	Gaps	Proposed Gap Filling Measure
	and protection of the natural resources and the environment. The FGS and the governments of the FMS affected by environmental damage shall take urgent measures to clean up hazardous waste dumped on the land or in the waters of the FGS; take necessary measures to reverse desertification, deforestation and environmental degradation, and to conserve the environment and prevent activities that damage the natural resources and the environment of the nation, among other measures.		
ESS4: Community Health and Safety			
The Objectives of ESS4 are: To anticipate and avoid adverse impacts on the health and safety of project-affected communities during the project life-cycle from both routine and non-routine circumstances. To avoid or minimize community exposure to project-related traffic and road safety risks, diseases and hazardous materials. To have in place effective measures to address emergency events. To ensure that the safeguarding of personnel and property is carried out in a manner that avoids or minimizes risks to the project-affected communities. To promote quality and safety, and considerations relating to climate change, in the design and construction of infrastructure, including dams.	The Somali Penal Code of 1962. The Code criminalizes rape and other forms of sexual violence as well as forced prostitution. Arts 398-9 provide that 'carnal intercourse' and 'acts of lust omitted with violence' are punishable with 5-15 years and 1-5 years of imprisonment. Abduction for the purpose of lust or marriage is prohibited under Art 401. Art 39(i) makes abuse of power in the commission of a crime an aggravating circumstance and Art 33 provides that when a superior officer orders the commission of an offence both the perpetrator and his superior will be liable.	The Somali Penal Code of 1962 fails to protect survivors and prosecute perpetrators. The crimes under Articles 398-9 are too narrowly defined to satisfy international law standards of protection from sexual and gender-based violence. Furthermore, in practice however it has been documented that women complaining about a rape may find themselves trapped by the Art 426 prohibition against adultery that makes no exception for the case of rape. In practice provisions under Art 39(i) offer little more than theoretical protection Art. 405-408. Prostitution is prohibited. Human trafficking: No comprehensive law on the issue.	A SEA/SH Prevention and Response Plan will be prepared, consulted upon, approved and implemented. The Project will also implement a Security Management Plan, and activity-specific ESMPs as required for other community health and safety risks in line with measures outlined in this ESMF
	Somalia´s National Gender Policy (2016) includes strategies to eradicate harmful traditional practices such as FGM/C and child marriage and to	n/a	This is taken up in the SEA/SH Prevention and Response Plan

ESF Objectives	Summary provisions of National Laws and Requirements	Gaps	Proposed Gap Filling Measure
	improve services for the management of GBV cases.		
	No provisions	n/a	Several measures will be undertaken, including contractors will develop road safety management plan and a Health and Safety Plan as part of the C ESMP to address the impacts on local communities of moving construction equipment; measures and actions developed to assess and manage specific risks and impacts outlined in the ESMF and subsequent subprojects ESMPs.
ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement			
The Objectives of ESS5 are: To avoid involuntary resettlement or, when unavoidable, minimize, involuntary resettlement by exploring project design alternatives. To avoid forced eviction. To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by providing timely compensation for loss of assets at replacement	Provisional Constitution of the Federal Republic of Somalia. Art 26 states that every person has the right to own, use, enjoy, sell and transfer property. The State may compulsorily acquire property only if doing so is in the public interest. Any person whose property has been acquired in the name of the public interest has the right to just compensation from the State as agreed by the parties or decided by a court. The Agricultural Land Law (1975). The law transfers all land from traditional authorities to the government. Individuals desiring land were to register their holdings within a 6 months period. The law does not recognize customary land holdings.	There is a lack of detailed legislation governing land use and ownership and acquisition. Evictions are reported to be commonplace in Somalia. ESS5 recognizes three categories of Project Affected Persons, which are eligible for compensation: 1. Those with formal legal rights to land (including customary and traditional rights recognized under the laws of the country). 2.Those who do not have formal legal rights to land at the time of census, but have a claim that is recognized under the laws of the country 3. Those who have no recognizable legal right or claim to the land they are occupying. 4. Those without legal title to land, including squatters and encroachers, are eligible for only limited	The Resettlement Policy Framework (RPF) which has been developed as stand-alone document will guide the development of site-specific RAPs once the project sites are known. The RPF follows ESS5 guidelines. RAP will be developed once the project is effective to guide resettlement process.

ESF Objectives	Summary provisions of National Laws and Requirements	Gaps	Proposed Gap Filling Measure
		protection under Somali laws and policies ESS5 further defines types of losses to be compensated to include physical and economic displacements and cover land, residential or commercial structures, and lost income caused by temporary or permanent economic displacement. While under Art 26, people have a right to be compensated, it is not clear how the amount for the compensation is determined. ESS5 requires full replacement costs for all assets. Somali law does not determine compensation schedule and cut-off date. ESS5 determines that improvements of the living situations of displaced vulnerable people should be undertaken, Somali Law does not provide for that. No meaningful consultations with project affected persons may take place, consultation mechanisms seem to make a preference in regards to governmental bodies rather than community stakeholders. The Agricultural Land Law led to disparities between statutory tenure and actual land use and allocation.	
ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources			

ESF Objectives	Summary provisions of National Laws and Requirements	Gaps	Proposed Gap Filling Measure
The objectives of ESS6 are: To protect and conserve biodiversity and habitats. To apply the mitigation hierarchy and the precautionary approach in the design and implementation of projects that could have an impact on biodiversity. To promote the sustainable management of living natural resources. To support livelihoods of local communities, including Indigenous Peoples, and inclusive economic development, through the adoption of practices that integrate conservation needs and development priorities.	Provisional Constitution of the Federal Republic of Somalia. Article 25 of the Constitution states that every Somali has the right to an environment that is not harmful to them, and to be protected from pollution and harmful materials. Every Somali has a right to have a share of the natural resources of the country, whilst being protected from excessive and damaging exploitation of natural resources. Provisional Constitution of the Federal Republic of Somalia. Article 45 states that the Government shall give priority to the protection, conservation, and preservation of the environment against anything that may cause harm to natural biodiversity and the ecosystem. Furthermore, all people have a duty to safeguards and enhance the environment and participate in the development, execution, management, conservation and protection of the natural resources and the environment.	Apart from broad constitutional provisions there is not detailed laws that govern biodiversity conservation and sustainable management of living natural resources at this point.	The Project will avoid any encroachment into any modified, natural, critical habitat and/or protected areas Measures and actions developed to assess and manage subproject specific biodiversity risks and impacts as outlined in the ESMF and subsequent subproject ESMPs.
ESS10: Stakeholder Engagement and Information Disclosure			
The Objectives of ESS10 are: To establish a systematic approach to stakeholder engagement that will help Borrowers identify stakeholders and build and maintain a constructive relationship with them, in particular project-affected parties. To assess the level of stakeholder interest and support for the project and to enable stakeholders' views to be taken into account in project design and environmental and social performance. To promote and provide means for effective and inclusive engagement with	Provisional Constitution of the Federal Republic of Somalia. Article 32 stipulated that every person has the right of access to information held by the State. The Federal Parliament shall enact a law to ensure the right of access to information	The law on the right of access to information currently only exists as a draft	Stakeholder Engagement Plan (SEP) that includes an inclusion plan for consultations. The PAD and POM will ensure that inclusion and equity are considered in selection of subproject sites. The Project will implement SEP provisions throughout the lifetime of the project. The NPCU and SPIU will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address concerns from project affected persons

ESF Objectives	Summary provisions of National Laws and Requirements	Gaps	Proposed Gap Filling Measure
project-affected parties throughout the project life-cycle on issues that could potentially affect them. To ensure that appropriate project information on environmental and social risks and impacts is disclosed to stakeholders in a timely, understandable, accessible and appropriate manner and format. To provide project-affected parties with accessible and inclusive means to raise issues and grievances and allow Borrowers to respond to and manage such grievances.			

4. ENVIRONMENTAL AND SOCIAL BASELINE

58. This chapter provides a broad overview of the biophysical and social-economic baseline of Somalia. It is not clear at the time of developing this ESMF as to the specific locations of the proposed GW4R interventions, especially for component 2 which is a community driven development (CDD) component. However, all the sites will be in selected rural and urban areas of Somalia in Somalia's five FMSs. Current environmental and socio-economic conditions will provide, in many cases, a basis for predicting impacts of the subprojects.

4.1 Environmental Baseline

4.1.1 Somalia's location and size

59. Somalia is Africa's easternmost country, has a land area of 637,540 km^2, and occupies the tip of a region commonly referred to as the Greater Horn of Africa that also includes Ethiopia, Eritrea and Djibouti. It is bordered by Kenya to the South West, Ethiopia to the North and Northwest, Djibouti to the North West, and Gulf of Eden to North. Somalia has the longest coastline in Africa of over 3,333 km, which ranges from the Gulf of Aden in the north to the Indian Ocean in the east and south. The country stretches for almost 1,550 km from north to south between latitudes 120 N and 10S, and 1,095 km from west to east between longitudes 410 and 510 E.

4.1.2 Climate and Physical Environment

60. Somalia's terrain consists mainly of arid and semi-arid plateaus, plains, and highlands. Most of the country is flat, rising in the southern and central regions to a few hundred meters above sea level near the Ethiopian border. Somalia's Arid and Semi-Arid Lands (ASALs) make up more than 80 percent of the country's landmass and are characteristically prone to extreme weather conditions including high mean surface temperatures, periods of extended drought, highly erratic rainfall and strong winds (UNDP/ICPAC, 2013).

61. The Northern region of Somalia has the Gulf of Eden and ends at Cape Gardafui. The Southern part of the country hosts two permanent rivers (Juba and Shabelle) which support the country's agricultural areas; and supplies water to the largest city, Mogadishu, in addition to approximately 40 percent of the total population - loosely estimated to be about 10 million (World Bank 2013).

62. Approximately 50 percent of Somalia's land area can be considered permanent pastureland (UNEP, 2010), while 13 percent is suitable for cultivation. Much of the country is arid and semi-desert making it relatively unproductive for agriculture, with nomadic pastoralism a prevailing livelihood among rural communities. Vegetation is dry deciduous bushland and thicket, comprised largely of Acacia and Commiphora species. Closed forest cover occupies only about 2.4 percent of the country. However, when the Juniperus forests and evergreen tracts in the mountains in the north are included, the total forest coverage amounts to around 14 percent (90,000 km2) of the land. The mist forests of the Golis Mountains in the north of the country are important centers of biological diversity and species endemism (UNDP, 2010).

63. Tropical floodplain forest that once existed along the Shabelle River has been cleared for smallholder agriculture, including sugar and banana plantations. Important native forest exports include frankincense, myrrh, gum Arabic and yicib nuts. In 1985 Somalia was the world's largest source of incense and produced over 2,000 tons. Despite its harsh physical environment, Somalia is home to some 3,028 species of higher plants, of which 17 are known to be threatened. Somalia is considered a center of floral endemism and of the known species, 700 (17 per cent) are endemic. Overgrazing and charcoal production have had a profound impact on species composition, ground cover and the structure of vegetation (UNDP, 2010).

64. With the longest coastline in Africa (3025 km) a few well developed reefs exist directly off the Somalia coast. Most prominent is the Bajuni reef, a 125 km long coral reef chain of several small islands, islets and rocks.

The southern Somali coast, with that of Kenya and Tanzania, also forms part of the Somali current large marine ecosystem, encompassing 700 000 km2, and extending 800 km between Dar es Salaam and Ras Hafun. Abundant biomass develops here and the ocean shelf has a wide variety of coral reefs, mangroves, seagrass meadows, beaches and estuaries (UNDP/ICPAC, 2013).

65. All the five proposed project States share similar characteristics, climate-wise with minimal variations. There is generally warm and arid climate across most parts of the five States, though precipitation and the wind can be highly variable in places at certain times of the year (on account of proximity to the equator). the Somali climate is typically hot and semiarid to arid, with two annual rainy seasons (Gu', which spans from April to June, and Deyr, which takes place from October to November).

66. Annual Potential EvapoTranspiration (PET) is high, exceeding 2,000 mm in the northern basins and can be as high as 3,000 mm in the Gulf of Aden. Over the dry period, the vegetation is sustained mainly through the shallow aquifers found along the dry riverbeds (*tog* or *wadis*) across the country. Fertile flood plains and continuous recharge from the Juba and Shabelle Rivers, both originating from Ethiopian highlands, also provide sustained development growth along the riverine areas.

67. The country has an average annual rainfall of about 250 mm. There are variations in spatial distributions of rainfall, with about 500 mm recorded annually in the northern highlands and between 300 and 500 mm in the southern regions. The coastal plains register only between 50 and 150 mm. A few small areas along the coastal strip of Somalia are classified as sub-humid. Rainfall in Somalia has great spatial and temporal variability. Seasonal rainfall is dominated by the north and south movement of the Inter-Tropical Convergence Zone (ITCZ), delineated into four seasons:

i. ***Jiilaal:*** dry season is from December to March. The north-east monsoon is in dominance and conditions are generally dry and hot. The northern parts of the country experience some cool and dry air during this season while the central and southern parts experience very hot conditions.
ii. ***Gu:*** rainy season is from April to June. Relatively wet and hot conditions prevail, with Gu considered as the major rainy season in the country. The southern regions receive more rains than the north. Occasionally the Gu season extends into June or July because of the Haggai rains, which are produced by the onset of moist onshore winds.
iii. ***Xagga***: dry season is from July to September. The South-west monsoon dominates, bringing relatively cool conditions, with showers along the coast but dry inland.
iv. ***Deyr*****:** rainy season is from October to November. The rainfall received at this time is less than that of the Gu rainy season.

4.1.3 Water Resources and Access

68. Somalia is a generally dry and arid country, with poor rainfall. Therefore, the unavailability of water is one of the most pressing problems in the country. The country has only two permanent rivers, the Jubba and the Shabelle, both of which begin in the Ethiopian highlands and flow southwards. Much of the catchments of the two main rivers (estimated to be more than 65%) also lie outside the country, in the Ethiopian highlands. It has nine major water basins namely: The Gulf of Aden, Darror, Tug Der/Nugal, Ogaden, Shabelle, Juba, Lag Dera, Lag Badana, and the Central Coastal Basin. The Juba and Shabelle rivers are very important in Somalia and have been described as the breadbasket of Somalia (Jama & Mourad, 2019). These two rivers are transboundary in nature with approximately 90 percent of Juba and Shabelle rivers originating from Ethiopia, and some from Kenya making them vulnerable to upstream water demands (FAO, SWALIM, 2020). Somalia's National Adaptation Programme of Action (NAPA) has identified water resources as one of the most vulnerable sectors to climate change.

69. Due to the scarcity of significant surface water resources, the country's population, especially in the northern regions of the country (Puntland and Somaliland), to a large degree depends on GW resources (especially berkads,

hand-dug shallow wells, springs and boreholes) for domestic water supply, livestock and small-scale irrigation. However, many of these water sources are unprotected and poorly managed and are prone to pollution, such as microbiological contamination, for instance, the hand-dug shallow wells, which are the majority of water resources in Somalia. A 2012 FAO-SWALIM study noted that out of 1,037 water sources in Somalia at that time, 595 (or 57%) were hand-dug shallow wells. They are typically located within settlements where the water quality is often polluted due to nearby latrines placed up gradient of the water sources. It is important to note too that the majority of GW sources in the country have salinity levels above 2,000µS/cm, which is above the required standard for drinking water (Global Spatial Data Infrastructure Association, 2018).

70. Due to the shortage of reliable water sources, water prices in Somalia are one of the highest in Africa (up to $10 per cubic meter), making it difficult for the most poor and vulnerable households to access safe water. Water scarcity has also led to high mortality rates amongst livestock and failed crop production, essential elements of household survival in Somalia. Many households, usually women and girls, walk long distances to access water, increasing their exposure to risks of sexual and gender-based violence. As a result, only slightly more than 26 percent of Somalis have access to safe drinking water. The situation is especially dire in the southern areas of the country, where only two in every ten people have access to clean drinking water (FAO, 2018). The African Development Bank estimates the population with access to sanitation at only 24 percent (one of the lowest proportions in the world). Waterborne diseases are common and typically severe in the country. UNICEF identifies waterborne diseases as being responsible for the deaths of nearly a quarter of all children under five. Unavailability of water and attendant health problems are also strongly correlated with child malnutrition, leading to both wasting and stunting. Coupled with droughts (and the periodic flooding episodes), this contributes to higher mortality levels.

4.1.4 Groundwater resource

71. Main types of aquifer in Somalia include unconsolidated, volcanic, sedimentary - intergranular and fracture flow, sedimentary - fracture flow, sedimentary – karstic, and basement. Southern Somalia has the best hydrogeological conditions for finding GW such as along the major toggas in the alluvial deposits and weathered basement. In the areas covered by the Gulf of Aden, the Darror and the Nugal Drainage basins, GW movements start in the mountainous areas and move in two directions. The first is from the south to the north from the mountainous regions to the coastal areas of the Gulf of Aden. The second is from the north to the south towards the Haud and Sool plateaus. The hydro-geological divide also mostly coincides with the surface drainage divide.

72. The areas of good GW potential are as follows:

i. Baydhaba Plateau, Buur, Waajid, Damassa areas in the Juba and Shabelle basins;
ii. Alluvial plains along the Juba, Shabelle and Lag Dera rivers;
iii. Shallow aquifers in the sand dunes in the central coastal belt and the northern coastal regions (freshwater lenses), in the Galkayo and Dhuusamarreb Ancestral drainage systems in the Mudug-Galgaduud Plateau, along the toggas in the mountainous areas and sloping plains of Northern Somalia;
iv. Deep aquifers in the Mudug-Galgaduud Plateau with wells 100 m to 250 m deep;
v. Shallow aquifers in the Galcayo and Dhuusaarreb ancestral drainage and Coastal belt along the Gulf of Aden;
vi. Upper catchment area of the mountainous zone in the Gulf of Aden and Darror basins where many springs and underground/surface dams and infiltration galleries could be constructed; and
vii. Plateaus and valleys in northern Somalia (Sanaag region, Haud Plateau and Darror Valley).

73. While surface water sources are limited to the riverine areas in the Juba and Shabelle basins and in toggas in the northern basins, GW sources such as dug wells, boreholes, springs, sub-surface dams and infiltration galleries are predominantly used to meet the human and livestock needs.

74. Dug wells are extensively used along the toggas, sloping plains and the coastal areas (freshwater lenses) with depths ranging from 2 to 10 m. Water quality is a problem in these wells due to poor construction and since they provide common outlets for both livestock and humans. Boreholes are a permanent source of water for most of the people. In the southern river basins, average depth varied from 90 m to 220 m in Bakool region, 60 to 70 m in Bay region, 60 to 125 m in the Hiraan region and 50 to 100 m in Gedo region. The average yield was around 10 to12 m3/hr. Borehole depths ranged from 90 to 220 m (with static water levels from 80 to 130 m) in the north-western regions of Somalia (Somaliland).

75. The estimated yield was from 3 to 30 m^3/hr. Water levels in Bari, Nugal, Eastern Sanaag and Mudug regions in central and north-eastern Somalia were estimated to be around 30 m, 160 m, 120 m and 230 m, respectively. Many boreholes have been abandoned due to the unsustainable draw down of static water levels.

76. Many natural springs exist in the Juba, Shabelle and Lag Dera basins (about 1 to 3% of the identified water points in the topographical maps) and in the mountainous areas of the Gulf of Aden basin, Darror basin and Nugal (about 10% of the water points). Perennial spring sources are found across the mountainous areas and a number of thermal springs are found along the coast in the Gulf of Aden basin.

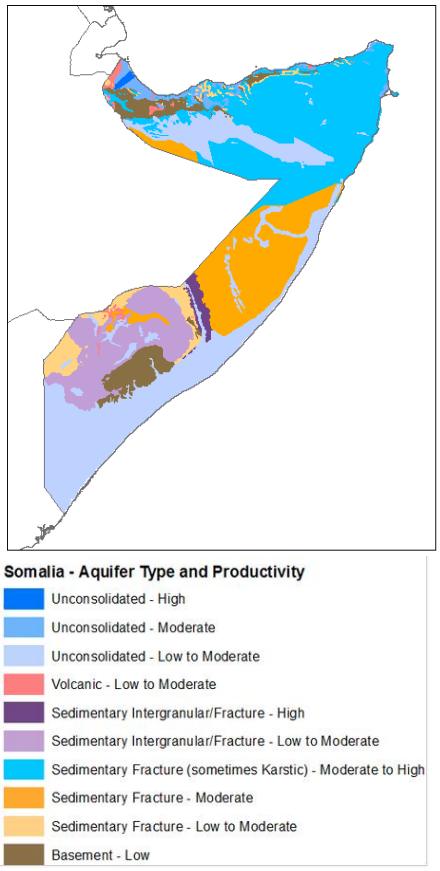

Figure 1: Hydrogeology map of Somalia (http://earthwise.bgs.ac.uk/index.php/Hydrogeology_of_Somalia

4.1.5 Biodiversity and Protected Areas

77. Only 0.8 percent of the Somalis area is under some form of protection (2000). A National Conservation Strategy used to exist but is now extremely low on the territories' agenda. Somalia is part of Conservation International's Horn of Africa Hotspot which has over 60 endemic genera and over 2,750 endemic species. Somalia is a part of Somalia-Masai steppe geographic region of plant endemism (savannas and shrub lands) and has 24 important bird areas. Generally, fauna has been depleted due to hunting and culling to protect livestock. Invasive species (e.g., Prosopis spp. and the Indian House crow, Corvus splendens) have widespread effects on local fauna and flora and are important to address, although Prosopis could be used to substitute endemic trees for charcoal production (FGS NAPA 2013, p.14)

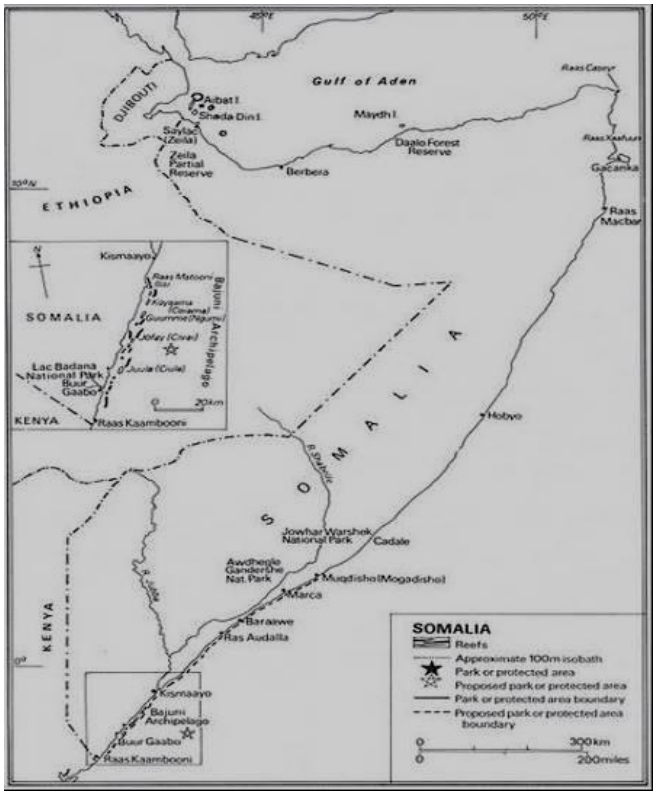

Figure 2: Map showing Somalia's ecological parks, coral reefs and protected areas

78. Biodiversity of Somalia has been understudied. The last decent studies were published in the 1990s mainly due to rampant insecurity. In fact, no new biodiversity research has been undertaken in the last 25 years. Consequently, there is a significant knowledge gap on the current status of the country's biodiversity and the distribution pattern of various species (Amir 1998). Scattered pieces of information revealed that the country has 1340 animal species and 3165 species of higher plants, which adapted to its unique ecological conditions (Amir 1998).

