



Lao People's Democratic Republic

Peace Independence Democracy Unity Prosperity

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Ministry of Natural Resources and Environment

*and*

Ministry of Public Works and Transport

**Lao Environmental and Waste Management Project (P175996)**

**Environmental and Social Management Framework (ESMF)**

**Volume II Annexes**

**(Revised Draft)**

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## ABBREVIATIONS AND ACRONYMS

3R	Reduce, Reuse and Recycle
ARAP	Abbreviated Resettlement Action Plan
ASEAN	Association of Southeast Asian Nations
AQM	Air Quality Monitoring
BKX	Bolikhambxay province
C1, 2, 4	Components 1, 2, and 4
C3	Component 3
CERC	Contingency Emergency Response Component
CHSP	Community Health and Safety Plan
CMU	Component Management Unit
COC	Code of conduct on .....
COVID19	Corona Virus 19
DCC	Department of Climate Change
DHUP	Department of Housing and Urban Planning
DINE	Department of Inspection on Natural Resources
DPF	Department of Planning and Finance
DOE	Department of Environment
DOP	Department of Planning
DONRE	District Offices of Natural Resource and Environment
DPWT	Department of Public Works and Transport
ECC	Environmental Compliance Certificate
ECOP	Environment Code of Practice
EDPD	Environmental Research and Disaster Prevention Division
EGEF	Ethnic Group Engagement Framework
EGEP	Ethnic Group Engagement Plan
EHSG	Environmental, Health and Safety Guidelines of WB Group
EIA	Environmental Impact Assessment
EPF	Environmental Protection Fun
EPFO	Environment Protection Fund
E&S	Environmental and Social
ES COP	Environmental and Social Code of Practice
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESIA	Environment and Social Impact Assessment
ESMF	Environment and Social Management Framework
ESMP	Environment and Social Management Plan
ESS	Environmental and Social Standards
EWMP	Environmental Waste Management Project



EXRI	EX Research Institute Ltd
FGD	Focused Group Discussion
FPIC	Free Prior and Informed Consent
GBP	Green Business Plan
GBV	Gender Based Violence
GCB	Green Clean and Beautiful Lao PDR
GCBP	Green, Clean, and Beautiful Plan
GDP	Gross Domestic Product
GGGI	Global Green Growth Institute
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
HIV/AIDS	Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome
IEE	Initial Environmental Examination
IFC	International Finance Corporation
IUCN	The International Union Conservation of Nature
IMER	Inspection, Monitoring, Evaluating and Reporting
ISP-LUP	The Integrated Spatial Planning and Land Use Planning
KHM	Khammouane province
KM	Kilometer
LEMGP	Laos Environmental Matching Grant Program
LENS2)	Second Lao Environment and Social
LFND	Lao Front for National Development
LMP	Labour Management Procedures
LWU	Lao Women's Union
LT-LEDS	The Lao PDR's long-term low-emission development strategy
MAF	Ministry of Agriculture and Forestry
MGA	Matching Grant Agreement
MOIC	Ministry of Industry and Commerce
MOF	Ministry of Finance
MONRE	Ministry of Natural Resource and Environment
MPWT	Ministry of Public Works and Transport
MEM	Ministry of Energy and Mine
MIWRM	Mekong Integrated Water Resources Management
MPI	Ministry of Planning and Investment
NCEC	The National Community Engagement Consultant
NSEDP-9	The 9 <sup>th</sup> National Social-Economic Development Plan
NGO	Non Government Organization
NUOL	National University of Laos
NRERI	Natural Resources and Environmental Research Institute
NPAP	National Plastic Action Plan
OHS	Occupational Health and Safety



ODX	Odomxay province
PAD	Project Appraisal Document
PAP	Project Affected People
PIU	Project Implementation Unit
PCU	Project Coordination Unit
PMU	Project Management Unit
PONRE	Provincial Offices of Natural Resource and Environment
PPE	Personal Protective Equipment
PRC	Provincial Resettlement Committee
Pre-FS	Pre-Feasibility Study
Pre-ESIA	Preliminary Environmental and Social Impact Assessment
PSMEB	Participating small and medium size enterprises and businesses
PTI	Public Works and Transport Institute
RAP	Resettlement Action Plan
RDF	Refuse-Derives Fuel
RPF	Resettlement Policy Framework
SCOC	Social Code of Conduct
SEA/SH	Sexual Exploitation and Abuse and Sexual Harassment
SEA	Strategic Environmental Assessment
SEP	Stakeholder Engagement Plan
SIA-SMP	Social Impact Assessment and Social Management Plan
SIA	Sub-component Implementing Agency
SMEs	Small and Medium-sized Enterprises
SMEB	Small and medium size enterprises and businesses
SMP	Social Management Plan
SOER	The National State of Environment Report
SWM	Solid Waste Management
SVK	Savannakhet province
UDAAs	Urban Development Administrative Authorities
UNFCCC	United Nations Framework Convention on Climate Change
US\$	United States dollar
UXO	Unexploded Ordnance
VAC	Violence Against Children
VCOMS	Vientiane City Office for Management and Service
VTC	Vientiane Capital
VTP	Vientiane Province
WB	The World Bank
WBG	World Bank Group



## ANNEX 1: DETAILED PROJECT DESCRIPTION

### A1A. Project Development Objective

#### PDO Statement

- The Project Development Objective (PDO) strengthen environmental protection systems, improve municipal solid waste management in selected cities in Lao PDR, and provide immediate and effective response in case of an Eligible Crisis or Emergency.

### A1B. PDO Level Indicators

To achieve the project development objective, the key project implementing indicators are defined along with the implementation process and frequency as follows:

#	Indicator name	Definition/ Description	Responsibility for data collection
<b>PDO Level Indicators</b>			
1	Environmental protection system (practices) improved (score)	This indicator measures the strengthening of the environmental protection policies and instruments. It aims to track delivery of specific guiding documents and planning tools supported by relevant MONRE (DOE, DNEI, NREI, DCC, and DWR) MPI, and MEM subprojects. It is on the basis of a cumulative point system.	MONRE, MEM, MPI have primary responsibility and EPF will collate results for the indicator
2	Increase coverage of municipal waste collection from households and businesses in Vientiane Capital (Percentage)	This indicator measures the increase in the number of households and businesses in Vientiane Capital that have contracts for waste collection, and for which waste is being regularly collected.	VCOMS
3	Solid waste recycled, composted and/or treated to reduce waste disposal volumes (Percentage)	This indicator measures the project's outcomes in terms of improving the enabling environment for recycling in Vientiane. The main recyclable items considered include: plastics, paper/cardboard, glass, and metals. The proportion of waste collected that is recycled at KM16, Naxaythong, and KM32 waste reception before final disposal at	VCOMS



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		the KM32 landfill will be measured.	
4	Net greenhouse emissions reduction (metric tons/ year)	This indicator measures the amount of GHG emissions that would be reduced as a result of project activities. The major GHG reductions will come from improved management of KM32 landfill, separation and treatment of organic wastes, and improvements in the transportation system for waste management.	TBC
<b>Intermediate Level Indicators</b>			
<b>Component 1: Policy Implementation and Capacity Enhancement</b>			
1	Number of environmental protection legislation/policies approved by the government (number)	The environmental protection policies will include: (1) SEA Decree; (2) SEA Reviewing Guidelines; (3) CIA Reviewing and Writing guidelines; (4) Decision on the Operation of Environmental Consultant Services; (5) EIA guidelines for the agriculture sector; (6) ISP-LUP guidelines; (7) SOER writing guidelines; (8) Waste Management Decree and subregulations.	EPF
2	Investment projects with improved pollution and waste control systems (Number)	This indicator measures the outcome of support provided through the matching grant scheme to investment projects to improve their pollution and waste management. The works to improve the system will be considered complete when all planned activities for improving the system are implemented, and the system is reviewed by the Technical Committee supporting the Matching Grant scheme	EPF



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3	Reduction in pollution levels from the target projects (Percentage)	This indicators measures the reduction in water pollution levels from selected point sources. The point sources that would be assessed are those that would have received project intervention. These include the SMEs that would be supported under subcomponent 1B with improve their environmental and waste management practices.	NRERI has primary responsibility
4	Projects with ECCs in full compliance with environmental protection policies (Percentage)	This indicator measures the proportion of Category 2 investment projects that demonstrate compliance with the environment protection measures that were agreed as part of the issuance of their respective ECCs. The projects considered are the ones that are part of the target provinces of the project activities.	DNEI
5	Number of persons accessing AQ information via web and application (number)	This indicator provides evidence of use of the air quality information that is generated and made publicly available with the project's support.	NRERI
6	LT-LEDS and implementation roadmap approved by MONRE Minister	This indicator provides evidence that the Strategy is developed through a cross-government process.	DCC
7	Plastic policies, guidelines, or standards established (Number)  7A - Alignment with the ASEAN Plan	This indicator reflects the GoL's commitment to improving plastic waste management, and to the 2019 ASEAN Regional Action Plan for Combatting Marine Debris	DOE
<b>Component 2: Integrated Support and Capacity Building for Local Government and Municipalities</b>			
8	Waste and pollution data and information system established and operational per defined criteria (Score)	This indicator measures the progress of development of the waste and pollution information system. The score that measures levels (progress) of development, with the highest score attained meaning the indicator has been achieved.	DOE





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9	Waste recycling bank established and operational per defined criteria (number)	This indicator measures the number of waste banks that are established in school, villages and business supported by the project.	PONREs and DOE
10	Increase in budget for waste management in Vientiane Capital (percentage)	This indicator measures the increase in finances (from revenues) available for waste management in Vientiane Capital	VCOMS
11	Beneficiaries satisfied with SWM services (Percentage)	This indicator measures the improved waste service delivery in Vientiane Capital.	VCOMS
<b>Component 3: Waste and plastics management Infrastructure Investments</b>			
12	Area of landfill rehabilitated (ha)	This indicator measures the total area of the KM32 landfill that is rehabilitated as part of this project. Rehabilitation would involve installation of landfill liner and leachate collection pipes.	DHUP
13	SW collection, transfer and material recovery facilities constructed (Number)	This indicator measures the number of facilities that are constructed under the project at KM16, Naxaythong and KM32.	DHUP
14	People provided with access to improved waste management services (Number)	This indicator measures the number of persons in Vientiane Capital that benefit from the project's intervention on waste management. The project's interventions are assumed to lead to improved services	VCOMS
15	Number of waste pickers provided with viable and sustainable opportunities for paid works or skills development training (Number)	This indicators measures the waste pickers at KM32 landfill that avail of training, and /or take up opportunities for work at the new facilities at KM16 and Naxaythong.	VCOMS and DHUP
15a	Of which female	See indicator #15	VCOMS and DHUP
16	Workers employed at new waste facilities that are female (percentage).	The new facilities will be at KM16 and Naxaythong.	VCOMS and DHUP

**A1C. Project Components**



## Component 1. Policy Implementation and Capacity Enhancement (US\$12.12 million of which US \$10.53 million IDA, and US \$1.59 million ProBLUE)

- **Objective:** This component aims to address two critical gaps in environmental, pollution control and waste management: (i) the lack of legislation and policies, weak regulatory framework, and insufficient institutional capacity for environmental protection, climate change management, pollution control and waste and plastic management; and (ii) insufficient monitoring and enforcement capacity for environmental and waste management, and pollution monitoring and control.
- **Key Activity:** The project will focus on developing new secondary legislation (Decrees) and sub legislation (Ministerial Decisions and Guidelines) for environmental protection and waste management. Given the history of poor policy implementation in Laos, monitoring and evaluation, transparency and accountability mechanisms will be designed as part of the legislation and sub-legislation development, and budget plans to finance implementation will be developed.
- **Implementing Area:** Capacity enhancement activities will be targeted at central, provincial and district level government staff, and will include development of job descriptions for staff involved in environmental protection, pollution control and waste management that are linked to performance assessments.
- **Responsible Agency:** The MONRE will lead the implementation of this component, with MONRE Departments leading on subcomponents according to their mandate. The MONRE will work closely with other ministries such as the Ministry of Planning and Investment (MPI) and the Ministry of Energy and Mines (MEM), the EPF and the National University of Laos (NUOL) to implement the project activities.

### Subcomponent 1A: Environmental Protection (US\$2.72 million IDA)

- **Objective:** The objective of this subcomponent is to strengthen the capacity of national institutions to develop and implement the Lao legislation on environment management. Activities related to legislation and policy development, and institutional capacity strengthening of the GoL on environmental protection instruments and solid waste management will be financed under this subcomponent. These activities support the WBG's GCRF Pillar 4.

#### *Environmental Protection Policies and Instruments*

- **Key Activity:** The support on environmental protection policies and instruments builds on the work done under the Second Lao Environment and Social (LENS2) project to develop and build capacity on environmental protection instruments. The EWMP will finance: (i) upgrading of the Strategic Environment Assessment (SEA) Ministerial Decision to a SEA Prime Minister Decree, and development of SEA sub legislation; (ii) development of a SEA for the mining sector, and support to implementation of the power sector and green growth SEAs developed under the LENS2 project; (iii) development of Environmental Impact Assessment (EIA)-related guidelines; (iv) revision of the Integrated Spatial Planning and Land Use Planning (ISP-LUP) guideline to include climate change and disaster risk considerations, and integration of ISP-LUPs into 11 Provincial Socio-Economic Development Plans; (v)



preparation and dissemination of the national State of Environment Report (SOER) (2021-2025); and (vi) dissemination of the Environment Protection Law, several other environmental protection regulations and guidelines developed under the LENS2 project<sup>1</sup>.

- **Implementing Area:** The environmental protection instruments development and capacity building activities will be targeted at central, provincial and district level government staff focus on the mining sector, power sector and green growth and ISP-LUPs.
- **Responsible Agency:** This subcomponent will be led by the Department of Environment (DOE) of the MONRE.

#### ***Solid Waste Management (SWM)***

- **Objective:** The project will support the development of a National Waste Management Decree, its relevant sub-national regulations and guidelines on waste management measures covering all types of waste.
- **Key Activity:** The Decree will be an important piece of legislation for Laos and fill an important regulatory gap in the waste management sector as it will: clarify roles and responsibilities of line ministries, provincial and district departments and stakeholders in waste management; provide guidance on waste management planning and appropriate treatment measures for different types of wastes; and provide guidance on the management of waste management facilities, recycling, illegal dumping and import/export of solid wastes. Guidelines will also be developed to support the enforcement of SWM regulations.
- **Implementing Area:** Nationwide- The Decree will also establish a cross-ministerial National Solid Waste Management Coordination Committee whose responsibility will be to facilitate consultation and coordination among relevant ministries and sub-national government and provide support and guidance on the matters related to waste management, data collection, recycling and the circular economy agenda.
- **Responsible Agency:** The Committee will be led by the MONRE and include representatives from line ministries such as MPWT, Ministry of Industry and Commerce (MOIC), MOH and the National Assembly members. Sustainability of this Committee depends on the establishment of an inter-ministerial coordination mechanism as part of the government strategy and also budgetary planning of the lead ministry, MONRE.

#### **Subcomponent 1B: Capacity and Financial support to SMEs on environmental and waste management (US\$2.36 million IDA)**

- **Objective:** This subcomponent will support small and medium enterprises (SMEs) in the tourism sector to improve their compliance with environmental protection regulations, and implement innovative solutions for plastic waste reduction, thereby contributing to reducing solid waste, air and wastewater pollution. The expected outcome of activities under this subcomponent is an increase in the number of investment projects with improved pollution

<sup>1</sup> The DOE is revising the EIA decree before finalizing and disseminating these related guidelines.



and waste control system. The outcome of support provided through the matching grant scheme will be measured on a yearly basis by the Technical Committee led by EPF for supporting the Matching Grant scheme.

**Key Activity:** Project activities will include provision of technical assistance to participating SMEs to support them in developing or improving their environmental management and monitoring plans (EMMPs) and developing or improving business plans for EMMP implementation. Grants will enable the participating SMEs to install equipment and small-scale infrastructure such as septic tank treatment systems, biogas from food/kitchen waste, and drinking water systems for hotels and restaurants to reduce the use of plastic bottles, and transition to electric vehicle (EV batteries charging facilities) to reduce air pollution and GHG emissions. This subcomponent's activities will contribute to the WBG's GCRF Pillar 4.

- **Implementing Area:** The selected tourism SMEs in Vang Vieng, Vientiane Province. SMEs eligible to receive the matching grant support would be those that have investment projects that are classified by the MONRE as Category 1 and that have an environmental clearance certificate (ECC) or will be issued an ECC.
- **Responsible Agency:** The EPF will implement activities under this component using a matching grant scheme to provide finance and technical assistance to selected tourism SMEs in Vang Vieng, Vientiane Province.

### **Subcomponent 1C: ECC compliance and pollution monitoring framework (US\$3.65 million IDA)**

#### ***Environmental Compliance***

- **Objective:** This subcomponent is designed to address weaknesses in compliance associated with development projects that have an Environmental Compliance (ECC). The expected outcome of activities under this subcomponent is an increase in the number of investment projects that are in compliance with Laos' environmental protection policies; (ii) a reduction in pollution levels from selected point sources of the target projects (Percentage). The point sources that would be assessed are those that would have received project intervention
- **Key Activity:** The subcomponent will support capacity strengthening of DNEI staff and Provincial Office of Natural Resources and Environment (PONRE) staff for conducting environmental compliance monitoring and reporting of investment projects and make resources available for emergency environmental inspection responses. The project will finance the development and dissemination of technical guidelines for Inspection, Monitoring, Evaluating and Reporting (IMER) for selected priority sectors, and provision of the on-the-job training on compliance monitoring and procedures related to Initial Environmental Examination (IEE) and EIA. It will also support field operations to monitor and review investment projects' compliance with the environmental and social management plans (ESMPs). The subcomponent will also support DNEI in the development of a MONRE Decision based on the Polluter Pays Principle to set up a standard mechanism to punish and fine an investment project that violates or causes negative environmental and social impacts. Other activities proposed under this subcomponent are (i) preparation of national and provincial pollution reports; and (ii) expansion of the pollution inventory and priority pollution watch sites (PPWS database for the remaining 14 provinces).
- **Responsible Agency:** This subcomponent will be led by the Department of Natural Resources and Environment Inspection (DNEI).



### ***Air Quality Monitoring***

- **Objective:** To improve the completeness and reliability of the AQM network and work to understand exposure to air pollution where no monitoring exists.
- **Key Activity:** To address these issues, and lay the groundwork for a future expansion of the network, this component will provide a package of technical support contracts that would achieve all three aims described above, namely (i) establish SOPs and QA/QC protocols for AQMS, and implement via capacity building trainings including PONRE staff (ii) calibrate, repair and upgrade existing stations to expand the scope of parameters measured at each and ensure reliability of operation, data collection and storage and (iii) conduct a limited deployment of low-cost sensors in provinces that currently have no AQMS and to establish a training data set to enable use of global remote sensing products to estimate human exposure to PM<sub>2.5</sub> with reduced uncertainty until network expansion can be financed. The training data sets would enable locally tailored use of remote sensing (satellite) data to estimate ground level exposure to PM<sub>2.5</sub> in the most populous Laotian cities. This task would also enhance disclosure of information on PM<sub>2.5</sub> to public by enhancing the robustness of MONRE's existing AQI website, which reports AQMS data in real time as an Air Quality Index or AQI. It would extend this platform by developing and linking to a smart-phone application (for both Android and IOS devices) that will share the AQI as well as self-protective measures for sensitive populations to take on high air pollution days.

Anticipated outcomes of the EWMP investments in air quality management are three-fold: (i) increased reliability, accuracy and completeness of AQM at the 9-site AQMS network with an enhanced understanding of exposure to air pollution in other parts of Lao using low-cost sensors coupled with satellite data, (ii) technical foundation built for the establishment of a unified and integrated (i.e., GHG and air pollution) national emission inventory to support enhanced AQM planning, and (iii) strengthened awareness raising and public disclosure of air pollution and air quality data to better inform the public of air quality levels.

- **Implementing Area:** Nationwide
- **Responsible Agency:** AQM network enhancement to be led by NRERI under this Component would build on the existing 9-site Air Quality Monitoring Stations (AQMS) in place under MONRE jurisdiction but would include resources to improve the completeness and reliability of the network and work to understand exposure to air pollution where no monitoring exists.

### ***Water Quality Monitoring***

- **Objective:** Develop and revise Standard Operating Procedures (SOPs) and guidelines related to water quality monitoring, water quality analysis, pollution control and water use permission as indicated in the 9th NSEDP and the NGGS 2030, and implement new and updated SOPs and guidelines through demonstration at pilot areas.
- **Key Activity:** Proposed activities also include the strengthening of water quality and pollution monitoring through the procurement of equipment for water quality monitoring and water quality analysis. The results of water quality and pollution monitoring will be integrated into the established national pollution monitoring database with regular monitoring and reporting of environmental quality.



- Similar to the Mekong Integrated Water Resources Management (MIWRM) there is a risk associated with sustainability of the project interventions because of insufficient finance to support the operation and maintenance of the established systems (air and water quality monitoring and the national environment quality database, website and mobile application for information dissemination). It is therefore important to have a strategy and commitment from clients to consider/provide sufficient finance to sustain the invested systems. This should also consider financial support on the trainings and capacity buildings for government staff at national, provincial and district levels to maintain their knowledge on the environmental quality monitoring. NRERI has a draft business plan which was designed to support the financial sustainability of the lab. This project will help with updating the business plan to ensure sustainability of NRESRI services on water quality testing and monitoring. In addition, this project will help NRERI to institutionalize the training courses related to water quality monitoring and establish the trainers in NRERI to ensure systematic capacity building of staff. Activities in subcomponent 1C will contribute to the WBG GCRF Pillar 4.
- **Implementing Area:** Nationwide
- **Responsible Agency:** Through the EWMP the NRERI will lead in develop and revise Standard Operating Procedures (SOPs) and guidelines related to water quality monitoring, water quality analysis, pollution control and water use permission.

#### **Subcomponent 1D: Climate change and low carbon resilient development (US \$1,500,320)**

- **Objective:** The GoL has taken significant action and is making progress on addressing climate change. In its updated NDC (May 2021), the GoL clearly indicates its climate change ambition of achieving net zero GHG emissions by 2050<sup>2</sup> and enhancing climate resilience is a clear priority in the NSEDP-9. Activities under subcomponent 1D are intended to elevate the government's efforts to address climate change challenges.
- **Key Activity:** These include:
  1. Development and pilot implementation of the Lao PDR's long-term low-emission development strategy (LT-LEDS) and roadmap, in accordance with Article 4 of the Paris Agreement<sup>3</sup> and its recently updated Nationally Determined Contribution (NDC) that includes a commitment to achieve net zero emissions by 2050 (conditional to international support). The LT-LEDS can also further strengthen the country's aspiration towards a cleaner and greener economy and improve the lives of citizens, particularly the most vulnerable groups. The strategy can also help strengthen its adaptive capacity to climate change and enhance an inclusive and green recovery from COVID-19. LT-LEDS activities will be led by the Department of Climate Change (DCC) of the MONRE.
  2. Integration of the updated NDC and climate and disaster risk screening (CDRS) tool and

<sup>2</sup> Lao PDR is the first country in ASEAN to pledge the net zero GHG emissions target.

