Environmental and Social Safeguards Framework

For

Sustainable Energy Financing Project

Fiji

2007-2017

Revised September 2014

For

Project Restructuring
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<td>PIGGAREP</td>
<td>Pacific Islands Greenhouse Gas Abatement through Renewable Energy Project</td>
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Introduction

The original Sustainable Energy Financing Project’s (SEFP) aim was to promote the use of sustainable energy and application of energy efficiency enhancements in Fiji, Papua New Guinea (PNG) and Solomon Islands (SI). The program was also to be implemented in Vanuatu and Republic of Marshall Islands by the International Finance Corporation but was never commenced. The objective of SEFP was to improve the lives of many rural households and village institutions through the use of solar PV, pico-hydro generators and fuel switching for lighting and other electricity uses. The businesses of some MSEs in the region and energy service companies were also assisted by the use of clean energy sources, while others involved in the supply chain for related equipment, supplies and services were assisted to expand.

The SEFP sought to exert its impact through using GEF grant resources to facilitate the financing of qualifying investments by individuals, formal village institutions and MSEs. This financing was from local PFIs in each of the countries of operation, making use of their entrenched positions in respective local economies and proven ability to advance and administer loans. It was clear that these PFIs did not offer enough suitable loans to such borrowers for this type of expenditure: the most likely obstacles being lack of normal banking collateral, short term or high interest rates and PFIs’ general lack of awareness of sustainable energy activities. Considerable care went into designing the SEFP interventions to overcome such obstacles, partly through providing financing support that renders loan transactions attractive to both borrower and lender and partly through providing suitable tailored technical assistance to improve understanding of the benefits of sustainable energy.

The SEFP focused its limited resources on development of a commercial market, in the participating countries, mainly for three technologies: Solar PV, pico-hydro and use of coconut oil as alternative fuel to diesel. In those market segments the project also focused on supporting market development and dissemination of related products such as efficient lighting: one example was the LED-based technology in smaller packages which are affordable to households without the need for financing. To assure that the loans provided by the PFIs were utilized for high-quality products, the project developed, in each country, an Approved Product Catalogue, which was updated as required. In addition, the project provided information to mass media on these products and developed individual training programs to teach end users about the basic installation and maintenance aspects of these products. The closing date for the project is December 31, 2017.

A Mid Terms Review (MTR) of the SEFP found that the project had not performed satisfactorily in PNG and SI, but had performed well in Fiji where the focus was on lending to MSEs to buy renewable energy and energy efficiency equipment in bulk for resupply to retail consumers. The MTR recommended that the SEFP be closed in PNG and SI but be maintained in Fiji, with the lessons from the successful implementation of the project in Fiji shared with other Pacific Island States. The project was restructured on 2013 to implement the recommendations of the MTR with the project objective and activities largely maintained as described below.

Project Overview

Project Objective:

This project aims to significantly increase the adoption and use of renewable energy technologies and the more efficient use of energy through a package of incentives to encourage local financial institutions to participate in
sustainable energy finance in the Recipient’s Territory\(^1\) and through knowledge sharing and capacity building in the Participating Island States.

**Project Description**

The project will make available a Risk Sharing Facility to guarantee 50% of the loans by commercial banks to individual and micro and small enterprise (MSE) to borrowers to finance renewable energy technologies and energy efficient use of energy. In addition, the project provides funds for technical assistance, market incentives and communications and for the management, monitoring and evaluation of the program.

The loans made under this project will need to meet a Covered Loans Criteria and will be to finance equipment as set out in an Approved Product Catalog and in the case of MSE borrowers, based on an approved business plan.

The project includes the following components:

**Component 1: Risk Sharing Fund (RSF)**

(a) Providing partial credit guarantees through the Fund Manager from the Risk Sharing Fund to Approved Participating Financial Institutions (PFIs) to make Covered Loans to Participating Individual Borrowers and Participating MSE Borrowers to enable them to make investments in Sustainable Energy technologies from the Approved Product Catalog and/or in related Sustainable Energy services under an Approved Business Plan.