79. Given the richness of its biodiversity and the large number of endemic species, Somalia is part of two biodiversity hotspots. The first is the Horn of Africa biodiversity hotspot which includes the central and northern parts of Somalia. The second hotspot, more relevant to the current report, is the East African Coastal Forest Biodiversity Hotspot. The coastal forests of southern Somalia form the northern tip of the East African Coastal Forest Biodiversity Hotspot, one of the 35 global biodiversity hotspots recognized by Conservation International. This biodiversity hotspot, which extends from southern Somalia to northern Mozambique, hosts 1750 endemic plant species. The dryland forests and savannas of this biodiversity hotspot host the entire world population of the Hirola or Hunter's Hartebeest (Beatragus hunteri). The Hirola is an endemic antelope species, which is the only remaining representative of the once more widespread and species rich genus of Beatragus.

80. There are risks of losing the unique flora and fauna due to overexploitation, overgrazing and loss of the natural habitats. A decade of lawlessness and recurrent civil war have deepened inequalities and forced the local people to overexploit the natural environment and biodiversity indiscriminately for their survival. They have engaged in activities such as deforestation and overgrazing.[7]

4.1.6 Ecosystems

81. Somalia's environmental complement, especially the vegetation resources, offers contrasting experiences, and this is due to the spatial and temporal precipitation distributions. There are four main eco-regions in Somalia, whose distribution is determined by the spatial and temporal distribution of the two annual rainfall seasons:

i. The dominant xeric grasslands and shrub-lands (accounting for 74 % of the country's landmass);
ii. Somali montane xeric woodlands (14 %);
iii. East African mangroves (11 %), and coastal forest mosaic (11 %); and
iv. Farms in the south-central region, urban centers and other settlements account for the remaining 1% of dry landmass.

82. *Forests and Woodlands*: The vegetation in Somalia is predominantly dry deciduous bushland and thicket dominated by species of Acacia and Commiphora, with semi-desert grasslands and deciduous shrub land in the north and along much of the coast. Forest growth in general is limited due to poor soils and low rainfall. Closed forest cover occupies only about 2.4 per cent of the country (IUCN, 1992) but, if the juniperus forests and evergreen tracts in the mountains in the north are included, the total forest coverage would probably amount to around 14 per cent (90,000 km2) of the land.

83. *Land Degradation*: Over the past two decades, land degradation, deforestation and desertification have rapidly accelerated; the Lower Juba area was estimated to have lost 50 per cent of its forest cover during the years between 1993 and 2014. Even with current temperatures, the flora in Somalia is strained to such an extent that it is often unable to rehabilitate itself.[8]

4.1.7 Current and projected Climate Change and Variability

84. Current climate variability for Somalia is that amount of rainfall received across varies dramatically in time and space, from drought periods to erratic periods of intense downpours and flooding. The prominent observation from analysis of weather station rainfall data, across all regions and seasons in Somalia, is a high inter-annual and inter-seasonal variation Rainfall is shown to vary between the range of 57 mm and 660 mm at one weather station in central Somalia during a 20-year observation period (UNDP/ICPAC, 2013).

85. Since 1960s, Somalia has experienced at least one major climate extreme event in each decade (Balint et al 2011). Major floods that have been experienced since 1960 include 1961, 1977, 1981, 1997-98, 2005, 2006 and 2009. Major drought events were experienced in 1969, 1976, 1984, 1987, 1999, 2001, 2004 and 2010. In the past decade (2001 to 2010), the country has been alternating from drought to floods within the years (FAO SWALIM, 2012). The observed pattern (IPCC 2007, 2012) shows increasing variability in rainfall for Somalia suggesting an increase in the frequency and severity of future droughts and flash flood events. Figure 3 shows mean temperature and rains between 1991- 2020.

[7] http://apps.worldagroforestry.org/downloads/Publications/PDFS/WP16174.pdf
[8] Somalia Water and Land Information Management (SWALIM) and Food and Agriculture Organization of the United Nations (FAO), 'The Juba and Shabelle rivers and their importance to Somalia', 2016.

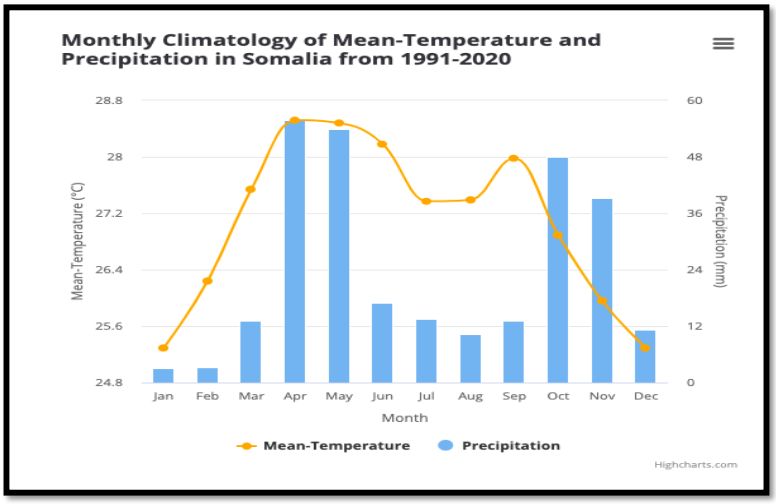

Figure 3: Monthly Climatology of mean temperature and precipitation in Somalia from 1991-2020

Source: https://climateknowledgeportal.worldbank.org/country/somalia

86. The fourth IPCC assessment report (IPCC, 2007) and the latest fifth IPCC (IPCC, 2014) show changes in extreme temperatures across the Greater Horn of Africa region have been observed over the last 50 years. An analysis of global data from 1901-2005 shows temperatures have increased 1.0°C in a century. Projections for Somalia are that the mean annual temperatures are projected to increase by around 3°C across all areas of Somalia by the end of the century. Precipitation projections indicate a general increase in annual rainfall by the end of the century with increase in variability, extreme precipitation and frequent low precipitation leading to increased droughts.

4.1.8 Climate change impacts in the water sector

87. Climate change will affect water sector in many ways. Seasonal variability will affect supply and demand, and planning. It will present operational challenges when planning for the water resources including during emergencies and disasters. High temperatures result to loss through evapotranspiration. Increase in demographics will also increase demand which results into resource-based conflict which is already rampant in Somalia. Increase in extreme events, such as heavy rains/floods and prolonged drought will have significant impacts on infrastructure and endanger life and property through direct physical effects and potentially through water quality issues. Drought will result to reduced productivity and livelihoods and food security.

4.2 Social Economic Baseline

4.2.1 Demographics

88. According to the 2014 Government of Somalia and the UN Population Estimation Survey, Somalia's population in 2014 was 12.3 million. The population is predominantly young with 75 percent of it estimated to be under the age of 30, and almost 50 percent under the age of 15. Somalia is also rapidly urbanizing and, according to the 2017-2018 Somalia High Frequency Survey, 40 percent of the population resides in urban areas, including Mogadishu with 10 percent, while nomadic pastoralists make up 26 percent and agro-pastoralist communities 23 percent of the population. In 2014, it was estimated that 9 percent of Somalia's population had been displaced by conflict and natural disaster and resided in IDP settlements. Population growth over the past 20 years is estimated

to have fallen from 3.4 percent to 2.9 percent, reflecting a decrease in fertility rates in this period from 7.7 births per woman to 6.7. The current population is projected to be around 16 million.

89. As of early 2019, 2.4 million people in Somalia – about 17 percent of the population, is estimated to be displaced primarily due to conflict and climate-related conditions. In addition, some 877,000 Somali refugees live in neighboring countries, making them one of the largest refugee populations in the world. The return of refugees to Somalia has increased in recent years, in part due to discussions around the future of the Dadaab Refugee Camp in 2016, but the numbers remain relatively low: around 52,000 are thought to have returned since 2014, of which 29,000 returned during the first half of 2017.

4.2.2 Somalia's economy and poverty levels

90. The Somali economy is largely natural resource-based with livestock and crop production sectors still accounting for the bulk of the GDP. Other sectors include telecommunication, transport and construction. Traditional pastoral and agro-pastoral livelihoods that underpin these production systems are shaped by geographic and climatic conditions. While the populations in the Northern and Central regions are mainly pastoral due to arid and semi-arid conditions, the communities in the Southern regions are agricultural or agro-pastoral due to higher rainfall and substantive water resources from two rivers: the Juba and the Shebelle which cut through a large part of the territory with fertile land. Nevertheless, there have been substantial socio-economic changes and a mix of different livelihood strategies can now be found within the same region.

91. According to the latest World Bank economic updates, Somalia's economy is rebounding from the "triple shock" of drought, floods and locusts experienced in 2019 -2020. The economy contracted by 0.4 percent in 2020, less severe than the 1.5 percent contraction projected at the onset of the global pandemic. The Real GDP growth is projected at 2.4 percent in 2021. This growth momentum is expected to continue in the medium term and reach pre-COVID-19 levels of 3.2 percent in 2023.
(https://www.worldbank.org/en/news/press-release/2021/09/14/somalia-s-economy-rebounding-from-triple-)

92. Protracted conflict and frequent natural disasters have contributed to sustained poverty in Somalia. About 69 percent of Somalis live below the poverty line. Poverty has many dimensions-majority of Somalis are food poor, illiterate families are poorer as access to job is limited, Poverty is thereby most acute among children, youth, nomadic pastoralists, IDPs, as well as persons living in rural areas (see figure 4).

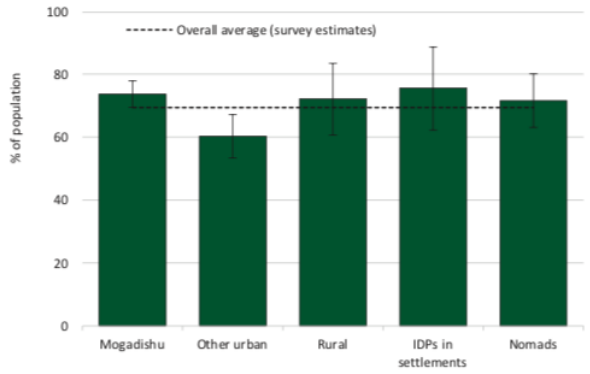

Figure 4: Poverty Incidence across population groups
(Source: Somalia Poverty and Vulnerability Assessment)

4.2.3 Gender

93. UNDP Somalia reports that Somalia has one of the highest levels of gender inequality in the world, at 0.776 (with a maximum of 1 denoting complete inequality), which ranks it fourth in the world (UNDP 2014, p.3). The country has extremely high maternal mortality, rape, female genital mutilation and child marriage rates, and violence against women and girls is common. The participation and roles of women in politics and decision-making is minimal, and although this is improving, it limits female roles and perpetuates inequality. The Provisional Constitution and the FGS have made commitments on women's empowerment and gender mainstreaming. The Constitution provides for the protection of women (Logica 2013, p. 2). including the outlawing of female circumcision (Art 15) and protection from sexual abuse (Art 24(5)). While women's rights in Somaliland and Puntland are ostensibly protected in their respective constitutions, implementation of these provisions continues to lag.

94. Women make up 57 percent of the workforce in agriculture and pastoralism (both of which constitute nearly 70 percent of the local economy). The number of women working in government departments and agencies in Somalia is estimated at just 19 percent of the workforce. The situation is also dire in the education sector, where only 36 percent of pupils in the upper primary education are girls. Gender disparity is higher in upper grades is due to economic constraints and early marriage.

95. In Somalia, women are significantly involved in trading and commerce, from micro-enterprises to large-scale businesses. While the women butcher and sell small ruminants (goat and sheep), they make up most of the fruit and vegetable vendors. Women are also engaged in the sale of local imported goods (e.g., rice, sugar, wheat, sorghum, etc.).

96. The project will make a positive impact on women transhumant nomads and smallholder farmers in terms of increasing access to more and better-quality water. The project implementing teams should make deliberate efforts to ensure that women and girls are represented in community investment planning and in the governance structures of the water points constructed and rehabilitated under GW4R. E&S risk mitigation should also ensure women's needs are addressed.

4.2.4 Social Organization, and ethnic groups

97. In Somalia clans and clannism determining one's origin, social standing and access to territory, property, and to a large extent, power at the societal, economic and state levels. The traditional clan system, while evolving, remains a central and defining factor shaping political and socioeconomic realities in Somalia. Clan affiliation is both a force that has influenced conflict and violence as well as a mechanism for protection and dispute resolution. Customary traditions and conventions help define rights and obligations among kin, clans, and subclans, with an emphasis on the preservation of social stability over individual rights in communities and families. At the local level, clan arbitration through the customary system (Xeer) has helped regulate access to shared resources, such as grazing areas and water. At the national level, 4.5 power-sharing model accords parliamentary power and other positions, based on equal quota to the four "major" clans, and a half-point to a cluster of "minority" clans. In the absence of sound national institutions, resilient clan-based structures provide safety nets to the most vulnerable and have historically claimed responsibility for security and protection. While political developments, population movements, and conflict have weakened traditional authority structures, many expect that clan systems will continue to play an important socioeconomic and political role in Somalia, even as more formalized governance institutions emerge.

4.2.5 Labor and Employment

98. In the labor sector, 47 percent of the population in South Central Somalia is unemployed. Among youth, the rate is even higher at 54 percent (FGS Ministry of Education strategic plan 2018, P.13). The main employment is in the agricultural sector, where 72 percent of employees worked in 2019; followed by 6 percent in the industrial sector, and 21 percent in the services sector (Statistica, Somalia 2021).

99. In addition, as ILO points out, the legal and judicial systems governing employment are still weak, and there are few private or public insurance institutions. It is notable that there are no labor inspection systems in place, which implies that workers ould be exposed to hazardous work without adequate protection. Child labor is a common practice in Somalia (ILO 2014, p.12).

4.2.6 Land Issues

100. Land conflicts in Somalia have risen to be one of the key issues of instability at the community and inter-community levels. This is partly due to a complex situation of land tenure. While the Agricultural Land Law of 1975 abolished private ownership, the current situation is very unclear. Only few local people registered their land at the time, and the civil war further impacted the situation negatively. Customary land tenure has therefore taken the center stage in ordering land ownership and usage. It is focused on clan relations and on pastoral land use rather than norms of individual ownership. The Provisional Constitution defines land as public property. The government has created means to transfer some land into private ownership by granting ownership for urban and agricultural land (IGAD 2018). Formal legal frameworks now exist alongside customary land management.

101. Land disputes and grievances have been identified in the existing literature as a major issue of contestation. The land-related grievances are often due to existing inter-communal disputes over land for grazing or access to water, illegal seizing of land by powerful clans, people returning to claim their land abandoned during war, land inheritance disputes, and unregulated sale of land. A study on land in Mogadishu by the Rift Valley Institute (RVI) estimated that 80 percent of cases filed at the Supreme Court are connected to land grievances (RVI 2017, pp. 53-67).

102. Furthermore, ongoing forced evictions are a key challenge for IDPs in Somalia. Due to insecure land tenure arrangements in IDP settlements, it is often difficult for IDPs to secure their rights. According to ReDSS, an annual average of 155,000 individuals have been evicted across Somalia, mainly in Mogadishu and Baidoa. Evictions take place from both public and private infrastructure.

4.2.7 Cultural Heritage

103. Somalia has a rich cultural heritage due to its own cultural goods ‘dhaqan’ including the fundaments of a segmented society and the resulting social fabric. Traditions often originate in the proto-Somali cultural era or in the numerous interactions Somali populations had with other cultures, including those from the Arabian peninsula, India, and sub-Saharan Africa. The protracted conflicts and the civil war in Somalia, however, have had significant impact on the loss of tangible and intangible cultural heritage. Deliberate efforts have to be made to protect cultural heritage. Unfortunately, the country’s legislation around these issues has not yet been developed and does not legally enforce the protection and preservation of cultural artefacts, cultural heritage and distinct sub-national identities. Especially infrastructure development projects, therefore, there is a need to support the protection of places of cultural and religious significance, including graveyards, religious buildings, and historical sites.

4.2.8 Security and Conflict Environment

104. Somalia ranks second on the Fragile State Index from 2019 with a total score of 112.3. Somalia’s indicators on factionalized elites and demographic pressures are the highest. Somalia has had a long history of clan-based civil war and remains trapped in continued fragility, which is protracted by insecurity, fledgling government capacity, predatory armed groups and spoiler networks. These challenges pose significant security risks for the population, but also for project activities. These include terrorist attacks, hijackings, abductions, and killings. The past two decades have been dominated by terrorist attacks, political infighting and clan-related tensions, which goes back into history and historical movements and power distribution including during the establishment of the FMS. This has worsened the security situation in Somalia significantly.

105. Access to water and pasture is a fundamental source of both conflict and cooperation between clans and civil authorities throughout the Somali region. In terms of conflict, extensive trans-boundary movements of livestock and limited access to the combination of water and pasture is one of the primary drivers of conflict across the

Horn of Africa and within Somalia. Long and well documented records of conflict and cooperation over access to water and pasture in pastoralism domain exists (Gomes 2006). Following decades of low investment in Somaliland and Puntland, water points with adequate surrounding pasture are especially scarce, claimed by clans, fiercely guarded and intrinsically linked to resource conflict.

106. It is notable that for this project high security risk areas such as AS-occupied and -influenced areas will be excluded from project implementation areas.

107. Project-wide and district level Security Risk Assessment and Security Management Plan will be prepared prior to project implementation. These will be carried out by a competent security risk management company overseen by the project security advisor. A TOR for a security risk assessment and management plan is in Annex 9. Use of security personnel by the project and contractors will comply with the World Bank Directive on the Assessment and use of security forces.

4.2.9 Vulnerability and Social Exclusion

108. In Somalia, the World Bank has not triggered Operational Procedure 4.10 Indigenous People for previous projects, but some vulnerable and disadvantaged groups otherwise known as the 0.5 groups, such as the Aweer/Boni and Eyle, and possibly some Bantu/Jareer groups, could meet the requirements for being considered a SSAHUTLC under ESS7. The project will give special consideration to vulnerable and disadvantaged groups. These include:

i. Minority castes and groups;
ii. Internally Displaced Persons;
iii. Those who live in remote rural areas or areas characterized by violence that are bereft of social services and amenities;
iv. Nomadic pastoralist communities;
v. People Living with Disabilities;
vi. Widows and female heads of households; and
vii. Youth.

109. The inclusion plan in the SEP outlines how the project will include these groups in consultations throughout the project lifecycle in order that they can input into the design, and not be excluded from project benefits.

110. Inclusive community consultations and management structures are critical to the achievement of the inclusion plan. The primary objectives will be to:

i. Understand the operational structures in the respective communities;
ii. Seek their input/feedback to avoid or minimize the potential adverse impacts associated with the planned interventions;
iii. Identify culturally appropriate impact mitigation measures; and
iv. Assess and adopt economic opportunities, which the MoEWR could promote to complement the measures required to mitigate the adverse impacts.

111. Although the selection of the areas for subprojects need to be based on technical considerations and need, given that there are likely to be many potential areas, equity and inclusivity will be considered in the subproject selection criteria as outlined in the PAD and the POM, especially as areas with IDPs or minority groups (0.5 groups) may otherwise be overlooked due to clannism and elite capture.

4.2.9.1 Other disadvantaged groups

112. ***Minority and marginalized groups:*** Minority groups (ethnic minorities such as Bantu, Bajuni, Benadiri, RerXamar, Bravanese; or occupational groups such as Midgan/Gaboye, Tumal, Yibir, Galgala) are estimated to

represent up one-third of the population in Somalia.[9] However, they continue to be excluded from political participation, have limited access to justice, are denied multiple rights and are disproportionately affected by natural hazards and conflicts. For the most part, Somali's minority and marginalized groups are either fully agricultural (for example, Somali Bantu groups), agro-pastoralist (for example, the Rahawein), or artisanal specialists (for example, the Tumaal). Women from minorities and/or among IDPs are particularly affected by multiple violations of their rights, both as women and as members of minority groups. The marginalization and social segregation of vulnerable groups is one of the key driving forces of the protracted massive displacement of people and the difficulty to find durable solutions for them.