<sup>3</sup> In accordance with Article 4 of the Paris Agreement, all countries should formulate and communicate LT-LEDS, mindful of Article 2 taking into account their common but differentiated responsibilities and respective capabilities, in the light of different national circumstances (UNFCCC).





practice into the Green Growth Investment Guideline to enhance climate resilience of the public investment projects and institutionalization of incorporating climate risk consideration in investment planning. This is an essential step to incorporate climate and disaster risks into investment planning, mainstream climate risk consideration and enhance climate resilience. Flagging potential impacts and risks from climate and geophysical hazards and identifying appropriate resilience measures, increases the long-term success of development efforts, while realizing other co-benefits today. In response to demand, capacity building will be provided to selected sectors and provincial offices for implementation.

- **Implementing Area:** Nationwide
- **Responsible Agency:** These activities will be led by the Department of Planning (DOP) of the MPI.

#### **Subcomponent 1E: Plastics policies and legislation (US\$1.59 million ProBLUE)**

- **Objective:** Building on the respective efforts and the commitment of the GOL, this subcomponent will provide support to the government to develop policies, actions and capacities that aim at reducing the increasing plastics pollution in the country and improve plastics management. A combination of measures will be required that can drive the upstream changes needed to reduce production, import and consumption of priority single-use plastics responsible for the majority of pollution; and drive downstream changes to improve collection, treatment and recycling. Such combination of measures is anticipated to include regulatory measures; economic incentives; information and awareness building; voluntary approaches and agreements.
- **Key Activity:** The financing will include the development and implementation of national policies, legislation and regulations; implementation of the National Plastics Action Plan (NPAP)<sup>4</sup>; guidelines and supporting instruments for NPAP implementation; capacity building at the national and sub-national level to enable monitoring and enforcement; awareness raising, education campaigns, and citizen engagement; plastics information and reporting system; support for target groups of policy measures; provide national level support for plastic related activities for Green Clean and Beautiful (GCB) and 3R projects under Subcomponent 2B. Other foreseen activities will relate to supporting the domestic recycling industry in preparing for upcoming regional and international plastics and waste trade regulations, such as the international legally binding UN global plastics treaty by end of 2024, by establishment of minimum standards, compliance system, sub-decree, and capacity building for monitoring and inspection, a recycling market information system, and exploring the potential on RDF with focus on industrial waste streams.
- **Responsible Agency:** These activities will be led by the Department of Environment (DOE) of MONRE.

<sup>4</sup> At this time, the NPAP is under development led by MONRE and supported by the World Bank and other development partners.



- **Implementing Area:** Nationwide. This subcomponent will be closely linked to the regional ASEAN support under the SEA-MaP (P175659) project for the development of policy measures with regional dimension and enhancing the regional recycling market, and is therefore envisaged to leverage regional IDA. SEA-MaP will help establish a regional platform for ASEAN to strengthen the institutional capacity, harmonize standards and guidelines, and pilot innovative solutions on investments, financing, and technologies (see Annex for details). Activities in subcomponent 1E will contribute to the WBG GCRF Pillar 4.

## **Component 2: Integrated Support and Capacity Building for Local Government and Municipalities (US\$4.54 million of which US\$3.68 million IDA and US\$0.8million grant)**

**This component aims to enhance the capacity of local government and institutions to address the policy implementation of waste, plastic and pollution management.** Due to the Sam Sang policy on decentralization, local government has the responsibility for waste, plastic and pollution management but lack the capacity and resources to do this. This component will improve the local government capacity for (i) data collection and analytics on waste and pollution management for improved evidence-based policy making; (ii) implementing community and village-based waste and plastic recycling programs and enhancement of the government Green, Clean, Beautiful (GCB) program; and (iii) enhancement of waste operation and service delivery through performance-based contracting and cost recovery.

### **Subcomponent 2A: Waste and pollution data and information systems and waste service (US\$0.09 million IDA)**

- **Objective:** This subcomponent will finance development of waste and pollution data and information collection system that can be integrated to the existing pollution database<sup>5</sup> and as a centralized system for the national government to collect and analyze the data.
- **Key Activity:** The subcomponent activities include:
  - i. Development and implementation of sub-decrees, regulations and ordinances on waste and pollution data and information systems. Sub-decree on waste statistics is essential to establish a waste statistics system, which can regularly collect up-to-date information on the generation, collection, recycling and disposal of MSW and plastics from local authorities. This database system should enable standardized quality data from respective local authorities to be fed into the national SWM policymaking and planning process. To establish integrated waste statistics system, it is suggested to take the phased approach starting with the municipal solid waste statistics system to collect waste generation, transportation, treatment, recycling and disposal data which should be expanded to the waste collection vehicles management, hazardous waste management and waste accounting system. The sub-decree on waste statistics will specify what types of waste data and information should be collected, the responsible body, methodology in collecting data, and how the waste data is used. The operation

<sup>5</sup> Existing pollution database exist in fragment manner within the national and local government. The waste database on data such as





and maintenance of the waste statistics system will be centrally managed and controlled while local authorities be guided and trained to conduct day-to-day waste inputs to the statistics system.

- ii. Feasibility study on establishment of waste and pollution data and information system in collecting regional/international good practices in managing and utilizing the waste statistics system, contents of relevant sub-decrees for the waste statistics system, how the waste statistics system should be set up, managed and collect and use the data both at local authorities and central government and also to propose the capacity development plan to manage and implement waste statistics system.
- iii. Capacity building for PONREs and District-level Departments of Natural Resources and Environment (DONREs) in sub-decree development, use of the waste and pollution data system, data inputs, data analysis capacity of sub-national government officers.

Activities in subcomponent 2A will contribute to the WBG GCRF Pillar 4.

- **Responsible Agency:** This will be led by Department of Natural Resources and Inspection (DNEI) and the Natural Resources and Environmental Research Institute (NRERI).
- **Implementing Area:** The target areas for this work will be Vientiane Capital, Vientiane Province and Oudomxay Province, and DNEI and NRERI will work closely with the PONREs in the target areas to implement.

**Subcomponent 2B: GCB and 3R projects + capacity building for NPAP/plastic policies implementation in target districts (US\$3.92 million of which US\$3.12 million IDA, and US\$0.8 million ProBLUE)**

- **Objective:** The GoL recognizes the important role of communities (small businesses and individual households) and schools in waste management and plastic reduction and has been implementing pilot initiatives with villages and schools to encourage waste separation, waste recycling, and composting of organic materials. Establishment of waste banks<sup>6</sup> for plastics and paper in villages and schools has been piloted by the Global Green Growth Institute (GGGI) in selected villages of the Vientiane Capital, and the initiative has been noted by the MONRE and VCOMS to be successful in terms of increasing recycling rates and cultivating habits of recycling. The waste banks have a financial incentive for villages and schools to maintain in that waste collected is bought by waste traders with the price determined based on the volume and market price of collected waste. The GGGI have also introduced waste separation by households and businesses of organics from main wastes; collection of organics using specialized vehicles; and composting of the organic wastes at a facility in the KM16 Waste Transfer Station. The VCOMS and GGGI are working with the Ministry of Agriculture and Forestry (MAF) for quality control on the compost, which is eventually sold. This initiative is only done in a few villages in selected districts of Vientiane Capital (VC) and has potential to be scaled up across more districts in VC.

<sup>6</sup>Waste Bank is the community-based waste recycling initiative that has been initiated in the countries like Thailand and Indonesia. The community residents who want to sell waste will bring waste to the waste bank and receive the cash/points depending on the quantity of collected waste. It's called Waste Bank because the residents can accumulate cash in the Bank Book to save and withdraw. Waste Bank serves as a platform for waste recycling and connect to the waste recyclers (often informal waste pickers) as well as the community revitalization.



- **Key Activity: The EWMP will provide financing that will enable the GoL to continue its efforts for waste management and plastics reduction at the village-scale.** This support would be provided under subcomponent 2B (GCB and 3R projects + capacity building for NPAP/plastic policies implementation in target districts), and implementation will be led by the DOE working in close collaboration with the PONRE of VC, the VCOM, and the National University of Laos (NUOL). Finance will be provided through the project to scale-up the waste bank initiatives at villages and schools, composting at schools, waste separation at household level. The EWMP will include the development of waste bank recycling operational guidelines and awareness-raising campaigns. which could contribute to the GoL's GCB program. Training support for the informal sector, with focus on women, for integration into waste bank and community level solid waste management will be provided. Smaller scale plastics processing at community level for reuse and recycling, support on development of alternative materials, and refill and reuse stations with focus on tourism hotspots shall be piloted. The expected outcomes of these activities are reduction in waste that will eventually need to be transported to the landfill and increase in the waste recycling rate in VC.

Activities in subcomponent 2B will contribute to the WBG GCRF Pillar 4.

- **Responsible Agency:** Implementation will be led by the DOE working in close collaboration with the PONRE of VC, the VCOM, and the National University of Laos (NUOL). Finance will be provided through the project to scale-up the waste bank initiatives at villages and schools, composting at schools, waste separation at household level.
- **Implementing Area:** Vientiane Capital

### **Subcomponent 2C. Support to private-public partnerships and enhancing output-based waste service delivery and cost recovery capacity (US\$0.53 million IDA)**

- **Objective:** The subcomponent will support both national and sub-national government to enhance output-based waste service delivery and cost recovery capacities for more efficient waste management system in the Vientiane Capital.
- **Key Activity:** Linking with the waste data collection system in subcomponent 2A, performance and output-based contract management between VCOMS and private waste operators will be addressed by introducing improved contract management system. Cost recovery issue will be addressed through mobile app development which promotes the direct payment of waste collection fee through app. The app will also aim to improve the customer feedback system on waste collection and pick-up request to improve waste collection in the Capital. The introduction of customer feedback mechanism could enhance the accessibility and user-friendliness of waste service. The capacity building training and awareness raising will be aimed at, inter alia, improving performance efficiency, and increasing capacity within national and local government and VCOMS to further modernize



their operations to optimize efficiency and effectiveness in municipal service delivery while addressing principles such as resilience, financial and environmental sustainability, and inclusion. The subcomponent support includes the technical and equipment support to the waste pickers currently working at the KM32 to provide necessary protection equipment and facility to improve their working environment. Activities under this subcomponent will contribute to the WBG GCRF Pillar 4.

- **Responsible Agency:** This subcomponent activity will be led by DHUP and VCOMS

### **Component 3: Waste and plastics management Infrastructure Investments (US\$24.62 million of which US\$21 million IDA and US \$3.62 million ProBLUE)**

- **Objective:** This component will finance waste management and recycling infrastructure investments in Vientiane Capital including provision of goods, services, and consulting services required to carry out detailed design, preparation of bidding document taking into account climate change considerations, and supervision of construction and rehabilitation works .
- **Key Activity:** The activities include construction, rehabilitation and upgrading works for waste collection, transportation, recycling, waste disposal and pollution management to achieve improvements in access, service quality and upgrading of waste management and recycling operations.
- **Implementing Area:** The investments will be divided into three locations strategically selected in Vientiane Capital to maximize the waste-to-resource opportunity, to minimize the waste volume that will be landfilled at KM 32, and to mitigate the negative environmental and social impacts from waste management.
  1. At Naxaythong district in north-west of Vientiane Capital will install a new waste transfer station with material recovery facility, waste collection and transportation equipment with waste transfer function.
  2. At KM 16 in Xaysettha District, upgrade to a material recovery facility and support waste collection and transportation equipment.
  3. At the current landfill at KM32 will be partially rehabilitated to extend the lifetime of the landfill and also to install the waste reception area, upgrading of waste recycling facility , ensure a safe and healthy working environment of informal waste pickers, improve the leachate treatment and regulation facility to mitigate the direct discharge of leachate to the surrounding area and also install the storage for hazardous waste to safely store the toxic and hazardous materials.
  4. Potentially, investments in riverine plastics collection technologies will be provided under this Component, including support on setting up viable operations and disposal systems and integration into general SWM system. This will be combined with the establishment of plastics pollution monitoring stations and provide citizen science and reporting possibilities for monitoring of impacts.

Individual infrastructure facilities will, where appropriate, consider adaptive designs that would allow for a scaling up of capacity with the possibility of future expansion and improvement. Activities under this component will contribute to the WBG GCRF Pillar 4.



- **Responsible Agency:** MPWT

#### **Component 4: Project Coordination and Reporting (US\$3.81 million IDA)**

**The objective of this component is to maintain and enhance project management, monitoring, learning and coordination across the implementing agencies.** There are two subcomponents: (a) subcomponent 4A Project management and Administration which aims to strengthen the capacity of the EPF in project management, fiduciary management, results monitoring, and reporting; And (b) Subcomponent 4B Communication, Engagement, and EPF Capacity Building which aims to strengthen the capacity of the EPF for coordination and communication, and fund raising for waste and pollution management and environmental protection. An impact assessment on environmental protection policies would be undertaken under subcomponent 4B. This Component will contribute to the WBG GCRF Pillar 4.

#### **Component 5: Contingency Emergency Response Component (US\$0 million)**

**This component will provide an immediate response to an Eligible Crisis or Emergency, as needed.** In an Eligible Crisis or Emergency, the GoL can seek reallocation of project funds to support emergency response and recovery. This Component will contribute to WBG GCRF Pillar 3.



## ANNEX 2: NATIONAL LAWS AND REGULATIONS

**The Constitution of Lao PDR**, ratified in 1991 (updated in 2003), uses the term ‘citizens of all ethnicity’ throughout. It specifically recognizes the need to incorporate the concerns of ethnic groups in developing policy in all sectors, and the Government has reaffirmed its commitment to strengthening the rights of all ethnic groups in various congresses, conferences, decrees, and laws since the 1980s (Articles 8 and 22). Article 75 of the Constitution states that the Lao language and script are the official language and script. Constitutionally, Lao PDR is recognized as a multi-ethnic society, and Article 8 of the Constitution states, All ethnic groups have the right to preserve their own traditions and culture, and those of the nation. Discrimination between ethnic groups is forbidden. Article 8 also declares that “the State pursues the policy of promoting unity and equality among all ethnic groups. All ethnic groups have the rights to protect, preserve and promote the fine customs and cultures of their own tribes and of the nation. All acts of creating division and discrimination among ethnic groups are forbidden. The State implements every measure to gradually develop and upgrade the economic and social level of all ethnic groups.”

Land acquisition and involuntary resettlement: Directly applicable to the land acquisition and involuntary resettlement is the Decree on Compensation and Resettlement of People Affected by Development Projects (No. 84/GOL, 5 April 2016). This revised Compensation and Resettlement (C&R) Decree describes the principles, regulations, and standards for mitigating adverse social impacts and compensating for damages resulting from unintentional acquisition or repossession of land and fixed or removal assets, including changes in land use. The decree aims to ensure that the people affected by the project (PAP) are compensated for and assisted in improving or, at least, maintaining their pre-project income and standard of living, and are not made worse off than they would without the project. The decree describes the strict principles of compensation, particularly for those PAPs which do not have legal land title, land use certificate or other acceptable documentation indicating their right to land use. Unlike ESS5, this government Decree does not provide neither any provision related to restriction of access to land and natural resources affecting community livelihood and income nor customary lands. In comparison with the previous Decree (No. 192, 2005), which granted this community of PAP the right to seek compensation not only for their lost assets but also for their lost rights and/or privileges of land use, the revised decree (No 84, 2016) only grants the right to claim for their lost properties, such as homes, trees and/or crops, if found to be located in state lands, and if the land users considered to illegal occupiers. There are also other laws and regulations pertaining to this issue, summarized in Box 2-1.

### Box A2-1 Legislation on land acquisition and involuntary resettlement

- The Law on Environment Protection, No. 29/NA, dated 18/12/2012



- The Law on Land, No. 70/NA, dated 21/06/2019
- The Law on National Heritage (Amended), No. 11/NA, 16 November 2021
- The Law on Forestry, No. 08/NA, dated 13/06/2019
- The Law on Resettlement and Occupation, No. 086/NA, dated 15/06/2018
- The Law on Compensation and Resettlement of People Affected by Development Projects, No. 84/GoL, dated 05/04/2016
- The Decree on Environmental Impact Assessment, No. 21/GoL, dated 31/01/2019  
Public Road, No. 03/NA, dated 08/11/2016
- The Public Involvement Guidelines in ESIA Process, No. 707/MONRE, dated 05/02/2013

**The Law on Resettlement and Occupation (No. 086/NA, dated 16 June 2018):** This law was developed based on the compensation and resettlement Decree 84 (2016). The law, which applies for both government and private sector development projects, aims to define, regulate, manage and monitor resettlement and livelihood for Lao population of all ethnic groups to ensure that those who are in areas identified for resettlement and provided with stabilized residential and production land and occupation with ultimate goals to address illegal relocation, eliminate poverty, improve livelihood, security and social order, develop small villages into rural small towns contributing to national socio-economic development and national security.

**Law on Hygiene, Prevention and Health Promotion (Amended 2011):** focuses on controlling the elements of the environment which are dangerous or may be dangerous to the body, to mental health and social status of human (Article 2); promoting the investment in hygiene, prevention and health promotion (Article 5); community hygiene to be in place (Article 11); to ensure the building access to hygiene principles (Article 14); the care of working conditions for workers (Article 18); to ensure the cleanness of goods exposed, be far away from dirty sources, cemetery and rearing animal places (Article 22). All facilities to be in place particularly wastewater management, solid waste management systems and anti-fire management system.

**The Law on the Development and Protection of Women and Children (2004)** guarantees and promotes the roles of women, to define fundamental measures for developing and protecting the legitimate rights and interests of women, and to define the responsibilities of the State, society, and family toward women. It includes various aspects, such as gender equality; eliminating all forms of discrimination against women; and preventing and combating trafficking in women and children, and domestic VAWC. It encompasses domestic and public violence, including in educational institutions, workplaces, and alternative care settings.



**The Law on Preventing and Combating VAWC (2014)** defines the principles, rules, and measures for preventing and combating VAWC by prevention, protection, provision of assistance to victims of violence, and handling of such violence to protect the rights and legitimate interests of women and children; aims to eliminate all forms of VAWC, uphold the roles and dignity of women and children, achieve gender equality. It specifically addresses VAWC that results in or is likely to result in danger, harm, or physical, psychological, sexual, property, or economic suffering by women and children.

**Ethnic Groups:** The guiding policy document to address ethnic group people's issues in the Lao PDR is the Constitution of the Lao PDR, revised in 2015. Its article 8, states that "The States implements policy on solidarity and equity between ethnic groups. All ethnic groups have the right to protect and promote traditions and culture of their own and the nation. All actions of discrimination are prohibited". The 1992 Part policy on ethnic groups focuses on realizing equality between ethnic groups and gradually improving the lives of ethnic groups while promoting their ethnic identity and cultural heritage. Lao PDR is a culturally diverse country, comprising of 50 ethnic groups, under 4 ethno-linguistic facilities, namely: the Lao-Tai (62.4 percent), Mon-Khmer (23.7 percent), Hmong-lu Mien (9.7 percent), and Chine-Tibetan (2.9 percent)<sup>7</sup>, which are officially divided into 50 ethnic groups<sup>8</sup>. In 2012, the Lao Front for National Development (LFND) released a National Guideline on Ethnic Group Consultation in line with the 2012 National Guideline on Public Involvement. It aims to ensure that all ethnic groups which benefit from a development project or are adversely affected by it, regardless of the source of funding, are fully involved in a meaningful consultation process at all stages from preparation to implementation. The guideline also aims to ensure that the potentially affected ethnic groups are fully informed of project objectives, as well as their potential positive and adverse impacts on their livelihood and their environment and provided with opportunities to articulate their concerns. The guidelines provide principles and processes to carry out meaningful consultations with, and obtain free, prior, and informed consent of, all ethnic groups affected by developments projects in a culturally sensitive manner. The guidelines consist of: a) objectives and scope of the guidelines, b) consultation processes with ethnic groups at respective stages of development projects, c) consultation approaches and methods for different ethnic groups in a cultural sensitive manner, d) expected outcomes of consultation at each stage, and e) implementation arrangement and responsibility. Key principles and procedures for consultation with ethnic groups in this guideline will be adopted into the ESF instruments of

<sup>7</sup> Lao Statistics Bureau. 2016. Results of Population and Housing Census 2015.

<sup>8</sup> Douangtavanh Kongphaly. 2018. List of all ethnicities in Laos on <http://web.archive.org/web/20190322092204/https://kongphaly.la/2015/10/26/list-of-all-ethnicities-in-laos/> (Accessed May 2020)





the project, including the ESMF and Ethnic Group Engagement Framework (EGEF). Box 2-2 summarizes legislation applicable to issues of ethnic groups.

#### Box A2-2 Legislation on ethnic groups, including engagement

- The Constitution of the Lao PDR People's Democratic Republic (1991, amended, No. 63/NA, 08/12/2015);
- The Ethnic Minority Policy (1992);
- The Law on Lao Front for National Development, No. 49, dated 20/8/2018;
- The Law on Media No. 01/NA, dated 4/11/2016;
- The Law on Land, No. 70/NA, dated 21/06/2019;
- The Law on National Heritage (Amended), No. 11/NA, 16 November 2021
- The Law on Forestry, No. 08/NA, dated 13/06/2019;
- The Law on Resettlement and Occupation, No. 086/NA, dated 15/06/2018;
- The Law on Compensation and Resettlement of People Affected by Development Projects, No. 84/GOL, dated 05/04/2016;
- The 8th National Socioeconomic Development Plan (NSED);
- The National Assembly of The Lao PDR –2009 and National Assembly Meeting No. VIII, 28/12/2018 for Ethnic Groups in Lao PDR.
- The National Guideline on Consultation with Ethnic Groups, 2013;
- The Guidelines for the Implementation of the State Decree on the Management and Protection of Religious Activities in the Lao PDR, no 16/MoI, 09/11/2016;
- The Public Involvement Guidelines in ESIA Process, No. 707/MONRE, dated 05/02/2013;
- Other applicable laws and regulations.

**Law on National Heritage (amended 2021):** The law addresses several environmental protection issues. The Law requires projects that projects that may impact heritage conduct a heritage impact assessment to be endorsed by the Ministry of Information, Culture and Tourism. The Law states that socio-economic development shall proceed side by side with protection and conservation of the national heritage. It defines cultural, historical and natural heritage, noting that natural heritage may have scenic or ecological value. The Law also sets out zoning and measures for protection of heritage sites. Areas of national natural heritage shall be registered, especially those containing heritage of high value, such as biodiversity areas, conservation forests, wetlands, caves, and so on. Although it states that sources of biodiversity which have national natural heritage, e.g., wetlands, ponds and





marshes, shall be administered by inspection and registration, as proposed by the concerned sectors. It also sets out regulations for protection of national heritage, such as the need to obtain prior approval for development in any national natural heritage area from the Ministry of Information and Culture (MIC) and other concerned sectors.

