

Environmental and Social Management Framework (ESMF)

Youth Employment Transformation Initiative

Ministry of Labor, Employment and Social Security

Government of Nepal

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Abbreviations and Acronyms

AGEI	Adolescent Girls Employment Initiative
CBOs	Community Based Organizations
CSOs	Civil Society Organizations
EIA	Environment Impact Assessment
EMIS	Employment Management Information System
EMP	Environment Management Plan
ESIA	Environment and Social Impact Assessment
ESCs	Employment Service Centers
ESMF	Environment and Social Management Framework
ESMP	Environment and Social Management Plan
FPIC	Free, Prior and Informed Consultation
GBV	Gender-based violence
GoN	Government of Nepal
GRM	Grievance Redress Mechanism
IEE	Initial Environment Examination
ILO	International Labour Organisation
IPDP	Indigenous People Development Plan
IPs	Indigenous Peoples
LAPAs	Local Adaptation Plans of Action
LGs	Local Governments
MIS	Management Information System
MoLESS	Ministry of Labor, Employment and Social Security
MoSD	Ministry of Social Development
NAPA	National Adaptation Plan
OHS	Occupational Health and Safety
PDO	Project Development Objective
PMEP	The Prime Minister's Employment Program
PMU	Project Management Unit
PSC	Project Steering Committee
PTC	Project Technical Committee
PWPs	Public Works Programs
PWP	Public Works Plus
SIA	Social Impact Assessment
SMEs	Small and Medium-sized Enterprises
SMF	Social Management Framework
SSA	Social Security Allowance
SSF	Social Security Fund
VCDP	Vulnerable Community Development Plan
YETI	Youth Employment Transformation Initiative

EXECUTIVE SUMMARY

To meet the jobs challenge, Nepal needs an integrated set of supply side and demand side interventions, anchored in a robust set of goals and indicators. The Government of Nepal (GoN) has several initiatives underway to address aspects of the youth jobs agenda. However, these initiatives are fragmented, and the available evidence suggests an uneven pattern of effectiveness. *On the labor supply side*, although strong advances have been made with market oriented vocational training programs, there is no systematic approach to supporting young women and men as they enter the labor market to make the best choices about where to work or what additional skills to attain. Nor is there a sufficiently strong emphasis on intermediation between workers from disadvantaged backgrounds and potential employers. The most vulnerable workers are often not provided with opportunities which allow them to both earn and improve their productivity simultaneously, often placing them in a vicious cycle of vulnerability. The Youth Employment Transformation Initiative Project (YETI) will help to address those gaps. **The project will be closely aligned with the government's newly announced Prime Minister's Employment Program (PMEP)** and will be implemented by the Ministry of Labor, Employment and Social Security (MOLESS). The PMEP is the government's flagship employment program and seeks to provide minimum employment guarantee as a safety net. The PMEP aims to:

- implement the right to employment enshrined in the Constitution by guaranteeing minimum employment to all citizens;
- reduce dependence on foreign employment by promoting domestic employment;
- contribute to poverty reduction and social security through cash for work schemes; and
- to improve living standards of people by developing public assets.

For this project, the **definition and identification of vulnerable communities** has been aligned to the Prime Minister's Employment Program's priority groups. The PMEP project activities are prioritized toward households that are poorest of the poor (with an annual cash income less than the wages from minimum 100 days of employment or self-employment), households without any member with minimum employment, subsistence farming households with less than six months of food sufficiency, female-headed, Dalits, and endangered ethnicities; as well as households with martyrs or members who have disappeared during the conflict; and, households with no other physically-abled, working age members. Beside, households below poverty line, having persons with disability, and households with marginal (with <0.5 ha) land holders will also be considered as vulnerable.

The Project Development Objective (PDO) is to improve employment services and labor market outcomes, especially for youth and it has 3 components

Component 1: Strengthening of Employment Promotion Systems and Services

Component 2: Improving Labor Market Outcomes of the Vulnerable

Component 3: Capacity Building, Monitoring and Evaluation and Project Management

This project will support the capacity of the Employment Service Centers (ESCs) in all 753 Local Governments, provide temporary employment in maintenance of public assets and service provision implemented by the municipalities.

Thus, in absence of major infrastructure investment the adverse impacts on environment and social aspects are not expected. However, Environment and Social Management Framework (ESMF) is needed to address issues that are likely to have any effect on the local natural environment, and issues related to the social inclusion and participation of intended beneficiaries in the project activities. The ESMF sets out the principles, rules, and procedures to screen, assess, manage and monitor the mitigation measures for environmental and social impacts of project activities that are not known at the time of project preparation. The ESMF proposes key steps to be followed for implementation of project activities including the responsible agency.

This project will not support any type of activity that adversely affects the environment and cause significant

impact on natural resources in course of project implementation. Therefore, the project has paid due consideration for compliance of environment and social safeguard issues with the inclusion of the screening process to identify the level of environmental and social assessment required and exclude the activities with significant impact. The screening process intends to identify relevant environmental and social concerns, as well as suggest any further investigation and assessment, if necessary. Site specific data will be collected as necessary to assess the impacts and devise appropriate management plan during the project implementation to address environmental and social risks. While women's active participation in the project activities is being encouraged, caution will be taken to ensure that this does not result in additional burden for women's work.

Assessment and management of social risks and impacts that individual, group or community face have been considered, and accordingly provisions have been included to build their capacity for controlling the adverse effects. Specific measures - awareness raising, capacity building, enhancing participation, ensuring equal wage, providing project information, preferential treatment where required, providing assistance in accessing project resources, training and skill enhancements have been included. Information flow between stakeholders and the project is considered in all phases of the project cycle to ensure environmental sustainability and social acceptance of the project. Continued consultations and participation of stakeholders including disclosure of information during the operation phase of the project is envisaged. The Project, in this respect, has focused on strengthening the capability of implementing agencies by providing trainings on ESMF for the implementation of environmental and social criteria outlined in the project.

In preparation of this ESMF, constitutional provisions related to the project activities, the relevant plans, policies, laws and regulation were reviewed. The PMEP guidelines, the Right to Employment Act 2017, the Labor Act 2017, the Environment Protection Act 1996, Local Government Operation Act, 2017, National Dalit Act 2074 (2018), and the National Foundation for Upliftment of Adibasi/Janjati Act 2058 (2002) are some of the legislations which are applicable to the project activities and have been reviewed in the ESMF. Also, the World Bank's relevant safeguard policies and International Labour organization (ILO) Convention 169 have been identified for its application by the implementing agency.

The objective of this ESMF is to identify the potential environmental and social issues and risks related to the project activities, and to propose conceptual outline procedures for addressing and mitigating the risks. The ESMF also serves as a guideline and sets out principles, rules and procedures, responsibilities to screen, assess, manage and monitor the mitigation measures of environmental and social impacts. It also includes mechanism to address gender issues and describes procedures for information dissemination, organization of consultation, call for applications, review and scrutiny of received applications. The prescribed methodological guidelines will enable the development of these plans and their monitoring.

Environmental and social screening, assessment, and management plans are some of the tools prescribed for the pre-investment analysis of the proposed activities, and integration of environmental and social factors in the project cycle. The project will not include activities related to civil construction works, therefore, environmental and social risks and impacts are expected to be low. Since the project Component 2a will finance cash benefits (salary) for an average of 30 individuals, the safeguard issues will be mainly related to OHS (occupational, health and safety), labor working conditions, safety, hygiene and sanitation (lack of portable water and lack of toilets) etc. Similarly, there will be no resettlement impacts, however, attention will be paid to vulnerable groups, to ensure their inclusion in activities and that they are not adversely impacted by project activities. The principles, objectives and approach to be followed to avoid, minimize or mitigate adverse impacts have been identified to enable analysis of project investments. The activities may go thorough simple screening. The activities for each of the sub-components are yet to be identified; however, it is presumed that simple screening will be sufficient for the activities under Component 1 and 2. The ESMF compliance will be the responsibility of MoLESS. Screening and preparation of ESMPs will be the responsibility of the ESCs who will be supported by environmental and social specialists of PMU.

The social assessment will form the integral part of the ESMF in terms of the constraints in participation of the vulnerable groups. Therefore, a Vulnerable Community Development Framework (VCDF) with indicators to monitor their participation in the project activities has also been proposed to take appropriate measures wherever necessary. Thus, the social assessment will help in designing activities that would enhance participation of socially excluded groups, including women.

The ESMF further proposes guidelines for the screening, implementation, monitoring and evaluation of the project activities with clear delineation of the roles and responsibilities of the Project Management Unit (PMU), Employment Service Centers (ESCs), and the Municipalities for safeguard compliance. The Provincial Project Coordinator of the Provincial Ministry of Social Development will provide additional coordination and monitoring support, including safeguards compliance, to the project activities at local level, if needed. The project will ensure that potential social risks are avoided or minimized, to the extent possible, to encourage the participation of the women, janjatis and other excluded groups.

The ESMF has proposed for regular, intermittent, and periodic monitoring beside the mid-term evaluation through third party. It proposes to recruit independent third party to assess project impacts and recommend appropriate measures for corrective action, where required. The ESMF has also proposed grievance redressal mechanism from ESCs at the local levels, to the Project Steering Committee (PSC) at central level.

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1 PROJECT OVERVIEW

1.1 Country Context

1. Over the past decade, Nepal’s economy has performed reasonably well. Growth averaged 4.3 percent (at market prices) over 2005-15. Although declining as a share in the economy, agriculture continues to play a large role, contributing over 30 percent of value-added. The service sector has grown in importance, accounting for half of value-added in recent years. Industry in general, and manufacturing has grown more slowly and its relative share in the economy has averaged 16 percent of Gross Domestic Product (GDP) over the past decade. Similarly, exports continue to struggle, while imports are fueled by remittances. However, remittance as a share of GDP has recently been on a declining trend due to lower oil prices that have impacted economic prospects in those countries with large Nepalese migrants. Inflation was in single digit for most of the past decade, with the peg of the Nepalese rupee to the Indian rupee providing a nominal anchor. Fiscal balances remained sustainable owing to strong revenue growth and modest spending.
2. Poverty rates have declined remarkably, largely due to labor migration and remittances from abroad.¹ The incidence of poverty measured against the national poverty line fell by 19 percentage points between 2003/04 and 2010/11, and in 2010/11, 15 percent of the population was counted as poor. Most multidimensional indicators of poverty also showed improvements across regions in Nepal. However, these gains remain vulnerable to shocks and setbacks, as evidenced by the 2015 earthquakes, which were followed by trade disruptions resulting in GDP growth of 0.6 percent in 2016, the lowest in 14 years.
3. Data released by the Central Bureau of Statistic (consisting of a revision of the FY2017 growth rate and an updated estimate for FY2018), show that growth has been strong, despite the external shock from floods. In mid-August 2017, the worst flood in decades destroyed 64,000 hectares of standing crop, contributing to an estimated reduction in the agriculture growth rate from 5 to 2.8 percent (in FY2017 and FY2018, respectively). This contributed to a reduction in overall GDP growth from 7.9 to 6.3 percent in FY2018. Government revenue continued to perform well. However, spending also picked up significantly in FY2017 compared to previous years. Nevertheless, ambitious expenditure targets envisioned in the budget have not been met and the quality of spending has not improved with 60 percent of the capital spending occurring in the last quarter. Also, spending pressures have increased in the first half of FY2018 due to fiscal transfers, and spending on elections, capital goods and federalism. High inflation in the past two years has moderated sharply due to moderating inflation in India and improving supply side constraints.
4. Despite the above, Nepal faces risks from failing to provide sufficient, suitable domestic employment that is productive and remunerative for the country’s youth. While both unemployment and time-related underemployment is relatively low, most jobs are in low-productive areas and over 90 percent of young workers are in the informal sector. Lack of quality, domestic job opportunities can potentially result in substantial, lasting economic and social costs – not just for the affected youth but also their families and communities. This is especially crucial given the decline in migration in the past two years.
5. The Government of Nepal (GoN) has recognized, as a priority, the centrality of jobs challenge and creation of employment opportunities, especially for the youth.² This has been reflected in the

¹ “Nepal Risk and Resilience Assessment (RRA).” July 2017. World Bank Group.

² For the purposes of the project, youth are defined as individuals aged 16–34 years. This definition largely overlaps with Nepal’s official definition (ages 15–40 years); it is consistent with the “extended youth” definition applied in other research internationally; and it is appropriate, given that sizable shares of men and women ages 15–24 years (24 percent and 17 percent, respectively, in 2010–11) are still attending education institutions. Because Nepalese law considers individuals as children at age 15 (Government of Nepal 2000), this.

