



Implemented by



**Fishery Harbour Rehabilitation and Value Chain Development in Aden (910447)**

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

**Dec, 2023**

## Table of Contents

Acronyms .....	1
Executive Summary .....	3
1    Introduction.....	9
2    Project Description.....	10
2.1      Description of Baseline Environmental and Socioeconomic Conditions.....	14
3    Legal and Regulatory Framework.....	16
3.1      National Legislation, Policies and Regulations.....	16
3.1.1    The fisheries law of Yemen .....	16
3.1.2    National Environmental Action Plan .....	17
3.1.3    National Biodiversity Strategy and Action Plan.....	17
3.1.4    Water Law .....	18
3.1.5    Environmental Protection Law.....	18
3.1.6    Labor Law .....	19
3.1.7    Summary of Yemen's Law and International Ratification of International Convention regarding Women Employment and Gender Equality .....	19
3.1.8    The government and its partners Operating Procedures.....	20
3.2      International Agreements and Protocols.....	20
3.3      UNDP's Social and Environmental Standards .....	20
3.4      KfW Requirements .....	22
4    Social and Environmental Impacts and Risks.....	26
4.1      Conflict.....	27
4.1.1    Activities That May Result in Conflict Risks .....	27
4.1.2    Management Measures .....	27
4.2      Gender and Social Inclusion.....	28
4.2.1    Activities That May Result in Gender and Social Inclusion Impacts or Risks .....	29
4.2.2    Management Measures .....	29
4.3      Biodiversity and Natural Resources.....	30
4.3.1    Activities That May Result in Biodiversity and Natural Resources Impacts or Risks .....	30
4.3.2    Management Measures .....	31
4.4      Climate Change .....	32
4.4.1    Activities That May Result in Climate Change Impacts and Risks .....	32
4.4.2    Management Measures .....	32
4.5      Community Health, Safety and Working Conditions (including OHS) .....	33

4.5.1	Activities That May Result in OHS and Community Health, Safety, Working Condition Impacts and Risks .....	33
4.5.2	Management Measures .....	34
4.6	Cultural Heritage .....	37
4.6.1	Activities That May Result in Cultural Heritage Impacts and Risks .....	37
4.6.2	Management Measures .....	37
4.7	Pollution Prevention and Resource Efficiency .....	38
4.7.1	Activities That May Result in Pollution and Resource Efficiency Impacts and Risks .....	38
4.7.2	Management Measures .....	40
5	Procedures to Address Social and Environmental Risks and Impacts .....	40
5.1	Sub-Project Screening and Classification Requirements.....	40
5.2	Site-Specific Assessment and Management Requirements.....	41
6	Institutional Arrangements and Capacity Building .....	42
6.1	General Management Structure and Responsibilities .....	42
6.1.1	KfW Development Bank .....	42
6.1.2	Project Board (Biannual Review Meetings) .....	42
6.1.3	UNDP .....	42
6.1.4	Responsible Parties.....	43
6.1.5	Third Party Monitors .....	44
6.2	Capacity Building and Awareness.....	45
7	Stakeholder Engagement and Information Disclosure .....	45
7.1	Principles for Meaningful, Effective and Informed Stakeholder Engagement.....	45
7.2	Information Disclosure.....	46
7.3	The (AFH) Project Systems in Place for Stakeholder Engagement and Information Disclosure ....	47
7.4	Project-Level Grievance Redress Mechanism.....	48
7.5	UNDP Accountability Mechanism.....	49
8	Monitoring, Reporting and Evaluation of ESMF Implementation .....	50
8.1	Monitoring and Reporting Indicators:.....	50
8.2	Management Information System (MIS) .....	51
8.3	Sub-Project Self-Monitoring and Reporting.....	51
8.3.1	Social, environmental and OHS incident reporting.....	51
8.3.2	Daily and weekly inspection checklists .....	52
8.3.3	Corrective Actions.....	52
8.4	Sub-Project Third-Party Monitoring and Reporting .....	52