**The Lao Labour Law (2013)** defines the principles, regulations, and measures on administration and monitoring of labour skills development, recruitment, and labour protection. Article 5 requires that working conditions are safe. Article 59 stipulates prohibits unauthorized forced labour in any form. Article 119 requires employers to maintain a safe workplace and ensure good work conditions for the health of the employees. The employer shall supply information, training, and protection for employees so that they may undertake their work safely; and supply individual safety gear to employees according to international standards. Article 122 requires that the employer must inspect and assess risks to safety and health of the workplace regularly and report the results to the Labour Inspection Agency. Article 125 specifies how to deal with workplace accident or occupational disease that causes major injury or death. This law is detailed by the Decree on Occupational Health and Safety (2019) that requires employers to provide annual health check-ups for its employees, and re-enforces that work accidents and occupational diseases need to be recorded and reported to the Labour Management Authorities. An employer or the social security organization is responsible for covering the cost of treatment, allowances, and compensation to victims of work accidents or occupational diseases.

#### **Box A2-3 Laws and Decrees relevant to Labour and Labour Grievances a Codes**

- The Law on Labour Protection, No. 43/NA, dated 24/12/2013;
- The Law on Grievance Redress, No. 023/NA, dated 09/11/2016;
- The Law on Hygiene, Prevention and Health Promotion, No. 73/NA, dated 22/11/2019;
- The Law on Prevention of HIV Disease, dated 01/NA, dated 29/6/2010;
- The Law on Entry-Exit and Management of Foreigners, No. 59/NA, dated 26 December 2014;
- The Law on Lao Union, No. 3-/NA, dated 15/11/2017;
- The Law on Anti-Human Trafficking, No. 73/NA, dated 17 December 2015;
- The Law on the Protection of Children Rights and Benefits, No. 05/NA, dated 27/12/2006;
- The Law on Road Traffic, No. 021/NA, dated 08/11/2016;
- The Decision on Occupational Health and Safety at Construction Sites, No.



3006/MLSW, dated 21/08/2013; and

- The Decree on Occupational Health and Safety, No. 22/GoL, dated 05/02/2019

**National Policy and Plan on Gender:** The activities indicated in the 9<sup>th</sup> National Socioeconomic Development Plan for 2021-2025 (NSED) are focused on the three transformative results aiming to; end maternal mortality, end unmet need for family planning, including among adolescent girls and end Gender-Based Violence (GBV) and harmful practices such as early marriage; ensure youth receive age-appropriate comprehensive sexuality education through school curriculums nationwide and innovative adolescent youth friendly services; implement policies and Gender Equality Law; establish a referral pathway and make dignity kits available in humanitarian emergencies, increase investments for adolescents, especially young women through the “Noi Framework” of 2030. The 2030 Noi Framework provides a platform to address challenges Lao girls (10-19 years old) face in education, sexual and reproductive health, nutrition, employment and gender equality, as well as their opportunities to participate in decisions that matter to them.

**Law on Lao Women Union (No. 31/NA, 2013):** the government of Lao PDR promotes the development, protection and advancement of women and support their participation, decision-making and equitable benefit-sharing in all development activities according to the Article 4.

**GOL Policy and Procedure to combat COVID-19:** Since March 2020, considering the outbreak of COVID-19 pandemic in neighbouring countries such as China, Thailand, Vietnam, and others, the GOL took strict actions to prevent infection within Lao PDR. Three policy and guideline were issued on 13 March 2020 to control COVID-19 transmission and infection i.e. (a) guideline on prevention of the transmission and infection of COVID-19 at international airport, land border, and transportation stations; (b) guideline on prevention of the transmission and infection of COVID-19 at suspected to be infected area or temporary quarantine center; and (c) guideline on prevention of the transmission and infection of COVID-19 at public place (hotel, guesthouse, offices, schools, and others). On 29 March 2020, the Prime Minister issue an Order on Reinforcement Measures on Containment, prevention and full response to the COVID-19 pandemic (No. 06/PM, Vientiane Capital). This policy orders the restriction of people travelling and allows GOL officers to work from home during 1-19 April 2020.

Legislation on Gender-Based Violence (GBV), including domestic violence, Sexual Harassment (SH)/Sexual Exploitation and Abuse (SEA), human trafficking. Several laws apply to gender-based violence, including domestic violence, sexual harassment/exploitation and human trafficking. This is summarized below.

**Box A2-4 Laws and regulations on Gender-Based Violence (GBV)**



#### **Box A2-4 Laws and regulations on Gender-Based Violence (GBV)**

- The Law on Preventing and Combating Violence against Women and Children, Law No. 56/NA, 23/12/2014;
- The Law on Anti-Human Trafficking, No. 022/NA, dated 17 December 2015;
- The Law on the Development and Protection of Women, No.08/NA, dated 22/10/2004;
- The Law on Prevention of HIV Disease, dated 01/NA, dated 29/6/2010;
- The Family Law, No. 05/NA, dated 26/9/2008;
- The Law on the Protection of Children Rights and Benefits, No. 05/NA, dated 27/12/2006;
- Second National Plan of Action on Preventing and Elimination of Violence against Women and Violence against Children (2021-2025) and the Fourth National Plan of Action on Gender Equity (2021-2025)

#### **Ministerial Instruction on the Suspension of factories using plastic waste as raw material, No. 0930/MOIC, 31 July 2021**

Instruction has suspended all new proposed factories that use plastic waste material as material sources. Meanwhile, the factories that are in operation need to be checked and verified by the Department of Industry and Commerce department at the provincial or capital level. If factories and operation standards, including management of plastic waste and safety, are not acceptable, their operation certificate will be suspended.

#### **The Ministerial Decision on landfill management No. 521/MPWT, 23 February 2007**

This decision is the most detailed regulation on waste management in Laos. Article 5 states that an IEE/EIA should be conducted to ensure that all negative and positive impacts of landfills on both natural resources and communities nearby are identified, assessed and properly mitigated.

Articles 6 and 7 define Landfill siting criteria:

1. At least 7 km away from urban areas (for lowland) and 5 km from urban areas (for upland)
2. At least 3 km away from any airport
3. At least 300 m away from community
4. At least 1 km from historical or heritage sites



5. A potential landfill site shall be at least 300 m away from creeks, streams, lakes, reservoirs, wetlands, rivers, wells, irrigations unless otherwise installation of diversion and culverts,
6. Soil/material property at a potential landfill location shall have low permeability, and
7. The bottom/base of a potential landfill shall be at least 2 m above the groundwater table.

Article 10 defines the standards and criteria for landfill designs and development. The criteria include the installation of proper drainage systems and ponds/basins to receive leachate from landfills. However, these standards and criteria are for general/municipal waste treatment purposes. there are no specific landfill design standards for hazardous waste disposal.

Article 17 provides standards for landfill design and development. These include a requirement to provide landfill base with materials that can prevent seepage of leachate into groundwater systems. However, this requirement is for general/municipal waste disposal, there are no specific landfill design standards for hazardous waste disposal.

### **Institutional Responsibilities on Legislation**

From an institutional aspect, the Ministry of Natural Resources and Environment (MONRE) is the lead ministry responsible for implementation of the EPL and its regulations and/or guidelines. MONRE is also responsible for management of water, land, and environmental management. The Department of Environment (DOE) is now responsible for review of the Environment and Social Impact Assessment (ESIA) report and Environmental and Social Management and Monitoring Plan (ESMMP) including issuance of Environmental Compliance Certificate (ECC) while the Department of Pollution Control and Monitoring is responsible for compliance monitoring and inspection of implementation of the ESMMP.

According to the Decree on Environmental Impact Assessment (2019), MONRE is key agency on ESIA process in coordination with concerned ministries, government agencies, local authorities and project affected communities. Main duties and responsibilities of MONRE, line agencies and local authorities relevant to ESIA process include:

### **Main duties of MONRE in ESIA process**

- Reviewing and approving the scope of assessment and works for ESIA;
- Conducting field inspection and organizing consultation meetings during review of ESIA, ESMP and development plans;
- Engaging national or international specialist and/or establishing a panel of expert for the review of ESIA, ESMP and management plans for complex projects where necessary;
- Approving ESIA, ESMP and management plans;



- Issuing, suspending or withdrawing environmental compliance certificate;
- Monitoring the implementation of ESMP and management plans;
- Gathering grievance and complaints from project's affected people and related stakeholders with proposed resolutions;
- Conducting emergency and non-compliance issues in coordination with concerned ministries and local authorities; and
- Regularly summarizing and reporting the results of the management of ESMP and management plans to the GoL.

**Main duties of Provincial Office of Natural Resource and Environment (PONRE) in ESIA process:**

- Collaborating and facilitating project developers on the conduct of ESIA process;
- Conducting field inspection and organizing consultation meetings during the review of ESIA documents;
- Appointing a panel of expert at provincial level to review ESIA reports;
- Providing recommendation to MONRE to suspend or withdrawal ECC where necessary;
- Requesting provincial governor to establish ad hoc committee to monitor environmental issues of investment projects and activities in case of emergency and where necessary;
- Gathering comments, feedback and complaints/grievances from project's affected people, and proposed resolutions; and
- Regularly summarizing and reporting the implementation of ESMP, and management plans of projects and activities to MONRE.

**Main duties of District Office of Natural Resource and Environment (DONRE) in ESIA Process**

- Participating in ESIA process and monitoring the ESMP implementation if investment projects and activities;
- Providing comments on ESIA, ESMP and management plans;
- Gathering comments, requests or complaints from people affected by development projects and activities and related stakeholders, and proposed solutions for any dispute;
- Coordinating with other stakeholders in ESIA process; and



- Regularly summarizing and reporting the implementation of environmental management activities to PONRE and local authorities.

#### **Rights in duties of sectoral agencies and local authorities in ESIA Process**

- Coordinating with the natural resources and environment sectors and related agencies in preparation of plans, budgets for environmental monitoring and inspection of projects and activities;
- Overseeing the implementation of environmental and social management and mitigation measures of projects and activities; and
- Encouraging development projects to apply environmental-friendly approaches and technologies in construction and operations of projects.

Lao Women's Union (LWU) is the leading agency in promoting women empowerment and gender equality. LWU is a mass organization, initially formed in 1955 to mobilize women's participation in the Lao People's Revolution Party. LWU was officially established under the Constitution of Lao PDR in 1991 and given mandates to represent women of all ethnic groups, respond to women's development needs and promote the status and role of women nationwide. Since its establishment, LWU has extended its membership and networking. So far, LWU has more than one million members across government institutions at the village, district, province, ministry levels. LWU has implemented its functions by providing preventative measures to violence against women and children, protecting and supporting victims by offering healthcare, counselling, free legal support, temporary shelters, vocational training, and witnessing during the prosecution. At the village level, LWU takes part in the Village Mediation Unit, which typically consists of five to six community members, to solve village disputes, including cases associated with gender-based violence (GBV).

Advancing women and promoting gender equality are important development agendas in Lao PDR. In 2003, the Government established the Lao National Commission for the Advance of Women (NCAW). NCAW is an inter-agency that supports the government in formulating the national policies and strategies as well as mainstreaming gender in all sectors. Sub-CAW at provincial and districts also were established throughout the country to promote women equality. In addition, the NCAW worked collaboratively with LWU to implement and support the enforcement of laws and international treaties. In 2019 the Commission of Mother and Child was merged with NCAW, subsequently became the Lao National Commission for the Advancement of Women, Mother and Child (LNCAWMC).

MONRE has specific legislation in place to monitor investments in infrastructure and development projects that may have environmental and social impacts. MONRE, with support from development partners, has gained significant experience in the last fifteen years on the assessment and mitigation of project impacts and implementation of its EIA



legislation. Meanwhile MPWT has broad experience on other World Bank projects, and therefore has experience in implementing GoL’s environment legislation as well as aspects relating to compensation and resettlement. Nevertheless, MPWT recognizes the knowledge gaps, in particular regarding the WB’s ESF which is still fairly new in Lao PDR. However, the active involvement of the Environment Research and Disaster Prevention Division (EDPD) of the Public and Transport Institute (PTI) of MPWT, will be critical for ensuring guidance to MPWT to comply with the existing laws and legislations and the WB ESF.

Enforcement of each legislation can be the responsibilities of multiple institutions, not just one. Leading institutions responsible for each relevant legislation discussed above, however, are summarized in Box A2-5.

<b>Box A2-5: Enforcement responsibilities</b>	
<b>Institution</b>	<b>Enforcement responsibilities</b>
MONRE	<ul style="list-style-type: none"> <li>• Law on Environmental Protection (2012)</li> <li>• Law on Water and Water Resources (2017)</li> <li>• National Environmental Standard (2017)</li> <li>• Land Law (2019)</li> <li>• Ministerial Instruction on Public Involvement in Project Environmental Impact Assessment Process (2013).</li> <li>• Law on Grievance Redress (2014)</li> <li>• Decree on Compensation and Resettlement of People Affected by Development Projects (2016).</li> <li>• Decree on Environmental Impact Assessment (2016).</li> <li>• The public involvement guidelines in ESIA Process (2013).</li> </ul>
LFND	<ul style="list-style-type: none"> <li>• Ethnic Minority Policy (1992)</li> <li>• National Guideline on Consultation with Ethnic Groups (2013).</li> <li>• Law on Lao Front for National Development (2018)</li> </ul>
Ministry of Labour and Social Welfare	<ul style="list-style-type: none"> <li>• Labour Law (2013)</li> </ul>
Ministry of Public Health	<ul style="list-style-type: none"> <li>• Law on Hygiene, Prevention and Health Promotion (2019)</li> <li>• The Law on Prevention of HIV Disease (2010)</li> </ul>
Ministry of Justice	<ul style="list-style-type: none"> <li>• Law on the Protection of Children Rights and Benefits (2006)</li> </ul>



**Box A2-5: Enforcement responsibilities**

<b>Institution</b>	<b>Enforcement responsibilities</b>
Lao Womens Union and the Lao National Commission for the Advancement of Women, Mother and Child (LNCAWMC)	<ul style="list-style-type: none"><li>• National Policy and Plan on Gender</li><li>• Law on Lao Women Union (No. 31/NA, 2013)</li><li>• The Law on Preventing and Combating VAWC (2014)</li><li>• The Law on the Development and Protection of Women and Children (2004)</li></ul>





## ANNEX 3A: SITE SELECTION CRITERIA FOR C3

Given that the Naxaythong site has not been confirmed yet, this annex will be applied for Naxaythong and any sites for construction materials (if any).

Criteria	Specific	Comments
Location	<ul style="list-style-type: none"> <li>- Centrally located in the Naxaythong waste collection service area</li> <li>- Does not flood in rainy season</li> <li>- Easy access to utilities</li> </ul>	Long haulage distances will increase operating costs (fuel, maintenance, travel time)
Land Ownership	<ul style="list-style-type: none"> <li>- Government owned</li> </ul>	In case of land acquisition compensation would need to be paid and ESS5 will apply.
Access to the site	<ul style="list-style-type: none"> <li>- Road width sufficient for 2 waste trucks passing (travelling in opposite directions)</li> <li>- Bridges with capacity at least 20T</li> <li>- Avoiding villages, schools, markets, especially if road is not sealed.</li> </ul>	
Proximity to sensitive social and environmental receptors	<ul style="list-style-type: none"> <li>- Not a site of significant value for biodiversity (wetland, primary forest, protected forest/parks, et.)</li> <li>- Not a site of significant value for cultural, archaeological/heritage, tourism, aesthetic, etc.</li> <li>- Not a prime agriculture land.</li> <li>- Preference for sites with prior human activity (modified habitat)</li> <li>- More than 300m from nearest residential development, or commercial/industrial sites.</li> <li>- Private or public drinking, irrigation or livestock water supply sources</li> </ul>	<ul style="list-style-type: none"> <li>- Consider a site already disturbed by construction of expressway or railway or other development.</li> <li>- 300m is defined in Lao legislation</li> <li>- The site will need to be assessed for possible social and environmental</li> </ul>



	<p>located downgradient should be further than 500 m away.</p> <ul style="list-style-type: none"><li>- Perennial stream should not be located within 300 m downgradient of the proposed site</li></ul>	impacts
Land area	<ul style="list-style-type: none"><li>- At least 3 hectares</li></ul>	The site should be large enough to accommodate all required functions (including onsite roads and car parking, buffer space from surrounding land use, contaminated leachate and drainage treatment), and possibly future expansion.



## ANNEX 3B: INELIGIBLE ACTIVITIES FOR C1 AND 2

To avoid significant adverse impacts on the social and environment, the following activities are explicitly excluded from project financing:

1. [Activities that could generate Substantial to High risks will not be supported under these components](#)
2. No Land acquisition and resettlements;
3. No works that would require any households to move structures (include, houses, small shops, rice bins etc.)
4. No works located in or near a cultural/heritage area such as spirit forest and temple
5. No works located near or in a protected area (or a buffer zone of a protected area)?
6. No UXO risks
7. Procurement of hazardous substances in large quantities;
8. Activities that may have adverse impacts on indigenous people or ethnic groups; and
9. Production and/or trading in weapons and munitions;
10. Using asbestos as construction material;
11. Using raw material and/or hazardous & toxic (wastes in large quantities. The project cannot finance activities which uses, produces, stores or transports raw material and hazardous & toxic waste such as toxic substance, material which may cause fire or explosion;
12. Employment of child labor and forced labor and against national labor law and local labor regulation. The Project cannot finance activities involving any forms of child labor. A child for this project refers to anyone below the age of 18 years old. Related to forced labor, the project cannot finance activities involving any forms of forced labor, and also trafficked persons, includes the practice of the bonded /indentured labor, excessive limitations of freedom of movement, excessive notice periods, physical punishment, use of security or other personnel to force or extract work from project workers, or other restrictions that compel a project worker to work in a non-voluntary basis. The Project also cannot finance activities involving work without formal contractual agreements that comply with GoL regulations, including with donors, intermediary and / or channelling agencies, and beneficiaries;
13. Production and/or trading in any product or activity deemed illegal under Lao PDR laws or regulations or international conventions and agreements, or subject to international bans, such as pharmaceuticals, pesticides/herbicides, ozone depleting substances, PCB's, wildlife or products regulated under CITES; and
14. Involving activities that relates to infrastructure development located in international water area, disputed area, and/or on land that cannot prove clean and clear status.



## ANNEX 4: ENVIRONMENT & SOCIAL SCREENING AND SCOPING FOR C1 AND 2

This Annex provides guidance on the E&S screening for eligibility and identification of the ESS relevancy and the ESF instrument (ESOP or ESMP) to be prepared during the planning for the project activities/subprojects to be implemented under Components 1, 2, and 4. Results from the screening will be used to determine the ESS relevance, the level of risk (high, substantial, moderate or low according to the World Bank criteria/standards), and the E&S instrument(s) needs to be prepared. E&S risks from Component 1 and 2 activities are expected to be at low to moderate level. Activities that could generate Substantial to High risks will not be supported under these components. These results will be discussed and agree with WB. It is noted that for some activity/subproject, WB prior clearance of the ESF instruments may be required before the activity/subproject can be implemented on the ground.

For Components 1, 2, and 4, EPFO in close consultation with the subproject implementing agency (SIA) and key agencies will complete the screening and the results will be kept in the ESMP and/or appropriate ESF instruments and/or project/subproject files as appropriate.

If agree with WB, this form can also be used as the basis for the preparation of specific measures to manage Component 5 which can be discussed during the implementation of the project.

For Component 1, 2, and 4, this form will be used by EPFO in close consultation with the activities/subprojects owners.

Table 4B-1: Screening and Scoping for Project Activities and Subprojects for Components 1,2 and 4

Sub-project:	Province/ District/ Village
Date:	

*For Sub-project/Activity that pass Ineligible Criteria or Negative list described in Annex 3B, use the following to guide identification of required E&S document to be applied/ prepared during sub-project or activity planning.*



Question	Answer (Yes/No /TBD)	Comments (if needed)	Action Required	World Bank ESS (ex.)	Level of Risk <sup>9</sup>	E&S Document that might be Required Depends on the overall risks
Will the works require the removal of trees (fruit or other trees)?				ESS1		Low risk: ESCOP Moderat risk: ESMP
Are there ethnic people living in the area?			<b>If yes,</b> need to complete EP Screening Form (see EGEF) and follow guidelines in the EGEF	ESS7		Moderat risk: EGEF
Will the works be located near a river, stream or waterway?				ESS1 and ESS3		Low risk: ESCOP Moderat risk: ESMP
Will the works result in increases in, or changes to the type of, traffic using the road?				ESS1 and ESS4		Low risk: ESCOP Moderat risk: ESMP
Will the works increase noise levels in the community (due to vehicles, works, etc.)?				ESS1		Low risk: ESCOP Moderat risk: ESMP

<sup>9</sup> High, Substantial, Moderate or Low



Question	Answer (Yes/No /TBD)	Comments (if needed)	Action Required	World Bank ESS (ex.)	Level of Risk <sup>9</sup>	E&S Document that might be Required Depends on the overall risks
Would works required setting up a worker's camp? Otherwise, where are workers expected to live?				ESS2, ESS4, ESS5		Low risk: ESCOP Moderat risk: ESMP
Is an influx of workers (national and foreign), from outside the community, expected?				ESS2 and ESS4		Low risk: ESCOP, Moderate risk: LMP
Would workers be Laotian?				ESS 2 and ESS4		LMP
Would they create pressures on existing community services (water, electricity, health, recreation, others?)				ESS2 and ESS4		Low risk: ESCOP Moderat risk: ESMP
Is there a risk that HIV/AIDS and/or other sexually transmitted diseases may increase as a result of project works?				ESS4		Low risk: ESCOP Moderat risk: Community Health and Safety Plan
Is there a risk of COVID-19 spread as a result of project works?				ESS4		Low risk: ESCOP Moderat risk: Community Health and Safety Plan



Question	Answer (Yes/No /TBD)	Comments (if needed)	Action Required	World Bank ESS (ex.)	Level of Risk <sup>9</sup>	E&S Document that might be Required Depends on the overall risks
Is there a risk that SEA/SH and/or VAC may increase as a result of project works?				ESS4		Low risk: ESCOP Moderat risk: SEA/SH Action Plan
Is there a risk that traffic accidents and/or death may increase as a result of the project?				ESS4		Low risk: ESCOP Moderat risk:ESMP
Is there a risk that women and other vulnerable groups may not benefit and/or be more adversely impacted by the project?				ESS4,ESS5 and ESS7		Low risk: ESCOP Moderat risk: EGEP if applicable, Gender Action Plan
Is there a risk that women may be underpaid when compared to men when working on the project construction?				ESS2		Low risk: ESCOP Moderat risk: LMP, Gender Action Plan
Is there a possibility of employment in project works for the local community?				ESS2		Low risk: ESCOP Moderat risk: LMP
Of local employment jobs, how many would be expected for women?				ESS2		Low risk: ESCOP Moderat risk: LMP, Gender Action Plan



Question	Answer (Yes/No /TBD)	Comments (if needed)	Action Required	World Bank ESS (ex.)	Level of Risk <sup>9</sup>	E&S Document that might be Required Depends on the overall risks
Will skilled workers be available in local areas and/or other areas in Laos?				ESS2		Low risk: ESCOP Moderat risk: LMP
Other information that may be relevant about the subproject activity:						
Overall Risk Rating						
<p><i>For Low risk activities adopt or update ESCOP in Annex 6. The ESCOP need to contain measures to manage the identified risks.</i></p> <p><i>For Moderate risk: Prepare sub-project specific ESMP and their required plans as identified in the screening questions</i></p>						





## **ANNEX 5A: GUIDELINE FOR PREPARATION OF SITE-SPECIFIC ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT AND ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN FOR C3**

### **A5.C. ESIA Report Content**

This Annex will be implemented by the MPWT PMU with support from ESIA firm and PEDPD/PTI. MPWT PMU will prepare a full ESIA and ESMP reports for three sites including KM32, KM16 and Naxathong Site in compliance with the ESMF, Pre-ESIA and SIA-SMPs. The indicative Outline of ESIA includes:

#### **(a) Executive summary**

- Concisely discusses significant findings and recommended actions.