113. Minorities in Somalia can be considered to be those who fall outside the four main clans. There are four main groups of minorities as briefly described below.

i. *Occupational groups*: these communities include Gabooye, Tumal and Yibi that traditionally fulfilled a particular function considered taboo by the main Somali clans. This included leatherworking, pottery, metalworking, hunting and some traditional health practices (including carrying out FGM). These communities are found all over Somalia. They experience extreme daily social discrimination. Inter-marriage between young people from these communities and those from the four main clans is socially unacceptable – with at times tragic consequences whereby reprisal actions are taken when occasionally such marriages have taken place in spite of social disapproval and threats.

ii. *Coastal communities*: these communities including Ashraf, Benadiri, Bajuni, Bravanese often resulted from immmigrants from the Arabian Peninsula (but also Italians), who settled and inter-married with Somalis. Once living relatively privileged lives, often in larger coastal urban centres, many of these communities were displaced by conflict (both internally and internationally) and their social ties decimated.

iii. *Bantu groups*: more often found in South Central, these communities may have originally migrated north from the Bantu lands of Central and Eastern Africa. These communities were more likely to earn a living by growing crops – often in the fertile riverine areas of South Central. They coexisted with the major Somali clans who lived more by pastoralism with systems of patronage keeping the Bantu groups in a servile and sometime unpaid labourer position.

iv. *Structurally marginalized groups*: these are the Rahawein or Digil/Mirifle clans. They are agro-pastoral communities, largely unarmed, and historically have experienced institutionalized marginalization, deprivation, and serious human rights abuses.

114. While all of these people are considered Somali and share languages and cultural characteristics with the country's majority clans, social and historical distinctions relegate some of the groups to subordinate and marginalized positions in the society.

115. ***IDPs:*** Somalia Humanitarian Need Overview Report of 2021 by UN OCHA indicated that more than 2.6 million people are internally displaced and continue to face serious risks of marginalization, forced eviction and exclusion. Somalia recorded the highest number displaced people over the past three years: 1.2 million in 2020 884,000 in 2018 and 770,000 in 2019. Drought conditions, conflict and other climatic shocks are contributing to already pronounced rates of acute and protracted displacement. The IDPs, who are dependent on livestock and agriculture, had to abandon their rural homes to find new opportunities, and migrating predominantly to urban areas.

[9] While data on the population of minorities in Somalia are limited and contested, in 2002, the UN Office for the Coordination of Humanitarian Affairs estimated that the minority groups combined comprised one-third of the population (UN OCHA 2002).

116. While data on the demographic profile of migrating populations is needed, it is likely these drought-related internal displacements may be from minority clans, who have lost assets including their homes, livestock and livelihoods. Settlements are heavily congested and have also proportionally received the largest number of new arrivals. Displaced women and girls are among the most vulnerable populations and face multiple constraints including lack of access to adequate shelter, livelihoods and access to critical resources, including land.

117. IDPs commonly settle in informal urban settlements, where access to services and conditions are poor, and where they often become victims of forced eviction. Conditions of displacement often compound existing conditions of vulnerability and poverty. They are therefore part of the poorest strata in Somalia and are often in dire need of access to food, water, sanitation, health services, shelter and education (Internal Displacement Monitoring Centre (IDMC 2020, p.30).

118. Following a recent survey, a move to urban centers comes with some improvements in health and education for IDPs, but also with reduced access to work and lower income. About 61 percent of male IDPs claim that they had work and an income before displacement, in comparison to 40 percent after displacement. The greatest loss affecting IDPs is the loss of secure housing.

119. In view of education and health, IDPs generally report better access than before their displacement. About 25 percent of IDPs state that they have better access to healthcare than previously, while 60 percent state there is no change. However, there are also significant concerns about improper sanitation and the outbreak of diseases in IDP settlements (IDMC 2020, p.36). However, while this mostly applies to urban IDPs, generally, the socio-economic and human development indicators for IDPs are worse than those of non-IDPs. While 70 percent of Somalis are poor, over 75 percent of IDPs live on less than $1.90 per day (WB 2019, p. 73).

120. ***Youth:*** According to UNFPA, 38 percent of Somalia's population is 15-35 years old. The majority of young people live in the urban areas, 46 percent of all 15-29 year olds live in a city, followed by 25 percent that live as nomads. Only 49 percent of male youth is literate, compared to 41 percent of female youth. About 69 percent of current youth are not enrolled in school. About 3 in 10 youth are unemployed (UNFPA 2016). Irregular migration of youth populations in search of resources of livelihoods, particularly from rural to urban areas may compound existing challenges linked to youth vulnerability and unemployment.

121. A joint study by the World Bank and the United Nations on youth and attitudes to peace showed that for youth peace is not just about ending violence but includes strong and accountable institutions providing services and opportunities for all. For many respondents there was also a clear link between violence, including domestic violence, at the local level and national level conflict. Peacebuilding efforts, therefore, must start at home and at the community level (WB/UN 2018).

122. ***Women:*** Differentiated social roles and responsibilities between men and women across livelihood systems have implications on the available mechanisms to cope and respond to external shocks such as drought. In the face of crisis, such as insecurity, drought or famine, men and women adopt different coping strategies to increase household resilience. Male household members may migrate to urban centers seeking economic opportunities. Alternatively, women sometimes travel to towns to engage in petty trade and in the informal economy.

123. Unemployment rates remain particularly high for women, especially female IDPs who often remain reliant on charity through social protection mechanisms and contributions from the diaspora in the form of remittances. Women who are engaged in income generating activities are often involved in the informal sector and further bear the double domestic burden of earning an income and taking care of the home. The consequences of this burden often fall on girls in the family, who are expected to contribute to the maintenance of the home, often at the expense of their education and skills development.

124. Women representation in politics and governance bodies has remained scarce. Women's economic empowerment plays a fundamental role in their rise in politics and decision-making spheres. However, to date no analysis has explored the links between economic empowerment initiatives and political empowerment in Somalia, nor has rigorous political economy analysis been coupled with a gender analysis. At least 30 percent of seats in the national Parliament are reserved for women. However, while women's representation in Parliament has improved in recent years, at 24 percent representation, this quota remains unmet.

125. The ongoing fragility and conflict in Somalia is responsible for an increasing number of IDPs within Somalia, including a high proportion of women. They are often subject to poor security arrangements, which leave women and girls particularly vulnerable. In this context, as well as outside IDP camps, GBV (particularly rape) is widespread, including as a conflict tool between social units. The UN has consistently reported that between 75-85 percent of GBV incidents collected through the GBV Information Management System (GBVIMS) are perpetrated against IDPs.

126. ***Gender Based violence/ Sexual exploitation abuse and harassment (GBV/SEAH)***: According to the "Expanding Access to Justice Program, Gender Assessment, 2019" report, sexual violence and GBV in the country are very high. In particular, sexual violence against women has been used as a tool of war, including leheyste-galmo, a form of sexual hostage-taking as well as child marriage, FGMC (98% of female population in Somalia have gone through throught this rite), rape and intimate domestic violence (IPV), which already existed but were normalized after conflict.

127. There are significant barriers to access to justice. Fear of reprisals or punishment deters survivors of GBV from reporting incidents. Survivors are often reluctant to pursue cases against the perpetrator due to the social stigma associated with rape and other forms of GBV. In south and central Somalia, survivors, lawyers, witnesses, journalists, and family members face death threats, harassment, and arrests for reporting GBV offences, in particular if perpetrators are from the security forces.

128. Most domestic and sexual violence cases are dealt with through the customary[10] and Sharia legal systems. Anecdotal evidence indicates that some customary practices result in double victimization of women and girls, denial of justice for many survivors, and impunity for perpetrators. Traditional approaches to dealing with rape and seeking resolution or compensation through negotiation between clan members lead to restitution being paid to the clan and not to the survivor. Once restitution is paid, the perpetrator of the sexual violence is free from further punishment and the case is considered finalized. In some cases, the woman or girl is forced to marry the perpetrator of the violence as a form of "restitution" as ordered by customary courts.

129. In view of inheritance and access to resources, women are exposed to housing, land and property violations, especially land-grabbing and denials of inheritance. Also, women are not considered principals since they are not diya-paying members, thus do not usually share in diya receipts, even if they relate to a violation against them.

130. In view of child labor and trafficking, in Somali culture, girls and boys are expected to take part in household chores from around the age of five years, especially in rural areas. The distribution of such tasks is highly gendered and the burden skewed towards girls. Poverty-driven child labor is not generally considered to be a violation of children's rights and children are forcibly recruited within Somalia and used as labor in agriculture, livestock herding, construction, sexual servitude, domestic service and sexual exploitation.

131. The rate of female genital mutilation in Somalia is estimated at 98 percent. This harmful practice carries serious health consequences and it increases the likelihood of dying during childbirth. Nearly 50 percent of girls

[10] The customary system is widespread, and many families and clans choose it over other justice systems (UNDP 2018).

are forced to marry before they turn 18. Being married robs them of their childhood and increases the likelihood of early pregnancy and school dropout. Existing protection services are inadequate, especially in remote and in warring communities. There is widespread failure to promote and protect the rights of children (UNICEF 2020).

132. Interventions for women and children should consider the well-being of the family as a whole. A positive engagement with the issues confronting Somali men should be part of any attempt to address the needs of women and children. A standalone SEAH Prevention and Response Plan will be prepared prior to effectiveness.

5. POTENTIAL ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS AND MITIGATION MEASURES

133. This section contains a preliminary summary of the risks and impacts that are likely to result from the GW4R project activities as a result of the interaction between the project components and the environmental and social aspects of the project-supported communities. It should be noted that the impacts identified here are preliminary in nature and the actual ones will be identified during environment and social screening and environmental and social assessments associated with individual subprojects.

5.1 Environmental and Social Risk Levels

134. Assessment of risk for GW4R subprojects will be determined according to their E&S risk levels. The latest World Bank E&S directive for Investment Project Financing (IPF) of November 28, 2021, classified risks as: ***High, Substantial, Moderate or Low***. The classification of risk levels depends on the following considerations, among others:

i. type, location, sensitivity and scale of the Project; type of infrastructure; volume of hazardous waste management and disposal;
ii. the nature and magnitude of the potential E&S risks and impacts;
iii. the technical and institutional capacity and commitment of the government to manage such risks and impacts in a manner consistent with the ESSs, including the country's policy, legal and institutional framework; laws, regulations, rules and procedures applicable to the project sector, including regional and local requirements; and
iv. other areas of risk that may be relevant to the delivery of E&S mitigation measures and outcomes, depending on the specific project context, including the nature of the mitigation and technology being proposed, considerations relating to domestic and/or regional stability, conflict or security.

5.2. Potential Environmental Risks and Impacts

135. The CDD subprojects will, among others, include ground water exploitation through rehabilitation and construction/drilling of boreholes/deep wells, shallow hand-dug wells, surface water/run-off storage (Berkads/Hafir/earth Dams), construction of sand/subsurface dams (Wadis) for human and livestock consumption, GW-based small-scale agricultural/food production activities (e.g. irrigation); solar pumped GW supply schemes for human and livestock consumption, and nature-based solutions for enhanced GW recharge; and conducting various studies. The implementation of these core subproject activities will have potential environmental risks such as air and noise quality, visual/aesthetic intrusion, resource depletion, safety risks due open water storage in earth dams, other public and OHS risks, traffic safety, water and soil pollution due to spillage of chemicals, pesticides, fuel from project activities, and hazard toxicity from the installation of solar pumped GW supply schemes within and around the subproject site. These may emanate from activities like ground disturbance, vegetation clearance, installation of solar equipment, and storage and final disposal of hazardous waste, disposal/recycling of solar panels and solar appliances, storage and disposal of pesticides and chemicals, solid waste disposal from construction, disposal of drilling wastes, potential use of contaminated ground water in community water supply and/or livestock use, soil and water pollution due to irrigation, improper wastewater disposal in community water systems, community health and safety risks due to water borne diseases (e.g. from irrigation),. Prior to start of any works/investments/bids, for each type/category of actual subprojects for this Project, management and mitigation measures will be stipulated properly in the individual subproject ESRM instruments such as subproject specific ESIAs and Environmental and Social Management Plans (ESMPs).

136. The key project activities are presented in Table 4 (detail description of the activities by component and sub-component can be found in the PAD, Annex 1.

Table 4: Components, sub-components and key activities

Component	Sub-component	Key activities
1. Delivering inclusive groundwater services to critical areas	1.1 Hydrogeological surveys and research, assessing aquifers, and identifying potential water point area locations	Undertake geological, hydrogeological and geophysical surveys in order to identify the location of promising aquifers and water points
	1.2 Invest in groundwater infrastructure development, including community engagement and improved water distribution and water usage	Support the establishment of GW infrastructure Promote sand dams for enhanced resilience of marginal dry-land environments
	1.3 Preparation for groundwater development in focus areas	Planning, construction and investment in improved water supply
2. Establish a uniform system for groundwater development and management across Somalia	2.1 Develop a groundwater governance system and arrange cooperation between federal and state governments, within governments, and with civil society	Contribute to the development of groundwater governance in Somalia and Somaliland
	2.2 Establish and operationalize groundwater offices at Ministry of Water at Federal and Member State Governments and in Somaliland	The support will focus on: (i) having suitable premises, equipment, computer software, internet access, etc. (ii) arranging an appropriate organizational structure, with clarity on positions, roles and responsibilities, workplans, and guidelines (iii) identifying and engaging staff for new positions (iv) social promotion activities to ensure women are represented on the staff in leadership positions
	2.3 Sector-wide capacity assessment in groundwater development, management, and monitoring	Conduct a needs assessment that will feed into both national and regional programs to identify how potential shortages in GW management can be addressed Train local and state leaders in basic issues of GW/surface water governance, the hydro-social cycle, how to share water between competing demands, conflict resolution, human needs, and linkages to wellbeing

	2.4 Groundwater data and information management	Support the establishment of a GW section within the National GW Center, focused on groundwater development, management and monitoring in Somalia
	2.5The Merti transboundary aquifer - a strong case of regional cooperation, development, and learning	Promote the Merti aquifer, located mainly in Kenya but stretching into Somalia, as a case for regional cooperation and development
3. Project Management and M&E and Internalized Knowledge Management and Learning	Finance the operational costs of one National Project Coordination Unit (NPCU) at FGS and six Project Implementation Units (PIUs) at the FMS MoEWR, Hirshabelle, Galmudug, Jubaland, Puntland and South West and Somaliland Undertake M&E, knowledge management and learning, and evidence-based policy input	

137. The project interventions will focus on small-scale investments in national and shallow aquifers. Given that investments will be in the borderlands and that there are intrinsic uncertainties associated with the characterization of aquifers, any intervention tapping into deeper or transboundary aquifers, in addition to being acknowledged in the notification process, will be supported by aquifer sustainability assessment previously approved by the Bank ESF team. This is to ensure that the proposed investment will not compromise the sustainability of the resource or have negative externalities on the other side of the border. Potential interventions (boreholes, wells) in transboundary aquifers will be processed based on prior knowledge about aquifer dynamics. This requirement will be in the ESCP.

138. In addition, depending on the nature, scale and type of subproject, the project may be required to develop and implement other management strategies and implementation plans such as protocols on storage, handling, and disposal of hazardous materials; a waste management plan, with a focus on hazardous wastes; traffic management plan; and a community and OHS management plan. As most of country level ESRM instruments will deal with local risks and impacts, IGAD will prepare a regional Strategic Environmental and Social Assessment (SESA) to consider regional and transboundary ground/surface water related impacts. Impacts/risks mentioned within Somalia will be addressed within ESMF, subproject ESMPS or some specific study/plan developed specifically for managing an issue (risk) within Somalia and this Project (e.g., hazardous waste).

5.3 Potential Social Risks and Impacts

139. The envisaged activities under Component 1, which will focus on GW infrastructure and small-scale agricultural and food production (irrigation development), both for people and to support livelihoods, could lead to a range of social risks and impacts. There is the potential for exclusion of disadvantaged and vulnerable groups (e.g., women, persons with disabilities and IDPs). In addition, the project will require land to develop water infrastructure, small scale irrigation areas, etc., in locations where land is likely to be subject to communal ownership and usage rights. Developing agreements over rights to use such land may be challenging. Access to land and water may contribute to an increased risk of conflict and/or social tension within and between communities. Effective and inclusive community consultations and meaningful stakeholder engagement is challenging, while developing effective grievance mechanisms will be complex due to rural locations, traditional decision-making structures and existing social tensions.

140. The extent of any labor influx will be determined during implementation. The project will be subject to a range of labor risks including OHS, safety and security risks and the potential use of child and forced labour. Local contracting arrangements may also mean that project workers do not have contracts or are subject to unfair

conditions (including lack of breaks, irregular pay, etc.). Female workers may be discriminated against in terms of terms and conditions of employment. Further, Covid-19 may continue to play a role in influencing project implementation notably around stakeholder engagement and face-to-face gatherings. Risks of exclusion may be exacerbated if Covid-19 restrictions further limit in person interactions. The evolving nature of the pandemic and advances in vaccines makes it difficult to determine the longer-term implications.

5.4 Sexual Exploitation, Abuse and Harassment (SEAH) Risks and Impacts

141. The use of contractors, especially for medium sized infrastructure, may result in labor influx. While the duration and extent are likely to be limited, the presence of workers may result in SEAH risks, especially for activities in rural areas which may lead to greater influx. SEAH risks are also possible within the workforce including in any worker accommodations and in the workplace, as well as during recruitment. The contextual risks for GBV/SEAH are generally high with very little redress, mitigation or survivor centric handling of cases. High social stigma around GBV/SEAH and traditional complaints systems likely to cause more harm to the complainant, mean that GBV/SEAH is rarely reported or the perpetrators punished.

5.5 Potential Environmental and social risks and impact and mitigation measures

142. Table 5 presents some of the likely E&S concerns of potential subprojects under components 1 and mitigation measures.

Table 5: Potential Environmental and Social Risks and Impacts and mitigation measures

Type of Subproject	Potential Environmental and social negative Risks	Potential Environmental and social negative impacts	Mitigation measures on negative impacts
Construction Phase			
Borehole and Well Rehabilitation/ Construction	Aquifer sustainability	• Over-abstraction and transboundary issues	To ensure that the proposed investment will not compromise the sustainability of the resource or have negative externalities at the other side of the border, any intervention tapping into deeper or transboundary aquifers, in addition to being acknowledged in the notification process for the application of the relevant ESSs, will be supported by aquifer sustainability assessment previously approved by the Bank ESF team.
	Loss of vegetation	• Clearing of bushes at the construction site to either to pave way for access roads, workers camp construction and project construction, among others activities will expose the land to elements of erosion such as wind and water, thus trigger land degradation. • Loss of vegetation, albeit at a minimum level, will affect pasture availability and loss of pastureland, hence affecting people's livelihood.	Minimize land clearing areas as much as possible to avoid unnecessary exposure of bare ground to the elements of the weather.
	Soil erosion	• Soil erosion could occur during the construction phase when loose soil is swept by waters and wind, and during the construction and operation phase. The heavy equipment and machines that shall be used in the construction process will interfere with the soil structure making it loose and liable to erosion. • Solid erosion will result to reduced soil fertility and in case of gully erosion, lost land for farming and pasture for livestock.	• Re-vegetate cleared areas as early as possible using native plant species. • Planting of trees for restoration degraded sloping lands.
	Decreased air quality	• Airborne dust will be caused by excavation, vehicle movement hence engine combustion and materials handling, particularly downwind from the construction sites during the construction phase. This will have impact on environmental and human beings, and general health and safety.	• Proposed investments should require that construction contractors operate only well maintained engines, vehicles, trucks and equipment. • A routine maintenance program for all equipment, vehicles, trucks and power generating engines should be in place. • The project should ensure the use of good quality fuel and lubricants only. • Limited wetting of sites especially during dry season.

Type of Subproject	Potential Environmental and social negative Risks	Potential Environmental and social negative impacts	Mitigation measures on negative impacts
			• Contractors to provide protection gears to the construction workers.
	Noise and vibration impacts	• Use of heavy equipment for construction activities could result in significant noise impacts so as to impact on general well-being, health and functioning. Introduction of new sources of noise is an issue in areas where ambient noise levels have been low. The vibration will affect soil structure and may loosen the soil causing landslides. The noise will affect community health and result into occupation health issues.	• Construction traffic speed control measures should be enforced on unpaved roads. • No discretionary use of noisy machinery within 50m of residential areas and near institutions, manual labour can be used at this point. • Engines of vehicles/trucks and earth-moving equipment should be switched off when not in use. • Good maintenance and proper operation of construction machinery to minimize noise generation. • Proposed investments should require contractors to use equipment and vehicles that are in good working order, well maintained, and that have some noise suppression equipment (e.g. mufflers, noise baffles) intact and in working order. Such provision could be part of the contractual obligations with the contractors. • Contractors will be required to implement best driving practices when approaching and leaving the site (speed limit of ≤30 km/hr) to minimize noise generation created through activities such as unnecessary acceleration and breaking squeal. • Contractors to provide protection gears to the construction workers. • Setting up temporary noise barriers where possible • Apply WB EHSG General Guidelines
	Solid and effluent waste	• There is potential adverse impacts that will result from the abandonment of litter/construction materials on site, use of plastic container/bags by road users and the construction crew and use of polythene sheets for curing by the contractor. Construction camps may be a further source of both solid and liquid wastes. This will release foul smell and animals may also eat polythene papers causing ill health.	**Solid non-toxic waste** • Adequate waste receptacles and facilities should be provided at project sites/camp sites. • Training and raise awareness on Safe Waste Disposal in construction camps for all workers. • Reduce-re-use and recycle wastes whenever possible. • Final disposal should be at dumpsites approved by the government authorities. • **Waste oil /fuel** • Spent or waste oil from vehicles and equipment should be collected and temporarily stored in drums or containers at site.