Government's 14th Development Plan (2015-18) that sets out goals to graduate from low-income country (LIC) status by 2022, to achieve the 2030 United Nations Sustainable Development Goals, and become a middle-income country by 2030. Furthermore, the budget speech delivered to the Parliament in May 2018 for FY2019 has prioritized promotion of sectors that can create jobs and employment opportunities for all citizens in the country. The budget speech sets an ambitious target of creating 500,000 jobs in this fiscal year. The Government realizes that achieving these goals will require a shift in the pattern of development, to accelerate the creation of better-quality jobs, especially for young people, women and excluded groups, by supporting productivity transitions across all the major sectors of the economy.

6. The proposed project on Youth Employment Transformation Initiative will aim to address gaps in the labor and supply side and complement outcomes of other ongoing projects and government initiatives . On the *labor supply* side, youth entering the labor market continue to work in low-productive jobs. The project will aim to address the lack of a systematic approach to the provision and management of employment support services and systems to support jobseekers to make the best decision as they enter the labor market. The focus on youth is for purposes of addressing high risks of fragility and conflict discussed above.

1.2 Project Description

1.2.1 Project Development Objective

7. The project development objective (PDO) is to improve employment services and labor market outcomes, especially for youth.
8. For the purposes of the project, youth are defined as individuals aged 16–34 years. This definition largely overlaps with Nepal's official definition (ages 15–40 years); it is consistent with the "extended youth" definition applied in other research internationally; and it is appropriate, given that sizable shares of men and women ages 15–24 years (24 percent and 17 percent, respectively, in 2010–11) are still attending education institutions. Because Nepalese law considers individuals as children at age 15 (GoN, 2000), this project sets the minimum age for youth at 16.
9. The PDO-level indicators that will measure enhanced labor market outcomes for youth and the number of quality jobs created are:
 - Number of Employment Service Centers (ESCs) which are established and functional
 - Share of people (disaggregated by gender and age group) supported by the project who take up a training, temporary work, or employment opportunity within six months of registration

1.2.2 Project Components

10. To achieve its development objectives, the project, over a five-year period is expected to support three components.

Component 1: Strengthening of Employment Promotion Systems and Services

11. The main objective of Component 1 is to support the GoN in building a platform for systematic approach to provision of employment promotion services. The Component will achieve this through: (i) increasing access to employment opportunities through a one-stop shop approach to delivery of employment promotion services and (ii) development of a holistic national employment information management system (EIMS) to support program management and employment policy formulation.

Component 1a: Increasing access to employment opportunities.

12. In order to support effective and systematic provision of employment promotion and unemployment

support services Component 1a will finance: (i) strengthening of ESC's capacity for outreach to and registration of unemployed and jobseekers; (ii) provision of support to the registered to identify and access tailored employment support options; and (iii) coordination and monitoring needed at the local level for effective PMEP implementation.

Component 1b: Development of holistic national employment information management system (EIMS).

13. Component 1b will finance enhancement and integration of information management systems necessary for the efficient and effective functioning of employment promotion services in Nepal (including PMEP). This will include assessments of existing systems, identification of needed design enhancements, hardware and software procurement and capacity building necessary to ensure that information from these systems is effectively utilized for program management and policy making. Component 1b will support activities around five major areas: (i) Strengthening of unemployment and jobseeker registration, monitoring, and updating functions in ESC MIS; (ii) Enhancement of PWP module in the MIS; (iii) Expansion of jobs portal functionality; (iv) System integration into a holistic EIMS; and (v) Data utilization capacity building.

Component 2: Improving labor market outcomes of the vulnerable

14. Component 2 aims to improve labor market outcomes of the vulnerable unemployed through the efficient delivery of labor-intensive public works (PWP) with a "plus" package under the PMEP. The "plus" package adds the provision of on-the-job training and life skills to the PWP beneficiaries with an aim to improve the productivity and employability of the beneficiaries.

Component 2a - Creation of employment opportunity in maintenance of public assets and provision of services.

15. This activity will complement PWP activities financed through the LG development plans and aims at improving access to and quality of services by maintaining the functionality of key public assets. This component will support job creation in maintenance of public assets and provision of services. The activity will finance cash benefits for an average of 30 individuals per LG that will work for 100 days per year. Therefore, the activity will benefit around 22,500 jobs around the country creating about 2,250,000 workdays a year. The beneficiaries will be selected from the ESC information system that have the list of registered unemployed in the LG. Individuals can be selected individually by LGs or by firms selected by LGs to manage the implementation of maintenance of public assets and provision of services. This activity will only finance the cash benefits and must be complemented by LG budget that will cover the costs of material and equipment needed for the selected tasks. Moreover, the cash benefits paid to workers will be transferred as conditional grants to LGs.

Component 2b - Improving employability of PWP beneficiaries.

16. The PWP "plus" component will enhance the productivity and employability of PWP beneficiaries through the provision of up to 10 days of a combination of: (a) *on-the-job training activities on relevant trades and occupations*. For example, workers employed as manual laborers on a construction project may be offered training in building skills such as bricklaying or masonry. (b) *life skills training*. For example, individuals may be offered training in self-esteem, goal-setting, decision-making, communication, financial literacy and reproductive health. This sub-component will also support the targeted outreach campaign for youth.

Component 3: Project Management, Monitoring and Evaluation and Capacity Building

17. Component 3 will support: (a) the establishment and maintenance of an effective implementation arrangements at federal, provincial and local levels; (b) the set-up of a monitoring and evaluation mechanism to track the progress and conduct evaluation; and (c) the capacity building programs for project management, PMEP service delivery, and cross-components activities.

1.3 Project Location

18. Component 1, 2 and 3 will be financed across the whole country, covering all 753 urban and rural municipalities and all geographical regions. The general overview of the provinces is presented in the following paragraphs³. The total population of the country according to the census 2011 is 26,494,504 distributed to the Mountains (1,781,792), Hills (11,394,007), and Terai (13,318,705) regions.

Province 1

19. The total population of the province is 4,534,943. The Province 1 lies in the easternmost part of Nepal. This province stretches from the Terai in the south to the Himalayas in the north flanked by agricultural plains in the Terai. Province 1 which covers an area of 25,905 sq. km has three geographical division: Himalayan in the north, Hilly in the middle and Terai in the southern part of Nepal, varying between an altitude of 60 m and 8,848 m. Terai, extended from east to west, is made up of alluvial soil. To the west of Koshi River, in between Mahabharat Range and Churia Range, there elongates a valley called Inner Terai. Churai Range, Mahabharat Range and other hills of various height, basins, tars and valleys form the hilly region. Some parts of this region are favorable for agriculture, but some other parts are not. Himalayan region, in the north, consists of many mountain ranges; Tundra vegetables, coniferous forest, deciduous monsoon forests and sub-tropical evergreen woods are vegetations found here. Sub-tropical, temperate, sub-temperate, and alpine and tundra types of climates are found here. The highest and the third highest mountain peaks of the world, Mt. Everest (8848 m) and Mt. Kanchenjunga (8586 m) lies here. This province has 727 industries. Biratnagar municipality of this province is also known as industrial city with various industries.

20. The province has 14 hydro-electricity projects in operation. The province has Kanchenjunga Conservation Area, Koshitappu Wildlife Reserve, Makalu Barun National Park, and Sagarmatha National Park. The religious sites like Pathivara and Halesi fall in this province. Other important heritages are Maipokhari of Ilam, Milke area, Tinjure, etc. The major trade centers of the province are Biratnagar, Dhulabari, Dharan, Ilam, Okhaldhunga, Gaighat, etc. In the same ways, Kakarbhitta and Pashupatinagar are the main trade transits to India and Olangchunggola is the trade transit to China. It has fourteen districts.

Province 2

21. The total population of the province is 5,404,145. The province 2 expands in the Terai region with high agricultural production potential having highest population density. The province covers about 9,661 km² (as per CBS) of Nepal's total area of 147,181 sq. km with total number of 5,404,145 inhabitants, it is the second most populous province in Nepal. The province is located on flat plains of Terai, and Chure (Churiya) or the Shiwalik Hills are the natural border of the province which falls in northern side. The southern side has an international border with the India. Koshi River on its eastern side acting as a natural border with Province No. 1. The province is drained by Koshi River, Bagmati River, Kamla River, Lakhandei River and Bishnumati River are the main rivers of the province. The province is very important from the perspectives of agriculture, industry, and tourism with the least possibility of hydro-electricity development. But the region is highly significant in terms of business since it has a direct link with Indian borders. Rajbiraj, Mirchaiya, Janakpur, Jaleswor, Malangwa, Chandranigahapur and Simara are the major trade centers of the province. Janakpurdham, Gadhimai, and Chhinnamasta are the main religious site of the province. Hence, this province can collect good revenue from customs duty. It has Parsa Wildlife Reserve, a part of Koshitappu Wildlife Reserve. It has eight districts.

Province 3

³ www.imnepal and Central Bureau of Statistics (CBS), Nepal

22. Province 3 constitutes mostly of hills and mountains and home to peaks including Gaurishankar, Langtang, Jugal, and Ganesh. The province covers an area of 20,300 km², about 14% of the country's total area, and has an altitude low enough to support deciduous, coniferous, and alpine forest and woodland. Temperature varies with altitude. Rainfall takes place mainly during the summer. Total Population of the province is 5,529,452. The province is located between Tibet (China) in the north and province 2 in the south. It is the third smallest province of Nepal. Kathmandu is the capital city of Nepal which lies in this province, the number of industries is 979 and has the highest number of hydro-electricity project. In total 38 hydro-electricity projects are running here with the biggest Upper Tamakoshi Hydro-electricity Project. The province has three types of physical features. The major mountain peaks are Mt. Ganesh (7163 m), Langtang (7205 m), Mt. Gaurishankar (7134 m), etc. This is the most developed province. The Tamakoshi, the Indrawati, the Trishuli, the Kamala and the Bagmati rivers flow through this province. People are involved in agriculture, industry, and service. The major trade centers of this province are Kathmandu, Hetauda, Chitwan, Banepa, Sindhuli Gadi and Tatopani. The major Nepal-China trade transit – Tatopani lies here. Tourists come to visit Kathmandu, Lalitpur, Bhaktapur, Nagarkot, Dhulikhel, Chitwan, and so on. Here are Langtang National Park, Shivapuri National Park and Chitwan National Park, and Gaurishankar Conservation area. It has thirteen districts.

Gandaki Pradesh

23. The province covers an area of 21,773 km² which is about 14.66% of the total area of Nepal. In terms of terrain, the province is spread over the Himalayan, Hilly and Terai region of Nepal; 5,919 km² (26.8%) of the area falls under the Himalayan region, 14,604 km² (67.2%) of the area falls under the Hilly region and 1,310 km² (6%) of the area falls under the Terai region. The total population of the province is 2,403,757. The province 4 lies between China in the north and province 5 in the south. As others, the Himalayan region lies in the north. The province has the good potentiality of hydro-electricity generation with existing 29 hydro-electricity projects. Lakes and perennial rivers are the major attraction of this province.
24. The major mountain peaks are Annapurna I (8091 m), Dhaulagiri (8176 m), Manaslu (8163 m), Himalchuli (7893 m) and Machhapuchchhre (6993 m). The Hilly region is in the middle and the Terai is in the south of this province. Gandaki (Kali Gandaki, Budhi Gandaki, Seti Gandaki, Marsyangdi, Madi, Daraundi, and Seti) is the major river in this province. This region is rich in lakes. Fewa, Rupa, Begnas, Khaste, Dipang, and Tilicho are the major lakes. The people of this province are involved in agriculture, tourism, industry, services as well as foreign employment. This province collects the highest remittance. The province is very good for tourism industry with the enough attraction for mountaineering, trekking, rafting and paragliding centers. It has 11 districts.

Province 5

25. The total population of the province is 4,499,272. Province 5 lies in the Hilly region and plain land of the Terai. It is bordered by India in the south and province 4, 7 and 6 in the east, west, and north respectively. The rivers Karnali, Bheri, Rapti and Babai drain the province. The land is very fertile. The major crops are paddy, mustard, wheat, maize, cotton, etc. Bardiya National Park and Banke National Parks cover a considerable part of the province. Sikta irrigation project and Babai irrigation project have benefited from the agricultural production. The availability of abundant natural resources, religious sites like Lumbini, Bageshwori, Thakurdwara, Resunga, and Swargadwari are the major tourist attractions. The main trade centers are Nepalgunj, Kohalpur, Tulsipur, and Gulariya. It has 13 districts.

Karnali Pradesh

26. The total population of the province is 1,570,418. The province lies in the western part of Nepal. Geographically, this is the biggest province in size. The bordering provinces are province 7 in the west, province 5 in the south and east, a part of province 4 in the east and China in the north. The province does not cover any fertile land of the plain Terai. The province is the poorest and is developmentally

challenged, too. This region has complex topography. Mt. Kanjirowa (6612 m), Mt. Kanti (6859 m), Mt. Gorakh (6088 m) and Mt. Changla (6563 m) are remarkable peaks of the province. Rara National Park with biggest lake Rara and Shey- Foksundo National park with Shey-Foksundo lake are situated in the province. Other main attractions of the province are Badimalika, Deuti Bajai and Chandannath temples, Bulbule lakes, etc.