#### **(b) Legal and institutional framework.**

- Analyses the legal and institutional framework for the project, within which the environmental and social assessment is carried out, including the issues set out in ESS1, paragraph 26.46.
- Compares the GoL's existing environmental and social framework and the ESSs and identifies the gaps between them.
- Identifies and assesses the environmental and social requirements of the WB.

#### **(c) Project description**

- Concisely describes the proposed project and its geographic, environmental, social, and temporal context, including any offsite investments that may be required (e.g., dedicated pipelines, access roads, power supply, water supply, housing, and raw material and product storage facilities), as well as the project's primary suppliers.
- Through consideration of the details of the project, indicates the need for any plan to meet the requirements of ESS1 through 10.
- Includes a map of sufficient detail, showing the project site and the area that may be affected by the project's direct, indirect, and cumulative impacts.

#### **(d) Baseline data**

- Sets out in detail the baseline data that is relevant to decisions about project location, design, operation, or mitigation measures. This should include a discussion of the accuracy, reliability, and sources of the data, as well as information about dates surrounding project identification, planning, and implementation.
- Identifies and estimates the extent and quality of available data, key data gaps, and uncertainties associated with predictions.



- Based on current information, assesses the scope of the area to be studied and describes relevant physical, biological, and socioeconomic conditions, including any changes anticipated before the project commences.
- Takes into account current and proposed development activities within the project area but not directly connected to the project.

**(e) Environmental and social risks and impacts**

- Takes into account all relevant environmental and social risks and impacts of the project. This will include the environmental and social risks and impacts specifically identified in ESSs2–8, and any other environmental and social risks and impacts arising as a consequence of the specific nature and context of the project, including the risks and impacts identified in ESS1, paragraph 28.

**(f) Mitigation measures**

- Identifies mitigation measures and significant residual negative impacts that cannot be mitigated and, to the extent possible, assess the acceptability of those residual negative impacts.
- Identifies differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable.
- Assesses the feasibility of mitigating the environmental and social impacts; the capital and recurrent costs of proposed mitigation measures, and their suitability under local conditions; the institutional, training, and monitoring requirements for the proposed mitigation measures.
- Specifies issues that do not require further attention, providing the basis for this determination.

**(g) Analysis of alternatives**

- Systematically compares feasible alternatives to the proposed project site, technology, design, and operation—including the "without project" situation—in terms of their potential environmental and social impacts;
- Assesses the alternatives' feasibility of mitigating the environmental and social impacts; the capital and recurrent costs of alternative mitigation measures, and their suitability under local conditions; the institutional, training, and monitoring requirements for the alternative mitigation measures.
- For each of the alternatives, quantifies the environmental and social impacts to the extent possible, and attaches economic values where feasible.

**(h) Design measures**

- Sets out the basis for selecting the particular project design proposed and specifies the applicable ESHGs, or if the ESHGs are determined to be inapplicable, justifies recommended emission levels and approaches to pollution prevention and abatement that are consistent with GIIP.



**(i) Key measures and actions for the Environmental and Social Commitment Plan (ESCP)**

- Summarizes key measures and actions and the time frame required for the project to meet the requirements of the ESSs. This will be used in developing the Environmental and Social Commitment Plan (ESCP).

**(j) Appendices**

- List of the individuals or organizations that prepared or contributed to the environmental and social assessment.
- References—set out the written materials, both published and unpublished, that have been used.
- Record of meetings, consultations, and surveys with stakeholders, including those with affected people and other interested parties. The record specifies the means of such stakeholder engagement that were used to obtain the views of affected people and other interested parties.
- Tables presenting the relevant data referred to or summarized in the main text.
- List of associated reports or plans.

**A5.C. ESMP Report Content**

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

**(a) Brief Project description**

**(b) Overview of the Project location, including socioeconomic and environmental baseline information**

**(c) Legislative Framework (Lao laws and regulations, WB ESF and Gap Analysis)**

**(d) Mitigation**

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

- Identifies and summarizes all anticipated adverse environmental and social impacts (including those involving indigenous people or involuntary resettlement);



- Describes—with technical details—each mitigation measure, including the type of impact to which it relates and the conditions under which it is required (e.g., continuously or in the event of contingencies), together with designs, equipment descriptions, and operating procedures, as appropriate;
- Estimates any potential environmental and social impacts of these measures; and
- Takes into account, and is consistent with, other mitigation plans required for the project (e.g., for involuntary resettlement, Indigenous Peoples, or cultural heritage).

**(e) Monitoring**

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

- A specific description, and technical details, of monitoring measures, including the parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and definition of thresholds that will signal the need for corrective actions; and
- Monitoring and reporting procedures to (i) ensure early detection of conditions that necessitate particular mitigation measures, and (ii) furnish information on the progress and results of mitigation.

**(f) Capacity development and training**

- To support timely and effective implementation of environmental and social project components and mitigation measures, the ESMP draws on the environmental and social assessment of the existence, role, and capability of responsible parties on site or at the agency and ministry level.
- Specifically, the ESMP provides a specific description of institutional arrangements, identifying which party is responsible for carrying out the mitigation and monitoring measures (e.g., for operation, supervision, enforcement, monitoring of implementation, remedial action, financing, reporting, and staff training).
- To strengthen environmental and social management capability in the agencies responsible for implementation, the ESMP recommends the establishment or expansion of the parties responsible, the training of staff, and any additional measures that may be necessary to support implementation of mitigation measures and any other recommendations of the environmental and social assessment.

**(g) Implementation schedule and cost estimates**



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

**Sample Table for ESMP**

potential negative Impact	Environmental and Social mitigation Measures	location	Estimated mitigation costs	Executing Agency	Supervising / MONITORING Agency
DETAILED DESIGN/ PRE-CONSTRUCTION MOBILISATION STAGE					
CONSTRUCTION STAGE					
CLOSURE PHASE					
OPERATION AND MAINTENANCE STAGE					



## **ANNEX 5B: GUIDELINE FOR PREPARATION OF SITE-SPECIFIC ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN (ESMP) FOR C1,2**

This Annex will be implemented by SMEs and Matching Grant Receivers and submitted to the EPF PMU for review and approval. An ESMP consists of a set of mitigation, monitoring, and institutional measures to be taken during implementation and operation of a project to eliminate adverse environmental and social risks and impacts. The ESMP also includes the measures and actions needed to implement these measures.

The ESMP will consist of:

- a) Brief Project description
- b) Overview of the Project location, including socioeconomic and environmental baseline information
- c) Identifying all anticipated adverse environmental and social impacts, including those involving indigenous people or involuntary resettlement (and making relevant links to EGEPs), and any relevant direct, indirect or cumulative impact;
- d) Describing in detail each mitigation measure, including the type of impact to which it relates to, including Labour Management Procedures, Occupational Health and Safety Procedures, Community Health and Safety Plan, Child Labour Prevention Plan, Labour Influx Plan, Biodiversity Management Plan, SEA/SH Plan and other plans that may be necessary (cultural heritage, biodiversity management, etc.)
- e) Monitoring objectives and the type of monitoring, with linkages to the impacts assessed, including a description of monitoring measures, including the parameters to be measured, methods to be used, sampling locations, frequency of measurements and monitoring and reporting procedures;
- f) Stakeholder Engagement, aligned with the project's SEP, and summary of consultations conducted on the ESMP;
- g) Description of the Grievance Redress Mechanism, including a specific Labour-GRM for workers and SEA/SH sensitive channels
- h) Description of institutional arrangements, identifying which party is responsible for carrying out the mitigation and monitoring measures (i.e. for operation, supervision, enforcement, monitoring, staff training, etc.), capacity assessment of the SMEs and Matching Grant Receivers and a training plan for the SMEs and Matching Grant Receivers;



- i) Implementation Schedule and Cost Estimates, showing coordination with overall project implementation plans, costs and sources of funds.

**Sample Table for ESMP**

Activities	Potential negative Impact	Environmental and Social mitigation Measures	Location	Estimated mitigation costs	Executing Agency	Supervising / MONITORING Agency
Planning Stage						
Construction Stage						
Implementation Stage						
Post project implementation stage						



## **ANNEX 6 ENVIRONMENTAL AND SOCIAL CODES OF PRACTICE (ESCOP) – FOR MATCHING GRANTS AND SMALL CIVIL WORKS UNDER C1 AND 2**

This Annex presents a generic Environment and Social Code of Practices (ESCOP) comprising an Environment Code of Practice (ECOP) (Part A6.1) and the Social Code of Conduct (SCOC) (Part A6.2). The ESCOP to be included in Laos Environmental Matching Grant Program (LEMGP) and civil works contract for small size construction and/or rehabilitation of works related to offices and/or facilities to be implemented under the under C1 and 2. The ECOP describes a general and key specific requirement for environmental management and monitoring for MGAs and physical construction and renovation civil works while scope of SCOC describing obligations of contractor and workers to prevent social impacts during MGA implementation and work contract.

Both the ECOP and SCOC will be included in the MGAs and bidding and contract documents (BD/CD) before procurement for contractors and/or before works contract can be signed as agreed with World Bank (WB). The implementation cost for ECOP and SCOC will be part of the MGAs and works contract cost. For small civil works, Sub-component Implementing Agencies (SIA) of MONRE will assign field engineer (civil work contracts) to supervise and monitor contractor's compliance with the ECOP and SCOC on a day-to-day basis and results will be included in the progress report. EPF PMU will conduct periodic monitoring of MGAs and contractor performance, as needed. EPF PMU together with SIAs of MONRE and SIA of MPI will ensure that MGAs are in compliance with this ESCOP during grant implementation and during construction, rehabilitation and/or renovation of civil works.

This generic ECOP and SCOC can be modified to suit specific issues/conditions observed/agreed during the preparation of the MGA and detailed works design and bidding and contract document.

The ECOP and SCOC aims to mitigate the possible negative impacts induced by project financed activities. Provision in the ECOP is to address relevant negative impact induced from construction/renovation works such as air pollution, noise, vibration, waste, safety risks, local traffic, etc. which could be mitigated through good housekeeping and construction practices while the SCOC aims to ensure that the contractor pay full attention to the behavior of its staff and workers related to environment, social, health, and safety (ESHS), especially, the occupational health and safety (OHS) as well as other social issues such as gender-based violence (GBV), violence against children (VAC) and other social aspects. If needed, results from consultation with local authorities and/or local communities should be incorporated into these documents

### **A6.1 Scope of ECOP**





The Environmental Codes of Practice (ECOP) is developed and will be applicable to some of MGA and contractors for the renovation of office buildings and associated infrastructure, representing the complexity and limited size of the planned construction civil activity within the scheme and the defined venue. The ECOP is developed in consultation with interested stakeholders during this project preparation.

**A6.1.1 Potential Risks & Proposed Mitigation Measures**

**Table A6-1 Potential Risks & Proposed Mitigation Measures for Small Civil Works & some Matching Grants**

Risk/Issues	Mitigation Measures
1. Dust generation/Air pollution	<p>The Contractor implement dust control measures to ensure that dust generation is reduced and is not perceived by EPF PMU and SIAs as an annoyance, ensuring a healthy working environment, such as:</p> <ul style="list-style-type: none"> <li>• All truckloads of loose materials are covered during transportation to the construction / renovation sites;</li> <li>• Using mask when staying in the field and working; and</li> <li>• Water spraying (if appropriate to prevent causing dust).</li> </ul>
2. Noise and vibration	<ul style="list-style-type: none"> <li>• Reduce the speed of vehicle movements for the equipment transformation, earthwork, and foundation work.</li> <li>• Ensure that operations are designed to be undertaken with any directional noise emissions pointing away from noise-sensitive receptors.</li> <li>• Vehicles and the mechanical plant will be maintained in a good and effective working order and operated to minimize noise emissions. The contractor will ensure that all plant complies with the relevant statutory requirements;</li> <li>• Construction activities are only scheduled in the day-time (8 am to 5 pm), and hours of operation should be strictly enforced, and any deviations other than those previously identified will be with the consent of the local authority;</li> <li>• When staying and/or working with loud machines, using earplug;</li> <li>• Use of low noise equipment/gears or replacing a noisy item of equipment/gears is not viable or practicable options, consideration should be given to noise control “at source”.</li> <li>• Minimize obstructions between the vibration source and the sensitive receiver, e.g., old foundations, etc., which exacerbate the transmission of vibration; and</li> <li>• Local hoarding, screens or barriers should be erected to shield particularly noisy and high vibration activities.</li> </ul>
3. Solid waste	<ul style="list-style-type: none"> <li>• The Contractor shall provide litter bins, containers, and recycling systems for waste at all places of work;</li> <li>• There shall be no burning, burial, or disposal of hazardous waste on site; and</li> </ul>



	<ul style="list-style-type: none"><li>• Recyclable products such as wooden form work for trench works, concrete, scaffolding products, site keeping, packing materials, etc. shall be gathered on site and isolated for reuse, loading or disposal to approved local landfills.</li></ul>
4. Chemical or hazardous wastes	<ul style="list-style-type: none"><li>• Provide hard compacted, impervious, and bounded flooring to hazardous material storage areas.</li><li>• Label each container indicating what is stored within;</li><li>• Oil waste and other hazardous waste (including contaminated soil and oil spills) must be kept closed and separated from other wastes. This type of waste must be transported by licensed transporters to a licensed disposal facility;</li><li>• Train staff in safe handling techniques; and</li><li>• Hazardous waste shall be disposed of or stored at approved landfill or designated place.</li></ul>
5. Asbestos/asbestos containing material for renovation works	<ul style="list-style-type: none"><li>• If asbestos is located on the project site, mark it clearly as a hazardous material;</li><li>• When possible, the asbestos will be appropriately contained and sealed to minimize exposure;</li><li>• The asbestos prior to removal (if removal is necessary) will be treated with a wetting agent to minimize asbestos dust;</li><li>• Asbestos will be handled and disposed of by skilled &amp; experienced professionals;</li><li>• If asbestos material is to be stored temporarily, the wastes should be securely enclosed inside closed containments and marked appropriately; and</li><li>• The removed asbestos will not be reused.</li></ul>
6. E-wastes	<ul style="list-style-type: none"><li>• Avoid purchasing refurbished or used electronic devices with a reduced shelf period, which is a common issue that results in E-waste production due to obsolescence.</li><li>• Project staff and workers who will use the electronic device should be aware of how to properly dispose of them until they become obsolete, expired and/or end of life.</li><li>• All the e-waste must be separate in the specific bin for the other proposed, such as storing to be used recycling process and to proper disposal process later stage; and</li><li>• Ensure that all broken and/or expired electronic devices and equipment shall be disposed of or stored at an approved landfill or designated place.</li></ul>
7. Interruption of utility services	<ul style="list-style-type: none"><li>• Provide government staff with details on work schedules and the planned water/power disturbances at least 2 days in advance.</li><li>• Any damages to existing cable utility systems shall be reported to authorities and repaired as soon as possible.</li></ul>
8. Worker and public	<ul style="list-style-type: none"><li>• Training workers on occupational safety regulations and providing</li></ul>



<p>Safety</p>	<p>workers with enough protective clothing in accordance with applicable national legislation.</p> <ul style="list-style-type: none"> <li>• Ensure workers do use appropriate Personal Protective Equipment when they are working; and</li> <li>• Install fences, barriers, danger warning / prohibition signs across the building area indicating possible threat to government staff.</li> </ul>
<p>9. Communication between contractors/MGA and EPF PMU (including SIAs and local communities)</p>	<ul style="list-style-type: none"> <li>• Disseminate project details prior to the start of construction;</li> <li>• Contact information which stakeholders may access and obtain updates on site activities, project progress and outcomes of implementation of the project;</li> <li>• Respect local culture and customs;</li> <li>• Timetable for construction and work, service interruption, if appropriate; and</li> <li>• Notification boards shall be established at the construction site containing project information, as well as contact details on the site manager, environmental staff, health and safety staff, telephone numbers and other contact information so that any concerned government staff and the affected public may have the opportunity to express their complaints and suggestions.</li> </ul>

**A6.1.2 Implementation of “Chance Find” Procedures**

If the Contractor discovers archeological sites, historical sites, remains and objects, including graveyards and/or individual graves during excavation or construction, the Contractor will carry out the following steps:

- Stop the construction activities in the area of the chance find;
- Delineate the discovered site or area;
- Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be arranged until the responsible local authorities or the National Culture Administration take over;
- Notify the project engineer, supervisor, and/or the project owner (EPF PMU/DPC and/or PHO) who in turn will notify the responsible local authorities and the provincial Culture Department immediately (within 24 hours or less);
- Responsible local authorities and the provincial Culture Department would be in charge of protecting and preserving the site before deciding on subsequent appropriate procedures. This would require a preliminary evaluation of the findings to be performed by the archeologists of National Culture Administration. The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage; those include the aesthetic, historic, scientific or research, social and economic values;
- Decisions on how to handle the finding shall be taken by the responsible authorities and the provincial Culture Department. This could include changes in the layout (such as when



finding an irremovable remain of cultural or archeological importance) conservation, preservation, restoration and salvage;

- Implementation for the authority decision concerning the management of the finding shall be communicated in writing by relevant local authorities; and
- Construction work could resume only after permission is given from the responsible local authorities or the provincial Culture Department concerning safeguard of the heritage.

### **A6.1.3 Guideline to prevent risk due to COVID-19 outbreak**

To protect COVID-19 impacts on workforce, the measures provided in Box A6.1 will be applied as appropriate taking into account the Government procedures and regulations and/or agreements with local authority and/or the WB.

#### **Box A6.1. Guideline to prevent risk due to COVID-19 outbreak**

- Develop a contingency plan for work force in line with the guideline provided under the WBG's response to COVID19 on development of contingency plan for workforce [including an arrangement for accommodation, care and treatment for: (a) Workers self-isolating; (b) Workers displaying symptoms; and (c) Getting adequate supplies of water, food and supplies.
- The guidelines also require that (i) the Contingency plans will consider arrangements for the storage and disposal arrangements for medical waste, which may increase in volume and which can remain infectious for several days (depending upon the material); (ii) Ensure medical facilities are stocked with adequate supplies of medical PPE, as a minimum: (a) Gowns, aprons; (b) Medical masks and some respirators (N95 or FFP2); (c) Gloves (medical, and heavy duty for cleaners); and (d) Eye protection (goggles or face screens); (iii) Medical staff at the facilities will be trained and be kept up to date on WHO advice and recommendations on the specifics of COVID-19; and (iv) The medical staff/management will run awareness campaigns and posters on site advising workers: (a) how to avoid disease spread (cough/sneeze in crook of elbow; keep 1m or more away, sneeze/cough in tissue and immediately through tissue away, avoid spitting, observe good hygiene); (b) the need to regularly wash hands with soap and water – many times per day; (c) to self-isolate if they think they may have come in contact with the virus; and (d) to self-isolate if they start to display any symptoms, but alert and seek medical advice; (v) Wash stations e provided regularly throughout site, with a supply of clean water, liquid soap and paper towels (for hand drying), with a waste bin (for used paper towels) that is regularly emptied; and (vi) Wash stations should be provided wherever there is a toilet, canteen/food and drinking water, or sleeping accommodation, at waste stations, at stores and at communal facilities. Where wash stations cannot be provided (for example at remote locations), alcohol-based hand rub should be provided.
- Enhanced cleaning arrangements should be put in place, to include regular and deep cleaning using disinfectant of catering facilities/canteens/food/drink facilities, latrines/ toilets/showers, communal areas, including door handles, floors and all surfaces that are touched regularly (ensure cleaning staff have adequate PPE when cleaning consultation rooms and facilities used to treat infected patients)
- Worker accommodation that meets or exceeds [IFC/EBRD worker accommodation](#) requirements (e.g. in terms of floor type, proximity/no of workers, no 'hot bedding', drinking water, washing, bathroom facilities etc.) will be in good state for keeping clean and



hygienic, and for cleaning to minimize spread of infection.

- To minimize pressure on PPE resources: WHO advice on the effectiveness and use of PPE by general public should be followed to ensure that the supplies are not exhausted through ineffective use – this is equally important on construction sites.
- Other measures (such as working water sprinkling systems at crushers and stock piles, covered wagons, water suppression or surfacing of haul roads etc.) should be used for dust suppression on site before relying upon the use of dust masks (which could unnecessarily reduce the availability of N95/FFP2 masks for use by medical staff performing some duties)

## **A6.2 Scope of SCOC**

In Lao PDR, although Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), and Violence Against Children (VAC) are not commonly discussed, there are several key issues associated with SEA/SH and VAC. These issues include, but not limited to the following: (i) both urban and rural communities, more so among women and ethnic group communities, accept and justify certain forms of violence; (ii) quite a high prevalence of physical, emotional and sexual violence was reported and recorded in recent surveys; (iii) despite Lao PDR having substantial legal frameworks to safeguard the rights and interests of women and children, services and help systems are limited; and (iv) the issue is only vaguely understood at all administrative levels and at the individual level.

### **A6.2.1 Code of Conduct (CoC) to prevent and manage SEA/SH and VAC**

The Project has incorporated SEA/SH and VAC, youth, child protection in its reporting system and grievance redress mechanisms. The project is a promote zero tolerance of child abuse and it is mandatory reporting of confirmed or suspected child abuse.

SEA/SH and VAC, youth and child protection trainings will be provided for project staff, the survey/outreach team and ICT centres with the objective of raising awareness of existing and potential SEA/SH and VAC risks.

The Code of Conduct (CoC) to eliminate Gender Based Violence and Sexual Exploitation and Child Abuse and Exploitation (CAE) is presented in Box A6-1. This CoC must be signed by all contractor and MAG’s staffs.

#### **BOX 1: CODE OF CONDUCT (CoC) TO PREVENT AND MANAGE SEA/SH AND VIOLENCE AGAINST CHILDREN (VAC).**

I, \_\_\_\_\_, acknowledge that preventing gender-based violence (SEA/SH) and violence against children (VAC) is important. The company considers that SEA/SH or VAC activities constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. All forms of SEA/SH or VAC are unacceptable be it on the work site, the work site surroundings, or at worker’s camps. Prosecution of those who commit SEA/SH or VAC may be pursued if appropriate.

I agree that while working on the project I will:

- Treat women, children (persons under the age of 18), and men with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic or social origin,



property, disability, birth or other status.