Type of Subproject	Potential Environmental and social negative Risks	Potential Environmental and social negative impacts	Mitigation measures on negative impacts
			• Waste oil should be disposed of by oil marketing companies or agents approved or recognized and have the capacity to undertake oil disposal. • Prepare Waste Disposal Plan for every construction site. • Install waste disposal receptacles and signs in strategic places within the construction camps. • Provide training and awareness on need to avoid littering. • Ensure the construction camps have toilets.
	Hazardous chemical waste	• During drilling, chemicals may be used exposing the area to hazardous waste that may affect humans and livestock. Use of solar panels will most likely generate hazardous waste. • Hazardous wastes may also lead to occupational risks (workers) and community health and safety if improperly disposed	• Ensure chemical used are of the standard provided by local and/or international law. • Proper chemical waste disposal as per relevant standards. • Community and handlers' awareness and training on disposal methods.
	Loss of land	• Land will be required for project activities which may cause economic or physical displacement and reduce land holdings for communities or individuals or conflict if land ownership is not clear or contested.	• Community awareness on the need for land for the subprojects and their involvement on choosing and agreeing the sites. • Project team to apply appropriate land acquisition methods as outlined in the Project RPF. • Adequate compensation for economic or physical displacement including squatters as per the Project RPF.
	Delayed compensation for land loss and/or provision of alternative livelihoods for project affected parties	• Due to government bureaucracies, there may be delay in compensations which ultimately delay project implementation timelines. This may create discord and antagonize the community towards the project.	• The government to ensure that PAP compensation is planned and budgeted during the budgetary process and ensure that funds are available when needed. • Project team to ensure frequent and clear information flow to communities and manage the narrative/ expectations
	Health and safety of construction workers	• During the construction phase (and in certain cases operation phase) there is likelihood of accidents that could cause loss of life, limbs and other injuries.	• Insurance and emergency medical benefits for the workers to be provided. • On-site training of workers on the operations and maintenance of new machinery and health and safety procedures. • Sensitization and training on OHS issues and continuous supervision. • Institute a feedback and Grievance Mechanism (GM) for workers and provide linkages to the main GM for the project.

Type of Subproject	Potential Environmental and social negative Risks	Potential Environmental and social negative impacts	Mitigation measures on negative impacts
	Workers/labor influx impacts/GBV/SEAH	• The influx of workers and followers can lead to adverse E&S impacts on local communities, especially if the communities are rural, remote or small. Such adverse impacts may include increased demand and competition for local social and health services, as well as for goods and services, which can lead to price hikes and crowding out of local consumers, increased volume of traffic and higher risk of accidents, increased demands on the ecosystem and natural resources, social conflicts within and between communities, increased risk of spread of communicable diseases include HIV/AIDS and COVID-19, and increased rates of illicit behavior and crime. These happen in cases where there is low capacity to manage and absorb the incoming labor force, and specifically when civil works are carried out in, or near, vulnerable communities and in other high-risk situations.	• Ensuring that locally available labour force are given priority during recruitment. • Invest in community awareness and sensitization on HIV/AIDS and COVID-19 protocols. • Provide access to Voluntary Counselling and Testing (VCT) services to construction crew. • Adherence to workers' code of conduct (CoC) and sensitization. • Clear and culturally sensitive GM and GM related to SEAH/GBV. • Implementation of SEAH Prevention and Response Plans • Apply WB EHSG General Guidelines.
	Violence against children	• This may include child labour and child abuse by construction workers at the constructions site.	• The project team and contractors should comply with minimum age requirements set out in ILO conventions or national legislations (whichever offers greatest protection to young people under age of 18) and keep records of the dates of birth verified by official documentation • All contracts shall have contractual provisions to comply with the minimum age requirements including penalties for non-compliance in-line with the relevant national laws. • The NPCU, SPIUs and contractors to maintain labour registries of all workers with age verification. • Subproject ESMPs should clearly forbid the use of child labour.
	Traffic congestion and accidents	• There could be traffic congestion, obstruction to pedestrian movement due to increase in movement of construction vehicles. This may happen mostly in urban areas.	• Schedule deliveries of material/ equipment during off-peak hours. • Contractors to designate flagman/woman for traffic control. • Contractors to use road worthy vehicles and trucks should be used to avoid frequent breakdowns on the roads. • Only experienced drivers should be employed.

Type of Subproject	Potential Environmental and social negative Risks	Potential Environmental and social negative impacts	Mitigation measures on negative impacts
			• Contractors must provide training for drivers on new machineries, establish speed limits; enforce safe driving and take disciplinary action against repeat offenders.
Construction of sand dam, subsurface dams, shallow wells and surface water run-off storage-Berkads and earth dams	Impacts on ecosystems	• The sand dam weir/abstraction may have potential environmental impacts on downstream riverine ecosystems, including maintenance of stream and riparian habitats. It may result into reduced downstream flows especially during the dry season.	• Conduct ESIA and feasibility study for the sand-dam sites to ascertain likely impacts and develop suitable mitigation measures. Minimum demands from both existing and potential future users need to be clearly identified and assessed in relation to current and future low flows. The quality of low flows is also important. A reduction in the natural river flow together with a discharge of lower quality drainage water can have severe negative impacts on downstream users. • Obtain permits for abstraction from relevant authorities. • Apply WB EHSG General Guidelines.
	Risk of drowning	• There is a risk of drowning by children and small stock in the shallow wells and earth dams if not well fenced and protected.	• Ensure shallow wells closer to home are capped. • Shallow wells closer to pasture areas and along the riverine areas should be fenced off using appropriate materials.
	Borrow pits	• Borrow pits is where stone, sand, gravel, or other granular soils are extracted for construction of the various project investments. The term 'pit' is used when granular material is extracted. The E&S impacts of pit can include the loss, reduction or disturbance to wildlife and habitat, erosion, dust, soil/GW contamination, waste disposal, noise, and aesthetics.	• Safety measures should be developed including community sensitization on the same when the works is continuing. • Barrow pits should be covered completely once the works is complete and covered with vegetation. • Apply WB EHSG General Guidelines.
Operation Phase Solar pumping and ground water for water supply and management for human and livestock consumption in rural areas and settlements	Land degradation	• Disturbance of topsoil by concentrated herds of livestock when watering causing land degradation.	• Development of community water sharing plan. • Plant shrubs or grass or shade trees where necessary • Minimize clearing of vegetation in areas where project activities are not going to take place.
	Hazardous waste	• Hazardous waste from used solar panels could be harmful to human health.	• Proper chemical waste disposal as per relevant standards. • Community and handlers' awareness and training on disposal methods

Type of Subproject	Potential Environmental and social negative Risks	Potential Environmental and social negative impacts	Mitigation measures on negative impacts
	Communal conflicts	• Conflict may occur due to competition over water use.	• Development of community water sharing plans. • Strong GM in place. • Monitoring and supervision of beneficiaries while getting water to create order and harmony. • Put in place measures for transparency and open communication among members. • Fair distribution of water infrastructure among communities • Ensure vulnerable and disadvantaged groups have adequate access to water.
	Inequality in access and use of water	• Due to gender, clannism and elite capture some section of the community may have restricted access and use.	• Ensuring that all vulnerable and disadvantaged groups and minorities are included in the decision-making structures and water sharing plans are inclusive. • Development of watering rosters especially during dry season, so that all beneficiary communities, including disadvantaged and vulnerable groups get fair share of the water when needed. • Fair pricing of water commodity to allow access by poor community. Levy waivers could be considered for the special need groups including the very poor households.
	Improper disposal (e.g. not properly treated) wastewater generated from GW and community water supply systems or both wastewater and solid wastes generated from livestock operations	• Wastewater may find its way into surface water facilities like earth dams hence polluting the water.	• Community awareness on proper disposal of wastewater. • Use of wastewater for planting of trees.
	Potential risk to community health due to drinking ground water that is contaminated/ untreated	Contaminated water may cause water borne diseases.	• Community awareness on public health e.g boiling of water from surface dams.
Rehabilitation and/or protection of water catchment areas and ground water restorations and ground water recharge using	Restoration technologies adopted may have adverse impacts on the environment and community livelihood.	• Communities may be denied entry and use of flora and fauna in the areas protected for restoration.	• Community sensitization on the restoration benefits. • If the restoration sites are small, fence off the areas. • Use technologies/techniques that will still allow communities to use the areas but at the same time help to conserve/restore them. • Apply WB EHSG General Guidelines.

Type of Subproject	Potential Environmental and social negative Risks	Potential Environmental and social negative impacts	Mitigation measures on negative impacts
appropriate technologies			
Development of small-scale irrigation schemes	Pollution of water sources by pesticides due to soil erosion and run-off into water storage facilities.	• Pollution of water sources will have environmental impacts on the habitants and adjacent rivers.	• Control and supervise pesticide use by farmers. • Community awareness on proper disposal of used pesticide containers.
	Poisoning of humans by pesticides	• Improper disposal of pesticide containers may expose children and grown-ups to poisoning as they may not know the content of the containers. This will affect human health.	• Community awareness on proper disposal of used pesticide containers.
	Threat from crop pest	• Pests if not well controlled will affect crop yields hence affecting people's livelihoods. Pests could also affect farm products after harvest and at storage.	• Training farmers on pest control. • Post-harvest pest control measures.
	Conflict between farmers and livestock herders.	• During dry seasons, there could be competition between herders and farmers over access to water and along cultivated stock route. Animals could stray and destroy crops.	• Development of community water use agreements and access routes. • Develop a clear and simple Stakeholder Engagement Plan (SEP) that will include GM to manage expectations. • Community structures with representation of all groups to prevent and manage conflict. • Actively involve women and youth in all components and levels of decision-making within the project.
	Pollution of soils due to irrigation	• Use of pesticides may pollute the soil affecting human health.	• Training community on members/farmers on proper use and disposal of pesticides.
	Community health risks due to water borne diseases/vectors	• Stagnant water in farms provide breeding ground for vectors like mosquitos that causes malaria. • If water for irrigation is also consumed by humans, it will cause water-borne diseases affecting community health.	• Spraying with appropriate pesticides areas where there is stagnant water. • Awareness creation on use of appropriate measures to avoid waterborne diseases and vector borne diseases, for example boiling of water, use of mosquito nets.

6. PROCEDURES FOR PREPARATION, REVIEW, CLEARANCE, AND IMPLEMENTATION OF ESF INSTRUMENTS

143. This chapter outlines the process of conducting E&S assessments for potential subprojects under the GW4R Project. It is consistent with the requirements of ESS1. The project will carry out E&S assessments of the project/subprojects/activities to assess the E&S risks and impacts. The assessment should be proportionate to the potential risks and impacts of the subproject, and will assess, in an integrated way, all relevant direct, indirect, cumulative and residual E&S risks and impacts throughout the project life cycle, including those specifically identified in applicable ESSs, including security. The security risk assessment and management plans will be developed in parallel by a competent security risk management firm and security management measures will be included in contractors ESMPs. In summary, specific steps include:

i. Screening potential E&S risks and impacts of a subproject and classifying its risk levels (Screening Form);
ii. Developing subproject specific E&S instruments including SRAs and SMPs;
iii. Consultation and disclosure of the E&S instruments (SRAs and SMPs will not be disclosed due to their sensitive nature);
iv. Review and approval of the E&S instruments (including SMPs); and
v. Implementation and monitoring of E&S action plans (including monitoring of SMP's by the security management company).

144. The following sub-sections set out the steps/stages of E&S Assessment.

6.1 The E&S Risk Assessment Processes

145. The section sets out the procedures and steps for identifying, preparing and implementing the ESA including E&S screening; preparation of required E&S plans; consultation on such plans; review and approval; and implementation and monitoring and evaluation (M&E). The purpose of this risk assessment process is to determine whether the activities are eligible for financing. The extent of E&S work that might be required prior to the commencement of the subprojects depends on the outcome of the screening process. In addition, the project will also ensure that EHS aspects are considered as part of subprojects studies/technical assistance/capacity building.

146. The initial screening for the selection of the subprojects shall be conducted based on the following exclusion criteria:

i. Activities that may cause long-term, permanent and/or irreversible impacts (e.g. loss of major natural habitat);
ii. Activities that have a high probability of causing serious adverse effects to human health and/or the environment;
iii. Activities that may have significant adverse social impacts and/ or may give rise to significant social conflict;
iv. Activities that may involve extensive physical or economic resettlement;
v. Activities that may impact on known cultural heritage sites including sites that are important to local communities; and
vi. Activities that will compromise the sustainability of the aquifer.

6.1.1 Step 1: Environmental and Social Screening

147. The first step is the screening process to determine the E&S aspects of subproject so as to ascertain the type of E&S assessment required (if any) in accordance with ESS1 and consistent with the ESSs. The objectives of screening are to: (i) screen the E&S risks and impacts of the subproject; (ii) determine the type/s of mitigation measures; (iii) draw specific plan(s) or safeguard instrument(s) to be prepared based on the outcomes of the screening; and (iv) identify eligible or ineligible project activities for further or no E&S assessment, respectively.

148. This is done by analyzing the proposed activities in relation to their E&S contexts using a checklist approach. An E&S screening checklist is provided in Annex 1 (the check list will be updated as needed based on comments and feedback from stakeholder consultations during the screening process). It is essential to state that from a general project conceptualization perspective, the project has been classified to have Substantial Risk. Nonetheless, the screening process of GW4R project subprojects will inform decision makers and the project management of the true nature and extent of potential E&S risks and impacts.

6.1.2 Step 2: Assigning of E&S Risk Classification

149. Assigning of appropriate E&S risk classification to a subproject shall be based on information provided in the E&S screening form (Annex 1) and discussions among the implementing teams at the FGS and FMS levels. The project E&S specialists shall undertake the E&S screening and assign the appropriate risk classifications for the subproject(s): Low; Moderate; Substantial; or High. The classification should be assigned based on the criteria provided in ESF ESS1 Guidance Note and consensus reached by the various local teams engaged in this exercise.

6.1.3 Step 3: Environmental and Social Assessment

150. Upon review and approval of the screening report and risk rating, MoEWR NPCU will consult with the World Bank and decide on the type of ESA to be undertaken. This is likely to be an ESIA for high risk or ESMP for moderate or low risk subprojects. The ESIA will entail a systematic investigation of all risks and impact areas as identified in the screening report.

151. The E&S safeguard screening will occur during the project preparation stage as soon as the likely site location(s) is (are) known for the subproject(s). The screening checklist would be completed by the project team in conjunction with community members and leaders who understand the E&S issues in the area and technical staff (e.g. backstopping engineers) who will be trained in the use of the checklist and fundamentals of what could constitute E&S risk.

152. At the FMS level, the SPIU, through the E&S specialists, will take the lead on environmental and social screening of identified subprojects in conjunction with key informants in the community (Annex 1). FMS E&S specialists will prepare ESMP (Annex 3) based on the consultation and references to potential risks and impacts and proposed mitigation measures prepared in this ESMF and use/adapt the contractors C- ESMPs (Annex 4) for low-moderate risk subprojects, while for Substantial-High Risk subprojects a thorough review process will be undertaken, the SPIU will hire independent consultants to prepare the ESIA (ESIA outline provided in Annex 3). The E&S specialists will undertake regular supervision of the subprojects during implementation and a contractors ESMP report will be prepared before payment. The NPCU E&S safeguards team shall provide technical support to the SPIU and ensure E&S screening process and ESMP development is undertaken appropriately.

153. Other types of E&S instruments including LMP, Security Risk Management, and RAP will be finalized and adopted as part of the ES assessment.

6.1.4 Step 4: Review and Approval

154. The E&S instruments prepared will be reviewed by E&S specialists based at SPIU. For quality assurance, it is then reviewed by the NPIU and consultants that may be hired to support environmental and social teams. Thereafter it is submitted and cleared by the World Bank. Once the World Bank clears, the ESIAs will be submitted to the Directorate of Environment and Climate Change for approval and licensing. The Authority shall review the draft E&S impact study and provide the project proponent with written comments within thirty (30) days of its receipt. After review of the draft ESIA, and the Authority is satisfied that it is complete, then proponent shall be notified in writing. Where the ESIA study report is found to be inadequate, the Authority shall return it to the proponent for revision, taking into consideration the comments and objections of the Director General.

6.1.5 Step 5: Stakeholder Engagement, Public Consultations and Disclosure

155. As guided by ESS10 on Stakeholder Engagement and Information Disclosure, the government/implementing agencies are required to provide stakeholders with timely, relevant, understandable and accessible information. Consultations should be conducted in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation. A stand-alone SEP has been developed for this project. Project stakeholders are PAPs, those who have interest in the project; and disadvantaged/vulnerable individuals and groups. The key stakeholders for this project include communities (rural communities including pastoralist, farmers, and agro-pastoralist and urban communities) where subprojects will be implemented, government institutions and individuals who will benefit from capacity strengthening, contractors who will be contracted for civil works. The stakeholders will be analyzed to understand their interests and influence on the project. They will be engaged and information disclosed at all stages of the project lifecycle. Appropriate tools and methods will be used, such as stakeholder workshops (including virtual meetings); audio-visual messages (radio, TV in different local languages), printed materials, social media (Twitter, Facebook, Instagram, WhatsApp), emails, websites and press releases, among others. During preparation of this ESMF, stakeholders were consulted within the confines of Covid-19 protocols and their views taken on board. Stakeholder engagement will be monitored and reported back to the stakeholder groups, who will also be involved in monitoring of stakeholder engagement.

156. Public consultations are required during the screening and the E&S reports. Public consultations should be conducted in a manner accessible to all project stakeholders including disadvantaged groups and given reasonable notice and taking into account the guidance set out in the project SEP and any other relevant guidance such as Covid-19 guidelines, the Technical Note: Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings. Supporting evidence of comprehensive public consultations shall be required, such as signed minutes of consultation meetings, attendance lists and filled questionnaires. The results of public consultations shall be incorporated and/or influence the design of mitigation and monitoring measures. ESIA reports for the subprojects shall be disclosed in-country by the client FMS SPIU and FGS MoEWR NPCU in formats that are accessible to all project stakeholders and on the World Bank external website.

157. ESHS aspects will be included in the bids and contracts of the project contractors. The SPIU will ensure the contractors are sensitized on subprojects E&S risks and impacts and reporting requirements.

158. The SPIU will organize a workshop with the presence of representatives from relevant government institutions to ensure the contractors are aware of the guidelines and use of the ESMF and reporting requirements.

159. Before the start of the subproject implementation at the community level, the E&S specialist(s) will conduct a meeting with the VDC to introduce the contents in the ESMF (translated into Somali language), discuss the potential E&S risks and impacts, and their roles as community leaders in the process. The E&S specialists will use the meeting to provide additional information on the GM process of the project for issues related to ESMP.

6.1.6 Step 6: Grievance Mechanism

160. The objective of the GM is to strengthen accountability, ensure transparency to beneficiaries and provide channels and structures for project stakeholders to provide feedback and/or express grievances related to project supported activities. By increasing transparency and accountability, the GM aims to reduce the risk of the project inadvertently affecting citizens/beneficiaries and serves as an important feedback and learning mechanism that can help improve the project impacts.

161. The GM aims to address project-related concerns in a timely and transparent manner and effectively. Information on the GM will be readily available to all project-affected parties, interested parties and vulnerable and disadvantaged groups. The GM is designed in a culturally appropriate way and is able to respond to all needs and concerns of project-affected parties. The availability of these GMs does not prevent recourse to judicial and administrative resolution mechanisms.

GM structures and processes

162. As per World Bank standards, the GM will be operated alongside the GBV/SEAH Prevention and Response Action Plan, which includes reporting and referral guidelines (included in the ESMF). The GM will also operate alongside a specific workers' GMs, which are laid out in the LMP.

163. MOEWR will have the responsibility of overseeing the resolution of all grievances related to the project activities in accordance with the laws of FGS, FMS and the World Bank Environmental and Social Standards through a clearly defined GM that outlines its process and is available and accessible to all stakeholders. The entry point for all grievances will be with the social specialists at the FGS and FMS level who will receive grievances by phone, text or email to publicized tollfree mobile phone lines and email addresses at both FMS and FGS level. Based on the learning from NGOs, the tollfree lines are not often used to report serious cases for fear of retribution or assumption that there will be no follow-up. Limited awareness is also another issue, thus there will be widespread awareness raising on the GM to promote an understanding and trust in the system. The social specialists will acknowledge, log, forward, follow up grievance resolution and inform the complainant of the outcome. The complainants have the right to remain anonymous, thus their name and contacts will not be logged and whistle-blower protection for complaints raised in good faith will be ensured. The FGS social specialist will carry out training of all Government staff involved with the project, and contractors on receiving complaints, referral, complaints handling and reporting, and will oversee awareness raising on the GM at the national level.

164. A grievance redress committee (GRC) will be established at FMS and FGS levels 6 months after project effectiveness chaired by the project manager. The relevant staff will be included as necessary depending on the complaint (procurement, finance, M&E, GBV advisor and communication). The social specialists will compile minutes for the meetings and follow up the grievance resolution process. The GRC will meet monthly to review minor complaints, progress on complaints resolution, review the development and effectiveness of the grievance mechanism, and ensure that all staff and communities are aware of the system and the project. Immediate meetings will be held in case of significant complaints to be addressed at the MOEWR NPCU and FMS SPIU. Significant complaints will be outlined in the GM manual. For serious or severe complaints involving harm to people or the environment, or those which may pose a risk to the project reputation, the FMS social specialist should immediately inform the FGS social specialist or head of the NPCU, who will inform the World Bank within 48 hours as per the Environmental and Social Incident Reporting (ESIRT) requirements.

165. All contractors and suppliers will be expected to sensitize their workers on the Project GM and have a focal person to receive complaints regarding the construction and their workers and put in place complaints structures specific to the workers (as detailed in the LMP).

166. At the community level, local committees with strong representation of disadvantaged groups will receive complaints directly from the communities, contractors, etc., and forward to the FMS social specialist to support resolution and follow up. Figure 5 presents the structure to be adopted by the project in managing grievances.