27. The major trade centers of the province are Birendranagar, Gumgadhi, Khalanga, Dunai, etc. The province is known for fruits like apples, oranges, pomegranate, walnut, etc. which are traded all over the country. Besides Humla and Dolpa, all other districts have access to roads, but they are very narrow, just graveled and risky. Surkhet, Dunai and Simikot, and Jumla have airports of the province. Maize, barley, wheat, millet, and paddy are the staple food crops. Similarly, mustard, soybean and hot chili are some of the noteworthy cash crops of this province. The paddy crop is known as 'Jumli Marsi' is the very popular breed of paddy found in Jumla districts. It has 10 districts.

Sudurpashchim Pradesh

28. The total Population of the province is 2,552,517. The province is in the western-most part of Nepal. All three geographical regions are found in this province: the Himalayan in the north, the Hilly in the middle and the Terai in the south. The river Kamali flows in the east and river Mahakali drains the border in the west. It borders with India in the west as well as at south and Tibet (China) in the north. Thus, the region has the good potentiality of external trade. It is the second smallest province of Nepal. Mt. API (7132 m.) and Mt. Saipal, Mt. Yokapahad (6644m), Mt. Lassa (6189m) are the major Mountain peaks of this province. Khaptad and Ghodaghodi lakes fall in the province. Khaptad National Park and Shuklaphanta National Park conserve a lot of living and Non-living things. Api Nampa Conservation Area lies in the same province. The major trade centers of this province are Dhangadhi, Dadeldhura, Mahendranagar, and Dipayal. The principal crops grown in this province are wheat, mustard, maize, and cotton.
29. The province is remote and developmentally challenged. Some 44% of people in the Far West Hills and 49% in the Himalayan districts live below the poverty line. The province has limited access to basic services. It has complex socio-economic structures and there is both widespread gender- and caste-based discriminations. Likewise, this province is badly affected by, Deuki Pratha, Chhaupadi Pratha, etc. In addition to this, other traditional systems associated with the province, its culture and customs also pose impediments for overall development. It has 9 districts.

2 PLANS, POLICIES, LEGISLATIONS AND DIRECTIVES RELEVANT TO THE PROJECT

2.1 Relevant Acts, Regulations and guidelines

30. The following Act and Rules; guidelines, plans and programs will be relevant for Environment and Social Management Framework (ESMF) development under this project and needs to be taken into consideration during the design and implementation of the project activities in components 1,2 and 3.

a. Constitution of Nepal, 2072 (2015) - Fundamental Rights and Duties

31. *Right to equality*: according to Article 18 citizens are not discriminated on grounds of origin, religion, race, caste, tribe, sex, economic condition, language, region, ideology or on similar other grounds.
32. “Nothing shall be deemed to prevent the making of special provisions by law for the protection, empowerment or development of the citizens including the socially or culturally backward women, Dalit, indigenous people, indigenous nationalities, Madhesi, Tharu, Muslim, oppressed class, backward class, minorities, the marginalized, farmers, labors, youths, children, senior citizens, gender and sexual minorities, persons with disabilities, persons in pregnancy, incapacitated or helpless, backward region and Khas Arya.”
33. “No discrimination shall be made on the ground of gender with regard to remuneration and social security for the same work”.
34. *Right to clean environment*: Article 30 states (1) every citizen shall have the right to live in a clean and healthy environment. (2) The victim shall have the right to obtain compensation, in accordance with law, for any injury caused from environmental pollution or degradation. (3) This Article shall not be deemed to prevent the making of necessary legal provisions for a proper balance between the environment and development, in development works of the nation.
35. *Right relating to food*, Article 36 states (1) Every citizen shall have the right relating to food. (2) Every citizen shall have the right to be safe from the state of being in danger of life from the scarcity of food. (3) Every citizen shall have the right to foods over eighty in accordance with law.
36. *Rights of child*: Article 39(4) states no child shall be employed to work in any factory, mine or engaged in similar other hazardous work.
37. *Right to social security*: Article 43 states the indigent citizens, incapacitated and helpless citizens, helpless single women, citizens with disabilities, children, citizens who cannot take care themselves and citizens belonging to the tribes on the verge of extinction shall have the right to social security, in accordance with law.

Part-4: Directive Principles, Policies and Obligations of the State

38. Directive Principles, Article 50 (3) states,

The economic objective of the State shall be to achieve a sustainable economic development, while achieving rapid economic growth, by way of maximum mobilization of the available means and resources through participation and development of public, private and cooperatives, and to develop a socialism-oriented independent and prosperous economy while making the national economy independent, self-reliant and progressive in order to build an exploitation free society by abolishing economic inequality through equitable distribution of the gains.

39. Policies relating to political and governance system of State, Article 51 (b) states that

The State shall guarantee good governance by ensuring the equal and easy access of the people to the services and facilities delivered by the State, while making public administration fair, competent, impartial, transparent, free from corruption, accountable and participatory.

40. Policies relating to agriculture and land reforms, Article 51 (e):

Enhance product and productivity by carrying out land pooling, while discouraging absentee land ownership, diversification and modernization of agriculture, by pursuing land-use policies to enhance agriculture product and productivity, while protecting and promoting the rights and interests of the farmers.

41. *Policies relating to protection, promotion and use of natural resources, Article 51 (g):*

Protect, promote, and make environment friendly and sustainable use of natural resources with preferential right to the local community. Conserve, promote, and make sustainable use of, forests, wildlife, maintain bio-diversity by mitigating possible risks to environment from industrial and physical development. Adopt appropriate measures to avoid existing or possible adverse environmental impacts on the nature, maintain environment or biological diversity. Pursue the principles of environmentally sustainable development and obtain prior informed consent from appropriate authorities wherever applicable.

b. *Environment Protection Act in Nepal, Environment Protection Act, 2053 (1996), and the corresponding Environment Protection Rule, 2054 (1997)*

42. The EPA advocates to regulate the protection of the environment through proper utilization of natural resources. Most of the terminology - environment, pollution, protection, proposal, proponent, Initial Environmental Examination (IEE), Environmental Impact Assessment (EIA), garbage, emission, biodiversity and national heritage are defined under this act.

43. The act has the provision for Environment Protection Council and establishment of Environmental Protection Fund beside provision for compensation to the persons affected by environmental pollution.

c. *Right to Employment Act, 2074 (2017)*

44. The Right to Employment Act made to specify provisions relating to every citizen's right to employment guaranteed in Article 33 of the Constitution of Nepal was approved in October 2018. In order to ensure the right to employment of every citizen the Act makes provisions for making the labor force skilled and employable as well as providing a minimum employment guarantee of 100 days of work for the unemployed. According to the Act an employment service center will be established at each local level that will provide the necessary linkage to labor intensive public development activities in order to ensure the guaranteed minimum employment. One of the objectives of the act is to create a situation whereby more employment opportunities are created within the country that will afford Nepali citizens' an option to not migrate internationally for employment.

d. *Labor Act, 2074 (2017), and the corresponding Labor Rules, 2075 (2018)*

45. It prohibits child labor and advocates Positive discrimination assigning easier and suitable jobs to pregnant female workers, Preference to differently-abled workers for jobs suitable to his/her condition without any reduction in remuneration or benefits. It has Provisions relating to Occupation Safety and Health (OSH), which is regularly monitored by the labor office. Employers must ensure appropriate safety and health provisions at the workplace, especially related to use of chemicals; provide necessary trainings and information; and personal safety equipment. Such safety services need to be provided free of charge to the employees. Make appropriate arrangements for eco-friendly use and disposal of chemical products used by the enterprise.

46. In case of construction work the employer should provide necessary tools and equipment for work, temporary quarters with enough drinking water and sanitation facilities for those who do not have accommodation nearby and should ensure safety arrangements at the site. Likewise, **any** enterprise operating in a season only or cannot be operated for more than 180 days, regular workers should be paid at least 25% of their remuneration during closure.

47. It has provisions for termination of employment by employee or employer, on valid grounds, upon prior written notice, and payment of remuneration and benefits as agreed and provisioned by law. Likewise, employers in case of financial problem in operation, or mergers or closures, may retrench workers upon prior written notice (at least 30 days), with compensation calculated at the rate of their monthly basic

salary and for the number of years served, for employees completing at least one year with the enterprise.

e. Local Government Operation Act, 2074 (2017)

f. Promulgated with the objective of institutionalizing legislative, executive and judicial powers and authorities of the local governments (LGs) in developing local leadership through strengthening local governance system, the Local Government Operation Act (LGOA) 2017 mandates the local governments (executive offices of metropolitan cities, sub-metropolitan cities, municipalities and Gaun Palikas) to formulate, implement, monitor, evaluate and regulate policy, legislation, standards, norms related to the development projects and programs. Specifically, the LGOA mandates local governments to implement the public work projects in sectors like road, irrigation, health posts and their maintenance.

g. National Dalit Act 2074 (2018)

This act was promulgated for the empowerment of the dalit community through necessary amendment to the acts that are discriminatory towards their socio-economic advancement. Besides, the act has emphasized in recommending the government for the protection, upliftment and empowerment of the dalit community.

h. National Foundation for Upliftment of Aadibasi/Janjati Act 2058 (2002)

The act was promulgated for the socio, economic upliftment of the Aadibasi/Janjati and one of the objectives is to increase their participation in the mainstream of overall national development of the country.

i. Solid Waste Management Act, 2068 (2011)

48. Solid Waste Management Act, 2068 (2011) was promulgated to make the management of the solid waste in a systematic and effective way by reducing at its source, re-use, processing or discharge and for maintaining a clean and healthy environment through the reduction of adverse effects that may be caused to the public health.

49. Section 5 of this act dealing on the issue related to the reduction of generation of solid waste states that (1) any individual, organization or body shall, as far as possible, reduce the production of solid waste (2) it shall be the duty of every individual, organization or body to reduce the amount of remaining solid waste by making arrangement for disposal or reuse of solid waste which might have been otherwise disposed-off in such individual, organization or body's own area.

j. Forest Policy, 2071 (2015)

50. The Forest Policy of 2015 by GoN guides forest sector policies and strategies including forest, wetland, vegetation, wildlife, biodiversity, NTFP and Soil and watershed conservation. The Forest Policy laid emphasis on providing equitable employment, incomes and livelihoods opportunities through the sustainable management of forest resources, conservation of biodiversity, plants resources, wildlife, watersheds and other ecosystems by strengthening climate resilient adaptive capacity of the community. The maintenance of forest ecosystems is envisaged by promoting payment for ecosystem services (PES) and biomass based renewable energy. This policy further emphasizes diversification and optimum utilization of forest products and services through protection of land from degradation by soil erosion, landslides, desertification, and other ecological disturbances.

k. Climate Change Policy, 2067 (2011)

51. It Provides methodologies/ process and guidelines for the preparation of National Adaptation Plan (NAPA) and Local Adaptation Plans of Action (LAPAs) for Climate Change effect from community level to the National level. It advocates for adaptation of community-based approaches to deal with the effect of climate change. The local governments and the community have a greater role in the preparation of the

LAPAs for adapting to the changes brought by climate change at local level. At the central level it has laid emphasis on the policy formulation and institutional mechanisms for the effective implementation of LAPAs.

2.2 Relevant World Bank Safeguard Policies

52. The following World Bank's environmental and social safeguard policies need to be considered wherever applicable in the design of the project activities. These policies are described in related Operational Policies (OP) and 'World Bank Safeguards Policies applicable to this project are as follows.

2.2.1 Environmental Assessment (OP/BP 4.01)

53. The project is categorized as "B" due to fact that Environmental & Social (E&S) impacts associated with project activities are less adverse, site-specific and likely reversible. There are no expected civil infrastructure components, therefore, reduced expected environmental and social risks and impacts. The project will have to manage E&S risks and impacts of the project throughout the project life cycle in a systematic manner, proportionate to the nature and scale of the project and potential risks and impact (ESA) study will be carried out. Since the project Component 2a will finance cash benefits (salary) for an average of 30 individuals per LG that will work for 100 days per year, the related safeguard focus will be mainly on OHS (occupational, health and safety) and workplace health and safety procedures for the well-being of laborers. The environmental related risks will include work place accident, safety, unhygienic and inadequate labor camps, lack of portable water and lack of toilets etc. These issues need to be addressed by applying appropriate mitigation measures on OSH management approach and labor working conditions to prevent accidents and any other mis happenings at the construction site. Workplaces play a vital role in ensuring the well-being of workers. So, integration of occupational health and safety (OHS) practices in construction work are most effective in preventing injury and illness, which is essential.