- Not use language or behaviour towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not participate in sexual activity with children—including grooming or through digital media. Mistaken belief regarding the age of a child and consent from the child is not a defence.
- Not engage in sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- Not have sexual interactions with members of the communities surrounding the workplaces that are not agreed to with full consent by all parties involved in the sexual act. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
- Report through the GRM or to my manager suspected or actual GBV and/or CAE by a fellow worker, whether in my company or not, or any breaches of this code of conduct.
- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not invite unaccompanied children into my home, unless they are at immediate risk of injury or in physical danger.
- Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor’s permission, and ensure that another adult is present if possible.
- Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium
- Refrain from physical punishment or discipline of children.
- Refrain from hiring children for domestic or other labour, which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
- Comply with all relevant local legislation, including labour laws in relation to child labor.
- When photographing or filming a child for work related purposes, I must:
  - Before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images.
  - Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.



- Ensure images are honest representations of the context and the facts.
- Ensure file labels do not reveal identifying information about a child when sending images electronically.

*I understand that it is my responsibility to avoid actions or behaviors that could be regarded as SEA/SH or VAC or breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to SEA/SH and VAC. I understand that any action inconsistent with this Individual Code of Conduct or failure to take action mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.*

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**A6.2.2 Do and Don't Guideline for GBV/SEA/SH/VC**

The following are basic things to do and not do in response to a reported incident of GBV/SEA/SH/VC by someone associated with the Project. This document is intended to give interim guidance to contractors and owner of MGA while handling and referring the case. It does not replace comprehensive guidance or specialist expertise.

Receiving the Disclosure	
DO	DO NOT
<ul style="list-style-type: none"> <li>• Show the person empathy and compassion.</li> <li>• Use a survivor-centre approach – this means treating the survivor with dignity and respect, making every effort to protect their safety and well-being, and not taking any actions without their consent.</li> <li>• Prioritize the survivor’s rights, needs and wishes in all decisions.</li> <li>• Make sure that a safe, comfortable place is chosen for speaking to the survivor alone.</li> </ul>	<ul style="list-style-type: none"> <li>• Do not judge.</li> <li>• Do not show or communicate doubt or disbelief.</li> <li>• Do not ask for details about their experience.</li> <li>• If translation/interpreting is needed, request support from GBV service providers in finding an appropriate female interpreter. Do not recruit someone from the local community.</li> </ul>





<b>Services</b>	
<b>DO</b>	<b>DO NOT</b>
<ul style="list-style-type: none"> <li>Give the survivor (or the person who reports the GBV/SEA/SH incident) the best information that you have about GBV services (health, psychosocial (including counselling, case management) police, justice) in your area. (Include all kinds of relevant service providers – government agencies, development organizations, non-government and civil society organizations.)</li> </ul>	<ul style="list-style-type: none"> <li>Do not try to determine if the incident is project-related or not before ensuring access to services – all survivors should receive care regardless of whether the perpetrator is associated with the project or not.</li> </ul>
<b>Safety</b>	
<b>DO</b>	<b>DO NOT</b>
<ul style="list-style-type: none"> <li>Take all possible steps to protect the safety of the survivor.</li> <li>Make adjustments to the schedule or location of the alleged perpetrator – or the survivor, if needed – to protect the survivor’s safety while an investigation is being conducted.</li> <li>Involve a GBV service provider and/or specialist in the assessment of risk.</li> </ul>	<ul style="list-style-type: none"> <li>Do not take any decisions or actions without the permission of the survivor.</li> </ul>
<b>Confidentiality</b>	
<b>DO</b>	<b>DO NOT</b>
<ul style="list-style-type: none"> <li>Keep any identifying information in a locked drawer or cabinet, and limit access to this information.</li> </ul>	<ul style="list-style-type: none"> <li>Do not share any information that can identify the survivor with anyone (including members of the project team), without their direct permission.</li> </ul>
<b>Support</b>	
<b>DO</b>	<b>DO NOT</b>
<ul style="list-style-type: none"> <li>Seek specialist guidance as soon as possible. The WB task team has GBV specialists who can support you.</li> </ul>	<ul style="list-style-type: none"> <li>Do not share any information that could be used to identify the survivor or perpetrator in seeking support.</li> </ul>





<ul style="list-style-type: none"> <li>In seeking support, share ONLY non-identifying information.</li> </ul>	<ul style="list-style-type: none"> <li>Do not encourage anyone associated with the project to seek information or ask questions that may compromise confidentiality or put the survivor at risk.</li> </ul>
<b>Informing the World Bank</b>	
<ul style="list-style-type: none"> <li>All incidents of GBV must be reported through the LSB and must be reported to the World Bank within 24-48 hours.<sup>10</sup></li> <li>Share ONLY non-identifying information. If available, share:             <ul style="list-style-type: none"> <li>the type of incident;</li> <li>age &amp; sex of the survivor;</li> <li>whether the perpetrator is known to be associated with the project;</li> <li>whether the survivor was referred to services.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Do not share any information that could be used to identify the survivor or perpetrator in seeking support.</li> </ul>

### **A6.2.3 Referral pathway services for GBV-SEA/SH/VC**

The pathway and referral mechanism are a critical piece of a working and responsive national system that aims to protect and respond to women and girl victims/survivors of violence in a timely manner and in times of crisis. A functioning referral pathway will allow victims/survivors of violence to access with ease the services available per sector and will improve coordination among the sectors. The collaboration will also invest in the positive role men and boys can play to prevent VAWC by rolling out in nine communities a manual on engaging men and boys for GBV prevention.

**Contact point:** LWU +856 21312 253 – 211; 030 51185532; [Saolao\\_1@yahoo.com](mailto:Saolao_1@yahoo.com).

The United Nations Population Fund is taking the lead in providing support to establish an Essential Services Package (ESP) to GoL for gender equality and GBV prevention-related interventions. The ESP is a guidance tool that provides a coordinated set of essential and quality multisectoral services to be provided to all women and girls who have experienced GBV. It includes services that should be

<sup>10</sup> The Environment and Social Incident Response Toolkit from WB’s Good Practice Note on Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works, outlines the requirements for reporting SEA/SH cases and has a protocol that defines incidents using three categories. “Indicative” events are addressed within the Task Team and “Serious” events need to be elevated to the Country Manager/Director, Global Practice Manager, Social and Environmental Practice Managers, Relevant Program Leaders, and Environmental and Social Standards Advisor (previously called Regional Safeguards Advisor), who may then advise the appropriate Vice Presidents. Finally, a “Severe” event should be reported to the Vice Presidents by the Task Team within 24-48 hours of notification. GBV incidents are classed as Severe events.



provided by the health, social services, police and justice sectors. The ESP translates international commitments on ending and responding to GBV into concrete actions to be implemented at the country level through a survivor-centered approach. The ESP is remarkable because it is the first global guideline to set out the coordinated quality service provision that survivors of violence should receive – everywhere and anywhere. **Contact point: Ms. Sisouvan Vorabouth, Gender Program Analyst: [vorabouth@unfpa.org](mailto:vorabouth@unfpa.org).**

Reachoutlaos: Mental and emotional hotline service available over Facebook 24/7 or telephone Sundays & Wednesdays 6–9 p.m. (English/Lao). **Contact point:** <https://www.facebook.com/reachout.laos.9>.

#### **The Environment Protection Fund (EPF)**

P.O.Box: 7647, 2<sup>nd</sup> Floor, MONRE Building, Prime Minister Office  
Sydamdouan Road, Chanthabouly District, Vientiane Capital  
Tel: (856)21 252 739, (856) 21 251 947, (856)21 244 279  
Fax: 856-21 252 741, 856-21 251 946



## ANNEX 7: DETAILED OF THE ESTIMATED ESMF BUDGET

No.	Description	Notes	Q'ty	# of Man-Month	Unit Cost	Total (USD)	Remarks
<b>I</b>	<b>ESMF Implementation for C1,2,4</b>				-	<b>606.000</b>	-
<b>1.1</b>	<b>Consultants and Supporting Staffs</b>					<b>453.000</b>	-
1.1.1	chief technical advisor (CTA) (oversee ESF implementation as well)	Part time basis	1	240	750	180.000	As part of #2.1 of C4 Budget
1.1.2	National E&S Consultant	Full time during first 3 years and part-time working days during the last 4 years	1	54	3.500	189.000	As part of #1.10 of C4 Budget
1.1.4	Two E&S Supporting staffs (new graduated)	1 Envi and 1 Social	2	84	500	84.000	As part of #1.11 of C4 Budget
<b>1.2</b>	<b>Implementation, Internal Monitoring and Evaluation of ESMF (ESMP, EGEP and SEP including GRM)</b>					<b>153.000</b>	
1.2.1	Training/Capacity Building on the WB ESS and ESMF implementation for Subproject Implementing Agencies (SIA)	2 training workshops in the first year and 1 training workshop from Y2-6	lump sum			48.000	As part of #3.2 of C4 Budget
1.2.2	Implementation of GRM		lump sum			10.000	



No.	Description	Notes	Q'ty	# of Man-Month	Unit Cost	Total (USD)	Remarks
1.2.3	Implementation of EGEP		lump sum			10.000	
1.2.4	Implementation of SEP	Consultation, development and translation of communication materials on the ESMF	lump sum			55.000	As part of # VI of C4 Budget: Outreach and stakeholder engagement
1.2.5	Internal monitoring and evaluation by EPF PMU	VTE Capital, VTE Province, and Udomxay at least 2 times per year	lump sum			30.000	As part of #7.1 of C4
<b>1.3</b>	<b>Procurement of logistic supports and office facilities</b>	<b>included in PMU operational cost</b>					
1.3.1	Vehicle, fuel, insurance, office space and office supplies for ESF consultants and E&S supporting staffs	included in PMU operational cost					
<b>II</b>	<b>ESMF Implementation for C3</b>					<b>596.500</b>	<b>-</b>
<b>2.1</b>	<b>Consultants and Supporting Staffs</b>					<b>256.500</b>	<b>-</b>
2.1.2	One international E&S consultant as a Team Leader	Part time (days)	1	240	600	144.000	
2.1.2	National E&S Consultant	Full time during first year of construction and part-time from year 2	1	45	2.500	112.500	



No.	Description	Notes	Q'ty	# of Man-Month	Unit Cost	Total (USD)	Remarks
<b>2.2</b>	<b>Implementation, Internal Monitoring and Evaluation of ESMF (ESMP, EGEP and SEP including GRM)</b>					<b>40.000</b>	
2.2.1	Training on the ESMP, ARAP/RAP, EGEP, SEP and CESMP	2 training workshops in the first year and 1 training workshop from Y2-4	lump sum			10.000	
2.2.2	Implementation of GRM		lump sum			5.000	
2.2.3	Implementation of EGEP		lump sum			5.000	
2.2.4	Implementation of SEP	Consultation, development and translation of communication materials on the ESMF	lump sum			10.000	
2.2.5	Internal monitoring and evaluation by MPWT PMU	VTE Capital	lump sum			10.000	
2.2.6	Internal monitoring and evaluation by VCOMS and PONRE	VTE Capital	28			10.000	
<b>2.3</b>	<b>Preparation of Full ESIA and ESMP</b>					<b>300.000</b>	
2.3.1	Conduct full ESIA and ESMP study	KM32, KM16 and Naxaythong	1			350.000	
<b>2.4</b>	<b>Procurement of logistic supports and office facilities</b>	<b>included in PMU operational cost</b>				-	



No.	Description	Notes	Q'ty	# of Man-Month	Unit Cost	Total (USD)	Remarks
2.4.1	Vehicle, fuel, insurance, office space and office supplies for ESF consultants and E&S supporting staffs	included in PMU operational cost					
<b>Total Budget Plan 2023-2029 (I+II)</b>						<b>1.202.500</b>	
Notes: This budget is ONLY for ESS activities NOT including budget for compensation and resettlement, TA, capacity building and activities and procurement of equipments for other SIAs							



## **ANNEX 8: TOR FOR INTERNATIONAL; NATIONAL CONSULTANTS AND SUPPORTING STAFF**



**Lao People's Democratic Republic**

**Peace Independence Democracy Unity Prosperity**



**Ministry of Public Works and Transport**

**Lao Environmental and Waste Management Project (P175996)**

**TERMS OF REFERENCE (TOR)**

**For International Environmental and Social Consultant (NESC) – Team Leader**

**For Component 3**

**(Part time - time-based contract)**

**Reference No. \_\_\_\_\_**



## I. INTRODUCTION

### (a) Project Background

The Lao People's Democratic Republic achieved rapid growth and significant poverty reduction between 2005 and 2020, though inequality widened. Gross domestic product (GDP) has averaged around 8 percent growth per year since 2000. The poverty rate declined from 34 percent in 2003 to 23 percent in 2013, reaching 18 percent in 2019. Yet, the Gini coefficient increased from 32.5 to 38.8 during the same period, reflecting lower gains for the bottom 40 percent. COVID-19 has added economic burdens on the country and economic growth declined to 0.4 percent in 2020, the lowest level in three decades.

Key economic activities underpinning Lao PDR's economic dynamism include agriculture, mining, hydropower, and service industries. While these activities provide important economic gains, they have also resulted in high rates of natural resource depletion and environmental degradation. Climate change hazards such as drought and floods are predicted to increase, altering the landscape, fauna, flora and vegetation, but also destroying public infrastructure, property, productive land, agricultural assets and harvests and subsequently further degrading natural resources.

Due to the increasing urbanization in Vientiane and secondary cities and despite improvements, cities and districts suffer from increasing pollution levels, which combined with weak capacity in planning and enforcement and lack of infrastructure and municipal services mean that there are severe difficulties in coping with the associated environmental, social and health impacts. As elsewhere in the world, the vulnerable people are more likely to be exposed to and suffer from the pollution.

Pollution levels in Lao PDR have severe public health and economic impacts and need improved monitoring and regulatory oversight, and improved environmental, pollution and solid waste management is emerging as a priority for the GOL.

Solid waste generation has increased substantially over the years. Sound waste data is missing in the country and is often inconsistent and unverifiable. Waste generation is rapidly increasing in cities and towns due to urbanization, economic growth and changing lifestyles, as well as in tourism hotspots which have seen rapidly increasing numbers over the last decade. During the last decade, household waste generation is estimated to have almost doubled in Vientiane (around 0.80 kg per person per day), same as in the previous decade. As in many other developing countries, the major portion of municipal waste generated in Lao PDR is composed of organic materials. Food, garden, wood and green waste makes up 57 percent of the waste while dry recyclables such as glass, plastics, metal, paper and cardboard account for 22 percent of the waste.

Waste collection in the country is largely limited to the urban centres but remains at low levels. While no accurate figures exist, it is estimated that in Vientiane city only around 30-





50% of the waste generated, and only about 25% of household waste, is collected and transported to the landfill sites. Similar figures are estimated for secondary cities such as Savannakhet, Luang Prabang and Champassak. Due to the lack of appropriate collection systems, open burning, household burying, littering along roadsides and rivers, and dumping in vacant lands are widely spread practices in both urban and rural areas. Illegal dumpsites are also common in urban areas. Open waste burning contributes to respiratory infections for urban residents resulting in significant health damages and lost working days, and further aggravates the severe air pollution in the country. Poor and vulnerable populations are the most likely to suffer from inadequate sanitation due to uncollected waste, which can be a heavy financial burden through health-related expenditures and lost productivity.

Even when solid waste is collected, disposal at open waste dumpsites causes severe environmental pollution. While the amount of solid waste generation has substantially increased, the infrastructure for collection and sanitary disposal has not kept up with the demand, causing significant environmental problems. Landfills in Lao PDR are usually operated as open dumpsites without proper waste and leachate treatment, with the landfills of Vientiane or secondary cities such as Luang Prabang or Savannakhet being no exception. Waste dumping is done without compaction and disposal planning. There is a high risk that toxic waste components are or will in the future contaminate soil at adjacent farmland, surface water bodies and groundwater. Uncollected methane from anaerobic decamping organic waste significantly contributes to greenhouse gas emissions and poses a high risk of landfill fires.

Women and children in the informal waste sector face multiple disadvantages and are exposed to health and social threats posed by inadequate solid waste management. Their contributions to recovery and recycling of valuable plastics in the face of underdeveloped formal waste management systems are largely overlooked and unsupported. Improving the management of waste collection systems must consider the informal sector, where substantial amount of waste pickers are women, and work in hazardous and unsanitary environments without adequate protection and safety.

Plastics pollution is an increasing concern in the country. The amount of plastic waste is continuously increasing particularly in urban areas and often remains uncollected. In Vientiane, plastics constitute around 12 percent of the total waste stream. In a series of studies, the priority plastic items ending up in the environment and waterways were identified as: drinking bottles; caps and lids; bags; cups; food containers; and straws. In major cities such as Vientiane, Savannakhet, and Pakse, plastic waste is a key factor in blockage of drainage systems causing sudden flooding during rains. In key tourism hotspots such as Luang Prabang or Vang Vieng, widespread plastics littering poses a substantial threat to the touristic value. Fishers throughout the country report catching plastics almost every single time they are out fishing, and a study at the largest marshland of Vientiane



found high amounts of microplastics in fish, surface water, and sediments. In addition, burning of plastics is widespread, contributing to air pollution and causing respiratory health issues. Lao PDR has seen an almost 10-fold increase in plastic waste imports from 2018 to 2019 due to the recent import regulations by China and other countries in the region. The quality and recyclability of the waste imports are unknown, and the capacity to cope with the large amounts of plastic waste in Lao PDR is not present.

There is no systematic collection of data about waste generation and waste management in Lao PDR. The most reliable data is from Vientiane Capital where the waste generation has been estimated to 0.65 kg/person/day<sup>11</sup>. It is generally the case that waste generation is higher in urban areas than in rural areas and assuming a waste generation in urban areas of 0.65 kg/person/day, a waste generation in rural areas with road access of 0.5 kg/person/day and a waste generation in rural areas without road access of 0.3 kg/person/day, the total annual waste generation in 2020 would then amount to approximately 1.48 million tonnes. Currently, only 48% of waste, are collected and 60 % of the waste are disposed in open dumps. Hazardous waste is not collected or treated separately from general waste, resulting in toxic materials and medical waste being disposed of together with municipal waste.

However, a clear institutional and specific regulatory framework for solid waste management is missing. At the national level, two main bodies are responsible for issues related to solid waste management: The Ministry of Public Works and Transport (MPWT), mainly responsible for construction of infrastructures, and the Ministry of Natural Resources and Environment (MONRE), tasked with a regulatory, supervisory and supporting role. The specific responsibilities of different central governmental agencies are however not clearly defined. MONRE's main tasks and responsibilities include the preparation of environmental laws and regulations, however few of these specifically target the solid waste sector. Urban Development Administrative Authorities (UDAAs), at provincial level are the main bodies tasked with solid waste management issues but undefined responsibility at the national level affects solid waste management at the local level in policy implementation, budget allocation, and provision of services.

In addition, regulatory oversight of solid waste management is limited, and local governments (LGs) lack capacities for solid waste operations. Solid waste services are often outsourced to the private sector with limited financial sustainability of operations. While the responsibility for solid waste management lies with the province, UDAAs are not equipped with sufficient budget and staffing to provide the regulatory oversight and services required. UDAA's do not receive public funding from the government for solid

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<sup>11</sup> Global Green Growth Institute 2018, Solid Waste Management in Vientiane, Lao PDR, Situation assessment and opportunities for waste-to-resource



waste management and generate revenue through waste collection and landfill tipping fees which are spent for O&M. Many UDAA's outsource (part of their) waste collection and disposal to private companies while sometimes also running direct operations in selected service areas. For example, in Vientiane around 10 collection companies currently operate in addition to UDAA's own collection services. Services are however hampered by the general (i) lack of performance benchmarks and key performance indicators in the contracts and lack of regulation, monitoring and reporting; and (ii) a lack of financial sustainability to extend services. Typically, waste fee collection is the responsibility of the provincial governments, who use the revenues for payment of services. In Lao PDR, waste collection companies collect fees directly from households typically upon collection of waste. There is no enforcement mechanism for households to pay for waste services, thus resulting in low waste fee collection rates. Consequently, the collection companies limit their services to more profitable urban centers and areas with ability and willingness to pay as well as to public institutions, and the commercial sector in order to achieve cost recovery.

The priority challenges within the solid waste sector can be summarized as follows. (a) lack of a clear legal framework for solid waste and pollution management and policies and regulations on pollution and solid waste management; (b) lack of capacities at national level to provide regulatory oversight; (c) lack of monitoring and enforcement capacities for environmental pollution (d) local governments are in charge of solid waste management but lack of capacities for operations, monitoring and regulations; (e) lack of financial sustainability due to limited fee collection leading to partial services; (f) lack of proper treatment, recycling and disposal infrastructure causing environmental pollution and severe health and economic impacts; (g) strong increase of single-use plastic items and widespread plastics pollution. The project will be designed to address these key challenges and priorities at both national and local levels.

### **(b) Project Objectives**

Main development objective of EWMP is to strengthen environmental protection systems, improve municipal solid waste management in selected cities in Lao PDR, and provide immediate and effective response in case of an Eligible Crisis or Emergency. The activities will support policy development and institutional strengthening at the national level to enhance regulatory oversight and planning of the solid waste sector, supporting environmental risk management and climate change actions, and enhance monitoring and regulation of key types of pollution in the country.

At the provincial and district levels, the Project will focus on supporting improved solid waste services and increasing the financial and environmental sustainability of solid waste management operations through technical assistance and investments in infrastructure and equipment. The project will facilitate the creation of models for solid waste management in selected cities that can demonstrate improved and cost-effective performance and serve as



inspirations for other cities.

The project will seek to comprehensively support stakeholder collaboration across all aspects of the sector, most notably MONRE, MPWT, EPF, as well as local governments responsible for solid waste management.