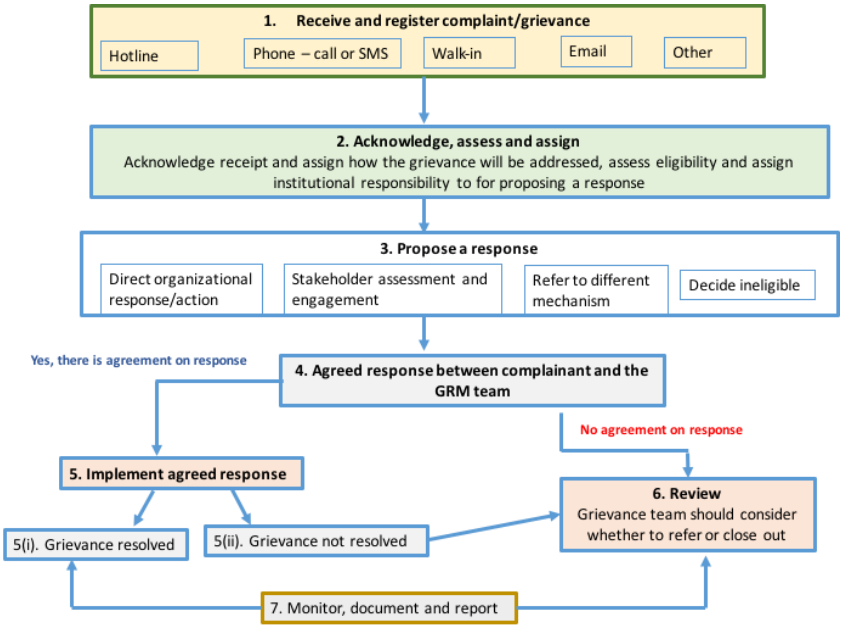

Figure 5: Grievance process for the project

6.1.7 Step 7: Monitoring, Supervision and Reporting

167. The E&S risks and impacts monitoring seeks to check the effectiveness and relevance of planned mitigation measures through the implementation/operation phase. The MoEWR NPCU E&S focal points shall monitor implementation of E&S risks and impacts mitigation measures at the national level by coordinating and working closely with the FMS SPIUs E&S specialists. The project will hire an independent (third party monitors) contractors to assist in subproject supervision during construction. The GIS monitoring tool (see Annex 7) will be completed every 6 months by the E&S specialists using smart phones. The Quality Enhancement and Institutional Strengthening firm will also be required to carry out E&S monitoring. Trained local/community project and GM Committees will undertake day to day monitoring report to the respective SPIUs safeguards staff on E&S risks and impacts and as well as technical team leaders regarding the overall project implementation. The contractors will also prepare regular report on EHS.

168. The SPIUs and the Contractors should notify the MoEWR/NPCU and the World Bank in case of serious OHS and GBV/SEAH related incidents/accidents within 48 hours related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers. These include cases of child abuse, GBV, any serious injury or fatality, pesticide spills or misuse, diversion of pesticides or any dispute between local communities. They should provide sufficient details of the incident or accident, indicating immediate measures taken or planned to be taken to address its consequences, as well as any information provided by any contractor and supervising entity, as appropriate. Subsequently, as per the World Bank's request, the Project team shall prepare a report of the incident or accident and propose measures to prevent its recurrence.

6.2 Monitoring plans and roles and responsibilities

6.2.1 Monitoring E&S risk and impacts mitigation Indicators

169. The monitoring indicators specified within each subproject ESMP will be used to assess the project's adherence to E&S management commitments. The objective of monitoring is to determine whether interventions have resulted in dealing with negative impacts or whether further interventions are needed or monitoring is to be extended in some areas. Monitoring indicators will be very much dependent on specific subproject contexts. Annex 4 is sample monitoring plan for the various E&S impacts and proposed mitigation measures. Prior to start of project implementation, annex 4 will be updated if additional information become available. Monitoring progress can be recorded in such a table or GIS monitoring tools such as kobo toolbox may be used (Annex 7).

6.2.2 Monitoring Roles and Responsibilities

170. There are various levels and responsibilities for monitoring and the following sub-sections examines each of them.

Overall Project Level

171. The MoEWR project NPCU will be responsible for overall monitoring and reporting on the compliance with the ESMP and related ESSs triggered under the project (including the project instruments). The MoEWR NPCU will ensure that subprojects' investments are screened, their safeguard instruments prepared, cleared and disclosed prior to subproject approval. Further, the MoEWR NPCU will ensure that FMSs implement or cause their contractors to implement the specific subproject ESMP and submit reports on ESMP implementation as required.

172. Within the MoEWR NPCU, monitoring of all the subproject investments will be undertaken by the NPCU that will be established for the project. The MoEWR NPCU will consolidate reports from the FMS SPIU and report to the Bank. While it may not be possible for NPCU to visit and monitor implementation of all subprojects, an attempt will be made to reach as many as possible and GIS tools may be used as required. The MoEWR NPCU will hire Quality Enhancement and Institutional Strengthening firm to carry out E&S and overall project monitoring. The consultant will provide independent voice.

173. *FMS level:* FMS SPIU will be required to submit to the MoEWR NPCU all the monitoring reports and the NPCU will consolidate and summarize these reports and submit them to the Bank as part of its reporting to the Bank.

174. *Third Party Monitoring:* The project will hire independent third party contractors to assist in subproject supervision during construction.

7. INSTITUTIONAL ARRANGEMENTS FOR ESMF IMPLEMENTATION

175. The project will be implemented by the MoEWR of FGS and Ministries responsible for water in the five member states. The GW4R project implementation units will be set up at FGS and target FMSs which will be in charge of implementation and day to day operation of the project. The capacity of these institutions will be built to apply or use the ESMF effectively and implement its provisions. The section below describes the detailed roles and responsibilities of the key institutions involved in the implementation of the ESMF and subsequent ESMPs.

176. The FGS NPCU will oversee and coordinate the implementation of the project and will guide and train the FMS, as well as provide templates for reporting. It will employ:

i. 1 environmental specialist – who will lead on the contractors ESMP or ESIA;
ii. 1 full time social/CDD specialist – who will lead on the community engagement process as well as the MOU with the community, water sharing agreements and the summary project GM;
iii. 1 full time GBV/gender specialist; and
iv. 1 security specialist.

7.1 Project Implementation Units

177. SPIUs will be set up at FMS level within the respective ministries leading in project implementation in the selected in Puntland, Jubbaland, South West, Hirshabelle, and Galmudug. They will have the overall responsibility for project management, coordinating project implementation, M&E, and reporting of results to stakeholders and developing E&S safeguards frameworks and plans. A NPCU will be established at the Federal level, to be based within MoEWR which will be responsible for the overall coordination of the project implementation and oversight.

178. SPIU staff for the project will either be seconded from government or hired as consultants or staff through a competitive process. Additional short-term local and international consultants will be recruited to support the SPIUs and NPCU as needed. The MoEWR NPCU will also hire Quality Enhancement and Institutional Strengthening firm to provide additional capacity support and independent (third party) contractors to assist in subproject supervision during construction. The capacity in the SPIUs and NPCU will be enhanced through on-the-job training and mentoring by the Bank's technical staff working on safeguards and other project task teams.

179. SPIUs will provide overall responsibility for safeguards due diligence, and compliance monitoring. During the meetings with World Bank E&S Specialists, the SPIUs were encouraged to appoint persons, who are qualified and up to the task, as E&S Specialists for the GW4R project at both at the States and Federal levels. Specifically, in terms of ESRM across project components, the SPIUs will be responsible for coordinating the identification, resolution and monitoring the status of all E&S issues through the safeguards' focal points.

180. With regards to ESRM, the SPIUs will:

i. Appoint full-time environment risk management specialist who will lead on the contractors ESMP and monitoring;
ii. Appoint full-time social risk management/GBV specialist who will be the grievance focal point at FMS level;
iii. Appoint a security focal point at FMS level;
iv. Ensure compliance with World Bank ESF and other relevant country laws as contained in this ESMF;
v. Ensure that all service providers are informed of their responsibilities for the day-to-day compliance with the ESMF;
vi. Support the smooth and efficient implementation of the GW4R project;
vii. Undertake effective preparation, review, approval and implementation of the ESIA, and ESMP based on the ESMF;

viii. Maintain relevant records associated with management of E&S risks, impact assessments, evidence of consultations and a log of grievances together with documentation of management measures implemented;
ix. Take the lead in screening, scoping, review of draft ESIA/ESMP for the government, receiving comments from stakeholders during public hearing of GW4R;
x. Convening a technical decision-making panel (if required), ensuring conformity with applicable standards, conduct environmental and social liability investigations, and perform monitoring and evaluation work;
xi. Provide overall leadership during public consultation meetings with critical GW4R stakeholders, in order to gain their support/cooperation/consensus in established policy direction; and
xii. Ensure that GW4R project implementation comply with all relevant laws and policies.

181. The institutional structure is provided in Figure 6.

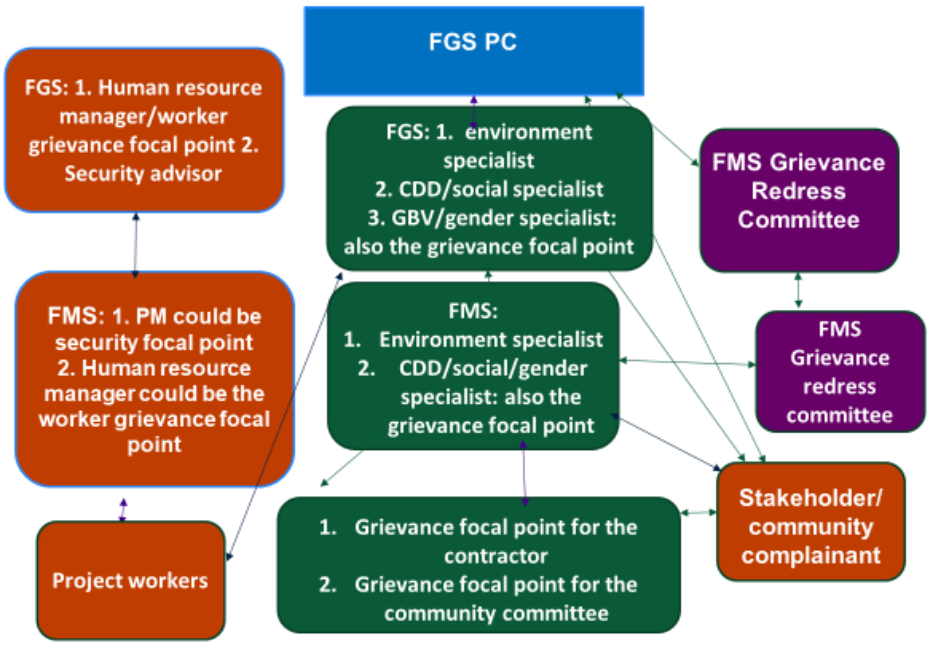

Figure 6: Institutional structure

7.2 Specific role of GW4R Project E&S Staff

182. The E&S staff will specifically:
i. Spearhead the development and updating of ESF instruments including this ESMF;
ii. Review all ESIA, ESMP reports and documents prepared by E&S consultants to ensure compliance with the World Bank ESF/ESSs;
iii. Ensure that the GW4R subproject design, specifications and budget adequately reflect the recommendations of the ESIAs/ESMPs;

iv. Coordinate application, follow up processing and obtain requisite clearances and approvals from the World Bank for the ESIA/ESMP submitted by the individual GW4R project and subprojects contractors;
v. Prepare regular monthly/quarterly/semi-annual, annual progress reports with statutory requirements;
vi. Develop, organize and deliver appropriate E&S safeguards related training courses for the SPIU and NPCU staff, contractors, local government/community representatives and others involved in the project implementation;
vii. Review and approve the Contractor's ESMP using the ESMF as a guide;
viii. Liaise with the Contractors and the SPIU/MDAs on implementation of the ESMPs;
ix. Liaise with various Government agencies on E&S, land, resettlement and other regulatory matters;
x. Continuously interact with relevant NGOs and community groups working in the sector and project locations;
xi. Establish dialogue with the affected communities and ensure that the E&S concerns and suggestions are incorporated and implemented in the project;
xii. Review the performance of the project in terms of E&S safeguards, through an assessment of the periodic internal monthly and quarterly E&S monitoring reports; provide summaries of same and initiate necessary follow-up actions; and
xiii. Provide support and assistance to the Government MDAs and the World Bank during Project Review Missions.

7.3 Roles And responsibilities of other Government Ministries, Departments and Agencies (MDA)

183. Various MDAs will be consulted and collaborated with on various matters including labour management, environmental, land, gender, security among others during the implementing of the GW4R project. Some of their roles and responsibilities are enumerated in Table 6.

Table 6: Roles and responsibilities of other government MDAs in ESMF implementation

Ministries, Departments and agencies at FGS and FMS	Role in ESMF implementation
Ministries or office responsible for environment	-Provide policy, regulatory and enforcement guidance on environmental risks and impact mitigation measures. -Provide licensing on matters environmental and related field management
Ministries responsible for women, youth and People with Disabilities	Will be consulted on social impacts issues and mitigations measures regarding women, youth, children and PWD.
Ministries responsible for labour	Will be consulted on social impacts issues and mitigations measures regarding labour management.
Ministries responsible of Health	Will be consulted on social impacts issues and mitigations measures regarding Occupation Health and Safety.
Ministries and departments responsible for land	Will be consulted on environmental and social impacts issues and mitigations measures regarding land agreements, land acquisition, land use and management issues
Districts/Municipalities	Will be consulted on environmental and social impacts issues and mitigations measures regarding land acquisition, land use and management issues

7.4 Roles of communities in E&S aspects for the CDD element

184. A VDC will be formed at subproject locations to, among others, mobilize communities for development, lead in the development of the community investment plan, monitor implementation of the project activities, manage grievances and lead engagement of external actors including development partners and CSOs. The VDCs will be trained on the basics of the ESF/ESS and their role in relation to ESF implementation. They will help in the identification of E&S risks and impacts and appropriate mitigation measures they may know from local knowledge and/or from other projects and monitor implementation of the mitigation measures. The VDCs will be involved during the project screening and ESIA.

7.5 World Bank Roles and Responsibilities

185. The World Bank will:

i. Provide guidance on the compliance with Bank ESF and ESSs;
ii. Perform compliance monitoring of GW4R project to ensure the ESF and standards are complied with and conduct regular project review missions;
iii. Maintain an oversight role, review and approve GW4R projects' ESMF, and environmental assessment instruments such as ESIA or ESMP of subprojects;
iv. Conduct regular supervision missions to check on the performance of GW4R and assess its compliance to agreed grant covenants; and
v. Recommend measures for improving the performance of GW4R project NPCU/SPIUs;
vi. Recommend appropriate training programs intended to improve the capacity of NPCU/SPIUs as necessary.

7.6 Budget for preparing and planning for the ESMF

186. To effectively prepare and plan for the E&S management measures suggested as part of the ESMF, resources will be required. An indicative budget has been provided in Table 6, meant to cover safeguards related expenses such as capacity building programs, coordination and public consultation meetings, planning workshops, monitoring work, and environmental and social consultancy services. This estimated budget does not include the cost for mitigation and enhancement measures, which will be integrated into the construction cost. Likewise, all administrative costs for the operation of the SPIU/NPCU Safeguards related personnel and related cost are included in the overall GW4R budget.

7.7 Updating the ESMF

187. This ESMF will be used for screening of subprojects and as a guide for the preparation, review and approval of environmental assessment instruments (ESIA and ESMP). It will also be a reference in the implementation of the subprojects and their respective ESMPs. Since there may be new developments, guidelines or national legislations issued after its (ESMF) approval and posting on the World Bank website, the ESMF may need to undergo updating from time to time.

7.8 Disclosure of Safeguards Instruments

188. This ESMF has been prepared in consultation with the relevant stakeholders in Somalia. Copies of this ESMF and other safeguard instruments developed later (including SEAH Prevention and Response Plan, LMP and ESMPs), prepared for the subprojects to be financed under the project, should be consulted upon and disclosed in compliance with relevant country regulations and the World Bank ESSs. A summary of the safeguards instruments will be translated into Somali language and disclosed in all project sites. World Bank will post the approved document on its website. Table 7 presents an indicative budget for implementing the ESMF.

Table 7: Indicative costs for E&S implementation (USD)

ESMF requirements	Budget basis and assumptions	Total Cost
Capacity building for NPCU/SPIU staff	Training programmes held in-country (for 5 SPIUs and 1 NPCU)	10,000
Translation of ESMF into Somali language	A consultant hired to translate salient parts of this ESMF into the Somali language	2,000
Costs for security management		300,000
Costs of consultants for developing ESIAs	To be determined when preparing ESIA TORs	
Costs of implementing the SEP	Detailed items and cost implications provided in the SEP	300,000
Costs of implementing the RPF	Detailed items and cost implications provided in the RPF	300,000

Costs of implementing the LMP	To be determined when preparing LMP	100,000
Costs of implementing the SEAH	To be determined when preparing SEAH prevention and	200,000
Costs of capacity building – workshops and capacity building organization		300,000
Meetings, workshops and stakeholder engagement	For 6 persons per year, for 5 number of workshops	8,000
	TOTAL Estimated Budget	920,000

8. SAFEGUARDS CAPACITY NEEDS ASSESSMENT AND TRAINING PLAN

189. Once the FGS and FMS E&S safeguards specialists are on board, a capacity assessment and implementation plan will be developed, possibly by an independent consultant. The plan will include timing of capacity assessment and plan development related to starting of various subprojects (which would require necessary capacity (training) prior to starting. Considering the limitation in E&S expertise in Somalia, particularly at FMS level, it is likely that capacity will have to be developed from scratch.

190. The general initial training and capacity building plan (summarized in Table 8) will include general ESF training and project implementation facilitated by World Bank consultants, and the senior social specialist and other government specialists and consultants from other World Bank funded projects. Specialist training and capacity building support may also need to be carried out by independent capacity building specialists and agencies including for contractors and social accountability committees and GM. Most of the training will be conducted after completion of capacity assessment and plan development.

Table 8: Planned capacity building activities

Session	**Timeframe (**Since some subprojects will not be defined (or contracted) at the dates mentioned, such training of them would not be possible at this date)	**For whom**
E&S requirements for contractors and operators	Once requests for proposals are issued	Potential implementing partners.
E&S requirements for MoEWR and action planning	Once FGS and FMS staff are in place.	PCIU and FMS PMT staff including social and environmental specialists, GBV/SEAH specialist, M&E specialist, communication specialist
Detailed training on ESF and ESS	Immediately the E&S specialist are on board	E&S specialists, GBV/SEAH specialist, M&E specialist, communication specialists
GM	Once subprojects implementation starts and VDC formed and trained.	All direct workers including E&S specialists, GBV/SEAH specialist, M&E specialist, communication specialists
GBV/SEAH	Month 2	All direct workers including E&S specialists, GBV/SEAH specialist, M&E specialist, communication specialists
LMP and code of conduct	Month 3	All direct workers including E&S specialists, GBV/SEAH specialist, M&E specialist, communication specialists
Monitoring and reporting of E&S requirements	Month 3	E&S specialists, M&E specialists
Virtual tools for E&S monitoring	Month 3	E&S specialists, M&E specialists
Other sessions as required	Throughout project implementation period.	

9. MONITORING, EVALUATION AND REPORTING

191. Adequate institutional arrangements, systems and resources will be put in place to monitor ESMF implementation. The goals of monitoring will be to measure the success rate of the activities, determine whether interventions have addressed negative impacts, and whether further interventions are required or monitoring is to be extended in some areas. The goal of inspection activities is to ensure that sub-component activities comply with the plans and procedures laid out in the ESMF. The main monitoring responsibilities and inspection activities will be with the NPCU, which will administer the overall project-related environmental and social monitoring and implementation as laid out in this ESMF, as well as the SEP and general GM. The NPCU coordinator will be overall responsible for the implementation of the E&S mitigation measures, as well as for monitoring and inspections for compliance.

192. The E&S Specialists at the NPCU and SPIU will handle the day-to-day tasks in regards to the implementation of the ESMF. The ESMF is the overall document that guides the development of site specific ESMPs. The ESMF lays out expectations for the Technical Leads who will be responsible for their own site/activity specific screening, impact assessments, development of site/activity specific ESMPs, monitoring of impacts, and administration of mitigation measures in line with their respective sub-component activities.

193. These activities may follow the internal processes of the Technical Leads, where applicable. They further commit to integrate stakeholder inputs into their regular monitoring and reporting activities. The NPCU and SPIU E&S Specialists will assess the compliance of Technical Leads' activities against the ESMF and their subsequent ESMPs and will report any non-compliance to the NPCU team and project coordinator. Indicators are identified in both documents and use as a baseline for assessing progress on implementation. The NPCU will also independently conduct its own monitoring, verification and inspection of the activities of Technical Leads to ensure they are in compliance with this ESMF. Monitoring indicators will depend on specific activity contexts.

194. The World Bank will equally supervise and assess the E&S performance through review of the quarterly monitoring reports. The GM will further help track complaints and effectiveness of interventions, including those with E&S impacts. Table 9 presents the M&E plaw, which is yet to be fully costed..

Table 9: ESMF M&E plan (to be costed)

Monitoring Activity	Description	Frequency / Timeframe	Expected Actions	Roles and Responsibilities	Cost
Track progress of ESMF implementation	Monitoring and reporting of ESMF implementation, with key results and issues presented to the NCPU on a regular basis	Quarterly or until the mgt. plan is in place	ESMF requirements are completed for this Project	NPCU Project Manager	TBD
Monitoring of ESMP implementation	Monitoring through GEMS investment tracker through field visits by the E&S specialists and Quality enhancement and institutional strengthening partner. Contractor ESMP completion report and sign off by E&S	Every 3-6 months	E&S specialists visit each site every 3 months Community contractor completion meeting for ESMP sign off	E&S specialists	Field visit monitoring

Monitoring Activity	Description	Frequency / Timeframe	Expected Actions	Roles and Responsibilities	Cost
	specialist and community				
Development of targeted assessments and report, and management plan	Carried out in a participatory manner, targeted analysis of potential impacts, as well as identification and validation of management measures, drafted in participatory manner	In the 6 months following the Inception	Potential impacts are assessed with support of external consultants and participation of project team and stakeholders; targeted assessment report completed	E&S specialists and Project Manager	TBD
Implementation of management measures and monitoring of potential impacts identified in targeted assessments	Permanent and participatory implementation and monitoring of management measures, in accordance with findings of targeted assessments	Continuous, once assessment is complete and management plan is in place	Implementation of stand-alone management plans; participatory monitoring; integration of management plans into project implementation strategies	Project Manager, E&S Safeguards	TBD
Learning	Knowledge, good practices and lessons learned regarding social and environmental risk management will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project	At least annually	Relevant lessons are captured by the project teams and used to inform management decisions	Project Manager, E&S Safeguards	TBD
Review and make course corrections	Internal review of data and evidence from all monitoring actions to inform decision making	At least annually	Performance data, risks, lessons and quality will be discussed by the project steering	Project Coordinator, E&S Safeguards	TBD
ESMF implementation review	The Project Steering Committee will consider updated analysis of risks and recommended risk mitigation measures at all meetings	Annually	Any risks and/ or impacts that are not adequately addressed by national mechanisms or project team will be discussed in project steering committee. Recommendations will be made, discussed and agreed upon.	NPCU, Project coordinator and E&S safeguards	TBD

9.1 Incident and Accident Reporting

195. Incident reporting will follow the process indicated in Figure 7.

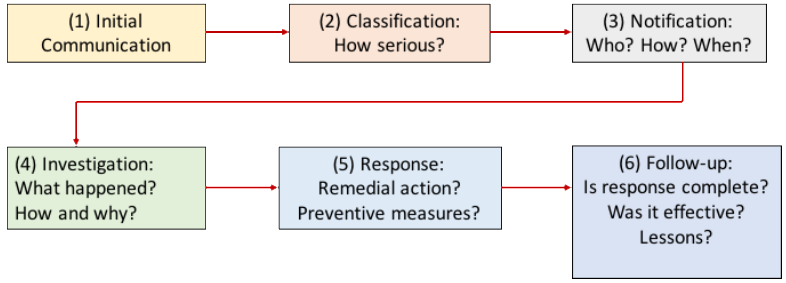

Figure 7: Incident reporting process

196. Incidents should be categorized into 'indicative', 'serious' and 'severe'. Indicative incidents are minor, small or localized that negatively impact a small geographical area or a small number of people and do not result in irreparable harm to people or the environment. A 'significant' incident is one that causes significant harm to the environment, workers, communities, or natural resources and is complex or costly to reverse (see the World Bank incident classification guide). A 'severe' incident causes great harm to individuals, or the environment, or presents significant reputational risks to the World Bank.