8.5	Monitoring Plan .....	52
9	Annexes.....	57
	Annex 1. Social and Environmental Screening Template (2021 SESP Template, Version 1) .....	57
	Annex 2: Environmental and Social Management Plan - Indicative Outline .....	72
	Annex 3. Guidance for Submitting a Grievance .....	75
	KfW Grievance Redress System .....	79
	Can confidentiality be requested? .....	79
	Annex 4. OHS Framework and OHS Toolkit.....	80
	Annex 5. Stakeholder Engagement Plan .....	80
	Annex 6. Labor Management Procedure .....	80
	(Will be attached later separately) .....	80
	Annex 7. Environmental and Social Commitment Plan .....	80
	Annex 8. Gender and GBV Plan.....	80
	Annex 9. Environmental and Social Requirements for Contractors .....	80
	<b>General Provisions.....</b>	<b>81</b>
	<b>Contractor Environmental and Social Management Plan (C-ESMP) .....</b>	<b>81</b>
	<b>Compliance with Laws, Regulations, and National Standards .....</b>	<b>81</b>
	<b>Environmental, Social, Health and Safety Manager .....</b>	<b>81</b>
	<b>Contractual Obligations .....</b>	<b>81</b>
	<b>ESHS Training .....</b>	<b>82</b>
	<b>Orientation Training .....</b>	<b>82</b>
	<b>Visitor Orientation.....</b>	<b>82</b>
	<b>New Task Employee and Contractor Training .....</b>	<b>83</b>
	<b>Construction Site Management.....</b>	<b>83</b>
	<b>Vegetation .....</b>	<b>83</b>
	<b>Protection of the Existing Installations .....</b>	<b>83</b>
	<b>Waste from Construction Activities .....</b>	<b>84</b>
	<b>Air Quality .....</b>	<b>84</b>
	<b>Hazardous and Toxic Materials .....</b>	<b>84</b>
	<b>Area Signage .....</b>	<b>85</b>
	<b>Borrow Pits and Quarries .....</b>	<b>85</b>
	<b>Location of Worker Camps .....</b>	<b>86</b>
	<b>Decommissioning of Camps, Worksites and Plant .....</b>	<b>86</b>
	<b>Occupational Health and Safety .....</b>	<b>86</b>

Severe Weather and Facility Shutdown.....	86
Lavatories and Showers .....	86
Potable Water Supply .....	87
Clean Eating Area .....	87
Personal Protective Equipment (PPE).....	87
Noise	87
Slips and Falls.....	88
Working at Heights.....	88
Struck By Objects.....	88
Welding/Hot Work .....	89
First Aid and Accidents.....	89
Communicable Diseases .....	89
COVID-19 .....	90
Vector-Borne Diseases.....	90
Road safety and Traffic Safety .....	91
Chance Find Procedure .....	92
Emergency Preparedness and Response .....	92
Stakeholder Engagement.....	92
Labor Force Management.....	93
Labor Influx.....	93
Labor Conditions .....	93
Insurance .....	94
Grievance Mechanism for Workers .....	94
Protection from Sexual Exploitation and Abuse .....	95
Protection from Child Labor .....	95
Contractor Environmental and Social Reporting .....	95

## Acronyms

AFH	Aden Fishery Harbor
EHS	Environmental, Health and Safety
EIA	Environmental Impact Assessment
EPA	Yemen Public Environmental Protection Agency
EPL	Yemen Environmental Protection Law
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
GDP	Gross Domestic Product
GBV	Gender Based Violence
GIIP	Good International Industry Practice
GRM	Grievance Redress Mechanism
IDP	Internally Displaced Person
ILO	International Labor Organization
IPs	Implementing Partners
IPM/IVP	Integrated Pest Management / Integrated Vector Management
MAIF	The Ministry of Agriculture, Irrigation and Fisheries
MIS	Management Information System
NBSAP	National Biodiversity Strategy and Action Plan
NEAP	Yemen National Environmental Action Plan
NGO	Non-Governmental Organization
OHS	Occupational, Health and Safety
OP	World Bank Operational Policy
PAD	World Bank's Project Appraisal Document
PWP	Public Works Project
PERSGA	The Regional Organization for the Conservation of the Environment of the Red Sea and Gulf of Aden
Roy	Republic of Yemen
SRM	UNDP's Stakeholder Response Mechanism
SECU	UNDP's Social and Environmental Compliance Unit
SEA	Sexual Exploitation and Abuse
SES	UNDP's Social and Environmental Standards
SESP	UNDP's Social and Environmental Screening Procedure
SFD	Social Fund for Development
SFISH	Sustainable Fishery Development in Red Sea and Gulf of Aden
SME	Small-to-Medium Enterprise

SMED	Small-to-Medium Enterprise Development
SMEPS	Small and Micro Enterprise Promotion Service
SWF	Yemen Social Welfare Fund
TPMA	Third-Party Monitoring Agent
UN	United Nations
UNDP	United Nations Development Programme
WHO	World Health Organization
YECRP/ECRP	Yemen Emergency Response Project
YSMQCO	Yemen Standard Metrology Quality Control Organization

## Executive Summary

This Environmental and Social Management Framework (ESMF) is prepared by UNDP to ensure the Fishery Harbor Rehabilitation and Value Chain Development in Aden (P910447) project is consistent with UNDP's Social and Environmental Standards (SES) ([www.undp.org/ses](http://www.undp.org/ses)) and strongly aligned with the standards required by KfW Sustainability [Guidelines](#). The KfW Development Bank assessment standards are the Environmental and Social Standards of the World Bank Group. The SES require that all UNDP projects consider the potential environmental and social opportunities that a project may generate and ensure that adverse social and environmental risks and impacts are avoided, minimized, mitigated, and managed.