The project will measure its success by the following indicators:

- (a) Environmental protection system (practices) improved (score)
- (b) Increase coverage of municipal waste collection from households and businesses in Vientiane Capital (percentage)
- (c) Solid waste recycled, composted and/or treated to reduce waste disposal volumes (percentage)
- (d) Net greenhouse emissions reduction (metric tons/year)

### (c) Project Components

The project activities will be implemented through the following 5 components (Please see Annex 1 for Details Project Description) :

- **Component 1 (C1): Policy Implementation and Capacity Enhancement.** This component will strengthen the policies, institutional framework, and capacities of central government agencies (particularly MONRE and MPWT) responsible for various technical and administrative aspects of environmental, pollution, solid waste, and plastics management, including initiating a matching grant mechanism with selected private sector. The activities will be implemented by responsible agencies through the following five subcomponents as presented in Table 1-1:

**Table 0-1: C1 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 1. Policy Implementation and Capacity Enhancement (PICE)</b>	<b>MONRE</b>	<b>12.12</b>
Subcomponent 1A. Policy and capacity support on EIA/IEE/SEA, solid waste management, and Toxic and Hazardous Waste (THW)	DOE/DWR-MONRE	2.72
Subcomponent 1B. Capacity and Financial support to SMEs on environmental and waste management	EPF	2.36
Subcomponent 1C. Policy and capacity support on ECC compliance and pollution monitoring framework	DNEI/NRERI/DWR-MONRE	3.65
Subcomponent 1D. Policy and Capacity support on Climate change: low carbon resilient development	DCC-MONRE/ DOP-MPI	1.5



Subcomponent 1E. Policy and capacity support on plastics policies and legislation	DOE/DPF-MONRE	1.59
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- The Matching Grant (LEMGP):** The proposed matching grant activities (called Lao Environmental Matching Grant Program or LEMGP) seeks to initiate active engagement with a selected small-and medium-size enterprises and businesses (SMEBs) that can provide resources or practical solutions for solving the most pressing issues related to effective use of natural resources, waste generation, environmental quality, and pollution control challenges taking into account the needs and opportunities for selected SMEBs to continue with their businesses after Covid-19 pandemic and contribute to economic growth toward green growth direction. Eligible applicants include SMEs per the SME law and small/medium size businesses including local authorities and local communities that are committed and capable of planning and implementation of a Green Business Plan (GBP) or Green, Clean, and Beautiful Plan (GCBP) in line with GOL regulations and located in the target/project areas. Total cost for LEMGP is estimated at \$1.5M. With a maximum matching grant of \$100,000 per one PSMEB who can sign a Sub-grant Agreement with EPFO (as suggested by WB), it is expected that 10-15 green plans will be prepared and implemented. The activities to be implemented within 1-2 year time frame.
- Component 2 (C2): Integrated Support and Capacity Building for Local Government and Municipalities.** This component seeks to address primary constraints to improving sector performance including the technical, organizational, and financial capacity of local governments to efficiently provide solid waste services. This component will support local governments to better prepare for investments under Component 3. The activities will be implemented by responsible agencies through the following three subcomponents as presented in Table 1-2:

**Table 0-2: C2 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 2. Integrated Support and Capacity Building for Local Government and Municipalities</b>	<b>MONRE</b>	<b>4.54</b>
Subcomponent 2A. Support and Capacity Building for Local Gov't on waste and pollution data and information systems and waste service	DNEI/NRERI-MONRE	0.09
Subcomponent 2B. GCB and 3R projects + capacity building for NPAP/plastic policies implementation in targeted districts	DOE-MONRE	3.92
Subcomponent 2C. Support to private-public partnerships and enhancing output-based waste	TBD	0.53



service delivery and cost recovery capacity		
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- **Component 3 (C3): Infrastructure investments for solid waste and plastic management.** This component will finance waste management and recycling infrastructure investments in Vientiane Capital to improve the effectiveness and efficiency of waste and plastics management to enhance services and environmental sustainability in three selected locations in Vientiane Capital including (i) in Naxaythong district for installing a new waste transfer station; (ii) at the Km 16 in Xaysettha district for upgrading a material recovery facilities and support waste collection and transportation equipment; and (iii) at the Km32 (existing landfill) in in Xaysettha district for partial rehabilitation and construction of waste cells and leachate treatment facility, temporary hazardous waste storage facility, waste reception area, upgrading waste recycling facilities and associated facilities. Potentially, investments in riverine plastics collection technologies will be provided under this Component, including support on setting up viable operations and disposal systems and integration into general SWM system. This will be combined with the establishment of plastics pollution monitoring stations and provide citizen science and reporting possibilities for monitoring of impacts. The activities will be implemented by responsible agencies through the following two subcomponents as presented in Table 1-3:

**Table 0-3: C3 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 3. Waste and plastics management Infrastructure Investments</b>	<b>MPWT</b>	<b>24.62</b>
The investments will be divided into three locations strategically selected in Vientiane Capital to maximize the waste-to-resource opportunity, minimize the waste volume that will be landfilled at Km32, and mitigate the negative environmental and social impacts from waste management. The three sites are as follows: <ul style="list-style-type: none"> <li>• At Naxaythong district in north-west of Vientiane Capital will install a new waste transfer station with material recovery facility, waste collection and transportation equipment with waste transfer function.</li> <li>• At Km 16 in Xaysettha District, upgrade to a material recovery facility and support waste collection and transportation equipment.</li> </ul>	DHUP	24.62



<ul style="list-style-type: none"> <li>At the current landfill at Km32 will be partially rehabilitated to extend the lifetime of the landfill and also to install the waste reception area, upgrading of waste recycling facility, ensure a safe and healthy working environment of informal waste pickers, improve the leachate treatment and regulation facility to mitigate the direct discharge of leachate to the surrounding area and also install the storage for hazardous waste to safely store the toxic and hazardous materials.</li> </ul>		
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- **Component 4: Project coordination and reporting.** This component will focus on inter-ministerial coordination, progress reporting, and monitoring and evaluation. Strengthening implementation and management capacity will involve support for project management and monitoring and evaluation systems across the implementing agencies at all levels. The activities will be implemented by responsible agencies through the following two subcomponents as presented in Table 1-4:

**Table 0-4: C4 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 4. Project Coordination and Reporting</b>	<b>EPF</b>	<b>3.81</b>
Subcomponent 4A. Project management and administration	EPF	2.90
Subcomponent 4B. Communication, Engagement, and EPF Capacity building	EPF	0.91

- **Component 5. Contingent Emergency Response (CERC).** This component is designed to provide swift response in the event of an eligible crisis or emergency, by enabling the GOL to request the World Bank to reallocate project funds to support emergency response and reconstruction.

## II. OBJECTIVE OF ASSIGNMENT

The objective of this assignment of the International E&S Consultant is to provide technical support to the Project Management Unit of MPWT under Component 3 in management, monitoring, and reporting on the implementation progress of ESCP, SEP, RAPs, EGEPs, ESMPs (including LMP and GBV aspects) and other environmental and social aspects based on the ESMF of EWM project for ensuring successful and timely completion of the activities. Main responsibilities will include, but not limited to, the following:





- i) Assist the EDPD/PTI Director and/or main coordinator responsible for EWM project to manage, monitor, and report on the implementation of ESMF, ESCP, SEP, RAPs, EGEPs, ESMPs, LMP and GBV aspects and other environmental and social aspects issues including ensuring close coordination and consultation with the PMU of MPWT, responsible for EWM Project, the WB and other agencies on issues related to ESCP, SEP, RAPs, EGEPs, ESMPs, and other environmental and social aspects.
- ii) Work closely with one full time national social-community consultant and other consultants/staff of EDPD/PTI, DHUP, DPWT and local authorities, and the site engineers of the supervision consulting firm and the contractors hired for EWM project implementation to supervise environmental and social performance of civil work and monitor standards (ESCP, SEP, RAPs, EGEPs, ESMPs, LMP and other environmental and social requirements) compliance.

### **III. SCOPE OF ASSIGNMENT**

The Consultant (NESC) is a team leader of E&S consultants. She/he is report to the Director of EDPD/PTI and/or the main coordinator responsible for standard implementation and monitoring of the EWM project. The main objective of the NESC is the supervision and monitoring of the implementation of site-specific RAPs (if any), EGEPs (if any), ESMPs, LMPs, SEP, VAC action plan and ESCP. The Consultant is expected to also liaise and work with concerned government agencies such as DHUP and DPWT including (but not limited to) EPF-MONRE and their local offices (PONREs, DONREs), and local authorities, Project Resettlement Committees (PRCs) and concerned project committees or technical teams from DHUP and DPWT assigned for the project under Component 3.

The Consultant will provide technical and management support to EDPD/PTI to carry out the following tasks:

#### **Task 1. Environmental and Social Commitment Plan (ESCP)**

- Ensure effective installation and implementation of ESF implementation, monitoring and reporting processes and system from PMU to mobile unit level including GRM monitoring and reporting database. If necessary, prepare a user-friendly implementation manuals or guidelines in Lao language for mobile units to apply ESF process and tools on the ground;
- Develop the Alignment Sheet of E&S aspects for the EWM Project;
- Develop Implementation Work Plan for the ESCP with a clear timeframe, roles and responsibilities of agencies involved, organizational chart, weekly and monthly milestones monitorable indicators of the ESCP implementation, a mechanism to deal with delays, development of a database, documentation process. The Workplan must be prepared and updated in line with the Project's construction timelines, Result Framework and Annual Work Plan of the project;





- Supervise and work closely with EDPD/PTI to provide ESCP implementation support and report back to the Director of EDPD;
- Ensure the achievement of milestones specified in the workplan and recommend immediate corrective actions if milestones are not met or are not on track;
- To work with concerned government agencies such as DHUP, DPWT including (but not limited to) EPF-MONRE and their local offices (PONREs, DONREs), local authorities, PRCs and concerned project committees or teams assigned for Component 3 to obtain required information and approval of required government clearances as required by the relevant national legislation.
- Assist EDPD/PTI to prepare progress reports on ESCP implementation and completion report for submission to the World Bank and other agencies)
- Undertake other related tasks that may be assigned and agreed with the EDPD/PTI Director.

Task 2. Resettlement Action Plan (RAP), Stakeholder Engagement Plan (SEP) and Environmental and Social Management Plan (ESMP).

- Develop Implementation Work Plan for the RAP, SEP, and ESMP monitoring with a clear timeframe, roles and responsibilities of agencies involved, organizational chart, weekly and monthly milestones monitorable indicators of the RAP, SEP, and ESMP Reports implementation, a mechanism to deal with delays, development of a database, documentation process and financial flow system to ensure timely processing of payments. The Workplan must be prepared and updated in line with the Project's construction timelines, the prepared ESMPs, RAPs, SEP, Result Framework and Annual Work Plan of the project;
- Supervise, train and work closely with EDPD/PTI and PRCs to provide RAP, SEP, and ESMP Reports implementation support and report back to the Director of EDPD; PRCs, consultancy firm and local authorities (to consultation with Affected Households, compensation payment, reporting and etc.)
- Ensure the achievement of milestones specified in the workplan and recommend immediate corrective actions if milestones are not met or are not on track;
- Monitor GRM with the PRCs, train PRCs on the GRM, and concerned local authorities and village level grievance/resettlement committee (locally known as village mediation unit) established and trained to handle project related grievances that may be received from PAPs/PAHs and who believe they are PAPs/PAHs with respect to resettlement process.
- Conduct regular visit to the project sites and PAPs/PAHs to review the RAP implementation progress and provide advisory and guidance to address issues and grievance that may be raised and identified during the site visit. Special attention shall be paid to the vulnerable, ethnic and female headed PAHs to



ensure that they have been provided with compensation and entitlements and that their livelihood will not get worse than that of pre-project level.

- Assist EDPD/PTI to prepare progress reports on RAP, SEP, and ESMP Reports implementation and completion report for submission to the World Bank and other agencies;
- Provide advice and mentoring support for EDPD/PTI including its junior staff, support staff, and junior consultants (young graduated students) mobilized and hired under the Project to build its in-house capacity on RAP, SEP, and ESMP Reports, resettlement management, planning, monitoring and reporting for Component 3 of this Project
- Undertake other related tasks that may be assigned and agreed with the EDPD/PTI Director.

#### Task 3. Ethnic Group Engagement Plan (EGEP), if any.

- Implement, monitor and report on the EGEP implementation.
- Conduct ethnic community participation and meaningful consultation with the ethnic groups and PAPs during the preparation of EGEP and project implementation.
- Work closely with PRCs and concerned agencies including Lao Front for National Development to ensure successful implementation of EGEP in line with the government and the World Bank policy of ESS 7.
- Conduct regular site visits to Project sites, particularly the ethnic communities affected by the Project activities, observe and interview ethnic PAPs/PAHs to review the EGEP implementation progress and provide advisory and technical support to address issues and grievance that may be raised and identified during the site visit.
- Ensure that their grievances and feedback received are reviewed, responded and recorded in the tracking system.

#### Task 4. Assisting EDPD/PTI and Capacity Building.

- Perform activities as agreed with EDPD/PTI.
- Priority will be given to deliver trainings to contractors, local authorities and EDPD/PTI staffs on the ESCP, RAP, EGEP, SEP, ESMP reports and other ES reports, preparation, **supervision, and monitoring.**

### **IV. QUALIFICATIONS REQUIRED**

The Consultant should have the following qualifications and experiences required to undertake her/his assignment:

- Must be holder of Master's Degree in social sciences, development studies, environment or land and natural resources related fields. Master's Degree and background in Law is an asset.



### 1.1 Work Experience and Skill Required

- Solid knowledge on environmental and social impact assessment (ESIA), risk and impact management particularly in natural resources (land and forest) and relevant World Bank policies (including Indigenous Peoples and Involuntary Resettlement policies or Government of Lao PDR's legislations on environmental protection and land administration.
- At least 10 years' experience in ESIA, environmental and social risk and impact management, preparation of relevant documents and training in ESF implementation with various government and donor-funded rural development projects with track record.
- Knowledge and experience on the new Environmental and Social Framework (ESF) and Environmental and Social Standards (ESSs) of the World Bank would be an advantage.
- Good communication skills with ability to speak Lao and prepare documents in English of acceptable quality.
- Willingness to travel and work in provinces and rural communities to monitor ESF implementation, supervise and provide support for the national consultants and ES focal staff in mobile units.

## V. EXPECTED DELIVERABLES

During the course of her/his assignment, the Consultant will deliver the following outputs to the EDPD/PTI:

- Updated the Alignment Sheet of E&S aspects for the EWM Project;
- Updated workplan for the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation and monitoring with PMU-MPWT, EDPD/PTI, the World Bank and her/his own comments or suggestions incorporated based on field observations and discussions. The workplan should include agreed actions, expected outputs or key milestones, responsibilities and timeframe.
- Monthly progress report on the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation to be submitted to the Director of EDPD/PTI no later than 3 working days after the final date of each calendar month. The monthly progress report shall cover overall status of the ESCP, RAP, EGEP, SEP, ESMP reports and other ES reports, implementation, status of compensation and livelihood support for PAPs, issues faced, and actions taken, grievances received and addressed and next steps
- Bi-annual progress report on the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation to be submitted to the Director of EDPD/PTI no later than 5 working days after the last date of sixth month. The bi-annual report summarizes the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation status and highlight main issues faced, action taken, status of



grievances received and addressed and next steps or priorities for the next 6 months.

- Activity proposals and plans for safeguards implementation and supervision and capacity building activities prepared and finalized with support and input from the consultant
- Reports on findings of site visits, training and study or exchange visit finance under the project, minutes of consultations and meetings which could be submitted as annexes to the progress reports.

## VI. DURATION OF ASSIGNMENT:

This shall be a time-based contract. The Consultant (NESC) is expected to start her/his assignment on \_\_\_\_, 2023 or as soon as her/his contract has been signed. S/he will work for a period of 12 months on a full-time basis from \_\_\_\_ 2023 to \_\_\_\_ 20\_\_ – a critical period of the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports. The contract can be then extended on a part-time basis depending on the need, performance and availability of funds. The Consultant’s principal place of work shall be at PMU-MPWT, EDPD / PTI, Vientiane, Lao PDR.

There will be a 3-month probation period for the Consultant, at the beginning of the assignment, during which the Client may terminate the contract with a 2-week advance notice. For the purpose of contract extension, Consultant’s performance shall be assessed based on the following performance indicators:

### 1. Technical Performance

#	Description of Result Area	Result indicators
1	Updated the Alignment Sheet of E&S aspects	Satisfactorily completed within 1 <sup>st</sup> month of activity.
2	Updated workplan for the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports	Satisfactorily completed within 1 <sup>st</sup> month of activity.
3	Monthly progress report on the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports	Submitted within 1 <sup>st</sup> 3 days of the next month.
4	Bi-annual progress report on the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports	Submitted within 1 <sup>st</sup> 3 days of the next month.
5	Activity proposals and plans for safeguards implementation and supervision and capacity building activities	Regularly and timely submitted within limits requested by the Client.
6	Reports on findings of site visits, training and study or exchange visit finance under the project, minutes of consultations and meetings	Timely submitted within limits requested by the Client.

### 2. Behavioral Performance



#	Description of Performance Area	Result indicators
1	Drive for results- makes things happen, is proactive, committed to project goals	Confirmed by Coordinator and/or team members
2	Team work- collaborates with others, acknowledges other people's contribution, will seek help when needed	Confirmed by Coordinator and/or team members
3	Learning and knowledge sharing- open to new ideas, shares knowledge and applies knowledge in daily work	Confirmed by Coordinator and/or team members
4	Managerial skills- coaching, mentoring and management	Confirmed by Coordinator and/or team members

#### VII. REPORTING AND PAYMENT

The Consultant will prepare and submit the following reports or deliverables in English to EDPD/PTI with key parts of the documents to be translated into Lao. The report format and content of each report will be agreed with EDPD/PTI. For each report submitted an electronic copy will be provided. Electronic copies will be in the format used in their preparation will all links, formulas, and fields active. For all reports an executive summary will be included:

- Inception Report: The Consultant will, within two weeks of Commencement of Services or any other date as agreed with EDPD/PTI, submit an Inception Report to EDPD/PTI setting out the activities and work plan to be carried out during the consulting services including the Consultant's manning schedule and other clear inputs and outputs to be provided including a plan for submission of invoices. The report will also provide a section summarizing the existing status of the project activities and implementation progress and environment and social requirements and next steps.
- E&S standards capacity assessment report and workplan capacity development for EDPD/PTI, DHUP, DPWT, and PRC to be delivered 45 days after the Consultant's contract has been signed.
- Progress Reports (Quarterly during the first 6 months): The consultant will assist EDPD/PTI to prepare and submit quarterly progress report to keep the World Bank updated on the status of the safeguard assessment and instrument preparation during the first 6 months of her/his assignment or as required. The progress reports should also include consultant's input provided to the safeguard documents reviewed. After that s/he will assist EDPD/PTI to prepare and submit the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation monitoring report required for the World Bank every six month



and annually. The Consultant will prepare and submit these compliance monitoring reports to EDPD/PTI at least 14 days before the final submission date as agreed with WB. The report will summarize all progress of the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation and records on GRM and other aspects related to road safety, community health and safety and workers, etc.

- **Completion Report:** At the end of the service, the Consultant will prepare and submit a Completion Report to EDPD/PTI and WB in a manner satisfactory to EDPD/PTI including: a summary of the activities conducted; successes, problems, and lessons learned during the services; extent to which the outputs and targets agreed have been achieved, together with an analysis of any variance from agreed targets; and recommendations for improvement including an estimated budgets, schedules and implementation arrangements, for follow on work to the services.

21. The payment will be made through EDPD/PTI. The Consultant shall submit an invoice to claim payments along with the working days, trips undertaken and days worked outside office, list of deliverables and reports outlining key activities undertaken and outputs to facilitate the payment.

#### VIII. RESOURCES TO BE PROVIDED BY EMPLOYER:

22. EDPD/PTI will provide i) office space and basic office furniture including photocopier and telephone landline, ii) technical counterparts, iii) basic office assistance, iv) transportation for field work, and v) per-diem and allowance and accommodation expenses (when working out of Vientiane Capital)

23. The Consultant will be responsible for other services that may be required and agreed with EDPD/PTI, including: i) translation of the reports in Lao language; ii) international telecommunication arrangement; iii) organization of the workshops, training and study visit; iv) other assignment related work required for performing the services.



**Lao People's Democratic Republic**  
**Peace Independence Democracy Unity Prosperity**



**Ministry of Public Works and Transport**  
**Lao Environmental and Waste Management Project (P175996)**

**TERMS OF REFERENCE (TOR)**  
**For National Environmental and Social Consultant (NESC)**  
**(either for C1,2, and 4 and C3)**  
**(Fulltime - time-based contract)**  
**Reference No. \_\_\_\_\_**





## I. INTRODUCTION

### (a) Project Background

The Lao People's Democratic Republic achieved rapid growth and significant poverty reduction between 2005 and 2020, though inequality widened. Gross domestic product (GDP) has averaged around 8 percent growth per year since 2000. The poverty rate declined from 34 percent in 2003 to 23 percent in 2013, reaching 18 percent in 2019. Yet, the Gini coefficient increased from 32.5 to 38.8 during the same period, reflecting lower gains for the bottom 40 percent. COVID-19 has added economic burdens on the country and economic growth declined to 0.4 percent in 2020, the lowest level in three decades.

Key economic activities underpinning Lao PDR's economic dynamism include agriculture, mining, hydropower, and service industries. While these activities provide important economic gains, they have also resulted in high rates of natural resource depletion and environmental degradation. Climate change hazards such as drought and floods are predicted to increase, altering the landscape, fauna, flora and vegetation, but also destroying public infrastructure, property, productive land, agricultural assets and harvests and subsequently further degrading natural resources.

Due to the increasing urbanization in Vientiane and secondary cities and despite improvements, cities and districts suffer from increasing pollution levels, which combined with weak capacity in planning and enforcement and lack of infrastructure and municipal services mean that there are severe difficulties in coping with the associated environmental, social and health impacts. As elsewhere in the world, the vulnerable people are more likely to be exposed to and suffer from the pollution.

Pollution levels in Lao PDR have severe public health and economic impacts and need improved monitoring and regulatory oversight, and improved environmental, pollution and solid waste management is emerging as a priority for the GOL.

Solid waste generation has increased substantially over the years. Sound waste data is missing in the country and is often inconsistent and unverifiable. Waste generation is rapidly increasing in cities and towns due to urbanization, economic growth and changing lifestyles, as well as in tourism hotspots which have seen rapidly increasing numbers over the last decade. During the last decade, household waste generation is estimated to have almost doubled in Vientiane (around 0.80 kg per person per day), same as in the previous decade. As in many other developing countries, the major portion of municipal waste generated in Lao PDR is composed of organic materials. Food, garden, wood and green waste makes up 57 percent of the waste while dry recyclables such as glass, plastics, metal, paper and cardboard account for 22 percent of the waste.

Waste collection in the country is largely limited to the urban centres but remains at low levels. While no accurate figures exist, it is estimated that in Vientiane city only around 30-





50% of the waste generated, and only about 25% of household waste, is collected and transported to the landfill sites. Similar figures are estimated for secondary cities such as Savannakhet, Luang Prabang and Champassak. Due to the lack of appropriate collection systems, open burning, household burying, littering along roadsides and rivers, and dumping in vacant lands are widely spread practices in both urban and rural areas. Illegal dumpsites are also common in urban areas. Open waste burning contributes to respiratory infections for urban residents resulting in significant health damages and lost working days, and further aggravates the severe air pollution in the country. Poor and vulnerable populations are the most likely to suffer from inadequate sanitation due to uncollected waste, which can be a heavy financial burden through health-related expenditures and lost productivity.

Even when solid waste is collected, disposal at open waste dumpsites causes severe environmental pollution. While the amount of solid waste generation has substantially increased, the infrastructure for collection and sanitary disposal has not kept up with the demand, causing significant environmental problems. Landfills in Lao PDR are usually operated as open dumpsites without proper waste and leachate treatment, with the landfills of Vientiane or secondary cities such as Luang Prabang or Savannakhet being no exception. Waste dumping is done without compaction and disposal planning. There is a high risk that toxic waste components are or will in the future contaminate soil at adjacent farmland, surface water bodies and groundwater. Uncollected methane from anaerobic decamping organic waste significantly contributes to greenhouse gas emissions and poses a high risk of landfill fires.