197. Severe incidents (an incident *that caused significant adverse effect on the environment which affected communities, the public or workers*, e.g., fatality, GBV/SEAH, forced or child labour) will be reported within 24 hours to the SPIU and NPCU and within 48 hours to the World Bank.

198. Where grievances are of sexual nature and can be categorized as GBV/SEAH or child protection risk, the implementer has to handle the case appropriately, and refer the case to the GBV/SEAH referral system, defined in the GBV/SEAH Action Plan. Contractors and primary suppliers who do not adhere to the GBV/SEAH provisions will be debarred for 2 years.

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ANNEXES

Annex 1. Environmental and Social Screening checklist (this form will be updated prior to starting project implementation. This includes updating as needed to reflect potential issues/impacts/risks.

Subproject:
Location: From focus group discuss or key informant interview with people with different interests and needs regarding the proposed investment e.g. women, youth, people with disabilities, minority groups, livestock keepers, crop farmers, seasonal users e.g. nomadic pastoralists.
The purpose of the checklist is to flag possible environmental and social risks and impacts to determine what E&S instruments to develop and so the issues can be further explored and included in the summary safeguard report and contractors ESMP etc. It should be done as part of ground truthing based on visual observation and key informant interviews with people with different interests and needs regarding the proposed subprojects e.g., elders, local government officials, women, youth, people with disabilities, minority groups, livestock keepers, crop farmers, seasonal users e.g. pastoralists. Those people consulted should be mentioned at the end of the checklist.

	Will the Project?	Yes	No	Explanation
1.	Affect downstream water flows			
2.	Require clearing of trees, pasture/browse			
3.	Land ownership is clear (Private, Government, Community)			
4.	Is on or near private land			
5.	Require demolition of existing structures			
6.	Require large volumes of construction materials (e.g. gravel, stone, water, timber, firewood)?			
7.	Use water during or after construction, which will reduce the local availability of GW and surface water?			
8.	Affect the quantity or quality of surface waters (e.g. rivers, streams, wetlands), or GW (e.g. wells, reservoirs)?			
9.	Be located within or nearby environmentally sensitive areas (e.g. intact natural forests, mangroves, wetlands) or threatened species?			
10.	Lead to soil degradation, soil erosion in the area?			
11.	Create waste that could adversely affect local soils, vegetation, rivers and streams or GW?			
12.	Create pools of water that provide breeding grounds for disease vectors (for example malaria or bilharzia)?			
13.	Involve significant excavations, demolition, and movement of earth, flooding, or other environmental changes?			
14.	Be located in or near an area where there is an important historical, archaeological or cultural heritage site?			
15.	Is an area where minority groups (0.5 groups) or IDPs reside or use the water point?			
16.	Displace people or structures or restrict people's access to crops, pasture, fisheries, forests or cultural resources, whether on a permanent or temporary basis?			
17.	Result in human health or safety risks during construction or later?			
18.	Involve inward migration of people from outside the area for use of services or other purposes?			

19. Is an area where there has been insecurity incidents in the past 12 months?			
20. Is an area where there has been conflict over water or land in the past?			
21. Require sharing or regulation of use between different groups or communities?			
22. Result in a significant change/loss in livelihood of individuals?			
23. Adversely affect the livelihoods and /or the rights of women?			
24. Cause increased settlement or degradation of surrounding areas?			
25. Disposal of bush clearance residue may cause spreading of invasive species?			
26. Introduce a non-native animal or plant species?			
27. Maintenance and management responsibilities have not been defined and accepted by users/local government?			
28. Any limitations for the livestock movement crossing gabions and rehabilitated rangelands			
29. Boundaries of the water sources are clearly demarcated to a void creation of adjacent settlements			
30. Water source fenced/protected to avoid risks and contamination			
29. Will result in Transmission diseases from region to region or boundaries			
30.Result in transmission of zoonotic disease			
32.Will require use and application of inorganic fertilizers/pesticide/herbicide or fumigation?			

Based on the above checklist, and subproject exclusion criteria, what are conclusions and recommendations on:
Note the exclusion criteria:

I. Activities that may cause long term, permanent and/or irreversible (e.g. loss of major natural habitat) impacts.
II. Activities that have a high probability of causing serious adverse effects to human health and/or the environment.
III. Activities that may have significant adverse social impacts and/ or may give rise to significant social conflict.
IV. Activities that may involve extensive physical resettlement or extensive economic resettlement
V. Activities that may impact on known cultural heritage sites including sites that are important to local communities.
VI. Activity that will compromise the sustainability of the aquifer

Proposed project is eligible for financing under the project criteria

……
……

Proposed Environmental and Social Risk Ratings (High, Substantial, Moderate or Low). Provide Justifications.

……
……
……

Proposed E&S Management Plans/ Instruments **(**i.e. .ESMP, ESIA, Summary safeguards report (for social issues) , Voluntary land donation form, **……**
……
……

Who was consulted in the completion of the checklist: Provide list?

Prepared by			
Name and role:		**Name and role:**	
Date	**Signature**	**Date**	**Signature**
Reviewed and approved by			
Environment Specialist **Name:**		**Social Specialist** **Name:**	
Date	**Signature**	**Date**	**Signature**

Annex 2: Indicative ESMP outline and example of small scale water infrastructure ESMP table (to be adapted and included in the contract)

(Source ESF ESS1—Annex 1. Environmental and social assessment section E)

An ESMP consists of the set of mitigation, monitoring, and institutional measures to be taken during implementation and operation of a project to eliminate adverse environmental and social risks and impacts, offset them, or reduce them to acceptable levels. The ESMP also includes the measures and actions needed to implement these measures. The Borrower will (a) identify the set of responses to potentially adverse impacts; (b) determine requirements for ensuring that those responses are made effectively and in a timely manner; and (c) describe the means for meeting those requirements. Depending on the project, an ESMP may be prepared as a stand-alone document or the content may be incorporated directly into the ESCP. The content of the ESMP will include the following:

(a) Mitigation

The ESMP identifies measures and actions in accordance with the mitigation hierarchy that reduce potentially adverse environmental and social impacts to acceptable levels. The plan will include compensatory measures, if applicable. Specifically, the ESMP:

- identifies and summarizes all anticipated adverse environmental and social impacts (including those involving indigenous people or involuntary resettlement);
- describes—with technical details—each mitigation measure, including the type of impact to which it relates and the conditions under which it is required (e.g., continuously or in the event of contingencies), together with designs, equipment descriptions, and operating procedures, as appropriate;
- estimates any potential environmental and social impacts of these measures; and
- takes into account, and is consistent with, other mitigation plans required for the project (e.g., for involuntary resettlement, indigenous peoples, or cultural heritage).

(b) Monitoring

The ESMP identifies monitoring objectives and specifies the type of monitoring, with linkages to the impacts assessed in the environmental and social assessment and the mitigation measures described in the ESMP. Specifically, the monitoring section of the ESMP provides;

(a) specific description, and technical details, of monitoring measures, including the parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and definition of thresholds that will signal the need for corrective actions; and

(b) monitoring and reporting procedures to (i) ensure early detection of conditions that necessitate particular mitigation measures, and (ii) furnish information on the progress and results of mitigation.

(c) Capacity Development and Training

To support timely and effective implementation of environmental and social project components and mitigation measures, the ESMP draw on the environmental and social assessment of the existence, role, and capability of responsible parties on site or at the agency and ministry level. Specifically, the ESMP provides a specific description of institutional arrangements, identifying which party is responsible for carrying out the mitigation and monitoring measures (e.g., for operation, supervision, enforcement, monitoring of implementation, remedial action, financing, reporting, and staff training).

To strengthen environmental and social management capability in the agencies responsible for implementation, the ESMP recommends the establishment or expansion of the parties responsible, the training of staff and any additional measures that may be necessary to support implementation of mitigation measures and any other recommendations of the environmental and social assessment.

(d) Implementation Schedule and Cost Estimates

For all three aspects (mitigation, monitoring, and capacity development), the ESMP provides (a) an implementation schedule for measure that must be carried out as part of the project, showing phasing and coordination with overall project implementation plans; and (b) the capital and recurrent cost estimates and sources of funds for implementing the ESMP. These figures are also integrated into the total project cost tables.

(e) Integration of ESMP with Project

The Borrower's decision to proceed with a project, and the Bank's decision to support it, are predicated in part on the expectation that the ESMP (either stand alone or as incorporated into the ESCP) will be executed effectively. Consequently, each of the measures and actions to be implemented will be clearly specified, including the individual mitigation and monitoring measures and actions and the institutional responsibilities relating to each, and the costs of so doing will be integrated into the project's overall planning, design, budget, and implementation.

Example of small-scale water infrastructure ESMP table[11] (this table update could be done prior to start of project implementation)

Possible Environmental and social impact	Mitigation/ Enhancement measure	Frequency of monitoring	Timeframe	Performance indicator	Responsible person/ institution	Cost estimation (USD)
Pre-construction phase						
Safety of construction materials and equipment	Construction of guard rooms before the dam	-One time before the construction	Before the construction	construction guard room	-Contractor	
Damage of construction by rain	Installation of portable storage tents which will be kept construction materials during construction. Deliver the construction materials when required. Continuous monitoring and weather forecasting	-Monthly based on construction plan	Based on construction plan	Availability of storage tenet material	-Contractor -Contractor	
Construction phase						
Vegetation clearance	Vegetation clearance and construction activities to be restricted to the project extents Conservation awareness campaigns to be carried out for both the contractor and community members. Use of existing road for avoiding environmental damage	-one during construction phase	-Site preparation and construction.	-Awareness Construction perimeter to be identified	-SPIU -MoEACC	
Occupational health and safety	Train all staff in operating and handling of tools that they use Provide appropriate protective gear to the workers at the site First aid kits must be available at workplace for immediate assistance of the workers in case of accidents or injuries. Laborers must include a person who was trained the use of first aid	-Regular intervals in the construction phase	-Throughout the construction phase	-Training awareness conducted -PPEs in use -First aid kit availability on	-SPIU -FMS Water Ministry/Agency	

[11] This is a sample ESMP of a real project and content will depend on the type of subproject.

Possible Environmental and social impact	Mitigation/ Enhancement measure	Frequency of monitoring	Timeframe	Performance indicator	Responsible person/ institution	Cost estimation (USD)
	At workplace, there must be a vehicle on standby which will be ready at any time for use in case of accidents or injuries since the village does not have a health center Speed limits and careful driving practices of the vehicles for preventing accidents, must be enforced Awareness raising to the community on road crossing Visible signs for movement of trucks and ongoing construction works. Health personnel at from the nearest health facility to conduct regular health awareness sessions for the contractor's team and community for preventing spread of communicable diseases such as COVID 19, HIV, etc. Workers to sign a code of conduct and have awareness on GBV prevention Workers should be use toilets during the dam construction, Workers should maintain Covid 19 protocols, social distancing, mask wearing and hand washing and temperature checks before they enter the site and wiping of all equipment.			site and training conducted -Emergency vehicle present in the area -Visibility signage present in the area		
Solid and liquid waste generation	Daily collection and storage of solid wastes in containers before final disposal or burning whenever required Vehicle and machinery servicing should NOT be done near the Wadi. Oil drain pan should be used during oil changing for preventing the waste from reaching the ground. Oil wastes should be disposed safely	-Weekly	Throughout the construction phase	Clean environment safe from contamination	-Contractor -SPIU -MoEACC	
Noise and vibrations	Maintain all equipment regularly Combine all noisy operations at the same time Conduct daily meetings and sensitize staff on the operations and OHS, GBV and GM requirements. Noise to be controlled to limit the disturbance to fauna.	-weekly	Throughout project construction phase	Noise levels suppressed	Site Engineer Contractor PIU	
Air pollution	Sensitize staff on risks of dust to their health Provide masks for the staff Water the soils or earth before excavation works Maintain all machinery and equipment involved in the construction of the dam	-Weekly	-Throughout project construction phase	Dust levels minimized	-SPIU -FMS Ministry of Environment	

Possible Environmental and social impact	Mitigation/ Enhancement measure	Frequency of monitoring	Timeframe	Performance indicator	Responsible person/ institution	Cost estimation (USD)
	Minimize vehicle idling					
Flood	Construction of dam must be started before rainy seasons and completed early as possible for preventing floods Portable storage must be installed in area which is not prone to floods. Continuous monitoring and weather forecasting	-One time during construction	-During construction phase	-Dam to be completed before rainy seasons.	-Contractor	
Conflicts	GM focal point to be trained and supported All workers to be oriented on prompt and fair handling of complaints and how to refer complaints to GM focal person Strengthening traditional systems Community training on the project's GM and reporting Workers must receive their payment each day for preventing delay and debt in order to avoid any possible conflicts among the workers and the contractor	-Weekly	Construction phase	During the dam construction community, contractors far from any issue of conflicts	-contractor -community leaders Safeguard specialist	
GBV and sexual harassment	GBV focal person for the PIU and the community level to be identified Incorporate training on code of conduct including sexual harassment discriminatory treatment in workplace. To raise awareness on GBV and sexual harassment. The most effective form of prevention is awareness. i.e., those who are aware of behaviors that can be interpreted as harassment are less likely to behave in that way and more likely to notice any form of harassment. Clear reporting procedures to be in place. All staff must feel comfortable reporting any behavior that makes them or other staff feel uncomfortable. Deal with any allegations and concerns immediately. any instance whereby a fellow staff member or employee shares a concern with company should be dealt with as soon as possible in a confidential manner Zero tolerance policy. There should be a clear zero tolerance policy towards sexual harassment at workplace. Regardless of an employee's stature within the organization, should they be found guilty of sexually harassing a colleague or staff member there should be immediate consequences depending on the	-Continuous	-Throughout the project cycle	Cases related to GBV reported	SPIU	

Possible Environmental and social impact	Mitigation/ Enhancement measure	Frequency of monitoring	Timeframe	Performance indicator	Responsible person/ institution	Cost estimation (USD)
	accountability measures in place. If the survivor wishes to file a complaint, then necessary information should be provided					
Wildlife	Raising awareness on the protection of wildlife during construction. This should cover communities, workers, and project staff. Supporting the traditional systems to protect the wildlife	-Continuous	During and after project	Wildlife killing cases reported	- FMS Ministry of Environment -VDC and elders -PIU	
Operational phase						
Conflicts over water use	Consultation with all water users on rights and responsibilities as part of water sharing agreement Construction of the service room for caretaker (2m*2m) for controlling the water use and water users. Proper planning and control of settlements and economic activities in the area Make land use classification for the area Environmental awareness meetings should be conducted for avoiding any environmental harm from the resettlement Village development committee should be responsible for the management of dam and will be trained on conflict resolution, CBNRM and management practices. Instituting a strong community organization structure to manage the project activities. Awareness for the communities for proper use of the water for the dam Water user by laws to control the water trucking	-continuous, Operational phase	-Life time of the water infrastructure	-functionality of the water infrastructure	- FMS Water Ministry/Agency - FMS Ministry of Environment - VDC	
Waterborne diseases	Sensitization of the community on dam water utilization and the related negative impacts of utilizing the water for domestic uses e.g. drinking and swimming for preventing water borne diseases such as malaria	-Operational phase	Lifetime of the water infrastructure	-awareness raising on prevention of water borne diseases conduced.	-FMS Water Ministry/Agency-VDC -Community	
Decommissioning phase						

Possible Environmental and social impact	Mitigation/ Enhancement measure	Frequency of monitoring	Timeframe	Performance indicator	Responsible person/ institution	Cost estimation (USD)
Solid waste generation	Take away any waste generated away from the river and dispose it well Ensure that all concrete slaps and blocks are removed from the river	-After decommission	During decommissioning phase	Clean environment safe from contamination	Contractor -FMS Water Ministry/Agency -Village VDC - SPIU	
Noise pollution	Maintain all equipment regularly Combine all noisy operations at the same time Conduct daily meetings and sensitize staff on the operations	-Daily	During decommissioning phase	Noise levels suppressed	-Contractor -site engineer. Safeguard/M&E	
Loss of livelihood	Inform beneficiaries the decommission plans at least 2 months in advance Provide alternative livelihoods support	-Before decommission works start	Before decommission works start	Number of people informed. Other alternative livelihoods supported	-FMS Water Ministry/Agency -VDC Community leaders -SPIU	
Dust and exhaust emission	Maintain all machinery and equipment involved in the decommissioning of the dam Minimize vehicle idling Sensitize staff on risks of dust to their health Provide masks for the staff Water the soils or earth before decommissioning works start	Daily	During decommissioning phase	Dust levels minimized	-Contractor -Site engineer Safeguard specialists	

Annex 3: Indicative ESIA Outline[12]

Where an environmental and social impact assessment is prepared as part of the environmental and social assessment, it will include the following:
(a) Executive Summary
Concisely discusses significant findings and recommended actions.
(b) Legal and Institutional Framework
Analyzes the legal and institutional framework for the project, within which the environmental and social assessment is carried out, including the issues set out in ESS1, paragraph 26.46
Compares the Borrower's existing environmental and social framework and the ESSs and identifies the gaps between them.
Identifies and assesses the environmental and social requirements of any co-financiers.
(c) Project Description
Concisely describes the proposed project and its geographic, environmental, social, and temporal context, including any offsite investments that may be required (e.g., dedicated pipelines, access roads, power supply, water supply, housing, and raw material and product storage facilities), as well as the project's primary suppliers.
Through consideration of the details of the project, indicates the need for any plan to meet the requirements of ESS1 through 10.
Includes a map of sufficient detail, showing the project site and the area that may be affected by the project's direct, indirect, and cumulative impacts.
(d) Baseline Data
Sets out in detail the baseline data that is relevant to decisions about project location, design, operation, or mitigation measures. This should include a discussion of the accuracy, reliability, and sources of the data as well as information about dates surrounding project identification, planning and implementation.
Identifies and estimates the extent and quality of available data, key data gaps, and uncertainties associated with predictions.
Based on current information, assesses the scope of the area to be studied and describes relevant physical, biological, and socioeconomic conditions, including any changes anticipated before the project commences.
Takes into account current and proposed development activities within the project area but not directly connected to the project.
(e) Environmental and Social Risks and Impacts
Takes into account all relevant environmental and social risks and impacts of the project. This will include the environmental and social risks and impacts specifically identified in ESS2–8, and any other environmental and social risks and impacts arising as a consequence of the specific nature and context of the project, including the risks and impacts identified in ESS1, paragraph 28.
(f) Mitigation Measures
Identifies mitigation measures and significant residual negative impacts that cannot be mitigated and, to the extent possible, assesses the acceptability of those residual negative impact
Identifies differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable.
Assesses the feasibility of mitigating the environmental and social impacts; the capital and recurrent costs of proposed mitigation measures, and their suitability under local conditions; and the institutional, training, and monitoring requirements for the proposed mitigation measures.
Specifies issues that do not require further attention, providing the basis for this determination.

[12] Source ESF ESS1—Annex 1. Environmental and social assessment section D

(g) Analysis of Alternatives
Systematically compares feasible alternatives to the proposed project site, technology, design, and operation—including the "without project" situation - in terms of their potential environmental and social impacts.
Assesses the alternatives' feasibility of mitigating the environmental and social impacts; the capital and recurrent costs of alternative mitigation measures, and their suitability under local conditions; and the institutional, training, and monitoring requirements for the alternative mitigation measures.
For each of the alternatives, quantifies the environmental and social impacts to the extent possible, and attaches economic values where feasible.
(h) Design Measures
Sets out the basis for selecting the particular project design proposed and specifies the applicable EHSGs or if the ESHGs are determined to be inapplicable, justifies recommended emission levels and approaches to pollution prevention and abatement that are consistent with GIIP.
(i) Key Measures and Actions for the Environmental and Social Commitment Plan (ESCP)
Summarizes key measures and actions and the timeframe required for the project to meet the requirements of the ESSs. This will be used in developing the Environmental and Social Commitment Plan (ESCP).
(j) Appendices
List of the individuals or organizations that prepared or contributed to the environmental and social assessment.
References—setting out the written materials both published and unpublished, that have been used.
Record of meetings, consultations and surveys with stakeholders, including those with affected people and other interested parties The record specifies the means of such stakeholder engagement that were used to obtain the views of affected people and
other interested parties.
Tables presenting the relevant data referred to or summarized in the main text.
List of associated reports or plans

Annex 4. Summary safeguards report for subprojects [13]

(Recommend that the form be updated prior to starting project implementation. This includes updating as needed to reflect potential issues/impacts/risks in an updated)

(max 5 pages). Please annex ESIA/ESMP, voluntary land donation/agreement documentation, screening form, community meeting minutes

Proposed subproject: _____

Village/district/state: _____

Overview of the project location and key features within 200m of works (to understand impacts)_____

_____

Population resident on or regularly using the land/subproject or claimants of the land:

Village/ (facility users can be by people resident more than one location)	No of individuals resident or regularly using the project area for their livelihood	No. of direct users of the subproject (individuals)	Number of people from that village/consulted on the subproject (design, siting, social and environmental impacts)

Are there any minority groups (0.5 groups) or IDPs resident in this area or likely to use the water point? (If so please specify):

_____

___

Has there been any conflict over this land or water resources in the past? If so please describe, what measures the project will take to ensure that it does not exacerbate conflict.