(b) Providing technical assistance to the Executive Agency to: (i) select Approved PFIs to be eligible for partial credit guarantee coverage under the Risk Sharing Fund; and (ii) develop and monitor: (A) the Approved Product Catalog and Approved Business Plans; and (B) the terms and conditions for Covered Loans to be eligible for financing support under the RSF.

**Component 2: Technical Assistance, Market Incentives and Communications**

Providing technical assistance through the Executive Agency to:

(a) strengthen the capacity of Approved PFIs to service client’s borrowing to purchase Sustainable Energy equipment by providing training to establish and maintain a profitable Sustainable Energy portfolio, including support with appropriate management information systems, risk mitigation and recovery techniques;

(b) strengthen sales and after sales incentive structures for Sustainable Energy service providers through detailed market surveys;

(c) strengthen the financial and technical capacity of MSE Sustainable Energy service providers;

(d) assist vocational schools and other training institutions to (i) provide training on energy planning and Sustainable Energy solutions and (ii) develop and deliver Sustainable Energy technology repair and maintenance training;

(e) develop and implement consumer protection, testing, and accreditation programs, including accreditation of renewable energy suppliers, auditors, and managers;

(f) assist local retailers and MSEs to attend training institutions and trade fairs on Sustainable Energy topics and support trade fairs, showcases, and community presentations to promote Sustainable Energy and energy efficiency technologies;

(g) install Sustainable Energy and energy efficiency demonstration facilities to promote their adoption and use;

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\(^1\)The Recipient for the purpose of this Environmental and Social Safeguards Framework is the Republic of Fiji.
(h) review the Recipient’s energy policies and implement measures to address any barriers to significantly increasing the adoption and use of renewable energy technologies and more efficient use of energy, and carry out renewable energy resource and technology studies and studies regarding the efficient use of energy; and

(i) develop a communications strategy for the Program to address all relevant stakeholders including communities, potential Borrowers, and potential Approved PFIs.

**Component 3: Management, Monitoring and Evaluation**

Providing the Executive Agency (EA) with the services of a Program Manager (PM) to:

(a) ensure effective management, coordination, monitoring, and evaluation of the Program;

(b) promote knowledge sharing and regional capacity building to the Participating Pacific Island States; and

(c) monitor, report, and support any outstanding matters arising from the ongoing Program.

**Implementation Arrangements:** The Executive Agency is the Department of Energy (DOE); DOE has the overall responsibility for project implementation, including implementation of safeguards issues as spelled out in this ESSF and the World Bank’s safeguard policies. A Fund Manager (ANZ Banking Group Limited) has been contracted to manage the Risk-Sharing Fund (RSF), which will be administered in a prudent fashion to provide the financing support for loans by Participating Financial Institutions (PFIs) to SEFP beneficiaries. Administration will include holding the SEFP RSF, making risk-sharing agreements with PFIs, transferring funds in accordance with such agreements, monitoring commitments, and reporting to the World Bank.

**Social Impacts**

The main social impacts of the project will be on rural households and MSEs. Project impacts on these entities will be positive as they will have improved access to electricity, which will be cleaner, cheaper and more reliable. The project will not finance large scale interventions with a large footprint and with land acquisition. The project will facilitate the flow of commercial funds for renewable energy and energy efficiency investments for private households and MSEs with no involuntary taking of land. However, some activities may involve a short low-voltage transmission line that will cut across neighboring households or businesses; such activities will only be supported when permission of all users of affected lands has been obtained. To date there have been no support provided to projects which needed to use third party properties for transmission lines.

There are no major social issues that could have an adverse effect on the project. The major stakeholders/beneficiaries for sustainable energy are as follows:

- households, which will benefit from access to electricity;
- MSE retailers and technical service providers, which will extend their market and benefit from economies of scale that this project will provide; and
- MSEs, which will benefit from cheaper and more reliable energy.