Women and children in the informal waste sector face multiple disadvantages and are exposed to health and social threats posed by inadequate solid waste management. Their contributions to recovery and recycling of valuable plastics in the face of underdeveloped formal waste management systems are largely overlooked and unsupported. Improving the management of waste collection systems must consider the informal sector, where substantial amount of waste pickers are women, and work in hazardous and unsanitary environments without adequate protection and safety.

Plastics pollution is an increasing concern in the country. The amount of plastic waste is continuously increasing particularly in urban areas and often remains uncollected. In Vientiane, plastics constitute around 12 percent of the total waste stream. In a series of studies, the priority plastic items ending up in the environment and waterways were identified as: drinking bottles; caps and lids; bags; cups; food containers; and straws. In major cities such as Vientiane, Savannakhet, and Pakse, plastic waste is a key factor in blockage of drainage systems causing sudden flooding during rains. In key tourism hotspots such as Luang Prabang or Vang Vieng, widespread plastics littering poses a substantial threat to the touristic value. Fishers throughout the country report catching plastics almost every single time they are out fishing, and a study at the largest marshland of Vientiane



found high amounts of microplastics in fish, surface water, and sediments. In addition, burning of plastics is widespread, contributing to air pollution and causing respiratory health issues. Lao PDR has seen an almost 10-fold increase in plastic waste imports from 2018 to 2019 due to the recent import regulations by China and other countries in the region. The quality and recyclability of the waste imports are unknown, and the capacity to cope with the large amounts of plastic waste in Lao PDR is not present.

There is no systematic collection of data about waste generation and waste management in Lao PDR. The most reliable data is from Vientiane Capital where the waste generation has been estimated to 0.65 kg/person/day<sup>12</sup>. It is generally the case that waste generation is higher in urban areas than in rural areas and assuming a waste generation in urban areas of 0.65 kg/person/day, a waste generation in rural areas with road access of 0.5 kg/person/day and a waste generation in rural areas without road access of 0.3 kg/person/day, the total annual waste generation in 2020 would then amount to approximately 1.48 million tonnes. Currently, only 48% of waste, are collected and 60 % of the waste are disposed in open dumps. Hazardous waste is not collected or treated separately from general waste, resulting in toxic materials and medical waste being disposed of together with municipal waste.

However, a clear institutional and specific regulatory framework for solid waste management is missing. At the national level, two main bodies are responsible for issues related to solid waste management: The Ministry of Public Works and Transport (MPWT), mainly responsible for construction of infrastructures, and the Ministry of Natural Resources and Environment (MONRE), tasked with a regulatory, supervisory and supporting role. The specific responsibilities of different central governmental agencies are however not clearly defined. MONRE's main tasks and responsibilities include the preparation of environmental laws and regulations, however few of these specifically target the solid waste sector. Urban Development Administrative Authorities (UDAAs), at provincial level are the main bodies tasked with solid waste management issues but undefined responsibility at the national level affects solid waste management at the local level in policy implementation, budget allocation, and provision of services.

In addition, regulatory oversight of solid waste management is limited, and local governments (LGs) lack capacities for solid waste operations. Solid waste services are often outsourced to the private sector with limited financial sustainability of operations. While the responsibility for solid waste management lies with the province, UDAAs are not equipped with sufficient budget and staffing to provide the regulatory oversight and

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<sup>12</sup> Global Green Growth Institute 2018, Solid Waste Management in Vientiane, Lao PDR, Situation assessment and opportunities for waste-to-resource



services required. UDAA's do not receive public funding from the government for solid waste management and generate revenue through waste collection and landfill tipping fees which are spent for O&M. Many UDAA's outsource (part of their) waste collection and disposal to private companies while sometimes also running direct operations in selected service areas. For example, in Vientiane around 10 collection companies currently operate in addition to UDAA's own collection services. Services are however hampered by the general (i) lack of performance benchmarks and key performance indicators in the contracts and lack of regulation, monitoring and reporting; and (ii) a lack of financial sustainability to extend services. Typically, waste fee collection is the responsibility of the provincial governments, who use the revenues for payment of services. In Lao PDR, waste collection companies collect fees directly from households typically upon collection of waste. There is no enforcement mechanism for households to pay for waste services, thus resulting in low waste fee collection rates. Consequently, the collection companies limit their services to more profitable urban centers and areas with ability and willingness to pay as well as to public institutions, and the commercial sector in order to achieve cost recovery.

The priority challenges within the solid waste sector can be summarized as follows. (a) lack of a clear legal framework for solid waste and pollution management and policies and regulations on pollution and solid waste management; (b) lack of capacities at national level to provide regulatory oversight; (c) lack of monitoring and enforcement capacities for environmental pollution (d) local governments are in charge of solid waste management but lack of capacities for operations, monitoring and regulations; (e) lack of financial sustainability due to limited fee collection leading to partial services; (f) lack of proper treatment, recycling and disposal infrastructure causing environmental pollution and severe health and economic impacts; (g) strong increase of single-use plastic items and widespread plastics pollution. The project will be designed to address these key challenges and priorities at both national and local levels.

### **(b) Project Objectives**

Main development objective of EWMP is to strengthen environmental protection systems, improve municipal solid waste management in selected cities in Lao PDR, and provide immediate and effective response in case of an Eligible Crisis or Emergency. The activities will support policy development and institutional strengthening at the national level to enhance regulatory oversight and planning of the solid waste sector, supporting environmental risk management and climate change actions, and enhance monitoring and regulation of key types of pollution in the country.

At the provincial and district levels, the Project will focus on supporting improved solid waste services and increasing the financial and environmental sustainability of solid waste management operations through technical assistance and investments in infrastructure and equipment. The project will facilitate the creation of models for solid waste management in



selected cities that can demonstrate improved and cost-effective performance and serve as inspirations for other cities.

The project will seek to comprehensively support stakeholder collaboration across all aspects of the sector, most notably MONRE, MPWT, EPF, as well as local governments responsible for solid waste management.

The project will measure its success by the following indicators:

- (e) Environmental protection system (practices) improved (score)
- (f) Increase coverage of municipal waste collection from households and businesses in Vientiane Capital (percentage)
- (g) Solid waste recycled, composted and/or treated to reduce waste disposal volumes (percentage)
- (h) Net greenhouse emissions reduction (metric tons/year)

#### **(d) Project Components**

The project activities will be implemented through the following 5 components (Please see Annex 1 for Details Project Description) :

- **Component 1 (C1): Policy Implementation and Capacity Enhancement.** This component will strengthen the policies, institutional framework, and capacities of central government agencies (particularly MONRE and MPWT) responsible for various technical and administrative aspects of environmental, pollution, solid waste, and plastics management, including initiating a matching grant mechanism with selected private sector. The activities will be implemented by responsible agencies through the following five subcomponents as presented in Table 1-1:

**Table 0-5: C1 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 1. Policy Implementation and Capacity Enhancement (PICE)</b>	<b>MONRE</b>	<b>12.12</b>
Subcomponent 1A. Policy and capacity support on EIA/IEE/SEA, solid waste management, and Toxic and Hazardous Waste (THW)	DOE/DWR-MONRE	2.72
Subcomponent 1B. Capacity and Financial support to SMEs on environmental and waste management	EPF	2.36
Subcomponent 1C. Policy and capacity support on ECC compliance and pollution monitoring framework	DNEI/NRERI/DWR-MONRE	3.65



Subcomponent 1D. Policy and Capacity support on Climate change: low carbon resilient development	DCC-MONRE/ DOP-MPI	1.5
Subcomponent 1E. Policy and capacity support on plastics policies and legislation	DOE/DPF-MONRE	1.59

- The Matching Grant (LEMGP):** The proposed matching grant activities (called Lao Environmental Matching Grant Program or LEMGP) seeks to initiate active engagement with a selected small-and medium-size enterprises and businesses (SMEBs) that can provide resources or practical solutions for solving the most pressing issues related to effective use of natural resources, waste generation, environmental quality, and pollution control challenges taking into account the needs and opportunities for selected SMEBs to continue with their businesses after Covid-19 pandemic and contribute to economic growth toward green growth direction. Eligible applicants include SMEs per the SME law and small/medium size businesses including local authorities and local communities that are committed and capable of planning and implementation of a Green Business Plan (GBP) or Green, Clean, and Beautiful Plan (GCBP) in line with GOL regulations and located in the target/project areas. Total cost for LEMGP is estimated at \$1.5M. With a maximum matching grant of \$100,000 per one PSMEB who can sign a Sub- grant Agreement with EPFO (as suggested by WB), it is expected that 10-15 green plans will be prepared and implemented. The activities to be implemented within 1-2 year time frame.
- Component 2 (C2): Integrated Support and Capacity Building for Local Government and Municipalities.** This component seeks to address primary constraints to improving sector performance including the technical, organizational, and financial capacity of local governments to efficiently provide solid waste services. This component will support local governments to better prepare for investments under Component 3. The activities will be implemented by responsible agencies through the following three subcomponents as presented in Table 1-2:

**Table 0-6: C2 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 2. Integrated Support and Capacity Building for Local Government and Municipalities</b>	<b>MONRE</b>	<b>4.54</b>
Subcomponent 2A. Support and Capacity Building for Local Gov't on waste and pollution data and information systems and waste service	DNEI/NRERI-MONRE	0.09
Subcomponent 2B. GCB and 3R projects + capacity building for NPAP/plastic policies implementation in targeted districts	DOE-MONRE	3.92



Subcomponent 2C. Support to private-public partnerships and enhancing output-based waste service delivery and cost recovery capacity	TBD	0.53
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- **Component 3 (C3): Infrastructure investments for solid waste and plastic management.** This component will finance waste management and recycling infrastructure investments in Vientiane Capital to improve the effectiveness and efficiency of waste and plastics management to enhance services and environmental sustainability in three selected locations in Vientiane Capital including (i) in Naxaythong district for installing a new waste transfer station; (ii) at the Km 16 in Xaysettha district for upgrading a material recovery facilities and support waste collection and transportation equipment; and (iii) at the Km32 (existing landfill) in in Xaysettha district for partial rehabilitation and construction of waste cells and leachate treatment facility, temporary hazardous waste storage facility, waste reception area, upgrading waste recycling facilities and associated facilities. Potentially, investments in riverine plastics collection technologies will be provided under this Component, including support on setting up viable operations and disposal systems and integration into general SWM system. This will be combined with the establishment of plastics pollution monitoring stations and provide citizen science and reporting possibilities for monitoring of impacts. The activities will be implemented by responsible agencies through the following two subcomponents as presented in Table 1-3:

**Table 0-7: C3 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 3. Waste and plastics management Infrastructure Investments</b>	<b>MPWT</b>	<b>24.62</b>
The investments will be divided into three locations strategically selected in Vientiane Capital to maximize the waste-to-resource opportunity, minimize the waste volume that will be landfilled at Km32, and mitigate the negative environmental and social impacts from waste management. The three sites are as follows: <ul style="list-style-type: none"> <li>• At Naxaythong district in north-west of Vientiane Capital will install a new waste transfer station with material recovery facility, waste collection and transportation equipment with waste transfer function.</li> <li>• At Km 16 in Xaysettha District, upgrade to a</li> </ul>	DHUP	24.62



<p>material recovery facility and support waste collection and transportation equipment.</p> <ul style="list-style-type: none"> <li>At the current landfill at Km32 will be partially rehabilitated to extend the lifetime of the landfill and also to install the waste reception area, upgrading of waste recycling facility, ensure a safe and healthy working environment of informal waste pickers, improve the leachate treatment and regulation facility to mitigate the direct discharge of leachate to the surrounding area and also install the storage for hazardous waste to safely store the toxic and hazardous materials.</li> </ul>		
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- **Component 4: Project coordination and reporting.** This component will focus on inter-ministerial coordination, progress reporting, and monitoring and evaluation. Strengthening implementation and management capacity will involve support for project management and monitoring and evaluation systems across the implementing agencies at all levels. The activities will be implemented by responsible agencies through the following two subcomponents as presented in Table 1-4:

**Table 0-8: C4 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 4. Project Coordination and Reporting</b>	EPF	<b>3.81</b>
Subcomponent 4A. Project management and administration	EPF	2.90
Subcomponent 4B. Communication, Engagement, and EPF Capacity building	EPF	0.91

- **Component 5. Contingent Emergency Response (CERC).** This component is designed to provide swift response in the event of an eligible crisis or emergency, by enabling the GOL to request the World Bank to reallocate project funds to support emergency response and reconstruction.

## II. OBJECTIVE OF ASSIGNMENT

The objective of this assignment is to provide technical support the International E&S Consultant to the Project Management Unit of EPF under Components 1, 2 and 4 or Project Management Unit of MPWT under Component 3 in management, monitoring, and reporting on the implementation progress of ESCP, SEP, RAPs, EGEPs, ESMPs (including LMP and GBV aspects) and other environmental and social aspects based on the ESMF of EWM project for





ensuring successful and timely completion of the activities. Main responsibilities will include, but not limited to, the following:

- iii) Assist the Project Management Unit of EPF under Components 1, 2 and 4 or Project Management Unit of MPWT under Component 3 thru EDPD/PTI Director and/or main coordinator responsible for EWM project to manage, monitor, and report on the implementation of ESMF, ESCP, SEP, RAPs, EGEPs, ESMPs, LMP and GBV aspects and other environmental and social aspects issues including ensuring close coordination and consultation with the PMU of MPWT, responsible for EWM Project, the WB and other agencies on issues related to ESCP, SEP, RAPs, EGEPs, ESMPs, and other environmental and social aspects.
- iv) Provide implementation support to the Project Resettlement Committees (PRCs), DHUP and DPWT and local authorities during the implementation of ESCP, SEP, RAPs, EGEPs, ESMPs, LMP and assist in addressing other environmental and social standard requirements and monitoring as per ESMF of the project including consultation and GRM monitoring of contractor performance especially on social compliance and consultation with local community. It is important to ensure that compensation is completed before works can begin.
- v) Work closely with International E&S Consultants and other consultants/staff of Project Management Unit of EPF under Components 1, 2 and 4 or Project Management Unit of MPWT under Component 3, EDPD/PTI, DHUP, DPWT and local authorities, and the site engineers of the supervision consulting firm and the contractors hired for EWM project implementation to supervise environmental and social performance of civil work and monitor standards (ESCP, SEP, RAPs, EGEPs, ESMPs, LMP and other environmental and social requirements) compliance.

### **III. SCOPE OF ASSIGNMENT**

The Consultant (NESC) is a team leader of E&S related tasks. She/he is report to the Director of Project Management Unit of EPF under Components 1, 2 and 4 or Director for the Project Management Unit of MPWT under Component 3 EDPD/PTI and/or the main coordinator responsible for standard implementation and monitoring of the EWM project. The main objective of the NESC is the supervision and monitoring of the implementation of site-specific RAPs (if any), EGEPs (if any), ESMPs, LMPs, SEP, VAC action plan and ESCP. The Consultant is expected to also liaise and work with concerned government agencies such as DHUP and DPWT including (but not limited to) EPF-MONRE and their local offices (PONREs, DONREs), and local authorities, Project Resettlement Committees (PRCs) and concerned project committees or technical teams from DHUP and DPWT assigned for the project under Component 3.





The Consultant will provide technical and management support to Project Management Unit of EPF under Components 1, 2 and 4 or Project Management Unit of MPWT under Component 3 to carry out the following tasks:

**Task 1. Environmental and Social Commitment Plan (ESCP)**

- Assist the International E&S Consultant to develop the Alignment Sheet of E&S aspects for the EWM Project;
- Provide support to the International E&S Consultant to develop Implementation Work Plan for the ESCP with a clear timeframe, roles and responsibilities of agencies involved, organizational chart, weekly and monthly milestones monitorable indicators of the ESCP implementation, a mechanism to deal with delays, development of a database, documentation process. The Workplan must be prepared and updated in line with the Project's construction timelines, Result Framework and Annual Work Plan of the project;
- Work closely with International E&S Consultant; Project Management Unit of EPF under Components 1, 2 and 4 or Project Management Unit of MPWT under Component 3 to provide ESCP implementation support and report back to the Director of EDPD;
- Ensure the achievement of milestones specified in the workplan and recommend immediate corrective actions if milestones are not met or are not on track;
- In close supervision from the International E&S Consultant, to work with concerned government agencies such as DHUP, DPWT including (but not limited to) EPF-MONRE and their local offices (PONREs, DONREs), local authorities, PRCs and concerned project committees or teams assigned for Components 1, 2 and 4 for EPF and Component 3 for DHUP-MPWT thru EDPD/PTI to obtain required information and approval of required government clearances as required by the relevant national legislation.
- Assist the International E&S Consultant to prepare progress reports on ESCP implementation and completion report for submission to the World Bank and other agencies)
- Undertake other related tasks that may be assigned by the International E&S Consultant and agreed with the Project Director/Managers concerned.

**Task 2. Resettlement Action Plan (RAP), Stakeholder Engagement Plan (SEP) and Environmental and Social Management Plan (ESMP).**

- Assist in the development of Implementation Work Plan for the RAP, SEP, and ESMP monitoring with a clear timeframe, roles and responsibilities of agencies involved, organizational chart, weekly and monthly milestones monitorable indicators of the RAP, SEP, and ESMP Reports implementation, a mechanism to deal with delays, development of a database, documentation process and financial flow system to ensure timely processing of payments. The Workplan must be prepared and updated in line with the Project's construction timelines,



the prepared ESMPs, RAPs, SEP, Result Framework and Annual Work Plan of the project;

- Support the International E&S Consultant in supervision of trainings and work closely with Project Management Unit of EPF under Components 1, 2 and 4 or Project Management Unit of MPWT under Component 3 thru EDPD/PTI and PRCs to provide RAP, SEP, and ESMP Reports implementation support and report back to the Director of EDPD; PRCs, consultancy firm and local authorities (to consultation with Affected Households, compensation payment, reporting and etc.)
- Ensure the achievement of milestones specified in the workplan and recommend immediate corrective actions if milestones are not met or are not on track;
- Monitor GRM with the PRCs, train PRCs on the GRM, and concerned local authorities and village level grievance/resettlement committee (locally known as village mediation unit) established and trained to handle project related grievances that may be received from PAPs/PAHs and who believe they are PAPs/PAHs with respect to resettlement process.
- Conduct regular visit to the project sites and PAPs/PAHs to review the RAP implementation progress and provide advisory and guidance to address issues and grievance that may be raised and identified during the site visit. Special attention shall be paid to the vulnerable, ethnic and female headed PAHs to ensure that they have been provided with compensation and entitlements and that their livelihood will not get worse than that of pre-project level.
- Assist concerned Components to prepare progress reports on RAP, SEP, and ESMP Reports implementation and completion report for submission to the World Bank and other agencies;
- Undertake other related tasks that may be assigned and agreed with the concerned Project Director/Managers.

### Task 3. Ethnic Group Engagement Plan (EGEP), if any.

- Implement, monitor and report on the EGEP implementation.
- Conduct ethnic community participation and meaningful consultation with the ethnic groups and PAPs during the preparation of EGEP and project implementation.
- Work closely with PRCs and concerned agencies including Lao Front for National Development to ensure successful implementation of EGEP in line with the government and the World Bank policy of ESS 7.
- Conduct regular site visits to Project sites, particularly the ethnic communities affected by the Project activities, observe and interview ethnic PAPs/PAHs to review the EGEP implementation progress and provide advisory and technical support to address issues and grievance that may be raised and identified during the site visit.



- Ensure that their grievances and feedback received are reviewed, responded and recorded in the tracking system.

#### Task 4. Assisting concerned Components and Capacity Building.

- Perform activities as agreed with each concerned Component.
- Priority will be given to deliver trainings to contractors, local authorities and staffs on the ESCP, RAP, EGEP, SEP, ESMP reports and other ES reports, preparation, **supervision, and monitoring.**

#### **IV. QUALIFICATIONS REQUIRED**

The Consultant should have the following qualifications and experiences required to undertake her/his assignment:

- A Master degree in environmental sciences, environmental engineering, social sciences, social development, road and transport engineering, community or rural development or related field of expertise.
- A minimum of 8 years' experience in environmental and social impact assessment and resettlement action plans under infrastructure projects.
- Having experience and knowledge on World Bank's ESF (an advantage), or safeguards requirements of other international agencies, and GOL environment and social safeguard requirements especially those related to Resettlement and Compensation Decree and other concerned regulations on environmental and social safeguards related to waste management or landfill subprojects will be highly desired.
- Experience in working with government agencies to support and develop their institutional capacity would be an advantage.
- Good spoken and written English with ability to prepare report in English language, and computer literacy (Microsoft Office and Excel) will be necessary.
- Willingness and ability to travel to project site frequently.

#### **V. EXPECTED DELIVERABLES**

During the course of her/his assignment, the Consultant will deliver the following outputs to the EDPD/PTI:

- Inputs to update the Alignment Sheet of E&S aspects for the EWM Project;
- Inputs to update the workplan for the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation and monitoring with concerned Components, the World Bank and her/his own comments or suggestions incorporated based on field observations and discussions. The workplan should include agreed actions, expected outputs or key milestones, responsibilities and timeframe.
- Inputs for the monthly progress report on the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation to be submitted to the Director of



EDPD/PTI no later than 3 working days after the final date of each calendar month. The monthly progress report shall cover overall status of the ESCP, RAP, EGEP, SEP, ESMP reports and other ES reports, implementation, status of compensation and livelihood support for PAPs, issues faced, and actions taken, grievances received and addressed and next steps

- Bi-annual progress report on the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation to be submitted to the Director of concerned Components no later than 5 working days after the last date of sixth month. The bi-annual report summarizes the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation status and highlight main issues faced, action taken, status of grievances received and addressed and next steps or priorities for the next 6 months.
- Reports on findings of site visits, training and study or exchange visit finance under the project, minutes of consultations and meetings which could be submitted as annexes to the progress reports.

#### VI. DURATION OF ASSIGNMENT:

This shall be a time-based contract. The Consultant (NESC) is expected to start her/his assignment on \_\_\_\_, 2023 or as soon as her/his contract has been signed. S/he will work for a period of 12 months on a full-time basis from \_\_\_\_2023 to \_\_\_\_20\_\_ – a critical period of the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports. The contract can be then extended on a part-time basis depending on the need, performance and availability of funds. The Consultant’s principal place of work shall be at PMU office of the concerned Component in Vientiane, Lao PDR.

There will be a 3-month probation period for the Consultant, at the beginning of the assignment, during which the Client may terminate the contract with a 2-week advance notice. For the purpose of contract extension, Consultant’s performance shall be assessed based on the following performance indicators:

##### 3. Technical Performance

#	Description of Result Area	Result indicators
1	Inputs for updating the Alignment Sheet of E&S aspects	Satisfactorily completed within 1 <sup>st</sup> month of activity.
2	Inputs for updating and preparation of workplan for the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports	Satisfactorily completed within 1 <sup>st</sup> month of activity.
3	Inputs for updating and preparing monthly progress report on the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports	Submitted within 1 <sup>st</sup> 3 days of the next month.
4	Inputs for updating and preparing Bi-annual progress report on the ESCP, RAP, EGEP, SEP, ESMP, LMP	Submitted within 1 <sup>st</sup> 3 days of the



	reports and other ES reports	next month.
6	Reports on findings of site visits, training and study or exchange visit finance under the project, minutes of consultations and meetings	Timely submitted within limits requested by the Client.