_____

[13] Note that this summary report template will be reviewed and revised, if needed be, prior to start of project implementation.

_____

Consultations with the community on the subproject (to ensure broad agreement, ownership and risk identification and mitigation)

	Date	Village	Total number of people involved	No. of women	\No. of youth	No. of minority group or IDP representatives (please specify group/s)	Main concerns raised and how they will be addressed	Challenges in consulting with people e.g. migration, conflicting event, insecurity
Initial discussions								
Safeguards screening meeting								
Other – meetings (specify)								

Environmental and social impacts and mitigation measures identified by the community (only put those not captured in the contractors ESMP)

Social and environmental impacts of subproject	Mitigation measures	Costing	Time frame	Responsible agency

Has a safeguards field visit been undertaken to the site? Y/N Date of visit: _____Title of visiting officer:_____

Has the ESMP been incorporated into the contract for the works and is a safeguards compliance report required before payment?

_____

Type of land required for sub-investment and documentation

#	**Requirements for voluntary land donation**	**Explanation and evidence**
1.	The land required to meet technical project criteria must be identified in conjunction with the affected community?	
2.	What are the likely impacts of proposed activities on donated land and how were these explained to the community?	
3.	Area of land compared to area owned (no more than 10 % of the area of any holding can be donated). %	
4.	How will the users and occupiers of the land benefit from this subproject?	
5.	What are the conditions of benefiting from this subproject – connection fees, service charges etc.	
6.	How was the community made aware that refusal was an option and confirmed in writing that they are willing to proceed with the donation? (e.g. at the consultation and in the voluntary land donation document)	
7.	What evidence is there that the act of donation was undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities (e.g. photos/videos of community consultation etc.)?	
8.	Do all the users and occupants of this land understand that by donating this land it may be gazetted as public land	
9.	How was it explained that they have a right to compensation for land and the available compensation options (in-kind compensation, land for land compensation or cash compensation, and the implications of cash compensation?	
10.	Were monetary or non-monetary benefits or incentives requested as a condition for the donation and were these provided?	
11.	How do you know that the land being donated will not reduce the remaining land area to a level below that required to maintain the donor's livelihood at current levels and will not require the relocation of any household?	
12.	Will any structures be moved or any access to land be limited as a result of the subproject (describe structures and locations)?	
13.	If so, how will they be compensated/facilitated and/or their livelihoods restored?	
14.	How was consent provided by all individuals occupying or regularly using the land?	
15.	Was there anyone who did not give agreement and why?	
16.	How was it established that the land to be donated was free of encumbrances or encroachment and was it registered in an official land registry?	

Government land	Title deed/confirmation document attached?	YES/NO/EXPLANATION

Community land	Community land agreement/Voluntary land donation form and community minutes attached?	YES/NO/EXPLANATION
Private land	Voluntary land donation form and conversion document attached?	YES/NO/EXPLANATION

Voluntary land donation:

a) How many people either live on or regularly use the land where the project will be implemented (including those who might use it as a drought fall back area) by location and how many and who agreed to the voluntary donation of this land for this public facility? _____

Explain how the requirements for voluntary land donation have been met (and attach minutes, VLD form and signed participants list):

GM: Has the GM process and contact information for focal points been disseminated to the community? If so, how and to whom (numbers and groups). If Not, when will this be done? _____

_____

GBV/SEAH: Has awareness been carried out on GBV, service providers and confidential survivor centric GBV complaints mechanism? If so, how and to whom (numbers and groups). If not, when will this be done?_____

_____

Sustainable management: Who will manage and maintain the subproject, and how will repairs be funded?_____

_____

Describe the involvement and inclusion of women and minority groups or nomadic pastoralist representative in management?_____

_____

Annex 5. Indicative environmental and social risks and impacts mitigation monitoring plan

Impact Issue	Proposed mitigation measures	Monitoring Indicators (Output)	Monitoring Indicators (Outcomes)	Means of Verification	Methods of data collection	Frequency	Responsibility
Construction Phase							
Loss of vegetation/ Soil Erosion/ Land degradation	• Minimize land clearing as much as possible to avoid unnecessary exposure of bare ground to the elements of the weather. • Re-vegetate cleared areas as early as possible using native plant species	• No. of trees planted (native trees). • Minimal trees failed. • Re-vegetation included in the Contractors' contract.	• Vegetation recovery at the restored sites.	• Project reports. • Before and after photos	• Site inspection	Monthly	• Contractor • Village development committee (after contractor leaves the site)
Decreased Air Quality	• Proposed investments should require that construction contractors operate only well maintained engines, vehicles, trucks and equipment. • A routine maintenance program for all equipment, vehicles, trucks and power generating engines should be in place. • The project should ensure the use of good quality fuel and lubricants only. • Wetting of sites especially during dry season. • Contractors to provide protection gears to the construction workers.	• Number of sound machinery and equipment • purchased • Availability of equipment and machinery maintenance plan • Frequency of watering of surfaces to reduce dust related impacts. • Inclusion in contract air pollution mitigation measures. • Protection gear purchased.	• %age of workers following the good practices for equipment and machinery maintenance • Construction workers wearing protection gears.	• Contractors equipment maintenance plan. • Contracts for works.	• Independent check by project engineers /consultants • Verification of maintenance record by project engineers/ consultant • Self-check by contractor	• Monthly • Period checks	• Contractor • Project Engineer/supervising consultant • E&S specialists

Impact Issue	Proposed mitigation measures	Monitoring Indicators (Output)	Monitoring Indicators (Outcomes)	Means of Verification	Methods of data collection	Frequency	Responsibility
Noise and Vibration Impacts	• Construction traffic speed control measures should be enforced on unpaved roads • Engines of vehicles/trucks and earth-moving equipment should be switched off when not in use. • Proposed investments should require contractors to use equipment and vehicles that are in good working order, well maintained, and that have some noise suppression equipment (e.g. mufflers, noise baffles) intact and in working order. Such provision could be part of the contractual obligations with the contractors. • Contractors will be required to implement best driving practices when approaching and leaving the site (speed limit) to minimize noise generation created through activities such as unnecessary acceleration and breaking squeal. • Contractors to provide protection gears to the constructions workers. • Setting up temporary noise barriers where possible	• Number of sound machinery and equipment • purchased • Availability of equipment and machinery maintenance plan • Inclusion in contract issues of noise pollution. • Protection gears purchased.	• %age of workers following the good practices for equipment and machinery maintenance. • Construction workers wearing protection gears. • Measured noise level.	• Machinery maintenance plans. • Contractors inventory.	• Independent check by project engineers/ • consultants • Verification of maintenance record by project engineers/consultant • Self-check by contractor.	• Monthly	• Contractor • Project Engineer /supervising consultant
Solid Effluent Waste	• **Solid non-toxic waste** • Adequate waste receptacles and facilities should be provided at project sites/camp sites	• No. of Litter bins and receptacles purchased and restored at the project site.	• Clean and litter free environment. • Change in attitude of	• Waste Disposal Plan. • Training records • Inventory of equipment.	• Observations and site inspection • Verification by	• Monthly	• Contractor • Project Engineer/ Supervising consultants.

Impact Issue	Proposed mitigation measures	Monitoring Indicators (Output)	Monitoring Indicators (Outcomes)	Means of Verification	Methods of data collection	Frequency	Responsibility
	• Training and awareness on Safe Waste Disposal in construction camps for all workers • Final disposal should be at dumpsites approved by the government authorities • **Waste oil /fuel** • Spent or waste oil from vehicles and equipment should be collected and temporarily stored in drums or containers at site • Waste oil should be disposed of by oil marketing companies or agents approved or recognized and have the capacity to undertake oil disposal • Prepare Waste Disposal Plan for every construction site • Install waste disposal receptacles and signs in strategic places within the construction camps • Provide training and awareness on need to avoid littering • Ensure the construction camps have toilets	• No of awareness training held. • Amounts of final waste disposed at designated site. • Waste disposal plan prepared and disseminated.	workers on waste disposal.		supervising consultants. • Self-check by contractors		• E&S specialist.
Hazardous chemical waste	• Ensure chemical used are of the standard provided by local and/or international law. • Proper chemical waste disposal as per relevant standards. • Community and handlers awareness and training on disposal methods.	• Acceptable standard of chemicals purchased and used. • No. of awareness training held. • No. of communities and	• National and international standards adhered to. • Safe handling of chemicals. • Reduced chemical accidents	• Incident reports • Training report	• Inspection • Demonstration of use • Review of incident reports/log	• Monthly	• -E&S specialist. • Officials of VDC. • Supervising consultants.

Impact Issue	Proposed mitigation measures	Monitoring Indicators (Output)	Monitoring Indicators (Outcomes)	Means of Verification	Methods of data collection	Frequency	Responsibility
		chemical handlers training.					
Loss of land/ Delayed compensation for land loss and/or provision of alternative livelihoods for project affected parties	• Community awareness on the need for land for the subprojects and their involvement on choosing and agreeing on the sites. • Project team to apply appropriate land acquisition methods as provided by World Bank and Government laws and policies. • Adequate compensation for economic or physical displacement including squatters so no one is left worse off as a result of the project. • The government to ensure that PAP compensation is planned and budgeted during the budgetary process and ensuring that funds are available when needed.	• No. of PAPs compensated. • No. of consultation workshops on land acquisition matters.	• Loss of land minimized. • PAPs fully compensated.	• Land acquisition related project and government records. • Record of meetings.	• Inspection of records • Community meetings. • Project reports.	• Period check	• E&S specialists. • Supervising consultants. • SPIU • NPCU
Occupation Health and Safety of Construction Workers and community	• Insurance and emergency medical benefits for the workers to be provided. • On-site training of workers on the operations and maintenance of new machinery and health and safety procedures. • Provision of protection gears for workers.	• No. of training workshops on occupation health and safety. • No. of workers trained. • Protection gears supplied for workers.	• Reduced occupational health and safety accident incidences	• Project health and safety incident reports. • Training reports. • Workers wearing protection gears.	• Observation • Focused Group Discussions with workers. • Record inspection	• Monthly • Regular spot check	• Contractor • Project engineer/ • Supervising consultants. • E&S specialists

Impact Issue	Proposed mitigation measures	Monitoring Indicators (Output)	Monitoring Indicators (Outcomes)	Means of Verification	Methods of data collection	Frequency	Responsibility
Workers/Labor Influx Impacts	• Ensuring that locally available labour force are given priority during recruitment. • Community awareness and sensitization on HIV/AIDS and COVID 19 protocol • Clear and culturally sensitive GM and GM related to SEAH/GBV. • Ensuring that locally available labour force are given priority during recruitment. • Community awareness and sensitization on HIV/AIDS and COVID 19 protocol	• No. of local population recruited. • No. of sensitization workshops. • No. of community members trained. • No. of complaints logged in the GM register/log.	• No. of local population recruited. • Few public health incidences. • Reduced community complains	• Employee records. • Project health and safety incident records. • Training reports	• Inspection. • FGDs with PAPs.	• At the beginning of project public works activities and regular checks.	• Contractor • E&S specialist. • Community GM focal points.
Violence Against Children and forced labour	• The project team and contractors should ensure that minimum age of project workers is set at 18 years and above and adequate measures are put in place and monitored. • All contracts shall have contractual provisions to comply with the minimum age requirements including penalties for non-compliance in-line with the relevant national laws. • The NPCU, SPIUs and contractors to maintain labour registry of all workers with age verification. • Subproject environmental and social management plans should clearly forbid the use of child labour.	• Inclusion in contracts the issues of child labour. • Clear provision in Subproject ESMP.	• Child labour avoided in all project activities.	• Employee records with age verification. • Contractors Contract contents.	• Inspection • FGDs	• Regular checks • Spot check	• Contractor • SPIU • NCPU • E&S specialist

Impact Issue	Proposed mitigation measures	Monitoring Indicators (Output)	Monitoring Indicators (Outcomes)	Means of Verification	Methods of data collection	Frequency	Responsibility
Traffic congestion and accidents	• Schedule deliveries of material/ equipment during off-peak hours • Contractors to designate flagman/woman for traffic control • Contractors arrange for signal light at night • Contractors to use road worthy vehicles and trucks should be used to avoid frequent breakdowns on the roads • Only experienced drivers should be employed • Contractors must provide training for drivers for new machineries, establish speed limits; Enforce safe driving and take disciplinary action against repeat offenders	• Number of drivers aware and familiar with the traffic safety plan. • %age of drivers who have not committed a traffic offence for the last 6 months. • Number of compliance • (traffic) inspection and checks • conducted by relevant • government • department found to be satisfactory. • Traffic safety plan developed.	• Reduced traffic accidents involving project contractors' vehicles. • Signage posted in right locations.	• Traffic incidence report • Grievance report	• Inspection and observation.	• Regular checks	• Contractor • Project engineer/supervision consultant. • E&S specialists.
Borrow Pits	• Safety measures should be developed including community sensitization on the same when the works is continuing. • Borrow pits should be covered completely once the works is complete and covered with vegetation.	• No. of accidents report. • No. of abandoned borrow pits.	• Borrow pits covered and no longer nuisance to the community.	• Health and safety incident report. • Project reports	• Site • Inspection • Review of project reports.	• Quarterly	• E&S specialist. • VDC • Supervision consultant/ • Project engineer
Operation Phase							
Communal conflicts/ Conflict between farmers	• Development of community water sharing plan. • Fair distribution of water infrastructure among communities.	• Water sharing agreement in place. • Water infrastructure	• Reduction in resource based communal conflict.	• Grievance reports • Project report.	• FGD • Project review meeting.	• Regular check	• SPIU • NPCU • VDC

Impact Issue	Proposed mitigation measures	Monitoring Indicators (Output)	Monitoring Indicators (Outcomes)	Means of Verification	Methods of data collection	Frequency	Responsibility
and livestock herders.	• Peace building activities.	available to most needy communities. • No. of peacebuilding meetings.	• Cohesive community.				
Inequality in access and use of water	• Ensuring that all vulnerable groups and minorities are included in the decision making structures and water sharing plans are inclusive. • Development of watering roster especially during dry season, so that all beneficiary communities including disadvantaged groups get fair share of the water when needed. • Fair pricing of water commodity to allow access by poor community. Levy waivers could be considered for the special need groups including the very poor households.	• Inclusive composition of VDC. • Water roster in place. • Reduced complains over water access and use.	• Most needy member of community affording/accessing water.	• Grievance report • Water roster	• Inspection/review of reports. • Project review meetings. • FGD	• Periodic	• E&S specialist • VDC • Project managers
Impacts on Ecosystems	• ESA and feasibility studies for the sand-dam sites to ascertain likely impacts and develop suitable mitigation measures. • Minimum demands from both existing and potential future users need to be clearly identified and assessed in relation to current and future low flows. • The quality of low flows is also important. A reduction in the	• Detailed study done to ascertain impact on ecosystem. • No. of abstraction permit obtained. • No. of complaints by downstream users.	• Reduced complains from downstream users. • Downstream river flow maintained at near normal.	• Grievance records • Study reports • Project reports	• Review of report • Water flow inspections • FGD with downstream users	• Regular spot check	• E&S specialist • Supervision consultant/project engineer. • Project technical team.

Impact Issue	Proposed mitigation measures	Monitoring Indicators (Output)	Monitoring Indicators (Outcomes)	Means of Verification	Methods of data collection	Frequency	Responsibility
	natural river flow together with a discharge of lower quality drainage water can have severe negative impacts on downstream users. • Obtain permits for abstraction from relevant authorities.						
Risk of Drowning	• Ensure shallow wells, closer to homes are capped and earth dams fenced off.. • Shallow wells and earth dams and Berkads closer to pasture areas and along the riverine areas should be fenced off using appropriate materials.	• No. of people drowned. • No. of fenced off/capped shallow wells.	• Reduced incidences of drowning.	• Health and safety incident report. • Project report	• Inspection/review of reports.	• Quarterly	• E&S specialist. • VDC • Supervision consultant/ • Project engineer.
Restoration technologies adopted may have adverse impact on the environment and communities	• Community sensitization on the restoration benefits. • If the restoration sites are small, fence off the area. • Use technologies/techniques that that will still allow communities to use the area but at the same time help to conserve/restore it.	• No. of community sensitization workshop. • No. of restoration sites fenced off. • No. of complains	• Appropriate restoration technologies adopted.	• Workshop reports. • Project reports. • Grievance report	• Site inspection. • FGD	• Regular checks	• E&S specialist. • VDC • Supervision consultant/ Project engineer
Pollution of water sources by pesticides	• Control and supervise pesticide use by farmers. • Community awareness on proper disposal of used pesticide containers.	• Community complains. • No of community awareness meeting.	• Communities adapting proper handling of pesticides waste.	• Workshop reports. • Project reports. • Grievance report	• Inspection. • Water quality test.	• Regular checks	• E&S specialist. • VDC • Supervision consultant/ • Project engineer

Impact Issue	Proposed mitigation measures	Monitoring Indicators (Output)	Monitoring Indicators (Outcomes)	Means of Verification	Methods of data collection	Frequency	Responsibility
Poisoning of human by pesticides	• Control and supervise pesticide use by farmers • Community awareness on proper disposal of used pesticide containers.	• Community complains. • No of community awareness meetings.	• Communities adapting proper handling of pesticides waste.	• Workshop reports. • Project reports. • Grievance report	• Inspection. • Water quality test	• Periodic check	• E&S specialist. • VDC • Supervision consultant/ Project engineer
Improper disposal (e.g. not properly treated) waste water generated from ground water and community water supply systems or both wastewater and solid wastes generated from livestock operations	• Community awareness on proper disposal of waste water. • Use of waste water for planting of trees.	• No of community awareness meetings/ workshops. • No. of tree planting initiatives started.	• Communities adapting good practices in waste water disposal and use.	• Workshop /meeting reports • Project report	• Observations • FGD	• Periodic check	• E&S specialist. • VDC • Supervision consultant/ Project engineer
Potential risk to community health due to drinking ground water that is contaminated/ untreated	• Community awareness on public health e.g boiling of water from surface dams.	• No of community awareness meetings/ workshops.	• Reduced cases of water borne diseases. • Households adapting good public health practices.	• Health records • Project reports.	• FGD • Inspection of health record provided by medical facilities.	• Quarterly	• E&S specialist. • VDC • Supervision consultant/ Project engineer

Impact Issue	Proposed mitigation measures	Monitoring Indicators (Output)	Monitoring Indicators (Outcomes)	Means of Verification	Methods of data collection	Frequency	Responsibility
Threat from crop pest	• Training farmers on pest control. • Post-harvest pest control measures.	• No. of farmers trained.	• Improved harvest.	• Workshop report • Project report	• Inspection • FGDs with farmers	• Periodic check	• Project technical team • VDC

Annex 6: GEMS monitoring questionnaire (using Kobotoolbox)

The questionnaire below, will be filled on smart phones by the E&S specialists every 3 to 6 months. Data will be analysed using a power BI dashboard and will be reviewed by the SPIUs and NPCU and presented during missions.

!Tracker World Bank Somali portfolio

Somali Portfolio Mapping Questionnaire

The aim of this questionnaire is to map WB funded (physical) investments or subprojects. Please ***complete the questionnaire at the exact location of the activity/sub project****. Please* ***note that each question relates to the specific individual site****. For example, the question about beneficiaries relates to the number of beneficiaries targeted by the specific activity/sub-project (not the project overall). Try and get information for all questions, but* ***if this is not possible, please only fill out the compulsory question (marked with an asterix). If you are short on time, please fill in the GPS location and the photo, save the form and continue filling the questions as you tour the site****.*

A. Geography

1a. Region

- ◯ Bakool
- ◯ Banadir
- ◯ Bari
- ◯ Bay
- ◯ Galgaduud
- ◯ Gedo
- ◯ Hiiraan
- ◯ Lower Jubba
- ◯ Lower Shabbelle
- ◯ Middle Shabbelle
- ◯ Middle Jubba
- ◯ Mudug
- ◯ Nugaal
- ◯ Sanaag
- ◯ Sool
- ◯ Awdal
- ◯ North West
- ◯ Togdheer

2a. District

3a. Please write the name of this location (village or community)

12b. Brief Description of Activity at this Site

Please provide a brief description of the activity at this project site (1-2 sentences)

_____

13b. Status of approval for this project site

Status of approval by project management

- ◯ Planned, but not approved
- ◯ Approved, but not started
- ◯ Approved and started

14b. Does/will this project include physical infrastructure or rehabilitation?

- ◯ Yes
- ◯ No

1c. What environmental and social safeguard instruments are/will be required for this site?

Only answer these questions if you are aware of safeguards instruments. Tick all instruments that are required for this specific project site. If no instruments are required do not select any.

- ☐ ESIA: Environmental and Social Impact Assessment
- ☐ ESMP: Environmental and Social Management Pan
- ☐ SMP: Security Management Plan
- ☐ LMP: Labor Management Plan
- ☐ Other

Describe what other instrument is required

_____

2c. Has the Environmental and Social Impact Assessment (ESIA) been prepared, reviewed and approved by the project management?

- ◯ Not yet prepared
- ◯ Prepared only
- ◯ Prepared and reviewed
- ◯ Prepared, reviewed, and approved

3c. Has the Environmental and Social Management Plan (ESMP) been prepared, reviewed and approved by the project management?

- ◯ Not yet prepared
- ◯ Prepared only
- ◯ Prepared and reviewed
- ◯ Prepared, reviewed, and approved

4c. Has the Security Management Plan (SMP) been prepared, reviewed and approved by the project management?