The ESMF is intended to serve as a practical tool to guide the identification and mitigation of potential environmental and social impacts of proposed investments and as a platform for consultations with stakeholders and potential project beneficiaries. The ESMF identifies the standard triggers for the project, the screening criteria of sub-projects, the likely environmental and social impacts of the sub-projects and the mitigation measures to for the identified risks, assessment of the institutional capacity and measures to fill capacity gaps. The ESMF provides the following:

### **Description of the project (Section 2):**

The Development Objective of this project is to improve of the economic situation of the population, especially of women in the fisheries sector of Aden as well as quantitative and qualitative improvement of the food security situation of the population in the project area. The immediate objective of the project is to rehabilitate the fish harbor at Hajif to restore the minimum requirements for re-launching operations, productivity and establishing effective management of the harbor. Furthermore, the project will contribute to employment creation, especially for youth and women and mobilize fish value chain actors whose livelihoods depend on sustainable fish production and processing. Those actors have been greatly affected by the conflict leading to distorted fish supply and value chain. The project will help the affected population by contributing to the food security and economic recovery in Yemen.

The project will build on the ongoing World Bank funded SFISH project developed by UNDP and will work in synergy with some of its components. Moreover, the project will work in synergy with the EU funded project SIERY and with the World Bank funded UNOPS project focusing on rehabilitation of roads and support infrastructures within the same geographical area.

Further, the rehabilitation of the infrastructures will provide a systemic pivot to lead the relaunch of the fish value chain directed to the local market for domestic consumption, as well as providing women jobs within the industrial fish processing as part of the value chain.

The ESMF is designed for the activities of the Aden Fishery Harbour (AFH) to be implemented by UNDP.

Proposed structure of activities is presented below:

The project overall Objective will be achieved by two main outcomes (Module objectives), and associated outputs . Details of outputs and activities and their rationale are provided below and in the Result Matrix and Log frame respectively.

Objective 1: Improvement of the economic situation of the population, especially of women in the fisheries sector of Aden.

Objective 2: Quantitative and qualitative improvement of the food situation of the population.

### Overview of the legal and regulatory framework (Section 3):

Key national laws and regulations applicable to social and environmental risk management include the National Environmental Action Plan, National Biodiversity Strategy and Action Plan, Water Law, Environmental Protection Law, and Labor Law. In the context of the (AFH) , [UNDP's Social and environmental Safeguards \(SESSs\)](#) and the [World Bank's Environmental and Social Safeguards \(ESSs\) Framework](#) apply because the KfW Development Bank assessment standards are the Environmental and Social Standards of the World Bank Group. UNDP's Social and Environmental Standards are strongly aligned with the standards required by KfW Sustainability Guidelines.<sup>1</sup> To ensure the full compliance of the KfW environmental and social standards, the findings from the [Gap Analysis between KfW and UNDP Social and Environmental Standards](#) (attached in the Annexes [Error! Reference source not found.](#)) have also been included and addressed in the ESMF. In line with the procedures, Social and Environmental Assessment is a continuous process where social and environmental impacts and risks need to be regularly re-evaluated and possibilities to avoid, minimize and mitigate risks need to be developed and agreed upon with all stakeholders. This applies also whenever there is a change of risks.

**UNDP will ensure that a particular attention be paid to the use of natural resources and careful planning** to avoid related conflicts as these are important principles for project preparation and implementation. Livelihoods of Project Affected People (PAP) depend on natural resources and a degradation of these resources may in some instances lead to displacement and conflict. Therefore, the sustainable use of natural resources will be mainstreamed in all planning and implementation activities.

### Overview of project activities and key social and environmental risks (Section 4):

This section summarizes key social and environmental risks and indicative management measures for the project. The section describes the KfW and UNDP SES requirements, and national regulations. that have been triggered based on completion of the project-level Social and Environmental Screening Procedure (Annex 1).