The major stakeholders for energy efficiency are as follows:

- households, hotels, hospitals, and mines;
- energy-using MSEs and energy efficiency service companies; and
- power utilities.

The major stakeholders common to both sustainable energy and energy efficiency are as follows:

- financial institutions; and
- individuals and enterprises.
During preparation of the original project these groups were consulted on an individual basis as well as through public consultation sessions during which the participants had adequate time to express their views, which have been taken into account in project design. Following are the principal findings from these sessions:

- Access to electricity services in rural areas is a priority for households and enterprises. Sustainable energy is generally perceived as the most feasible means of accessing electricity services, although experience has not always been good, which has resulted in some negative preconceptions. Women, now responsible for lighting the house, will benefit most from access to modern energy services.
- The role of government in delivery of rural electricity services is unclear, and the private sector has limited financial, management, and technical capacity for the task. However, people are aware that previous government subsidized models are unsustainable and that new approaches are required and, most important of all, are willing to pay for working services.
- General awareness of the cost and benefits of sustainable energy and energy efficiency measures is low; this is especially the case for energy efficiency. There is also a need for training in the technical and management aspects of sustainable energy and energy efficiency.
- Affordable finance for households and enterprises for any capital investment, including sustainable energy, is generally unavailable even though people are willing to pay reasonable rates of interest.

The SEFP has involved further consultation during project implementation in Fiji. Local communities and SMEs in Fiji have expressed continued support and demand for the project, although demand has mainly been from SMEs. Changes in project design for the restructuring project has been made to accommodate interests from project beneficiaries, including support to develop coconut oil-fueled (CNO) electricity generation even if they do not already have an existing diesel generator, and other renewable energy technologies such as solar hot water systems, which could include fuel switching or installation of new equipment.

The project will benefit both the Fijians, indigenous to Fiji, and other population groups in Fiji of Indian, Chinese and other Pacific Islands descent. The project will have no adverse impacts on indigenous peoples and since the vast majority of the local beneficiaries are indigenous peoples, the project itself constitutes an Indigenous Peoples Plan. Procedures to ensure appropriate application of policy provisions are described in this ESSF.

**Environmental Impacts**

This project is expected to have benign environmental impacts and is given a Category ‘C’ rating. The major issues are as follows:

- Safe disposal of the batteries in solar PV systems; and
- Any land-use issues associated with the lines coming from pico-hydro systems, which might have to pass over land not belonging to the owner of the pico-hydro or CNO supported activities.

**Objectives of the Environmental and Social Safeguards Framework**

This ESSF has been developed specifically for all projects and activities to be financed under the SEFP. The operations under SEFP will support multiple projects such as solar, pico hydro, coconut oil fuel and energy efficiency technologies; the detailed designs and locations of these projects are not known at this stage. To ensure effective application of the World Bank’s safeguard policies and the national regulatory requirements, the ESSF provides
guidance on the approach to be taken during the approval of projects. Recognizing the urgent need for assistance and the nature of potential operations to be financed under the SEFP, the ESSF provides an approach, tailored to this situation to manage the potential environmental and social impacts of the projects and activities under the SEFP. It will guide DOE in approving projects that have carried out appropriate assessment of environmental and social impacts in compliance with relevant World Bank safeguard policies and the national regulatory requirements in Fiji.

The objective of this Environmental and Social Safeguards Framework (ESSF) is to ensure that adverse environmental and social impacts are avoided or appropriately mitigated and compensated for. The ESSF is based on the World Bank’s environmental and social safeguard policies. A key principle is to prevent and mitigate any harm to the environment and to people by incorporating environmental and social concerns as an intrinsic part of project cycle management. The ESSF provides an overview of relevant World Bank policies and describes the planning process concerning environmental and social issues, including for screening, preparation, implementation, and monitoring of project activities, recognizing that the safeguard impacts of project supported activities are mainly minor.

The following three safeguard policies apply to the restructured SEFP: OP 4.01 Environmental Assessment, OP 4.10 Indigenous Peoples, and OP4.12 Involuntary Resettlement. The ESSF includes provisions and procedures to address the objectives and requirements of these policies in activities supported by SEFP.