4. Behavioral Performance

#	Description of Performance Area	Result indicators
1	Drive for results- makes things happen, is proactive, committed to project goals	Confirmed by Coordinator and/or team members
2	Team work- collaborates with others, acknowledges other people's contribution, will seek help when needed	Confirmed by Coordinator and/or team members
3	Learning and knowledge sharing- open to new ideas, shares knowledge and applies knowledge in daily work	Confirmed by Coordinator and/or team members
4	Managerial skills- coaching, mentoring and management	Confirmed by Coordinator and/or team members

VII. REPORTING AND PAYMENT

The Consultant will prepare and submit the following reports or deliverables in English to EDPD/PTI with key parts of the documents to be translated into Lao. The report format and content of each report will be agreed with concerned Components. For each report submitted an electronic copy will be provided. Electronic copies will be in the format used in their preparation will all links, formulas, and fields active. For all reports an executive summary will be included:

- Inception Report: The Consultant will, within two weeks of Commencement of Services or any other date as agreed with concerned Components, submit an Inception Report to EDPD/PTI setting out the activities and work plan to be carried out during the consulting services including the Consultant's manning schedule and other clear inputs and outputs to be provided including a plan for submission of invoices. The report will also provide a section summarizing the existing status of the project activities and implementation progress and environment and social requirements and next steps.
- E&S standards capacity assessment report and workplan capacity development for concerned Components, and PRC to be delivered 45 days after the Consultant's contract has been signed.
- Progress Reports (Quarterly during the first 6 months): The consultant will assist concerned Components to prepare and submit quarterly progress report to keep the World Bank updated on the status of the safeguard assessment and instrument preparation during the first 6 months of her/his assignment or as



required. The progress reports should also include consultant's input provided to the safeguard documents reviewed. After that s/he will assist EDPD/PTI to prepare and submit the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation monitoring report required for the World Bank every six month and annually. The Consultant will prepare and submit these compliance monitoring reports to concerned Components at least 14 days before the final submission date as agreed with WB. The report will summarize all progress of the ESCP, RAP, EGEP, SEP, ESMP, LMP reports and other ES reports, implementation and records on GRM and other aspects related to road safety, community health and safety and workers, etc.

- **Completion Report:** At the end of the service, the Consultant will prepare and submit a Completion Report to EDPD/PTI and WB in a manner satisfactory to EDPD/PTI including: a summary of the activities conducted; successes, problems, and lessons learned during the services; extent to which the outputs and targets agreed have been achieved, together with an analysis of any variance from agreed targets; and recommendations for improvement including an estimated budgets, schedules and implementation arrangements, for follow on work to the services.

21. The payment will be made through concerned Components. The Consultant shall submit an invoice to claim payments along with the working days, trips undertaken and days worked outside office, list of deliverables and reports outlining key activities undertaken and outputs to facilitate the payment.

#### VIII. RESOURCES TO BE PROVIDED BY EMPLOYER:

22. Concerned Components will provide i) office space and basic office furniture including photocopier and telephone landline, ii) technical counterparts, iii) basic office assistance, iv) transportation for field work, and v) per-diem and allowance and accommodation expenses (when working out of Vientiane Capital)

23. The Consultant will be responsible for other services that may be required and agreed with concerned Components, including: i) translation of the reports in Lao language; ii) international telecommunication arrangement; iii) organization of the workshops, training and study visit; iv) other assignment related work required for performing the services.



**Lao People's Democratic Republic**  
**Peace Independence Democracy Unity Prosperity**



**Ministry of Public Works and Transport**  
**Lao Environmental and Waste Management Project (P175996)**

**TERMS OF REFERENCE (TOR)**

**For National Environment and Social Supporting Staff for Components 1, 2 and 4**  
**(Time-based contract)**

**Reference No. \_\_\_\_\_**





## I. INTRODUCTION

### (a) Project Background

The Lao People's Democratic Republic achieved rapid growth and significant poverty reduction between 2005 and 2020, though inequality widened. Gross domestic product (GDP) has averaged around 8 percent growth per year since 2000. The poverty rate declined from 34 percent in 2003 to 23 percent in 2013, reaching 18 percent in 2019. Yet, the Gini coefficient increased from 32.5 to 38.8 during the same period, reflecting lower gains for the bottom 40 percent. COVID-19 has added economic burdens on the country and economic growth declined to 0.4 percent in 2020, the lowest level in three decades.

Key economic activities underpinning Lao PDR's economic dynamism include agriculture, mining, hydropower, and service industries. While these activities provide important economic gains, they have also resulted in high rates of natural resource depletion and environmental degradation. Climate change hazards such as drought and floods are predicted to increase, altering the landscape, fauna, flora and vegetation, but also destroying public infrastructure, property, productive land, agricultural assets and harvests and subsequently further degrading natural resources.

Due to the increasing urbanization in Vientiane and secondary cities and despite improvements, cities and districts suffer from increasing pollution levels, which combined with weak capacity in planning and enforcement and lack of infrastructure and municipal services mean that there are severe difficulties in coping with the associated environmental, social and health impacts. As elsewhere in the world, the vulnerable people are more likely to be exposed to and suffer from the pollution.

Pollution levels in Lao PDR have severe public health and economic impacts and need improved monitoring and regulatory oversight, and improved environmental, pollution and solid waste management is emerging as a priority for the GOL.

Solid waste generation has increased substantially over the years. Sound waste data is missing in the country and is often inconsistent and unverifiable. Waste generation is rapidly increasing in cities and towns due to urbanization, economic growth and changing lifestyles, as well as in tourism hotspots which have seen rapidly increasing numbers over the last decade. During the last decade, household waste generation is estimated to have almost doubled in Vientiane (around 0.80 kg per person per day), same as in the previous decade. As in many other developing countries, the major portion of municipal waste generated in Lao PDR is composed of organic materials. Food, garden, wood and green waste makes up 57 percent of the waste while dry recyclables such as glass, plastics, metal, paper and cardboard account for 22 percent of the waste.

Waste collection in the country is largely limited to the urban centres but remains at low levels. While no accurate figures exist, it is estimated that in Vientiane city only around 30-





50% of the waste generated, and only about 25% of household waste, is collected and transported to the landfill sites. Similar figures are estimated for secondary cities such as Savannakhet, Luang Prabang and Champassak. Due to the lack of appropriate collection systems, open burning, household burying, littering along roadsides and rivers, and dumping in vacant lands are widely spread practices in both urban and rural areas. Illegal dumpsites are also common in urban areas. Open waste burning contributes to respiratory infections for urban residents resulting in significant health damages and lost working days, and further aggravates the severe air pollution in the country. Poor and vulnerable populations are the most likely to suffer from inadequate sanitation due to uncollected waste, which can be a heavy financial burden through health-related expenditures and lost productivity.

Even when solid waste is collected, disposal at open waste dumpsites causes severe environmental pollution. While the amount of solid waste generation has substantially increased, the infrastructure for collection and sanitary disposal has not kept up with the demand, causing significant environmental problems. Landfills in Lao PDR are usually operated as open dumpsites without proper waste and leachate treatment, with the landfills of Vientiane or secondary cities such as Luang Prabang or Savannakhet being no exception. Waste dumping is done without compaction and disposal planning. There is a high risk that toxic waste components are or will in the future contaminate soil at adjacent farmland, surface water bodies and groundwater. Uncollected methane from anaerobic decamping organic waste significantly contributes to greenhouse gas emissions and poses a high risk of landfill fires.

Women and children in the informal waste sector face multiple disadvantages and are exposed to health and social threats posed by inadequate solid waste management. Their contributions to recovery and recycling of valuable plastics in the face of underdeveloped formal waste management systems are largely overlooked and unsupported. Improving the management of waste collection systems must consider the informal sector, where substantial amount of waste pickers are women, and work in hazardous and unsanitary environments without adequate protection and safety.

Plastics pollution is an increasing concern in the country. The amount of plastic waste is continuously increasing particularly in urban areas and often remains uncollected. In Vientiane, plastics constitute around 12 percent of the total waste stream. In a series of studies, the priority plastic items ending up in the environment and waterways were identified as: drinking bottles; caps and lids; bags; cups; food containers; and straws. In major cities such as Vientiane, Savannakhet, and Pakse, plastic waste is a key factor in blockage of drainage systems causing sudden flooding during rains. In key tourism hotspots such as Luang Prabang or Vang Vieng, widespread plastics littering poses a substantial threat to the touristic value. Fishers throughout the country report catching plastics almost every single time they are out fishing, and a study at the largest marshland of Vientiane



found high amounts of microplastics in fish, surface water, and sediments. In addition, burning of plastics is widespread, contributing to air pollution and causing respiratory health issues. Lao PDR has seen an almost 10-fold increase in plastic waste imports from 2018 to 2019 due to the recent import regulations by China and other countries in the region. The quality and recyclability of the waste imports are unknown, and the capacity to cope with the large amounts of plastic waste in Lao PDR is not present.

There is no systematic collection of data about waste generation and waste management in Lao PDR. The most reliable data is from Vientiane Capital where the waste generation has been estimated to 0.65 kg/person/day<sup>13</sup>. It is generally the case that waste generation is higher in urban areas than in rural areas and assuming a waste generation in urban areas of 0.65 kg/person/day, a waste generation in rural areas with road access of 0.5 kg/person/day and a waste generation in rural areas without road access of 0.3 kg/person/day, the total annual waste generation in 2020 would then amount to approximately 1.48 million tonnes. Currently, only 48% of waste, are collected and 60 % of the waste are disposed in open dumps. Hazardous waste is not collected or treated separately from general waste, resulting in toxic materials and medical waste being disposed of together with municipal waste.

However, a clear institutional and specific regulatory framework for solid waste management is missing. At the national level, two main bodies are responsible for issues related to solid waste management: The Ministry of Public Works and Transport (MPWT), mainly responsible for construction of infrastructures, and the Ministry of Natural Resources and Environment (MONRE), tasked with a regulatory, supervisory and supporting role. The specific responsibilities of different central governmental agencies are however not clearly defined. MONRE's main tasks and responsibilities include the preparation of environmental laws and regulations, however few of these specifically target the solid waste sector. Urban Development Administrative Authorities (UDAAs), at provincial level are the main bodies tasked with solid waste management issues but undefined responsibility at the national level affects solid waste management at the local level in policy implementation, budget allocation, and provision of services.

In addition, regulatory oversight of solid waste management is limited, and local governments (LGs) lack capacities for solid waste operations. Solid waste services are often outsourced to the private sector with limited financial sustainability of operations. While the responsibility for solid waste management lies with the province, UDAAs are not equipped with sufficient budget and staffing to provide the regulatory oversight and

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<sup>13</sup> Global Green Growth Institute 2018, Solid Waste Management in Vientiane, Lao PDR, Situation assessment and opportunities for waste-to-resource



services required. UDAA's do not receive public funding from the government for solid waste management and generate revenue through waste collection and landfill tipping fees which are spent for O&M. Many UDAA's outsource (part of their) waste collection and disposal to private companies while sometimes also running direct operations in selected service areas. For example, in Vientiane around 10 collection companies currently operate in addition to UDAA's own collection services. Services are however hampered by the general (i) lack of performance benchmarks and key performance indicators in the contracts and lack of regulation, monitoring and reporting; and (ii) a lack of financial sustainability to extend services. Typically, waste fee collection is the responsibility of the provincial governments, who use the revenues for payment of services. In Lao PDR, waste collection companies collect fees directly from households typically upon collection of waste. There is no enforcement mechanism for households to pay for waste services, thus resulting in low waste fee collection rates. Consequently, the collection companies limit their services to more profitable urban centers and areas with ability and willingness to pay as well as to public institutions, and the commercial sector in order to achieve cost recovery.

The priority challenges within the solid waste sector can be summarized as follows. (a) lack of a clear legal framework for solid waste and pollution management and policies and regulations on pollution and solid waste management; (b) lack of capacities at national level to provide regulatory oversight; (c) lack of monitoring and enforcement capacities for environmental pollution (d) local governments are in charge of solid waste management but lack of capacities for operations, monitoring and regulations; (e) lack of financial sustainability due to limited fee collection leading to partial services; (f) lack of proper treatment, recycling and disposal infrastructure causing environmental pollution and severe health and economic impacts; (g) strong increase of single-use plastic items and widespread plastics pollution. The project will be designed to address these key challenges and priorities at both national and local levels.

### **(b) Project Objectives**

The project activities will be implemented through the following 5 components (Please see Annex 1 for Details Project Description) :

- **Component 1 (C1): Policy Implementation and Capacity Enhancement.** This component will strengthen the policies, institutional framework, and capacities of central government agencies (particularly MONRE and MPWT) responsible for various technical and administrative aspects of environmental, pollution, solid waste, and plastics management, including initiating a matching grant mechanism with selected private sector. The activities will be implemented by responsible agencies through the following five subcomponents as presented in Table 1-1:



**Table 0-9: C1 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 1. Policy Implementation and Capacity Enhancement (PICE)</b>	<b>MONRE</b>	<b>12.12</b>
Subcomponent 1A. Policy and capacity support on EIA/IEE/SEA, solid waste management, and Toxic and Hazardous Waste (THW)	DOE/DWR-MONRE	2.72
Subcomponent 1B. Capacity and Financial support to SMEs on environmental and waste management	EPF	2.36
Subcomponent 1C. Policy and capacity support on ECC compliance and pollution monitoring framework	DNEI/NRERI/DWR-MONRE	3.65
Subcomponent 1D. Policy and Capacity support on Climate change: low carbon resilient development	DCC-MONRE/ DOP-MPI	1.5
Subcomponent 1E. Policy and capacity support on plastics policies and legislation	DOE/DPF-MONRE	1.59

- The Matching Grant (LEMGP):** The proposed matching grant activities (called Lao Environmental Matching Grant Program or LEMGP) seeks to initiate active engagement with a selected small-and medium-size enterprises and businesses (SMEBs) that can provide resources or practical solutions for solving the most pressing issues related to effective use of natural resources, waste generation, environmental quality, and pollution control challenges taking into account the needs and opportunities for selected SMEBs to continue with their businesses after Covid-19 pandemic and contribute to economic growth toward green growth direction. Eligible applicants include SMEs per the SME law and small/medium size businesses including local authorities and local communities that are committed and capable of planning and implementation of a Green Business Plan (GBP) or Green, Clean, and Beautiful Plan (GCBP) in line with GOL regulations and located in the target/project areas. Total cost for LEMGP is estimated at \$1.5M. With a maximum matching grant of \$100,000 per one PSMEB who can sign a Sub- grant Agreement with EPFO (as suggested by WB), it is expected that 10-15 green plans will be prepared and implemented. The activities to be implemented within 1-2 year time frame.
- Component 2 (C2): Integrated Support and Capacity Building for Local Government and Municipalities.** This component seeks to address primary constraints to improving sector performance including the technical, organizational, and financial capacity of local governments to efficiently provide solid waste services. This component will support local governments to better prepare for investments under



Component 3. The activities will be implemented by responsible agencies through the following three subcomponents as presented in Table 1-2:

**Table 0-10: C2 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 2. Integrated Support and Capacity Building for Local Government and Municipalities</b>	<b>MONRE</b>	<b>4.54</b>
Subcomponent 2A. Support and Capacity Building for Local Gov't on waste and pollution data and information systems and waste service	DNEI/NRERI-MONRE	0.09
Subcomponent 2B. GCB and 3R projects + capacity building for NPAP/plastic policies implementation in targeted districts	DOE-MONRE	3.92
Subcomponent 2C. Support to private-public partnerships and enhancing output-based waste service delivery and cost recovery capacity	TBD	0.53

- **Component 3 (C3): Infrastructure investments for solid waste and plastic management.** This component will finance waste management and recycling infrastructure investments in Vientiane Capital to improve the effectiveness and efficiency of waste and plastics management to enhance services and environmental sustainability in three selected locations in Vientiane Capital including (i) in Naxaythong district for installing a new waste transfer station; (ii) at the Km 16 in Xaysettha district for upgrading a material recovery facilities and support waste collection and transportation equipment; and (iii) at the Km32 (existing landfill) in in Xaysettha district for partial rehabilitation and construction of waste cells and leachate treatment facility, temporary hazardous waste storage facility, waste reception area, upgrading waste recycling facilities and associated facilities. Potentially, investments in riverine plastics collection technologies will be provided under this Component, including support on setting up viable operations and disposal systems and integration into general SWM system. This will be combined with the establishment of plastics pollution monitoring stations and provide citizen science and reporting possibilities for monitoring of impacts. The activities will be implemented by responsible agencies through the following two subcomponents as presented in Table 1-3:

**Table 0-11: C3 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 3. Waste and plastics management</b>	<b>MPWT</b>	<b>24.62</b>



Infrastructure Investments		
<p>The investments will be divided into three locations strategically selected in Vientiane Capital to maximize the waste-to-resource opportunity, minimize the waste volume that will be landfilled at Km32, and mitigate the negative environmental and social impacts from waste management. The three sites are as follows:</p> <ul style="list-style-type: none"> <li>• At Naxaythong district in north-west of Vientiane Capital will install a new waste transfer station with material recovery facility, waste collection and transportation equipment with waste transfer function.</li> <li>• At Km 16 in Xaysettha District, upgrade to a material recovery facility and support waste collection and transportation equipment.</li> <li>• At the current landfill at Km32 will be partially rehabilitated to extend the lifetime of the landfill and also to install the waste reception area, upgrading of waste recycling facility, ensure a safe and healthy working environment of informal waste pickers, improve the leachate treatment and regulation facility to mitigate the direct discharge of leachate to the surrounding area and also install the storage for hazardous waste to safely store the toxic and hazardous materials.</li> </ul>	DHUP	24.62

- **Component 4: Project coordination and reporting.** This component will focus on inter-ministerial coordination, progress reporting, and monitoring and evaluation Strengthening implementation and management capacity will involve support for project management and monitoring and evaluation systems across the implementing agencies at all levels. The activities will be implemented by responsible agencies through the following two subcomponents as presented in Table 1-4:

**Table 0-12: C4 Subcomponents (reference: Report No: PAD4795)**

Component	Lead Implementing Agency	Total Budget (US\$ millions)
<b>Component 4. Project Coordination and Reporting</b>	EPF	<b>3.81</b>
Subcomponent 4A. Project management and administration	EPF	2.90



Subcomponent 4B. Communication, Engagement, and EPF Capacity building	EPF	0.91
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- **Component 5. Contingent Emergency Response (CERC).** This component is designed to provide swift response in the event of an eligible crisis or emergency, by enabling the GOL to request the World Bank to reallocate project funds to support emergency response and reconstruction.

## II. OBJECTIVE OF ASSIGNMENT

The main objective of the assignment is to provide coordination, management, and administrative support to the EPF-PMU manager and the ES consultant to improve their capacity to:

- Monitor and report on the implementation progress and status of the environmental and social safeguard measures (ESMP, C-ESMP, ECOP/SCOC, RAP, and EGEP) of the subproject activities under Components 1, 2 and 4 on the ground.
- Provide support to EPF-PMU on the operations and maintenance of E&S monitoring and tracking IT system with data on ESMP, RAP and EGEP status and compensation provided to PAPs and grievances received and addressed.

Key deliverable of these ESSs will be the monthly report on the implementation progress of E&S mitigating measures of the subprojects and/or other outputs as agreed with EPF-PMU.

## III. Detailed Task and Responsibilities:

All the ESSS will be reported to the Director and/or the Deputy Director of EPF-PMU responsible for management, supervision, monitoring, and reporting of the EWMP.

- Work closely with the Environmental and Social Consultants of EPF-PMU to prepare and update the ESF implementation workplan;
- Work closely with the NESC and a Training Expert to prepare and deliver ESF training plans for capacity building activities to implement the ESF instruments with greater emphasis on the ESMF; SEP and ESCP;
- Provide support and assistance to the EWM project in organizing of ESF related workshops, meetings, and consultations with the PAPs and community;
- Participate in site visits and implementation support missions conducted by the World Bank to monitor and report implementation status on the SEP, RAP and EGEP, if any;
- Jointly prepare and submit a ESF monitoring report to the EPF-PMU and the World Bank at least every six months;





- Support the EPF-PMU and E&S Consultants to engage the concerned stakeholders including the community and project affected persons in the project activities;
- Assist the EPF-PMU and E&S Consultant to organize and facilitate meaningful consultation with the stakeholders and communities and establish a Free, Prior and Informed Consent (FPIC) particularly with ethnic village or ethnic groups;
- Implement continuous consultations on planned Project activities and plans, as well as Environmental;
- Social risks and mitigation measures; and guide and monitor in such consultations;
- Provide support in the preparation of other environmental and social instruments (such as ESMPs, COC, CHS plans) through field level data collection and stakeholder engagements;
- Social risks and mitigation measures; and guide and monitor in such consultations;
- Assist in the gathering information in the preparation of ESF monitoring report as an input to the overall project progress reports (annual and semi-annual) for submission to the World Bank (WB);
- Assist the E&S Consultants to Prepare a summary of GRM status as part of her/his input for overall project progress reports to be prepared and submitted by the PMU-MPWT to the World Bank on an annual and semi-annual basis; and
- To participate in the design, maintenance and dissemination of the Project's Grievance Redress System in cooperation with the E&S Consultants of the EWM Project.

#### IV. **Deliverables**

- Input during the preparation and update of the work plans for ESMP, A/RAP and EGEP implementation and monitoring. The work plan should include agreed actions, expected outputs or key milestones, responsibilities and timeframe.
- Input for the monthly progress report, the quarterly report, the six-month report, and the annual reports on operations of the GRM, ESMP, C-ESMP, A/RAP and EGEP implementation of the EWMP subproject activities on the ground.

#### V. **Duration of the Assignment:**

This shall be a time-based contract. The E&S Supporting Staff is expected to start her/his assignment on \_\_\_\_, 2023 or as soon as her/his contract has been signed. S/he will work for a period of 12 months on a full-time basis from \_\_\_\_2023 to \_\_\_\_20\_\_\_. The Consultant's will be based at EPF-PMU, Vientiane, Lao PDR.





There will be a 3-month probation period for the Consultant, at the beginning of the assignment, during which the Client may terminate the contract with a 2-week advance notice.

**VI. Minimum Qualifications:**

The candidate should at least have:

- A minimum of Bachelor degree (or higher) in Social Sciences, Environment, Community Development and Project Management, or another related field;
- A minimum of 5 years of relevant experience working with community development projects, social assessment and participatory community or rural development;
- Knowledge on (old) safeguard policies or (new) Environmental and Social Framework (ESF) and Environmental and Social Standards of the World Bank Group particularly in relation to indigenous people or ethnic groups and stakeholder engagement would be an advantage;
- Good knowledge of spoken and written English and Good communication skills;
- Good computer literacy in Microsoft office (e.g., Word, Excel, PowerPoint); and
- Ability to travel to and work in in the field and villages.