#### **Environmental:**

Although environmental risks and impacts are expected to be site-specific, reversible and can be mitigated following appropriate measures, based on the implementation experience of the ongoing UNDP projects, and identification of significant Environmental and Occupational Health and Safety (OHS) gaps, there is a risk of injuries to occur under the project, particularly under civil work, fishing trips and post operation of landing sites. This is anticipated as the project will engage fisheries communities and young women and men who could be unskilled, largely illiterate, and with little or no knowledge or experience in applying OHS measures. Furthermore, there is a risk of COVID-19 transmission among community workers if worksites are not managed appropriately. To mitigate environmental risks and impacts, the project will apply the UNDP Environment and Social Standard. UNDP and implementing partners will develop site specific Environmental and Social Management plans review, including the OHS Framework and Toolkit. The ESMP will (i) identify potential environmental impacts of the interventions, (ii) assess potential environmental and social impacts, and (iii) mitigate risks and impacts appropriately, including OHS risks and environmental and social management and monitoring plans. The project will also support COVID19-sensitive measures such as: community awareness, social distancing at the workplace, and the provision of hygienic kits at the workplace (e.g., hand-washing stations). As part of the ongoing projects UNDP and its key implementing partners have established an environmental and social (E&S) management system with adequate policy, procedures, capacity, and resources, focusing on OHS. The project will capitalize on safeguard resources available within the on-going projects implemented by UNDP and the implementing partners.

---

<sup>1</sup>[https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Nachhaltigkeitsrichtlinie\\_EN.pdf](https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Nachhaltigkeitsrichtlinie_EN.pdf)

**Social:**

The project is expected to have numerous social benefits for the target fisheries communities and vulnerable population. The type of interventions under this project are not expected to require physical or economic displacement and given the fact that the initiative aims at the rehabilitation of existing infrastructures, negative effects are not expected.

The project has been screened for risks associated with sexual abuse and exploitation and sexual harassment, with an overall risk rating of substantial. As a result a Gender Action Plan (GAP) will be prepared.

**Procedures for screening (Section 5):**

Each sub-project will be screened for social and environmental risks and impacts (including OHS risks) applying UNDP and KfW screening tools. Screening and classification will be completed prior to approval of sub-projects and signing of the Financial Agreement. The screening of sub-projects will also be updated if there are any significant changes in the sub-project's design or context that may materially change its social and environmental risk profile. Sub-project screening and categorization will be conducted at the earliest stage of design when sufficient information is available for this purpose. Based on the screening, the sub-project will be categorized according to the degree of potential social and environmental risks and impacts (including OHS). The screening process results in a risk-based categorization of the sub-project (low, moderate, substantial, and high). If high level-risk activities are identified during the implementation of a subproject, Senior management of the Responsible Party and the UNDP Project Manager will be notified immediately, and relevant activities will be halted until management measures are put in place to reduce the levels of risk. All Substantial risk projects will require an Environmental and Social Management plan to be prepared by the contractor, reviewed by UNDP, and approved by the KfW. Any subproject with physical or resettlement activities will be excluded.

As part of the screening process, the planned FC-measure is appraised at an early stage in order to determine its relevance in terms of environmental and social impacts and

risks. The screening process is designed to identify and appraise the type and scale of any adverse environmental and social impacts or risks that may arise from the planned FC-measure of the KfW.

All FC-measures are classified into one of the following four categories "A" (high risk), "B+" (substantial risk), "B" (moderate risk) or "C" (low risk), according to the relevance of their potential adverse environmental and social impacts and risks.

**UNDP submits the screening checklist including the categorization to KfW for review so that KfW can report the likely categorization to BMZ.** KfW will review screening results to ensure they agree with the identified risks, categorization, and safeguard instrument. KfW and UNDP in general have the same categories to classify risks, but different names are in use (e.g., high risks vs category A). The following table shows the risk categorization and the institution's respective designation:

UNDP	KfW	Project type
High Risks	A	Projects that include activities with potential significant and/or irreversible and/or unprecedented adverse social and environmental risks and impacts.
Substantial Risks	B+	Projects that include activities with potential significant adverse social and environmental risks and impacts. Risks are higher than category B, but not as diverse and/or unprecedented in nature as category A.
Moderate Risks	B	Projects include activities with potential adverse social and environmental risks and impacts, that are limited in scale and can be addressed through application of standard best practice, mitigation measures and stakeholder

		engagement during project implementation. All measures that include physical works automatically fall in this category.
Low Risk	C	No significant risks identified, No physical works.

#### Procedures for assessment and management (Section 6):

The targeted and site-specific assessments and management plans will be undertaken for all Substantial Risk sub-projects once project activities/sub-projects and sites are identified. The assessment(s) will lead to the development of appropriately scaled management measures and plans to address the identified risks and impacts. Relevant social and environmental assessments and adoption of appropriate mitigation and management measures will be completed, disclosed, and discussed with stakeholders prior to implementation of any activities that may cause adverse social and environmental impacts. All site-specific assessments and management plans will be **submitted to UNDP and the KfW for clearance** and recorded in the MIS. In cases where similar activities are being conducted in a particular region, these activities may be grouped and covered under one ESMP. All ESMPs will be available upon request.