Environmental Management Framework

**Fiji Environment Management Act 2005.** The Act requires that an Environmental Impact Assessment (EIA) is carried out prior to any project that may cause significant environmental and social impacts – and approval obtained from the Department of Environment. The Act will be applicable to the projects under SEFP also, and the EIAs to be conducted for the individual projects as part of the emergency operations will be consistent with the requirements laid down in the Act and its subordinate EIA Regulations.

**World Bank OP 4.01 - Environmental Assessment.** This operational policy (OP) requires EIA to be conducted of projects proposed for Bank financing to help ensure that they are environmentally sound and sustainable with an objective to improve decision making process. The OP also classifies the project on the basis of the type, location, sensitivity, and scale of the project and the nature and magnitude of its potential environmental impacts. The requirement to carry out an EIA as part of project preparation can be waived but, for projects with potential adverse impacts, an appropriated level of environmental and social assessment will be carried out before the project implementation. At the same time, prior to approval, DOE will agree to apply the following minimum standards during implementation:

1. inclusion of standard EMP in the bid documents of all projects;
2. conducting EIA acceptable to the Bank before initiating any environmental project;
3. review and oversight of any major construction works by environmental and social specialists;
4. provisions for adequate budget and satisfactory institutional arrangements to implement & monitor the environmental and social mitigation measures; and
Environmental Issues for the Project

The technical assistance and investments in solar PV, pico-hydro, CNO and fuel-switching in the project are expected to present minimal environmental risk. Apart from the sealed lead acid batteries in the solar PV lighting kits, no hazardous materials are involved.

Mitigation Measures

- The disposal and management of used lead acid batteries from solar PV will follow the Government of Fiji’s regulation, which is to require suppliers of batteries to collect back used batteries and to properly dispose them in compliance with the 2007 Fiji Environment Management – Part on Waste Disposal and Recycling. A due diligence of the implementation of this regulation indicates that this is working and can be adopted and relied upon in the context of the restructured project. The Department of Environment has a Waste Management and Pollution Control Unit which is responsible for waste and pollution control in Fiji. The Department normally issues the permit for 3 years to battery supplier companies who, in turn, have to send to the Department their filled Batteries Handling Return forms every 6 months. The Department of Environment’s officers normally do random checks on the compliance of companies.
- The World Bank Team, as part of its supervision mission of the project, will conduct random checks on the project’s compliance to battery disposal and management consistent with the national regulations.
- For communities and businesses seeking a loan under the RSF for coconut oil related equipment or hydro would need to address social or environmental impacts, if any.

Resettlement Policy Framework

The World Bank’s policy on involuntary resettlement has the following objectives:

a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs;

b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

Fiji has in place legislation that seeks to restore people’s livelihoods due to impacts of a project by paying appropriate compensation in line with the World Bank’s policy. Land in Fiji falls into three categories: iTaukei land, Crown land, and Freehold land. iTaukei Land (formerly known as native land) refers to the 87.75% of the land held by indigenous Fijians under communal tenure relationships. This land, which is reserved for the special use of its owners, may not be sold, only leased. The iTaukei Lands Trust Board (TLTB) is the statutory body responsible for managing native land, including leases.

Involuntary Resettlement Issues for the Project

The project facilitates loans to individual households, communities and MSEs for improving their access to, and efficient use of, electricity. Project supported activities will be on recipients/lenders own land and will not require land
acquisition or relocation. However, two types of eligible project activities may have minor impacts on land as they may require that low-voltage distribution lines traverse third party properties: establishment of pico-hydro and installment of new coconut oil (CNO) generators. The need for traversing third party properties occurs when the pico-hydro or CNO generators are not situated adjacent to the point of consumption (house, store, business etc).