54. Wherever required, OSH management plans will be prepared to address the work-related hazards.

2.2.2 Indigenous Peoples OP/BP 4.10

55. This policy acknowledges to protect the dignity, right and cultural uniqueness of indigenous people to ensure that they have a voice in project design and implementation, do not suffer from development activities; that they receive social and economic benefits. This policy may be triggered if there are indigenous people in the project area; when potential adverse impacts on indigenous people are anticipated; and if indigenous people are among the intended beneficiaries. In that case, free, prior and informed consultation with indigenous communities will be organized. Detailed social assessment is carried out and risks mitigation measures and measures to promote their participation to benefit optimally from the project activities are typically developed into a Vulnerable Community Development Framework (VCDF). If indigenous population are not concentrated in certain project area but are scattered across, the measures suggested in the VCDF are integrated into overall project components, and results indicators.

56. *Table 1 WB Safeguard Policies*

Safeguard policies triggered in the project	Applicable	Not Applicable	Project Components
Environmental Assessment OP/BP 4.01	X		2
Pest Management OP/BP 4.09		X	

Safeguard policies triggered in the project	Applicable	Not Applicable	Project Components
Physical Cultural Resources OP/BP 4.11		X	
Indigenous Peoples OP/BP 4.10	X		1, 2 and 3
Involuntary Resettlement OP/BP 4.12		X	
Safety of Dams OP/BP 4.37		X	

57. These policies provide guidelines for the identification, preparation, and implementation of programs and activities in the projects.

2.3 International Labour Organisation (ILO) Convention 169

58. International Labour Organisation (ILO) convention 169, that was convened in 1989, has urged the governments for developing, with the participation of the peoples concerned, coordinated and systematic action to protect the rights of indigenous and tribal peoples relating to:

- a) ensuring that members of these peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population;
- b) assisting the members of the peoples concerned to eliminate socio-economic gaps that may exist between indigenous and other members of the national community, in a manner compatible with their aspirations and ways of life.

3 LIKELY BENEFICIAL AND ADVERSE IMPACTS OF THE PROJECT

3.1 Environmental Impacts

59. As the project components will not support any new construction activities, the adverse impact on the environment will not be significant. Since the project will finance only the cash benefits for laborers, the impacts related to OHS, labor working conditions and construction work safety will be examined. The related risks include work place accident, safety, unhygienic and inadequate labor camps, lack of portable water and lack of toilets etc. The only hope of reducing the number of accidents is to keep workers aware of safety issues, train them on these issues, communicate and discuss ways to improve safety programs and concerns. This will have to be ascertained at the time of the screening of the project.
60. *Resource Efficiency and Pollution Prevention and Management* – Efficient use of resources to enhance the quality of life, proper management of the waste are important for human living. Thus, the judicious use of the locally available resources by the activities, avoidance of negative impact on local community due to waste disposal and polluting the natural environment are to be taken into consideration.
61. *Community Health and Safety* – No negative impact from activities on local communities' health needs to be ensured. Likewise, due consideration is required for the safety of the local communities regardless of whether they are beneficiaries of the activities are not. The activities should avoid any negative implications on the local communities.
62. *Biodiversity Conservation and Sustainable Management of Living Natural Resources* – There should be no adverse effect on biodiversity and living natural resource management from the activities as for many local people, their livelihood is dependent on them.
63. *Financial Intermediaries* – No financial intermediaries should be involved in the activities that will negatively affect the choice of work, right to work and income of the local people.

3.2 Social Impacts

64. The project activities are focused on employment generation for the unemployed poor and vulnerable groups, therefore, focus should be taken in terms of increasing their access to employment opportunities. Lack of knowledge and access to information are the major impediment for them to benefit from participating in such activities. Therefore, there is need for targeted activities to increase their participation in project activities to benefit them.
65. Conducive work environment – minimization of work hazard, proper health, hygiene and sanitary facilities and payment of equal wages both for men and women – is desirable in work places.
66. Gender-based violence (GBV) in the work place is major barrier created for many women, thus its prevalence may deter the participation of women in project activities. Therefore, GBV needs to be avoided in the work place through training for both men and women. In order to enhance women participation corrective measures like enforcing existing laws and standards on GBV and provision of appropriate support should be in place in case of GBV occurrence.

4 ENVIRONMENT AND SOCIAL MANAGEMENT FRAMEWORK

4.1 Introduction

67. In World Bank financed projects, when specific investments cannot be identified prior to project appraisal, Environmental and Social Management Framework (ESMF) is applied. The ESMF sets out the principles, rules, and procedures to screen, assess, manage and monitor the mitigation measures of environmental and social impacts of project activities that are not known at the time of project of preparation. It includes:

- Financial Intermediary (FI) operations
- Trenched sectoral investment programs (incl. SWAPS)
- Area development projects (rural, municipal, etc.)
- Social Funds
- Small Grants Programs

68. Its objective is to prevent and mitigate negative implications to the people and environment in the development of project activities. It is a live document and can be updated during the project cycle and it:

- provides an environmental and social screening process to allow for identification, assessment and mitigation of potential impacts by proposed works at the time the detailed aspects are known.
- provides guidance on process to ensure EAs will be prepared in compliance with ***national legislation*** and World Bank safeguard policies.
- serves as guidelines for the development of activities/site-specific Environmental Management Plans (EMPs), Environmental Assessments (EAs), due diligence reports, environmental audits, etc.
- may be purely process-oriented or include technical details for likely common types of project activities.
- may provide specific guidance regarding preferred or acceptable alternatives (siting, technology, etc.).
- outlines training and capacity-building arrangements needed to implement the EMF provisions.
- is an integral part of the project Operational Manual and applicable to all project investments, regardless of funding source or implementing agency.

69. It is a guiding document or a framework in integrating and harmonizing the environment and social management principles at various stages of project preparation and execution.

4.2 Social Management Framework (SMF)

70. The social assessment is also an integral part of the ESMF and is required for bank financing. It examines the social aspects of the project in terms of project's likely effect on the participation, access to and control over project resources by the vulnerable section of the society. It investigates effect of project activities on women, poor, socially excluded, and other marginalized population of the society to take appropriate measures to increase their participation in project activities. Information dissemination, their access to this information, educating them and providing training to them to access information and make utilization of it are important to increase their participation. It is also important to look that they are not negatively affected by the project activities. The following will have to be considered in social assessment as per banks guidelines. The activities under component 1 and 2 come under social assessment, however, that would vary depending on the type of activities. Information collection and initial screening in terms of the beneficiary categorization will be enough for activities under the components. The following are considered in the social assessment.

- a. *Labor and Working Conditions* – It includes the issues of child labor, the working environment and condition, that includes accommodation, separate changing room, proper hygiene, water and sanitation and if they are of acceptable standard. Equal Wage, working condition, child care also need to be considered.
- b. *Indigenous People* – The rights of the indigenous people or vulnerable community should not be affected by the project activities. If activities have any negative effect on their settlement, livelihood and other activities, the project document will include mitigation measures of potential negative impacts through modification of project design and development assistance to enhance distribution of project benefits.
- c. *Stakeholder Engagement and Information Disclosure* – Stakeholder engagement from the very beginning of the activities design to encourage their participation and decision-making process should be envisaged. The stakeholder should be given appropriate forum to make their choices and decide themselves on the activities and later during implementation and monitoring.
- d. *Grievance Redress Mechanism* - Another important aspect is to keep activities transparent to the concern stakeholder and their right to information needs to be respected. Also, if there are any grievances about the activity, appropriate mechanism should be in place for public to voice their grievances.

4.3 Application and implementation of the ESMF

71. The application of the ESMF in the design of the project and implementation of the project activities is expected to cover following areas:

- Support to the MoLESS and Local Governments in execution of PMEP by strengthening the capacity of the ESCs in collection and dissemination of information and outreach to the concerned stakeholders. Collection, and processing of the social and gender related information to facilitate participation of women, indigenous people and socially excluded groups in the project activities is emphasized.
- Support to the Local Governments for enhancing their financial capability to promote increased number of participation of women, indigenous people and socially excluded groups by creating increased employment opportunity.
- Avoid and minimize environmental degradation to the extent possible due to either directly or from indirect, induced and cumulative effects of project activities thereby enhancing the positive/sustainable environmental and social outcomes from project activities.
- Organize stakeholder consultation to avoid and minimize social and environmental risk associated with project activities by developing guidelines and procedures for further consultations with project partners.
- Ensure participation of the communities in decision-making and in information dissemination/consultation whether they are adversely affected or benefit from the project activities.
- Support compliance of applicable environmental legal/regulatory requirements of GoN as well as of relevant Bank's safeguard policies.
- There will be provision of Grievance Redress Mechanism (GRM) from local level to the central level in case of a complaint for project activities

72. The process to be applied for the preparation of ESMPs focusing on OHS issues and labor working conditions includes:

- *Information dissemination* – Through MoLESS, ESCs, municipalities, media including radio, television, newspapers both national and local.

- *Organization of consultation* with potential job seekers through ESCs informing them of the opportunity available and helping them in placement in appropriate jobs.
- Identifying the type of environmental and social issues related to each maintenance /rehabilitation works for preparing ESMPs focusing on OHS issues and labor working conditions

4.4 Revision/Modification of the ESMF

73. The ESMF is live document enabling revision, when and wherever necessary, especially during design of project activities. Unexpected situations and/or changes in the project or components design may be required and that needs to be assessed and appropriate measures will have to be incorporated in consultation with appropriate government authorities and the World Bank. Such revisions should also cover updating any change/modification introduced in the legal/regulatory regime of the country.

4.5 Limitations of the ESMF

74. ESMF at the time of project development is developed in line with World Bank's Operational Policies (OPs) and GoN laws and regulations at the time of preparation of the document. As the country is moving to a federal structure with changes in the regulatory and administrative bodies, the current approach as outlined in the ESMF may need to be revised to meet the requirements of the changing scenario. Site specific data will have to be collected as necessary to assess the impacts and devise appropriate management plan during the project implementation.

5 OPERATIONALIZATION OF ESMF IN PROJECT ACTIVITIES

75. The framework demands that each project activity will go through Environmental and Social screening and followed by assessment where required. The ESMF recognizes the need for early environmental and social consideration and mainstreaming these aspects throughout implementation phase. A rapid environmental and social analysis of each of the identified community is required to identify likely environmental and social issues in the selected activities. Environmental and social screening will have to identify relevant environmental and social concerns as well as suggest any further investigation and assessment, if necessary. However, the activities under component 2 are focused on maintenance of existing infrastructures and will support only the cash benefit that may not require assessment beyond screening. However, EMPs related to OHS and labor working conditions need to be prepared for each maintenance work, wherever required. The Environmental and Social screening may result into the categorization of Negative Listing of Activities, activities requiring ESMPs related to OHS and labor working conditions.
76. The project will not support maintenance/rehabilitation works with significant environmental and social impacts. The checklist is provided in Annex 1 and 2.

5.1 Environmental and Social Screening Criteria

77. In general, projects are identified based on the technical requirements and need assessments. However, environmental and social concerns shall be envisioned from the stage of project inception and identification to ensure success of the project in a sustainable way. The project shall disseminate in the beginning to the beneficiaries to choose environment and socially acceptable projects right from the project identification to smooth implementation. Therefore, to ascertain the issues mentioned above, maintenance of public asset and provision of services in component 1 and 2 to be funded under this project are subject to environmental and social screening process before it is selected for inclusion in the project. The screening process establishes the level of environmental and social assessment required and application of exclusion criteria. The screening process intends to identify relevant environmental and social concerns as well as suggest any further investigation and assessment, if necessary. The environmental and social specialists at the PMU formed at MoLESS will perform the environmental screening of the project activities.
78. The primary objectives of the E&S screening exercise will be to determine the key environmental and social issues/concerns and the nature and magnitude of the potential environmental and social impacts that are likely to arise on account of proposed project interventions. Since the project's component 2 will support job creation in maintenance of public assets and provision of services and finance cash benefits for an average of 30 individuals per LG that will work for 100 days per year, each maintenance works should be screened for specific safety issues related to maintenance work supported by the LG. Then accordingly, ESMPs focusing on OHS and labor working conditions need to be prepared which will outline the type of personnel protection equipment (PPE) required, safety arrangements and adequate labor camps.
79. Activities under component 1 and 2 do not require Environment Screening, except following the norms of the municipalities, but will not require further measures. The above mentioned are the broad criteria to be applied in addressing environmental and social issues. Given the diversity of the project activities, the site specific physical, natural and social-environmental issues will affect the implementation that needs to be investigated and considered in project implementation.