- ◯ Yes
- ◯ No

4e. Who are the most vulnerable types of people in this community?

- [ ] Female headed households
- [ ] Women
- [ ] People with disabilities
- [ ] People who have arrived in this community in the last one year
- [ ] IDPs
- [ ] Minority groups
- [ ] Others

Please specify other vulnerable types

_____

5e. Were all the vulnerable groups above included in the consultations?

- ◯ Yes
- ◯ No

6e. If no, why were all groups not included?

_____

F. Grievance/Complaints Resolution Mechanism

1f. Are you aware of the project GRM?

- ◯ Yes
- ◯ No

2f. Are you aware of anyone using it?

- ◯ Yes
- ◯ No

1d. Are there project workers employed at the site?

- ◯ Yes
- ◯ No

2d. Select the category of workers paid by the project who are on the site

For each selection, you will be required to provide the number of workers present at the project site on that day

- ☐ Contracted workers
- ☐ Community workers
- ☐ Other project workers

Please enter other category of workers on site

_____

3d. How many contracted workers are on the site on the day of visit

Enter zero if there are none

_____

4d. How many community workers are on the site on the day of visit

Enter zero if there are none

_____

5d. How many are on the site on the day of visit

_____

6d. How many workers are living in workers camps?

_____

7d. How many workers have signed a code of conduct

_____

2g. Please select the type of displacement that the investment has or is likely to cause.

- [ ] Physical displacement
- [ ] Economic displacement
- [ ] Loss of assets e.g. land, trees, crops, dwelling, business
- [ ] Restriction or change in use of land
- [ ] Other

3g. Other, specify

4g. If loss of assets please describe what assets

5g. How many individuals need to be/were physically displaced (moved)?
In the case of households, please include the total number of people living in the structures.

0

6g. How many individuals need to be/were economically displaced (livelihoods affected)?

0

7g. Total number of persons BOTH physically and economically displaced
If not correct, review your entry for physical and economic displaced persons

8g. Was a Resettlement Action Plan (RAP) completed for this investment?

- ( ) Yes
- ( ) No

9g. How many individuals are eligible for compensation?

Annex 7. Cultural heritage- Chance Find Procedure

1. Introduction

This *Chance Find Procedure* was developed Federal Government of Somalia for the proposed Horn of Africa Ground Water for Resilience Project (GW4R) in accordance with the World Bank's ESS8-cultural heritage. A *chance find* is any unanticipated discovery or recognition of cultural heritage. Chance finds occur during the construction phase of a project. Such finds include the discovery of a single artifact, an artifact indicating the presence of a buried archaeological site, human remains, fossilized plant or animal remains or animal tracks, or a natural object or soil feature that appears to indicate the presence of archaeological material. A chance find procedure is included in relevant procurement documents and instructions to contractors. The procedure covers discovery of artifacts in the soil or underwater. A chance find procedure is not a substitute for pre-construction surveys and analyses.

2. Purpose of the chance find procedure

The *Chance Find Procedure* is a project-specific procedure that outlines actions required to prevents chance finds from being disturbed until an assessment by a competent specialist is made and actions consistent with the requirements are implemented.

3. Scope of the chance find procedure

This *chance find procedure* covers the identification, notification, documentation, and management of *chance find* in accordance with national laws and, where applicable, internationally accepted practice. This procedure is applicable to all activities conducted by the personnel, including contractors, that have the potential to uncover a heritage item/site. The procedure details the actions to be taken when a previously unidentified and potential heritage item/site is found during construction activities. Procedure outlines the roles and responsibilities and the response times required from both project staff, and any relevant heritage authority.

4. Induction/Training

All personnel, especially those working on earth movements and excavations, are to be inducted on the identification of potential heritage items/sites and the relevant actions for them with regards to this procedure during the Project induction and regular toolbox talks.

5. Chance find procedure

If any person discovers a physical cultural resource, such as (but not limited to) archaeological sites, historical sites, remains and objects, or a cemetery and/or individual graves during excavation or construction, the following steps shall be taken:

i. Stop construction activities;
ii. Delineate the discovered site area;
iii. Secure the site to prevent any damage or loss of removable objects. In case of removable antiquities or sensitive remains, a full-time guard should be present until the responsible authority takes over;
iv. Notify the responsible foreman, who in turn should notify the GW4R project SPIU and NPCU, who will then notify World Bank and local authorities responsible for cultural heritage (within less than 24 hours);
v. The significance and importance of the findings will be assessed according to various criteria relevant to cultural heritage including aesthetic, historic, scientific or research, social and economic values;
vi. Decision on how to handle the finding will be reached based on the above assessment and could include changes in the project layout (in case of finding an irrevocable remain of cultural or archaeological importance), conservation, preservation, restoration or salvage;
vii. Implementation of the decision concerning the management of the finding;
viii. Construction work can resume only when permission is given from the respective authorities, NPCU and World Bank after the decision concerning the safeguard of the heritage is fully executed;
ix. In case of delay incurred in direct relation to archaeological findings not stipulated in the contract (and affecting the overall schedule of works), the contractor may apply for an extension of time. However,

the contractor will not be entitled for any kind of compensation or claim other than what is directly related to the execution of the archaeological findings works and protections.

Annex 8: TERMS OF REFERENCE FOR SECURITY RISK MANAGEMENT SUPPORT

BACKGROUND

Background to the Consultancy

The Ministry of Water and Energy invites suitable internationally accredited Security Risk Management Companies (SRMC)[14] to submit expressions of interests (EOI) for a consultancy designed to support the Ground water for Resilience Project, which will implement small scale infrastructure water infrastructure in specified districts across Somalia.

The time-bound, short-term consultancy will require identification, evaluation and treatment of security and safety related risks, across a diversity of geographical project areas, for all project workers, project-affected parties and assets. This will require direct support to the National Project Coordination Unit (NPCU) and FMS Project Implementation Units (PIU) in the development of ISO 31000-compliant risk management.

The Project Appraisal Document (PAD) is a key governing document for this consultancy. The PAD will be provided separately by the NPCU.

Background to the Project

Across Somalia there is little that is geographically homogenous concerning the sources of threat and the nature of risk to human security. Behind this reality are two key drivers: (i) the central role by clans and their community level sub-structures; and (ii) the pervasive and persistent insurgency led by Al-Shabaab (AS) against successive Federal Governments, their foreign allies and the FMS; this conflict variously plays out at local community levels.

These two factors necessitate the development of security risk assessments and management plans for the GW4R Project implementation in the two FMS down to the level of Project locations – where diversified and complex clan and sub-clan dynamics playout, and where strongly decentralised militias exercise considerable influence.

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Objective and Scope of Work

Objectives

This ToR lays out the scope, roles, and responsibilities of the SRMC consultancy in assisting the NPCU and FMS PIUs to effect and coordinate SRM in the Project areas.

The objectives of this consultancy are to enable the project NPCU to rapidly: (i) identify relevant sources of threat and to mitigate identified security and safety related risks to human security across implementation sites for all project workers and project-affected parties and assets; and (ii) help establish a system for security risk management SRM in accordance with ISO 31000.

The SRMC will provide timely, qualitative support to the NPCU and PIUs at the state level, as well as to contractors.

1.1. Deliverables

Consultancy deliverables include: (i) producing a Security Management Plan (SMP) governing the overall project implementation; (ii) for project implementation areas producing detailed SRA for the respective sites (where identified by the NPCU, geographical clusters of activities may be considered); (iii) skills and capacity transfer through coaching, training and development of the NPCU and FMS PIU Security Focal Points on implementation of the SMP[15]; and (iv) subject to the PCIU's requirements, provide punctual follow-on support on SRM across the Project portfolio during the Project life-cycle.

SRA and SMP processes shall be compliant with good international industry practice (GIIP) per ISO 31000, *Risk Management – Principles and Guidelines (2018)*. The Project and Regional-level SMPs will be established according to the five standard components detailed in ISO 31000 (See table 1).

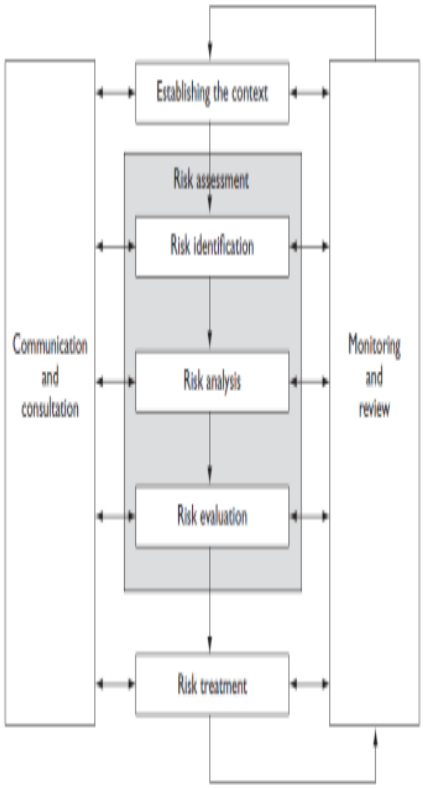

Table 1: ISO 31000 Processes

The SRMC will adequately equip the NPCU Security Focal Point to review and adjust the SRA and SMP to meet the changing needs of the Project throughout the implementation cycle. The SRMC will also ensure the SMP is in conformity with all national government legislative requirements and World Bank guidance in relation to social distancing and other COVID-19-related parameters.

Under the direction of the NPCU, the consultancy will Security Focal Persons to ensure GIIP-compliant SRM at the project levels.

2.2 Scope

The SRMC will work both at the Federal and State levels. Arrangements for local area security, including the use of government security services or government registered and approved armed guards, where necessary, will be arranged by contractors and IPs, and must be in accordance with the *Good Practice Note on Assessing and Managing the Risks and Impacts of the Use of Security Personnel*[16]. Risk assessments will be conducted before the engagement of security services by Project actors.

Duration

The immediate tenure of the SRMC will be determined by the NPCU based on (i) client demand for revision of documentation, (ii) client training and mentoring tasks, (iii) vendor performance and (v) budgetary considerations. Subject to approval by the NPCU, the consultancy may be segmented into periodic engagement. The Company should propose its timetable of engagement and budget in its EOI/ RFT.

2.2.1 Security Risk Analysis

The SRMC shall:

i. During Project inception, draft a detailed methodology (including key tools, questions, areas of focus, ESS considerations, etc.) for area-specific security risk analysis, and request sign-off by the NPCU for the methodology.
ii. Liaise closely with the NPCU and the respective FMS PIUs and undertake field visits in respect of all jointly identify subproject sites, activity-specific sites or clusters of activity-sites, which will be subject to an SRA-SMP process.
iii. Through desk research and on-site assessment visits, conduct detailed District-level SRA of the identified Project sites. Analysis should be based on in-depth contextual understanding of local socio-political features; access to resources; dynamics of clans, potential use of security actors in project activities; minority groups and IDPs, business and religious groupings and interests; political events, historical population movements; existing and potential and violence and tensions; dynamics of extremist and Terrorist influences and interdiction; identification of vulnerable and marginalized groups requiring particular protection; political economy analysis around access to resources; impact of existing political and social tensions; and other accessibility considerations including ESS.
iv. Based on the findings and per ISO 31000 standards, develop confidential area-specific security risk assessment documentation, including risk measurement and treatment (SMP), that shall be provided directly to the NPCU.
v. SRA and the SMP produced for the consultancy by the SRMC shall be treated in a confidential manner and shall remain the property of the NPCU; they shall not be disclosed to any other party without the consent of the NPCU.

The SRMC will provide direct in-house support in Mogadishu to the NPCU designated Security Focal Point. From time to time, the Company will be required to send staff to the field locations and to the project areas to conduct the risk analysis, validation activities and potential training activities. These activities will be undertaken in a manner that complies with government parameters and World Bank guidance on social distancing and related COVID-19 requirements.

All field movements undertaken by the SRMC under this consultancy, including risk assessments and contacts with Project and other parties, shall be at the sole responsibility of the Company. Neither the FGS nor the World Bank shall be liable for any actions occurring to or undertaken by the Company. The Company shall provide proof of appropriate third party and employee liability insurance for Somalia.

2.2.2 Development of Security Management Plans

The SRMC shall develop the Project SMP, to support Project implementation, prior to the commencement of activities. The SMP shall include:

i. Clear identification of security risks and their mitigation in the area of Project operation, as well as risks identified in the GBV Safety Audits;
ii. Description of Project activities to be implemented;
iii. Advice on what aspects of SRM should be included in the contracts and budgets of project contractors;
iv. Monitoring and Compliance Inspections and contractor security management processes;
v. Crisis and Emergency Contingence Management Plans;
vi. Cost estimates associated with contractor security management processes;
vii. Analysis on the use of security actors in project-related functions; and
viii. Terms of Reference for local security providers, including appropriate reinforcement on codes of conduct and use of force.

2.2.3 Implementation of Security Management Plans (SMPs)

The SRMC will further assist the NPCU and respective PIUs in the implementation of the SMP, including:

i. The selection of local physical security providers and orientation on standards required by the Project;
ii. Assistance in the integration and training of the NPCU Security Focal Point;
iii. Selection, Monitoring, Auditing and Punctual Inspection of performance of local security providers;
iv. Support to the NPCU in the development of a Project-wide security reporting system; and
v. As required by the NPCU, provision of in-house risk management training and coaching.

2.2.4 Continued overall security management advise to the Project

As part of its EOI/ RFT, the SRMC will offer options for the provision of regular, follow-on security-related support to the NPCU, including:

i. Ad hoc security briefs on Project implementation areas on the general security situation as it affects and is likely to impact on the Project;
ii. Security Audits of contractor and PCIU performance; and
iii. Updates on performance of the Project SMP.

2. CONSULTANCY REPORTING AND TIMELINES

During this consultancy, the Company shall prepare reports for submission to the NPCU. Table 2 indicates the subject, quantity and time frame for submission of reports. All major reports should contain an executive summary in English and Somali. Reports will be submitted electronically to the NPCU.

The Inception Report shall contain, at a minimum:

i. Mobilization of team members and logistical dispositions;
ii. Review of documents and outline of all initial pertinent activities that need to be performed and the obligations of the NPCU. The report shall also bring to the attention of the NPCU a list of potential issues that warrant early attention;
iii. Overall and detailed work program featuring a concept of operations, pertinent activities and critical pathways; and
iv. Outline of organizational lines of authority, communication and coordination procedures in relation to: (i) the SMP, and (ii) related security management arrangements for contractors.

The Monthly Progress Reports shall be brief and submitted with 14 days of the reporting month, presenting the following information:

i. Monthly Monitoring reports on the implementation and performance of SMPs, including in response to standards defined in the ESCP;

ii. Information on the implementation of SMPs to be fed into general reporting cycle to the World Bank;
iii. Adjustments, where necessary, to the Project-level and local-area SRA matrices; and
iv. Immediate past, present, and future work plans.

Reporting requirements exclude key deliverables, such as the Project SMP and local SMPs.

3. QUALIFICATIONS

3.1. Obligations of the Security Risk Management Company

The successful SRMC shall include in its Project proposal the numbers and types of personnel and their periods of employment with the Company, together with curricula vitae, that are needed to carry out the services required to complete the assignment within the timeframe outlined below. The Company shall provide appropriate 'certificates of good character', verified by a competent authority, for each employee associated with this consultancy.

It shall make its own arrangements for establishment that includes all office and living accommodation, transportation, supplies, surveys, investigations, COVID19 and other health testing, security protection, secretarial services etc. A one-month period has been included in the workplan for establishment from signing of the Agreement for these activities and prior to Commencement of the Services.

Annex 9: Stakeholder Consultation minutes

Stakeholder consultations on the E&S instruments for the Somalia Groundwater for Resilience Project, 4th December 2021, 10 am -12.30

Objective: to get input and suggestions on improving the stakeholder engagement plan, the environmental and social management framework and the resettlement planning framework (draft documents to be shared with invite).
Participants: representatives of relevant organizations in the water sector and disadvantaged groups at the FMS and FGS level.

Time	Session	Lead
9-9.15	Opening and introduction to Project	Abdirizack Mohamed Muhumed Director General Ministry of Energy and Water Resource (MoEWR) Suban Nur, Project Coordinator
9.15-11	Social risks and mitigation measures and Stakeholder engagement plan and discussion Inclusion plan and Resettlement Management Framework and discussion SEAH prevention and response	Abdihameed Hassan, Safeguard Specialist
11-11.15	Health break	
11.15-11.45	Environmental risks and mitigation measures	Najeeb Abdullahi Ahmed Environment specialist
11.45-12.30	Discussion and close	Abdirizack Mohamed Muhumed, Director General Ministry of Energy and Water Resource (MoEWR) Suban Nur, Project Coordinator

Participants

Name	Role, Organization	Email
Ayan Said	RCRF Project, GBV Expert	Ayan Said <ayanita.mof@gmail.com>
Adow Mohamed Adan	Senior Social Safeguard Specialist	adow46@gmail.com
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Suleiman Ahmed	Danish Refugee Council (DRC)	suleiman.ahmed@drc.ngo william.babumba@drc.ngo
Mohamed Geelle	Relief International	mohamed.geelle@ri.org
Ibrahim	International Medical Corps (IMC)	

Khadar Ahmed	ANPPCAN-SOM	anppcansom.mogadishu@gmail.com / khaddar.ahmed@anppcansom.org
Ahmed Sheikh Ahmed	Chemonics International inc.	asheikhahmed@somaliasfsa.com / bclay@somaliasfsa.com,

Summary of E&S issues and mitigation measures

	The Ministry of Water and Energy provided a detailed presentation of the Social and Environmental issues in the new GW4R project as well as the proposed mitigation measures outlined in the ESMF, Stakeholder engagement plan and the Resettlement Planning Framework (RPF) to the stakeholders. This was in addition to the overall project overview and strategic focus provided by the DG. Some of the key frameworks, issues, policies and tools discussed in detail include; - The overall objectives and rationale of the Environmental and Social Management Framework (ESMF); - An in-depth presentation of the legislative and policy frameworks available and gaps with respect to environmental and social safeguards; - Providing an overview of the World Bank's Environmental and Social Safeguards for the stakeholders understanding and know-how to relate with the different ESSs; - The potential social and environmental risks of the project were presented in detail to the participants of the Stakeholder meeting. The risk identification, planning for the mitigation measures and communication with the relevant stakeholders were well articulated by the Social specialist. The continuous engagement of the stakeholders of the project was also communicated. - Also, the Grievance Redress Mechanism (GRM) and ways of raising / redressing project grievances were presented. This includes confidential treatment of sensitive matters, including GBV. - The GBV prevention and action plan for the project were presented to respond to the GBV/ SEA/H risks of the project. Including the signing of the Code of Conduct by all the project staff. an overview of land dispute challenges, mitigation messages of managing resettlement and compensation, prevention of any adverse effect of the project and transparent involvement of relevant stakeholders of the programme.	
	Issues Raised	**How will it be addressed in the project**
1.	The institution's roles and responsibilities for the project implementation of both FGS and FMS should be more clearly stated	The DG outlined some of the already known project institutional arrangements and needed ongoing discussion with all relevant direct project stakeholders in all the project phases. The Project implementation Unit will have the overall responsibility of the project which will be housed at the Ministry of Water with representation in all the FMSs. More details of the roles of the responsibilities will be expressed explicitly in the project documents for better understanding. And some of the project documents will be shared externally for all to relate to the project.
2.	Clarity about the progress of the project development stage	The project isunder preparation; there has been the advanced engagement of the project direct implementing entities for the project development to this stage.
3	How will Somalia share/seek data and information with neighbour countries on this project?	A data collection centre will be developed for this regional project. The Ministry of Water will work through established mechanisms like IGADfor engagement and information/data sharing with the neighbouring countries.
4	The rationale for focusing on GW and not utilizing surface water in the country.	The project focus is on the GW to survey, map and tap into the GW resources of the country in addition to the current utilization of other sources of the water.

		Due to lack of rain and successive drought, inefficient utilization, and ageing surface water infrastructure, the Ministry see GW as a potential alternative.
5	How is the project to implement activities?	The project's goal is to increase capacity building. The federal government will provide the states with authority to carry out their operations, and the federal government and the World Bank will supervise those actions.
6	How will the project overcome Inter-state border issues, including Somaliland?	The project design will be guided by comprehensive consultation of all stakeholders, especially the benefiting communities, to forestall any post-project-implementation disputes and disagreements. On-location and handling of the sensitive border issues, there is an ongoing discussion between the federal government leaders.
7	How will the project manage social risks?	Social and Environmental Risks to be identified, mapped and mitigated to minimize adverse effects on the project or the project stakeholders. Project to have dedicated social and environmental expertise to support the implementation of the relevant social instruments. The project will prioritize capacity building and support to implementation agencies and departments. Stakeholder information sharing and mechanism for expressing views and grievances will be established and communicated to the project stakeholders for effective utilization. There will also be confidential handling of sensitive grievances and complaints like GBV. The project will carefully emphasize social risk mitigation.
8	Has the Ministry of Energy and Water Resources done mapping of GW gaps at the federal state level?	The map is not completed yet
9	How will this project help the community?	The community will be provided with a better water services, they will also be trained to run their water points..
10	Will the project be implemented in cities and rural areas?	The project will conduct a feasibility study on areas in which the project can be implemented; also the project carry out community engagement
11	How will the project solve the land dispute issues? Land is a major source of disputes and conflicts in the country, and the scramble for the few water resources and points too.	Residents and users of land will mapped and agreements will be secured from all groups including local government and mayors. Transparency and equity in the selection criteria of water points to be supported.
12	Coordination of other relevant government actors on specific areas of expertise, for example, environmental issues; Some of the policies identified in the presentation, the Directorate of Environment has worked on policies already;	The project will collaborate with the different government agencies to capitalize on their expertise and partake in the project support.

Comments/Discussion

The participants were actively engaged in the meeting and shared their concerns and suggestions. Some participants were concerned about land ownership and how the project would be implemented in a rural area without causing conflict among the tribes. One of the main concerns expressed by the participants was whether the federal government would be entirely responsible for project execution or if the federal government would delegate responsibilities to the federal states. However, the participants were satisfied with the overall presentation of the project presented by the project team.