Generators eligible for financing will be small, portable generators. Pico hydro is a run of river scheme with a pipe diverting water into a small turbine. Both will normally use 240V distribution lines. It is possible that some small business may use 415V lines. The wires are strung over small posts or underground. Biofuel generators will generally be for villages supplying a number of people living close together in a community arrangement on community land. The village chief or headman (or a community group) would coordinate such installation and procure necessary permission should the distribution line have to traverse third party properties.

**Mitigation Measures**

In instances where transmission lines need to traverse third party properties, the borrower will be required to obtain written permission from the land owner(s) affected. In cases where bio-fuel generators are financed for villages supplying a number of people living close together in a community arrangement on community land, the village chief or headman (or a community group) would coordinate such installation and procure necessary permission should the distribution line have to traverse third party properties. Permission shall be given voluntary and without duress.

The PFIs offering finance supported by the RSF will be required to verify that the permission of all users of affected lands has been obtained. Documentation of written permissions will be filed with the project application and will be made available to the DOE and the World Bank when requested.

DOE will undertake spot checks on these permissions as part of project monitoring to ensure that the provisions in this ESSF are appropriate. Cases of transmission lines traversing third party properties will be documented in the monitoring.

**Indigenous Peoples Planning Framework**

The Bank’s Indigenous Peoples Policy (OP/BP 4.10) aims to avoid adverse impacts on indigenous peoples and ensure that they receive culturally appropriate benefits. Projects in areas with indigenous peoples should include measures, proportional to the project’s scope and impacts, to achieve these objectives. This section of the ESSF includes simple measures to do so.

The ethnic Fijians, who are recognized in national legislation as indigenous to Fiji, and the “Rotumans,” native to the Rotuma Island and nearby islets, meet World Bank’s policy on indigenous peoples, OP 4.10. In Fiji, the population is dominated by ethnic Fijians (Melanesians) and Indians. Indian-Fijians were brought by the British to Fiji to work as indentured servants in the late 19th century. The 2007 census listed Fijians at approximately 56 percent of the population, Indians at approximately 37 percent, and the remainder of the population as others (including Chinese and other Pacific Islanders).

The Fijians benefit from special arrangements for governance and land. The Bose Levu Vakaturaga (Great Council of Chiefs) still plays an important role in Fijian politics, although its official political role has diminished. The Council is composed of 55 native-Fijian chiefs selected from the 14 provinces, three appointees from the island of Rotuma and...
six appointed by the Minister of Fijian Affairs. The vast majority of land in Fiji is held by indigenous Fijians under communal tenure relationships. The iTaukei Lands Trust Board (TLTB) is the statutory body responsible for managing native land, including leases.

In this context Fijians are not particularly vulnerable and their general poverty levels are only marginal higher than that for Indian-Fijians. The majority of intended beneficiaries of the project will be indigenous peoples. Project activities will not adversely affect Fijians, or other groups, and native land will not be affected. Project design provides equal opportunity for all MSEs and communities.

For projects financing pico-hydros and new CNOs, the PFI is required to request information from the borrower to confirm that the project does not adversely affect local community members. The PFI will inform the DOE, who will verify that the proposed project does not adversely affect local communities or households. The DOE will undertake spot checks and assess potential adverse impacts during regular monitoring and supervision which in areas with these projects will include consultations with traditional leaders to verify that financed projects do not adversely affect local communities.

**Impact Screening, Assessment and Mitigation Planning**

While preparing any operations or projects for financing under the SEFP, the ESSF will be followed to screen environmental and social impacts and plan any required mitigation measures. The screening process will be undertaken by the PFI. Its findings as well as any proposed mitigation measures will be documented as part of the project package. The following guidelines, codes of practice and requirements will be followed in the selection, design and implementation of any operations financed under the SEFP.