5.2 Key Steps for Screening and Environment & Social Impact Assessment (ESIA) Study Framework in Project Cycle for components

Table 2 Key steps for screening and ESIA study framework

Project Cycle	Component	Steps in the Assessment Process	Responsibility	Remarks
Project Screening & Pre-Feasibility Studies	Component 1,2 and 3	<ul style="list-style-type: none"> To determine key issues and level of study to be performed and appropriateness of site selection. 	ESC staff with project administration responsibilities, taking support from environmental and social specialists at the PMU.	PMU may recruit/outsource professional staffs based on the requirements.
Environment and Social (E&S) Assessment	Component 1 and 2	<ul style="list-style-type: none"> Preparation of ESMP focusing on OHS and labor working conditions for activities not requiring detailed assessment. 	ESC staff with project admin responsibilities with support from PMU.	
Implementation and Monitoring	Component 1, 2, and 3	<ul style="list-style-type: none"> Orient/train the stakeholders, contractors and other field staff on ESMF requirements. Train the laborers on OHS for construction work safety. Supervise, monitor and regularly report on ESMP compliance. Ensure site clean-up and site reinstatement before completion and Final Bill Payment. Take corrective actions, if necessary. 	PMU, Respective Provincial Project Coordinator units located in all seven provinces, ESC staff with project administration responsibilities at Local level taking support from E&S unit of respective municipalities.	E&S implementation and compliance monitoring shall be carried out by the E&S Unit established in each municipality at LG level.
Post-implementation	Component 1, 2, and 3,	<ul style="list-style-type: none"> Orient LGs on operation maintenance before handing over projects, provisioned in ESMP for operation stage compliance. 	PMU	Operation stage E&S compliance monitoring as well shall be carried out by the E&S unit established in each municipality at LG level.

5.3 Environment and Social Management Plans (ESMPs)

80. ESMP includes a set of reduction, mitigation measures and institutional arrangement to avoid and minimize adverse environmental and social effect from the project activities. The details of the activities carried out will have to be identified during development of project activities. The magnitude of the environmental management will depend upon the type of activities (maintenance of public assets), for which screening exercise will decide the level of investigation to be carried out for the activities.

5.4 Assessment and Management of Social Risks and Impacts

81. The type of risks individual, group or community face and their coping strategy need to be considered and help build their capacity to control adverse effect of the risks. Keeping in view of the project activities, some of the likely social risk and impact assessment is presented in the following table.

Table 3 Social Risk Impact Assessment

Activities	Potential Risk	Risk Mitigation
Component 1		
Targeted outreach to vulnerable groups through the ESC's outreach strategy and mobilization	Lack of access to information on public employment	<ol style="list-style-type: none"> 1. Establishment and facilitation of female jobs clubs for young women, who may need a peer support mechanism as they transition to the formal workforce. 2. Information dissemination through various medium and language - print, radio, television, public notice in local language at local places down to the ward level.
	Lack of understanding of the public notice.	Support from ESC staff, social mobiliser and local educated person for information dissemination.
	Lack of women/vulnerable groups specific data base on unemployment	<ol style="list-style-type: none"> 1. Organization of women, youth, and other marginalized groups specific information dissemination through local volunteers. 2. Mobilization of local women, youth and other CSOs, CBOs, user committees / groups for educating vulnerable groups. 3. Creating disaggregated data base.
Component 2		
Employment opportunities in maintenance of public assets and provision of services & employability of beneficiaries	Lack of knowledge on job availability	ESCs either itself providing information to targeted potential beneficiaries or through local women/youth/CSOs/CBOs group and other resource user groups at local level.
	Unable to work due to physical inability	ESCs facilitating in finding appropriate job in coordination with local governments without discrimination by gender, caste, ethnicity, or persons with disability.
	Lack of appropriate skills for the job	<ol style="list-style-type: none"> 1. Providing training on required skills for the job. 2. Separate training on soft skills provided to women and vulnerable groups where needed.

	Likely occurrence of gender-based violence in work place	Orientation and training to both male and female on work place behavior, code of conduct, its adherence and likely consequences.
	Likely occurrence of caste and ethnicity discrimination	Priority to IPs/vulnerable groups in the project

5.5 Social Screening

82. Social screening will be undertaken at an early stage in project activities by the implementing agencies in case of component 1 and 2. The primary stakeholders are: the households that are poorest of the poor (with an annual cash income less than the wages from minimum 100 days of employment or self-employment) households without any member with minimum employment, subsistence farming household with less than six months of food sufficiency, female-headed, Dalits, and endangered ethnicities; as well as households with martyrs or members who have disappeared during the conflict; and, households with no other physically-abled, working age members.
83. Social screening will collect information on (i) beneficiary population living in the subproject area (ii) type of project activities and likely involvement of the targeted groups (iii) type of activities available for employment to the excluded and vulnerable groups (iv) likely impacts on poor and vulnerable groups (v) needs and priority for social and economic betterment of the socially excluded groups and women, and (vi) factors impeding access to information and knowledge by poor, socially excluded groups and women (vii) likely working conditions for women (viii) likely occurrence of gender based violence in the work place (ix) other impacts.
84. If the screening identifies adverse social issues /impacts due to the project activities, social management plans need to be developed to address the impacts with analysis of each adverse issue/impact.

5.6 Social Impact Assessment

85. The Social Impact Assessment (SIA) will be carried out not only to assess the effect of project activities but also to assess the potential constraints in the involvement of all sections of the population, particularly the households that are poorest of the poor (with an annual cash income less than the wages from minimum 100 days of employment or self-employment) households without any member with minimum employment, subsistence farming household with less than six months of food sufficiency, female-headed, Dalits, and endangered ethnicities; as well as households with martyrs or members who have disappeared during the conflict; and, households with no other physically-abled, working age members. If the initial screening shows adverse impact to the local communities, survey or public consultation will be organized to determine the communities to be affected, effect on their livelihood, effect on the public properties, loss of livelihood, number of families to be affected and other parameters depending on the nature of the proposed activities. The project, on completion of the survey, will disseminate the survey results among the affected community and will take appropriate decisions in consultation with the communities.

5.7 Avoidance and/ or Minimizing Adverse Social Impacts

86. The project will undertake environmental and social screening to make best use of its social planning approaches to avoid potential social issues.

6 VULNERABLE COMMUNITY DEVELOPMENT FRAMEWORK (VCDF)

6.1 Rationale

87. The project is a nationwide project; hence, it is difficult to say that it will have specific impact on some IPs only. The project activities are unlikely to have major adverse impacts on vulnerable communities (VC) which includes indigenous people (Janajatis), Dalits, small and marginal farmers, women and landless households as the project component 1 and 2 are directed to benefit them. The project would ensure that vulnerable people receive sufficient attention to ensure project benefits accrue to them, and to ensure their meaningful participation. The project sites aren't yet known/specified, it is expected that the project will work in areas where indigenous and vulnerable groups live.

6.2 Policy Objectives

88. Key objectives of this policy are avoidance of adverse effect on VC, consultation with them in case if it is required, adequate compensation if they are affected and due recognition of their cultural practices. Indigenous/Vulnerable Peoples Development Framework (IPDF) is prepared to mitigate the potential adverse impacts or maximize the positive benefits of the project interventions to IPs which will be integrated into the project components.

89. Social screening will help assess the potential impacts of project activity that require additional VCDF or an IPDP and will be prepared irrespective of the type of impact. Develop appropriate training/income generation activities in accordance to their own defined needs and priorities.

6.3 Action Framework

90. The PMEP guaranteed a minimum wage of 100 days for those who are unemployed. The project activities under components 1 and 2 are targeted to generate employment opportunities to the people at the local level, who do not have regular source of income due to lack of employment and are deprived of basic minimum requirement of food and other necessities. Thus, the VCDF is expected to contribute to components of the project in ensuring participation from poor, vulnerable communities to gain benefit from the project.

91. The following framework provides a road map to ensure participation and creation of enabling environment for vulnerable groups to participate in project benefits. Implementation of this VCDF will continue the participatory approach to ensure free, prior, and informed consultation with IPs and other vulnerable communities. Core components of this VCDF includes - information outreach and dissemination, establishment of disaggregated database, GRM, vulnerable communities' participation in labor works, training and jobs created, in both public and private sectors.

Table 4 Vulnerable Community Development Framework

	Activities	Results Indicator	Responsible
Component 1: Strengthening of Employment Promotion Systems and Services			
<i>Increasing access to employment opportunities</i>	Information on employment opportunity to made available through various medias and languages. Registration of vulnerable communities in ESC facilitated. Placement of registered	Number of registered vulnerable community people receiving information on job opportunities.	1. ESC 2. Municipalities 3. PMU

	individuals from vulnerable community facilitated.		
Development of holistic national Employment Management Information System (EMIS)	Development of public web page on employment and registration information.	Number of people from vulnerable communities accessing information from web page and registering through it.	1. ESC 2. PMU
Component 2: Improving labor market outcomes of the vulnerable			
Creation of employment opportunity in maintenance of public assets and provision of services.	Information on PWP opportunities available publicly on websites and ESC through various media and languages. Create employment opportunities in PWP. Vulnerable communities have access to PWP opportunities.	Number of workdays generated which benefit people from vulnerable communities, at municipality level.	1. ESC 2. Municipalities 3. PMU
Improving employability of PWP beneficiaries	Provide on-the-job/life skills training to vulnerable people working on PWP.	Number of people from vulnerable communities who benefit from on-the-job/life skills training at Municipality level.	1. ESC 2. Municipalities 3. PMU

6.3.1 Components of the VCDF

92. The VCDF proposes following measures and designs to include in the project:

1. Description of the activities and implications for local vulnerable groups, disaggregated data on number and types by category by gender, caste, ethnicity and income level
2. Communication and outreach and information dissemination strategy developed
3. Documentation of consultations with vulnerable groups and their views about project design and proposed mitigation measures
4. Proposed assistance to these groups, including specific criteria for training and income generation activities, employment generation
5. Specific targeted training and training guideline
6. Specific guideline related to labor standards, code of conduct, GBV in workplace
7. Mechanism to ensure regular and meaningful consultations with them on key issues during project preparation and implementation for beneficiary feedback
8. Institutional arrangement and linkage with other project arrangements
9. Monitoring and evaluation, indicating where being supplementary to the overall environmental and social monitoring
10. Cost estimate and financing plan
11. Implementation schedule
12. Monitoring and reporting standard and mechanism

93. Specific measures for vulnerable groups including indigenous peoples, Dalits, minor ethnic communities, women, and deprived communities include- awareness raising, capacity building, enhancing participation, ensuring equal wage for them, providing project information, preferential treatment

where required, providing assistance in accessing project resources, training and skill enhancements.

6.4 Consultations

94. Consultation is the cornerstone in planning, preparing and implementing the VCDF. Participation of all institutional and non-institutional stakeholders from indigenous/ vulnerable people and their organizations at different levels will be ensured so that good faith consultation and informed decisions are made to positively contribute to the process of project preparation and implementation. Two-way information flow between stakeholders and the project is considered essential during all phases of the project cycle to ensure environment sustainability and social acceptance of the project. Continued consultations with and participation of IPs, vulnerable communities and other stakeholders are required during the implementation and operation phase of the project and the project will ensure free, prior and informed consultations. The primary responsibility of public consultation and disclosure of information during project implementation and operation lies with the project.
95. The consultation will be organized at the central level (Annex 4) at the beginning of the project to collect views, opinion of central level stakeholders representing government agencies, national federations of relevant vulnerable groups, civil society organizations and NGOs related to the project activities. This type of consultation will be organized both at provincial and local level before the project activity is launched. The provincial coordinator and the staffs at ESCs will take lead in organizing such consultation at provincial and local level respectively. Likewise, consultation with the support from provincial coordinator and ESC staffs will be organized on an intermittent basis during the project implementation period.

6.5 Grievance Redress Mechanism

96. GRM mechanism will be established or strengthened at the ESC, PMU and MoLESS. This will ensure attending peoples concern at various level and through different means they can lodge their complaints. Initially, the staffs recruited by the government and the additional staffs supported by this project at the ESC level will collect grievances through personal, written, verbal, anonymous complaints lodged by the affected people. They will process the information and notify to provincial coordinator and the PMU. The complaint can be lodged directly at the PMU as well, if the person feels appropriate. These complain will be addressed and settled at ESC to the extent possible. Any grievances that cannot be handled by the ESC will be forwarded to the PMU with all the required information. The PMU will respond to these grievances and PMU may direct the ESC or undertake appropriate measures by itself. For handling grievances not resolved through the PMU, will be sent to Project Steering Committee (PSC) chaired by the Minister. There will be delineation of the authorities at these levels in terms of addressing the issues. The effort will be to sort out issues at ESC and if not, that will be referred to the PMU level.
97. Disputes are expected to be minimal because of the nature of the project and it is expected that through a participatory process, grievances can be minimized. However, it is necessary to establish an effective grievance redressed mechanism to address complaints/grievances related to environmental and social issues that may arise. Any grievances and objections regarding the environmental concerns of the project will be referred to the Grievance Redressal Committee (GRC) to be formed at MoLESS. Also, grievants can have recourse to judicial mechanisms or to the World Bank Grievance Redress Service (GRS).

6.6 Preparation of VCDF and Disclosure

98. The municipalities, in consistent with this framework, will prepare the component specific plans, once screening of the areas reveals the presence of indigenous/vulnerable groups in the site and will be

disclosed as part of ESMF.

6.7 Potential Vulnerable Communities in Nepal

99. Generally, the vulnerable people and communities in Nepal are recognized as those living in remote location who are commonly very poor, landless, marginal farmers living below subsistence level and bonded laborers, woman headed, single women, household with disabled members.
100. The National Foundation for Improving the Living Standard of Adivasi/Janajatis has defined indigenous people as ‘those ethnic groups or communities who have their own mother tongue and traditional customs, distinct cultural identity, distinct social structure and written or oral history of their own’. Following this definition, the same source identified 59 groups in Nepal as ethnic indigenous groups or nationalities.

Table 5 Indigenous Groups in Different Regions

Regions	Indigenous Groups	Numbers
Mountain	<i>Barah Gaunle, Bhote, Byansi, Chhairontan, Dolpo, Larke, Lhomi (Shingsawa), Lhopa, Marphali, Mugali, Siyar, Sherpa, Tangbe, Thakali, Thudam, Topkegola and Wallung.</i>	17
Hills	<i>Baramo, Bhujel, Chepang, Chhantyal, Dura, Fri, Gurung, Hayu, Hyolma, Jirel, Kusunda, Lepcha, Limbu, Magar, Newar, Pahari, Rai, Sunuwar, Surel, Tamang, Thami, Kumal, Yakkha and Tin Gaunle Thakali.</i>	24
Inner Terai	<i>Bankaria, Bote, Danuwar, Darai, Majhi, Raji and Raute.</i>	7
Terai	<i>Dhanuk (Rajbanshi), Dhimal, Gangai, Jhangad, Kisan, Kushubadia, Meche, Rajbanshi (Koch), Satar (Santhal), Tajpuria and Tharu.</i>	11
	Total	59

Source: NFDIN, *Indigenous Nationalities Bulletin (Issue 3) 2005.*

101. The indigenous people make up approximately 38% of the total population. Adivasi/Janajatis among themselves are a diverse group who do not come under one economic system. Based on the economic status and social features, the National Foundation for Indigenous Nationalities (NEFIN) 2004 has classified the Adivasi indigenous groups in Nepal into five different categories: (i) endangered, ii) highly marginalized, iii) marginalized, iv) disadvantaged and v) advantaged groups. The National Dalit Commission defines Dalits as most deprived social groups in the country, comprising some 13% of the total population. This group lags behind others in every human development indicator. Countrywide, about 4.5 million Dalits are estimated to be living below the poverty. The status of women, children and girls among Dalits are particularly worse.
102. For this project, the definition and identification of vulnerable communities has been aligned to the Prime Minister’s Employment Program’s priority groups. This includes:
- ‘households that are poorest of the poor households, without any member with minimum employment, subsistence farming households with less than six months of food sufficiency, female-headed, dalits, and endangered ethnicities; as well as households with martyrs or members who have disappeared during the conflict; and, households with no other physically-abled, working age members.’***
103. Beside, people falling in following groups will also be considered vulnerable:
- Households below poverty line
 - Households having persons with disability
 - Marginal (with <0.5 ha) land holders

7 ESMF IMPLEMENTATION ARRANGEMENT

7.1 Institutional and Implementation Arrangements for ESMF

104. The leading implementing agency of this project will be MoLESS and will set up a PMU that will oversee the overall implementation of the project activities, manage the day-to-day operations and provide guidance and training to local level implementation. Project Director, who is the Joint-Secretary heading PMEP within MoLESS, will lead the PMU. The Component Managers will be the Under-Secretaries of the PMEP who will be supported by sub-component coordinators as needed. The PMU will consist of MoLESS staff and consultants for procurement, financial management, safeguards (Environment and Social separately), M&E and specific technical areas such as employment services, public works, MIS, capacity building, communication, and others as needed.
105. At provincial level, the project will align with the PMEP institutional arrangements as appropriate. In each of the seven provinces, there will be a Provincial Project Coordinator, who will be the Under-Secretary of the provincial Ministry of Social Development (MoSD), supported by an assistant to be financed by the project.
106. At the local levels, the LGs, through the support of ESCs, will take on responsibilities for project management covering basic functions of financial management and procurement. To ensure adequate coordination and execution at the local level, ESCs may acquire additional personnel and resources to be financed by the project.
107. The institutional mechanism for implementing ESMF is integral to the overall implementation of the project. The Social and Environmental Review/Analysis will be done by municipality offices for components 1 and 2, which will be reviewed by ESC and approved by PMU with support from ESMF specialist.
108. At the LG level, regular monitoring of each activity is the responsibility of the ESC, while at the federal level, the PMU will periodically monitor compliance on sample basis. An independent third party will do auditing at the mid-term. Further, at the Provincial level, in addition to coordination with the ESCs and MoLESS, the Provincial Project Coordinator at the Provincial Ministry of Social Development, will also be responsible for oversight of safeguard compliance of project activities supported within the province.

Table 6 Institutional & Implementation Arrangement under the Project

S.N.	Organizations	Responsibilities	Remark
Federal Level			
1	Ministry of Labor and Social Security (MoLESS)	Lead implementing agency	
2	Inter-ministerial Project Steering Committee (PSC)	Provide policy guidance and cross-sectoral guidance	Chaired by MoLESS Secretary, consisting of senior officials from the Ministries of Finance, Industry, Agriculture, Education, Youth, Tourism, and other relevant agencies, as noted in the steering committee of the PMEP, as well as representatives of private sector and non-government agencies.
3	Project Technical Committee (PTC)	Technical guidance to the Project	The PTC consisting officials and technical experts of relevant ministries/agencies

4	Project Management Unit (PMU)	Overall implementation of the project activities; manage day to day operations and provide guidance and training to local level project assessment implementation and reporting.	Project Director/Joint-Secretary heading PMEP within MoLESS will lead the PMU. The Component Managers will be the Under-Secretaries of the PMEP who will be supported by sub-component coordinators as needed. The PMU also consists of MoLESS staff and consultants for procurement, financial management, safeguards (Environment and Social separately), M&E and specific technical areas such as employment services, public works, MIS, capacity building, communication, ,and others as needed.
Provincial Level			
5	Provincial Project Coordinator in 7 Provinces	Oversight of safeguards, including monitoring and evaluation of activities, within the province and establish linkages and coordination with Federal and Local level.	Provincial Project Coordinator, Under-Secretary of the provincial Ministry of Social Development (MoSD) will lead the unit.
Local Level			
6	Employment Service Centers (ESCs) will support LGs at Local levels.	Responsible for project management covering basic functions of financial, procurement and E&S Safeguard implementation and management.	Employment Coordinator at ESCs
7.	Involvement of Local Government	Responsible for implementation of Maintenance of Public Asset and Provisional Services. Social and Environmental review/analysis of maintenance activity.	PMU will coordinate their activities

7.2 Approach for Safeguard Implementation Support

109. The World Bank will support the implementation based on the risks identified and the mitigation measures proposed in the risk section. The implementation support is an important part of the overall collaboration with MoLESS. The World Bank team will provide the necessary support to facilitate achievement of the PDO linked to the results/outcomes defined in the results framework. The support will be focused on four dimensions: technical advice, fiduciary management, safeguards, and M&E.
110. The World Bank team will closely monitor the implementation of ESMF and VCDF and other social aspects, during project implementation, to ensure compliance with the World Bank's safeguard policies. The safeguard specialists will join the implementation support missions and visit the project sites twice a year. The World Bank team will monitor the activities to ensure that there are no negative environmental impacts during the implementation. The involvement of the relevant experts is presented

in the following table 9. The World Bank safeguard team will provide support through regular communication and meetings, regular supervision missions, technical assistance in thematic areas, project document review, and routine communications.

8 CAPACITY BUILDING FOR INTEGRATED ENVIRONMENTAL AND SOCIAL MANAGEMENT

111. The institutional analysis for implementation of ESMF indicated that, MoLESS does not have the required capacity to carry out ESMF work. There is no environment section or unit within the MoLESS. There exist Environmental and Social Management Capacity at the municipalities level through the sectoral offices, however, it is not clear how far these could be mobilized for project activities. The project should provision for the expert input by hiring Environmental and Social Consultants in an intermittent basis to support the project activities to fill in the existing gap in MoLESS and the PMU.

112. The experts will provide following services:

- Supporting MoLESS and ESCs in the ESMF development, wherever required.
- Monitoring and supervision of the project activities for the compliance of the ESMF requirement in project activities in intermittent basis on certain interval (3-6 months).
- Imparting knowledge and training on ESMF (related to OHS and labor working conditions) to ESCs, government officials and other stakeholders.

9 MONITORING AND AUDITING ARRANGEMENTS

113. The proposed project’s PMU will have the primary responsibility for all monitoring and reporting activities required for the project including safeguard. A rigorous monitoring and evaluation (M&E) system will be developed and established in order to measure the project’s progress towards the main and intermediary results indicators. PMU will constitute of Safeguards Specialist with a mechanism to increase accountability, such as a GRM designed to receive complaints will be developed during the implementation of the project. The project may design an impact evaluation that will analyze the impact of the project key interventions, i.e. employment services.
114. Moreover, other surveys and assessments will be built into the project to produce various reports: (i) beneficiary surveys; (ii) spot checks; (iii) process evaluation; iv) Studies that require ESMF implementation and (v) impact evaluation. The PMU will produce timely progress reports to monitor outputs and results against achieving the PDO. The format of these reports will be agreed upon with the Bank and reflected in the project implementation manuals. A comprehensive mid-term review (MTR) will be carried out 18-24 months after project effectiveness and will involve all project stakeholders.
115. In addition, both the PMU and the World Bank will prepare an Implementation Completion and Results Report (ICR) within six months of project closing.

Figure 1 Project Institutional and Implementation Arrangement in Federalism

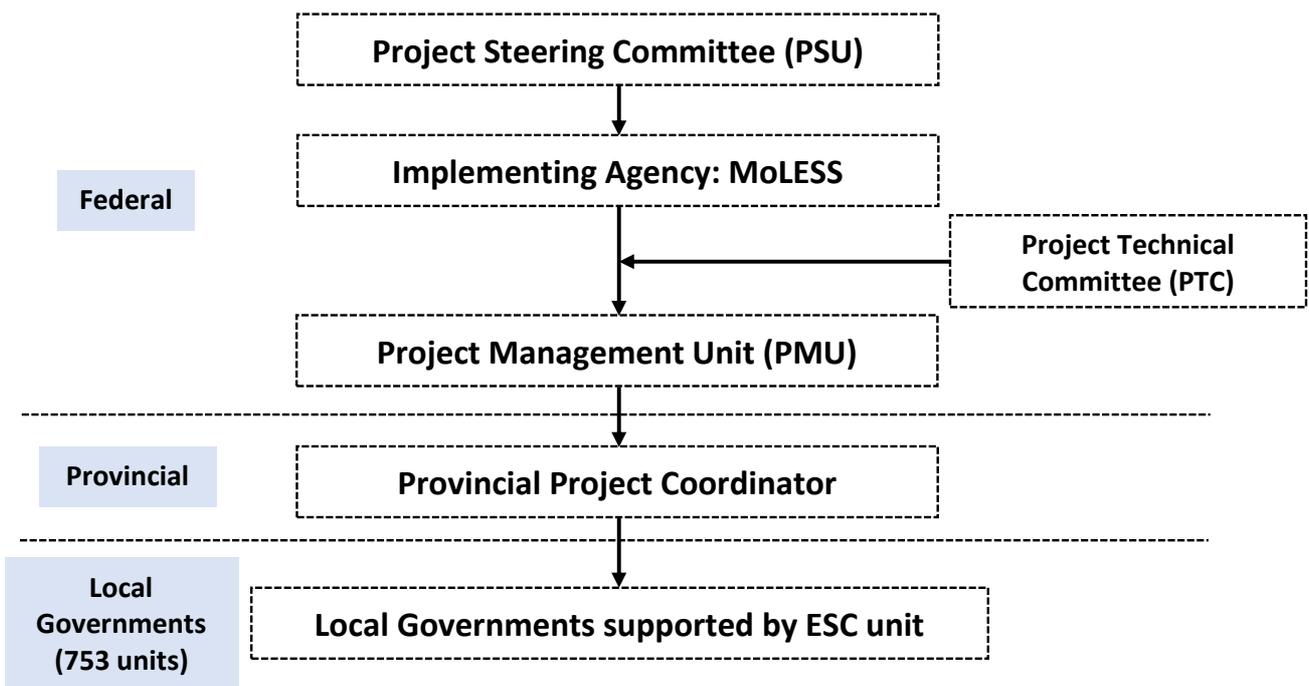
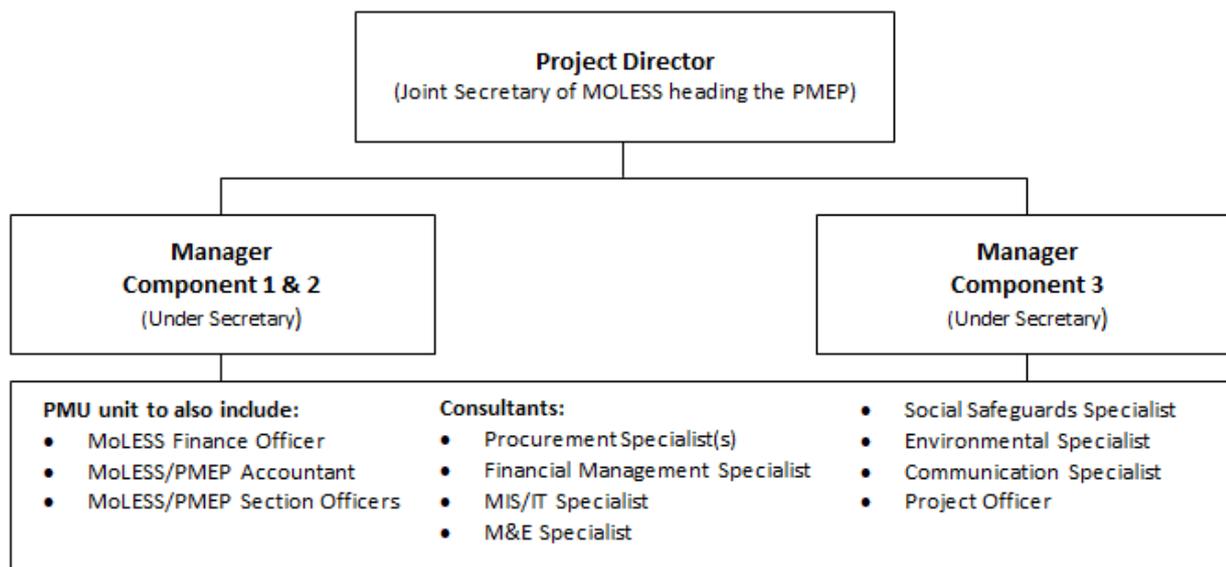