- EMP will be submitted for coconut oil fuel mills and relevant hydro projects under SEFP which may be provided by the Department of Environment or an independent consultant.
- All coconut oil fuel and hydro construction contracts for the projects financed by the SEFP will include appropriate clauses to ensure effective implementation of the mitigation measures identified in the EIA. An environmental safeguards procedure is to be included in the technical specifications of contracts.
- Screening process for pico hydro and CNO will assess if the proposed project has any potential adverse impacts on, or concerns from, local communities and households. This will be confirmed and documented in the project package.
- If transmission lines need to traverse third party properties, the PFI will verify that the borrower has obtained written permission from the respective land owner(s). The permission statement(s) is enclosed with the project package. The PFI will inform the DOE, who will verify and follow-up as needed.
- Subject to the needs as determined by the World Bank’s safeguards’ team, DOE may engage an independent consultant or consulting firm to conduct an annual environmental and social audit as third party validation, of the projects undertaken during each year of the Project implementation.

The PFI is responsible for verifying if projects may have potential safeguard issues and notify the DOE in such cases. The DOE is responsible for monitoring that the ESSF is implemented as intended. The DOE and the World Bank will supervise implementation of the ESSF along with general project supervision. In particular, safeguard supervision will focus on how well the buy back and disposal of used batteries have been complied with; whether consent has been secured from private land owners, which land is traversed by distribution lines, before financing is approved for
borrowers; and whether the project has any unintended impacts on indigenous peoples or other local communities and households. In areas with remote communities where pico-hydro and CNOs are financed project monitoring and supervision will include consultations with traditional leaders.

Participant monitoring will be achieved by surveys administered by the DOE; the surveys target businesses and communities borrowing through the Risk Sharing Fund and aim to learn from borrowers to improve the project design and procedures as needed.

**Grievance Redress Mechanism**

Grievances may result from project activities. Grievances may come from project participants (borrowers) or from local communities and households in areas where loans are provided. Grievances may concern the safeguard issues discussed in this ESSF, but may also concern other aspects of the SEFP. Complaints may be made to the PFI or to the DOE. As relevant, the local authorities may be asked to intervene to solve disputes.

If a dispute cannot be solved locally between the complainant and the borrower, the complainant should submit a grievance to the PFI. The PFI will follow its complaints handling procedures and inform the DOE.

If the complainant is not satisfied with the outcome, he/she may submit a grievance to the DOE for a final decision. The DOE should complete an investigation within 14 days of receipt. The DOE will inform the complainant about the outcome, and will document the grievance and outcome.

If the grievance is eligible under national legislation, the complainant may submit a grievance to the appropriate court.

The DOE will make the avenues for grievances publicly available. The contact information is:

**PFI:**
- ANZ Bank:
  - The Chief Executive Officer, ANZ Bank, Private Mail Bag, Suva
  - Contact Person – Fiji Customer Advocate, Ph – 3213705, Email – advocfj@anz.com
- Fiji Development Bank:
  - The Chief Executive Officer, Fiji Development Bank, GPO Box 104, Suva
  - Contact Person – CEO, Ph – 3314866, Email - info@fdb.com.fj

**DOE:**
- The Director, Department of Energy, GPO Box 2493, Suva
  - Contact Person – Manager SEFP, Ph – 3389760, Email – info@fdoe.gov.fj

**Capacity-Building and Monitoring of ESSF Implementation**

As part of the capacity-building to be provided for implementation of the proposed operations, the PFIs and relevant staff of the concerned line departments may also receive training in the ESSF’s application. The World Bank will monitor and provide guidance in the implementation of the ESSF. The World Bank will also assist in this capacity-building in the implementation of approved safeguard action plans. DOE will be responsible, besides other functions, to monitor and supervise the implementation of any safeguard action plans. For this purpose, DOE will establish a
monitoring mechanism as part of the project management system over the implementation of agreed safeguard action plans. In addition, DOE may also engage external monitors over the implementation of agreed safeguard action plans.

Disclosure

This ESSF will be shared with all relevant stakeholders, relevant line departments, concerned nongovernmental organizations, and development partners. Subsequently, it will be disclosed in English by DOE, and also made available at their websites. It will also be made available at the World Bank. Relevant project specific safeguard documents/mitigation plans to be prepared subsequently will also be disclosed in a similar manner.