Figure 2 Project Management and Unit Structure



Note: The PMU will consist of government officials and consultants. Personnel needs listed in the box above are indicative. The PMU structure will be revisited when the PMP’s institutional set-up is finalized.

9.1 ESMF Disclosure and Dissemination

116. The ESMF disclosure and dissemination stages in this project are highlighted in the table below.

Table 7 ESMF disclosure and dissemination stages

S.N.	Stages of Project	Information dissemination approach and targeted audience	Remarks
1.	Preparation of ESMF	Disclosure by uploading in to website of MoLESS and the World Bank	A copy of ESMF shall be provided to requested person/parties who are interested to review it.
2.	Project Implementation Stage	The experts in PMU will disseminate the components /aspects of ESMF to stakeholders including local community and local political representatives.	

S.N.	Stages of Project	Information dissemination approach and targeted audience	Remarks
3.	Monitoring and Evaluation Stage	The ESMF compliance and need for improvements will be shared by project to recipient institutions along with disclosure of M&E report	<p>The process of participatory monitoring and evaluation (M&E) is advisable. The process should also ensure that the project benefits have properly reached the affected people and the execution of the project sticks its original designs so that social compliance is achieved.</p> <p>Following tasks are essential in this stage:</p> <ul style="list-style-type: none"> • Ensuring the implementation of the ESMF and timely delivery of entitlements (Consultation Role) • Ensuring that the ESMF is implemented according to a designed plan <p>Reporting (Information Role) Reporting is an important aspect of the M&E process. Periodical reporting is important to generate information on the progress of the work under taken. The status of the implementation of the ESMF and progress must be documented.</p>
4.	During Reporting Stage	The details of ESMF compliance in project and related aspects are prepared and sent to recipient institutions.	Based on findings of annual project report.

117. During the preparation of ESMF, the consultations were held with the central level stakeholders and project personnel.

9.2 Environmental and Social Monitoring and Auditing

9.2.1 Environmental and Social Monitoring

118. Compliance to the environmental processes as well as implementation of necessary mitigation measures/actions will have to be carried out at municipal level. In case of component 2, the municipality will have to do it with support from the PMU and provincial project coordinator, and findings of this should report to MoLESS, to provincial project coordinator, and the PMU on trimester basis. Any activity requiring detailed investigation will be handled by the PMU.

119. The Environmental and Social Development Specialists (ESS) hired by the project will periodically (on trimester basis) visit randomly selected samples of activities supported under component 1 and 2, and monitor if the OHS and labor working conditions are adequate, and ESMPs are being complied. Findings of this will be reported to the PMU and feedback is provided to the relevant implementers. Environmental and Social monitoring will be an integral part of the project.

120. The compliance to the environmental and social safeguard measures during the project implementation will be monitored and necessary corrective measures will have to be implemented in

the design, approval and implementation of the project activities. This will be carried out from local level (municipal, provincial) to central level (ministerial) by the designated agencies. Besides, regular monitoring, and periodic assessment, evaluation of the outcomes will also be carried out by internal agencies and by independent outside agency.

9.2.2 Environmental and Social Monitoring Criteria

121. The ESMF requires detailed supervision, monitoring and evaluation of the impact of the subproject on the environment and social spheres. The Project needs to establish a Monitoring & Evaluation (M&E) system to ensure ESMF's provision implementation during execution of the project activities. The MoLESS taking support from PMU at Federal level, Province level, Provincial Project Coordination Unit established in 7 Provinces and ESCs will support LGs at Local levels.

122. At present, the capacity of ESCs at LG level to supervise and monitor the project activities yet to ascertained. Hence, ESCs may take support from Environment Unit already established in respective municipalities to supervise and monitor activities at local level. The recipient institution (MoLESS) has the prime responsibility for regular monitoring, besides project is responsible for compliance monitoring as well as final evaluation.

123. The regular monitoring includes;

- Adherence to ESMF by the Project;
- Compliance with ESMF including mitigation measures by the Grantees;
- Regular on site environmental & social monitoring.

9.3 Proposed Monitoring and Reporting Framework (Types of Monitoring) for the Project

1. Regular (Monthly & Quarterly) Monitoring

124. As per the ESMF, the regular monitoring will be performed by the recipient institution (MoLESS). Environmental status, mitigations works implemented, difficulties encountered and unforeseen issues etc. will be reported in each progress report. The checklist, forms, formats, guidelines of ESMF shall be followed.

2. Third Party (independent & external) Monitoring

125. The external and independent monitoring will also be carried out by independent firm or expert (Consulting Services) to ascertain the performance of E&S implementation during execution of the project activities. The external and independent evaluation will be carried out at the end of first year of project implementation, second evaluation will be midterm evaluation and third and final monitoring will be carried out at the end of the project which will also provide insight to the project completion report. The third party (independent & external) monitoring report shall be prepared and submitted to MoLESS and will also be shared with WB. The Terms of Reference (ToR) for consulting services to undertake Environmental and Social Audit is attached in Annex 3.

Table 8 Key Steps for Environment & Social Monitoring and reporting

Monitoring Type	Project Stage	Responsibility	Monitoring Aspects	Remarks
Regular	Execution	PMU with required guidance/ technical support	<ul style="list-style-type: none"> • E&S status at site, particularly related to OHS (if the laborers are provided with hard hats, boots and gloves, etc. 	Regular Monitoring report prepared by PMU for

Monitoring Type	Project Stage	Responsibility	Monitoring Aspects	Remarks
			and have appropriate camping facilities <ul style="list-style-type: none"> • ESMF and ESMP related to OHS and labor working conditions compliance 	MoLESS as part of the Monthly Project Report (MPR).
Quarterly	Execution	PMU	Compilation of MPRs	Quarterly Project Report (QPR) to MoLESS and the WB
Third Party (external and independent)	1. Middle of the project 2. End of the project	PMU out sourced independent experts/firms	<ul style="list-style-type: none"> • Review performance of E&S safeguard implementation per the EMF and the adequacy of ESMF prepared for the project. 	Third Party monitoring report to MoLESS and WB

10 ESMF BUDGET

126. The total cost for the implementation of the ESMF is estimated at USD 0.2 million over the project period of five years, excluding the cost of overall project M&E. This includes cost for procurement of consulting services, monitoring and auditing for environment and social safeguards.

127. The project will support the PMU with additional human resources with environmental and social expertise to monitor and assess various public assets maintenance and service provision works implemented under Component 2 of the project and the annual Environmental and Social Audits to be conducted annually from Year 2 onwards. The project will support the PMU with senior level specialists, one each for environment and social safeguards. The consultants will be hired for a period of 6 months for each project year.

Table 9 ESMF Budget

Activity	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Environmental Safeguards Specialist	12,000	12,000	12,000	12,000	12,000	60,000
Social Safeguards Specialist	12,000	12,000	12,000	12,000	12,000	60,000
Environmental & Social Audit		20,000	20,000	20,000	20,000	80,000
Total	24,000	44,000	44,000	44,000	44,000	200,000

ANNEXES

Annex 1. Environmental Screening Criteria

S.N.	Checklists	Compliance to the standards/criteria		
		Yes	No	No information
1	Does this project likely to cause soil erosion? / harm cultivated/arable land?			
2	Does this project involve construction activities?			
3	Does this project degrade/reduce the quality of the drinking water?			
4	Does the proposed project/activity intend to use or is dependent on forest resources?			
5	If the proposed project being implemented in areas forest or wildlife areas other than national parks and protected areas?			
6	If the project likely to loss biodiversity and harm young leaves/twigs in the forest area?			
7	If the project being implemented in the areas surrounding water bodies, lakes and ponds and intend to use or depend on them?			
8	If the project being implemented in areas located in high risk zone such as landslide prone area, steep slopes, highly degraded land in hills, riverine area susceptible to annually flooding, or in areas causing large-scale soil erosion?			
9	If the project requires land clearance on very steep slopes?			
10	If the project being implemented in the areas surrounding heritage site/religious temple/religious site/grave yard?			
11	If the project requires logging?			
12	If the project endangers indigenous plant species of ecological significance?			
13	Does this project cause/involve in any activities which could harm human health/create hazard?			
14	If this project likely to cause any other negative environment effect, apart from those listed above? If yes, list them.			
15	If the project has formulated EMP? If response is "No" to 1-14 questions? Please note that the project shall not finance if there is even one "yes" in above 14 questions.			

Annex 2. Checklist for Social Screening

S.N.	Checklist for Social Screening	Yes	No	No information
1	If the information on employment availability is known and accessible to all the targeted audiences (unemployed)?			
2	If the information disseminated are understandable to all the targeted audience?			
3	If the mediums (print media, radio, television, notice at local public places) used for the dissemination of information appropriate and useful to the targeted audience?			
4	Do the targeted audiences have access to ESC and concerned local government offices for clarification on the notice published?			
5	Is there discriminatory wage system by virtue of gender, caste, and ethnicity?			
6	If the project has provided adequate skill and training to the potential candidate for employment?			
7	Do candidates have knowledge on registering complain before and after employment in case of discrimination?			
8	Do candidates receive orientation/training on appropriate norms to be followed in work place?			
9	If the project has activities that are likely to cause irreversible adverse impact on indigenous communities, women and vulnerable groups?			
10	Does the project include any activity that promotes or involves incidence of child labor?			
11	If there is risks in the project of spread of communicable diseases such as STDs and HIV/AIDS due to increased labor force?			
12	Will there be a mechanism to address grievances from the beneficiaries?			
13	If the proposed training venue accessible to all and GESI friendly like separate toilets, adequate lighting etc.			
14	Are there any risk of GBV due to both male and female beneficiaries working together?			

Annex 3. Terms of Reference for Consulting Services to undertake Environmental and Social Audit

Terms of Reference (TOR)
for
Consulting Services to undertake
of
Environmental and Social Audit of Youth Employment Transformation Initiative

1. Background

The purpose of the environmental audit for “Youth Employment Transformation Initiative” is to ensure that implementation adheres to all relevant National environmental laws, regulations, standards, plans and policies, World bank safeguard policies and that environmental management tools, Environment and Social Management Framework (ESMF) developed following for the project are used effectively to mitigate against environmental impacts. In conducting the environmental audit, the aim is to identify and correct environmental concerns that arise with the implementation of the project, whether identified or not during the assessment process. The recommendations seek to ensure that proponents of projects comply with environmental requirements and regulations in implementing the projects. If any gaps are identified in the audit, corresponding mitigation measures and monitoring arrangements should be developed in the forms of an environmental management plan.

2. Project Description

2.1 PDO Statement

The project development objective is to improve employment services and labor market outcomes, especially for youth.

2.2 PDO Level Indicators

The PDO-level indicator that will measure improved employment services and labor market outcomes for youth include:

- Number of Employment Service Centers (ESCs) which are established and functional
- Share of people (disaggregated by gender and age group) supported by the project who take up a training, temporary work, or employment opportunity within twelve months of registration

2.3 Project Components

In order to achieve its development objectives, the project, over a five-year period is expected to support three components. Component 3 will support the implementation of the project and its management, capacity building, and monitoring and evaluation (M&E). Component 1, 2 and 3 will be financed across the whole country. The project will be implemented by the Ministry of Labor, Employment and Social Security (MoLESS).

Component 1: Strengthening of Employment Promotion Systems and Services

The main objective of Component 1 is to support the GoN in building a platform for systematic approach to provision of employment promotion services. The Component will achieve this through: (i) increasing access to employment opportunities through a one-stop shop approach to delivery of employment promotion

services and (ii) development of a holistic national employment information management system (EIMS) to support program management and employment policy formulation.

Component 2: Improving labor market outcomes of the vulnerable

Component 2 aims to improve labor market outcomes of the vulnerable unemployed through the efficient delivery of labor-intensive public works (PWP) with a “plus” package under the PMP. The “plus” package adds the provision of on-the-job training and life skills to the PWP beneficiaries with an aim to improve the productivity and employability of the beneficiaries.

Both component 1 and 2 will formulate their activities and objectives within the parameters of the GoN’s Prime Minister’s Employment Program (PMP).

Component 3: Project Management, Monitoring and Evaluation and Capacity Building

Component 3 will support: (a) the establishment and maintenance of an effective implementation arrangements at federal, provincial and local levels; (b) the set-up of a monitoring and evaluation mechanism to track the progress and conduct evaluation; and (c) the capacity building programs for project management, PMP service delivery, and cross-components activities.

3. Scope of work

Carry out social audit of environmental and social safeguard planning and implementation of different activities. Identify issues, gaps and shortcomings in planning and implementation of environmental and social safeguard measures and recommend specific measures to address shortcomings.

4. Specific Tasks:

The consultant shall carry out the following specific tasks:

- Review available activities specific reports including design reports to assess the approach considered for planning the safeguard works.
- Review documents related to environmental social assessments, details of stakeholder consultation and engagement, and Grievance Redress Mechanism arrangement
- Assess if the approach adopted follows the government’s legislative requirements related to safeguards and as well as of the World Bank’s social safeguard policy requirements.
- Assess the compliance of ESMF
- Conduct field visit (baseline survey) to the sub project sites and carry out consultation with affected communities and other stakeholders to investigate compliance with proposed mitigation measures and to identify potential impacts that are not being adequately identified or dealt with by project, or communities.
- Identification of environmental and social risks that are not being fully addressed or mitigated
- Identify any weakness or gaps in the subproject environmental and social safeguard compliance measures
- And recommend mitigation measures to improve the operating and environmental conditions and long-term sustainability of those facilities/enterprises and activities of the project.

5. Approach and methodology

Data survey/sampling should collect relevant information and understand basic process and activities, including geographic location, time and current operation modalities, technology and adopted safeguard measures etc.

6. Reporting requirements (Outputs):

A report setting out:

- Summary of the activities visited and investigated
- Approach and methodology
- Status of ESMF compliance
- The status implementation of mitigation measures
- Details of compliance status and, mitigation measures,
- Stakeholder consultation carried out during subproject preparation
- Grievance redressal arrangements
- Summary gap analysis matrix from safeguard planning and implementation point of view.
- Recommended mitigation Action Plan for improving environmental and social safeguard compliance

7. Qualification Requirements:

Environmental Audit Consultant/firm must be familiar with laws and regulations of national labor laws, Occupational and health requirements.

Annex 4. Minutes of the Stakeholders' Consultation on Draft ESMF

Part 1: Minutes of the Consultation

**Minutes from the Stakeholders' Consultation for
Draft Environmental and Social Management Framework (ESMF)
for
Nepal: Youth Employment Transformation Initiative (160696)**

A **Stakeholders' Consultation for the Draft Environmental and Social Management Framework (ESMF) for the proposed Youth Employment Transformation Initiative** was held on Thursday, January 24, 2019 at the Ministry of Labor, Employment and Social Security (MoLESS), in Singha Durbar, Kathmandu. The consultation was chaired by Dr. Lok Nath Bhusal, Under Secretary, MoLESS.

The objective of this consultation was to inform, discuss and receive feedback on the draft ESMF prepared for the project. Relevant stakeholders, including other ministries, national federations of relevant vulnerable groups, civil society organizations and the private sector, were informed and invited through formal written invitations from the Ministry. The list of invitees and attendees from the event are provided in Annex 1 and 2, respectively.

The consultation kicked off with Mr. Prakash Dahal, Joint Secretary (MoLESS, Prime Minister's Employment Program, PMP) welcoming the attendees and highlighting the objectives of the consultation. He conveyed that the main objective of the meeting was to share information on and obtain valuable feedback on the ESMF to support the government to ensure that all environmental and social concerns are well addressed by the project and the ESMF.

Dr. Lok Nath Bhusal, Under Secretary (MoLESS) started the consultation with a brief introduction about the government's flagship employment program, the PMP, and the proposed World Bank project. A presentation covering various aspects within the ESMF, including environmental and social concerns triggered through the project activities and mitigation measures, was presented. The presentation was then followed by a Q&A session for feedback and suggestions from participating stakeholders.

A summary of the main comments from the consultation is presented below.

1. Incorporate the Industrial Enterprise Act, 2073: Because the project involves support to the SMEs for private sector job creation, it was recommended that the Industrial Enterprise Act, 2073 also be incorporated in the Section for Relevant Acts, Regulations and Guidelines in the ESMF. *(Note: Post the ESMF consultation, the private sector job creation component was dropped from the project.)*

2. Ensure active participation of and investment on vulnerable groups through private sector component: The Business Plan Competition design should ensure that the grants provided through the project are used effectively to encourage participation from the most vulnerable groups, and if the project can explore ways to incentivize this. *(Note: The Business Plan Competition, as part of the private sector job creation component, no longer exists in the project design.)*

3. Training modules developed under the project: It was advised that the 10 days on-the-job and life skills training modules being developed under the project be well-aligned with the modules already recognized and being used in the market, so that the beneficiaries do not face any problems due to major divergences in the modules. It was also stressed that the training modules developed and delivered must match the market's skills demands to ensure local PWP placements.

4. Need for contextual analysis: Implementation of the ESMF requires contextual analysis such that it

ensures that social issues and needs are fully identified and addressed. This will be addressed by the project through site-specific data collection and analysis of the project benefits (and costs).

5. Defined roles for the provincial and local governments: Because the project is fully implemented at the local level, roles and responsibilities at all three levels of government, specially at the provincial and local government levels need to be clarified. Also, unless there is ownership at these levels, successful implementation of the ESMF, and the project itself, may not be possible.

6. Persons with disability: The representative from National Federation of the Disabled Nepal suggested that the term 'persons with disability' be used when referring to the group, instead of physical inability, or differently-abled. He also stressed that the project should be able to address this groups needs not only in terms of access to the jobs created through the project (public and private), but also by ensuring that activities (ESCs and PWPs) supported through the project provide disability-friendly workplace.

7. Targeted outreach and awareness strategy: The ESMF needs to develop a targeted outreach and an effective awareness strategy to address different vulnerable communities, including youth. Dissemination and awareness should not just include information about the project activities, but also cover dissemination of all relevant rights, acts and policies.

9. Coordinate and consult with all relevant associations and federations:

- In addition to CBOs and CSOs, the team was advised to also incorporate all relevant resource user groups, including Community Forest User Groups, at the local level.
- For the project to ensure effective targeting and outreach to the most vulnerable groups, it was advised that the team must engage in discussions and incorporate all relevant associations and groups, including those addressing the needs of various local communities, vulnerable groups, etc.
- With respect to migrant returnees too, in terms of ensuring their active participation in the project activities, associations advocating their needs, if any, should also be incorporated in the ESMF.

Part 2: Photo log of the event





Annex 5. List of Invitees for the Stakeholders' Consultation

S.N.	Organization	Name	Designation
Private Sector			
1	Nepal Young Entrepreneurs Forum (NYEF)	Mr. Ajay Shrestha	President
2	Federation of Nepalese Chambers of Commerce and Industry (FNCCI)	Mr. Chandra Prasad Dhakal	Chairman, Employers Council (Vice-President, FNCCI)
3	Federation of Women Entrepreneurs of Nepal	Ms. Rita Bhandary	President
4	Merojob.com	Mr. Shailendra Raj Giri	Managing Director
5	Rojgari Pasal	Mr. Sanjib Kumar Niraula	Business Manager
Federations/Associations/CSOs			
6	National Indigenous Women's Federation	Ms. Chinimaya Majhi	Chairperson
7	Dalit NGO Federation	Mr. Ramlakhan Harijan	President
8	Nepal Federation of Indigenous Nationalities	Mr. Jagat Bahadur Baram	Chairman
9	Feminist Dalit Organization (FEDO)	Ms. Kala Swarnakar	President
10	Federation of Community Forestry Users Nepal (FECOFUN)	Ms. Bharati Kumari Pathak	Chairperson
11	National Federation of the Disabled Nepal	Mr. Shudarson Subedi	President
12	National Federation of Irrigation Water Users Association Nepal	Mr. Gajadhar Yadav	President
13	Daayitwa	Mr. Pukar Malla	Executive Director
14	Association of Youth Organization Nepal	Mr. Jagdish Kumar Ayer	President
15	Youth Self-Employment Fund	Dr. Bishnu Prasad Gautam	Executive Director

Ministries

1. Ministry of Labor, Employment and Social Security (Departments and Social Security Fund representatives)
2. Ministry of Federal Affairs and General Administration
3. Ministry of Forests and Environment
4. Ministry of Finance
5. Ministry of Agriculture and Livestock Development
6. Ministry of Energy, Water Resources and Irrigation
7. Ministry of Industry, Commerce and Supplies
8. Ministry of Land Management, Cooperative and Poverty Alleviation
9. Ministry of Women, Children and Senior Citizen
10. Department of Local Infrastructure (previous DOLIDAR)
11. Ministry of Education, Science and Technology
12. Department of Small and Cottage Industries

Annex 6. List of Attendees

S.N.	Organization	Name	Designation
Ministries			
1	Ministry of Labor, Employment and Social Security (MoLESS)	Mr. Prakash Dahal	Joint Secretary, PMEP
2	MoLESS	Dr. Lok Nath Bhusal	Under Secretary, PMEP
3	MoLESS	Mr. Mohan Sitaula	Under Secretary, PMEP
4	MoLESS	Mr. Janardan Gautam	Section Officer
5	MoLESS	Ms. Bipana Gyawali	Section Officer
6	Ministry of Land Management, Cooperative and Poverty Alleviation	Ms. Ranjana Neupane	Section Officer, Planning, Monitoring and Evaluation Division
7	Ministry of Education, Science and Technology	Mr. Yubraj Dahal	Section Officer
8	Ministry of Industry, Commerce and Supplies	Mr. Megh Raj Acharya	
9	Ministry of Youth and Sports	Mr. Mahendra Paudyal	Under Secretary
10	National Planning Commission	Mr. Ravi Ranabhat	Planning Officer
Private Sector			
11	Federation of Nepalese Chambers of Commerce and Industry (FNCCI)	Mr. Ajit Kumar Gupta	Senior Officer
12	Merojob.com	Mr. Shailendra Raj Giri	Managing Director
13	Rojgari Pasal	Mr. Sanjib Kumar Niraula	Business Manager
Federations/Associations/CSOs			
14	Federation of Community Forestry Users Nepal (FECOFUN)	Mr. Brikha Bahadur Shahi	General Secretary
15	National Federation of the Disabled Nepal	Mr. Raju Basnet	General Secretary
16	National Federation of Irrigation Water Users Association Nepal	Mr. Prakash Kumar Varna	
17	Daayitwa	Ms. Sangita Thebe Limbu	Research Coordinator
18	Daayitwa	Ms. Shradhha Gautam	Research Associate
19	Association of Youth Organization Nepal	Mr. Jagdish Kumar Ayer	President
20	Youth Self-Employment Fund	Ms. Anita Thapa	Section Officer
World Bank Group			
21	World Bank	Ms. Jasmine Rajbhandary	Senior Social Protection Specialist
22	World Bank	Ms. Annu Rajbhandari	Environmental Specialist
23	World Bank	Ms. Jaya Sharma	Senior Social Development Specialist
24	World Bank	Dr. Dhruva Pant	Consultant
25	World Bank	Ms. Anupama Shakya	Consultant