Furthermore, UNDP includes relevant provisions for environmental and social risk management in relevant tender documents and construction contracts. Inclusion in relevant tender documents ensures that contractors include the requirements in their budget. UNDP includes in its construction contracts the requirement of the contractor to develop a site-specific Environmental and Social Management Plan (ESMP). The goal is to motivate the contractor to become aware of site-specific E&S risks and ensure adapted mitigation and monitoring arrangements.

**UNDP is responsible for ensuring and reviewing compliance with social and environmental safeguards through monitoring.** UNDP regularly visits project sites to monitor compliance with social and environmental safeguards, either as part of regular monitoring or through separate specific visits. Next to the review of compliance with agreed mitigation measures, monitoring visits also serve to identify new, previously unidentified risks.

**UNDP CO also reports to KfW about the implementation of the safeguard instruments and about whether the risk categorization has changed as part of regular reporting.** Throughout implementation, UNDP reviews and updates Social and Environmental Screening and categorization to reflect any changes in context or project. If additional risks are identified, this may also require additional safeguard instruments to be developed.

#### Institutional arrangements and capacity building (Section 7):

The KfW provides financing for the project and as such has an oversight role. The KfW has established a senior management task team to oversee and make decisions about remedies in connection with the UNDP-implemented activities. The Project Board (UNDP, KfW has oversight and advisory authority, representing the highest body for coordination, strategic guidance, oversight, and quality assurance. UNDP will be responsible for overseeing the implementation and compliance with the ESMF. UNDP will be responsible for the revision or updates of this document during the course of project, in consultation with KfW. During operations the Responsible Parties and UNDP will be accountable for implementation of the ESMF. The Responsible Parties are directly accountable to UNDP in accordance with their Letter of Agreement for the compliance of the ESMF at the subproject locations. Responsible Parties include headquarters offices, branch offices, site engineers, site supervisors, and workers that also play a role in implementation of the ESMF. A capacity development plan to ensure ongoing capacity development related to ESMF implementation will be developed and led by UNDP, in a close co-ordination with KfW.

### **Stakeholder engagement and information disclosure (Section 8):**

The Fishery Harbour Rehabilitation and Value Chain Development in Aden and its Responsible Parties will ensure meaningful, effective, and informed stakeholder engagement in the design and implementation of all sub-projects. Stakeholder engagement supports the development of strong, constructive, and responsive relationships that are critical for sound project design and implementation. The objective of the effective stakeholder engagement is to enhance project acceptance and ownership and strengthens the social and environmental sustainability and benefits of supported interventions. Information disclosure refers to the provision of timely, accessible information regarding the project and its potential social and environmental impacts to stakeholders in order to facilitate their meaningful, effective and informed participation in project design and implementation. Stakeholders require access to relevant project and sub-project information to understand potential project-related opportunities and risks and to engage in design and implementation. In addition to have access to general project information, stakeholders will have access to screening reports, draft and final assessments and management plans. This information is to be disclosed in a timely manner, in an accessible place, and in a form and language understandable to affected persons and other stakeholders. The information will be available in the offices of the implementing partners and UNDP.

A stakeholder engagement plan (SEP) for the Fishery Harbor Rehabilitation and Value Chain Development in Aden Project has been developed (Annex 5). The SEP recognizes the importance of open and transparent engagement between the Recipient and project stakeholders as an essential element of good international practice. Effective stakeholder engagement can improve the environmental and social sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation. Stakeholder engagement is an inclusive process conducted throughout the project life cycle. Where properly designed and implemented, it supports the development of strong, constructive, and responsive relationships that are important for successful management of a project's environmental and social risks.

Meaningful stakeholder engagement is required by UNDP and partners for participation in project intervention by communities and individuals. The Standard Operating Procedures of UNDP and Responsible Parties include procedures for community and stakeholder engagement within their project cycles as a key component of project identification, design, and implementation, and described a key component of the longer-term sustainability strategy for operations and maintenance.

### **Grievance Mechanism (Section 9):**

The Project Level Grievance Mechanism will be managed by UNDP. The GM will be gender- and age-inclusive and responsive and address potential access barriers to women, the elderly, the disabled, youth and other potentially marginalized groups as appropriate to the Project Affected People (PAP). The GM will not impede access to judicial or administrative remedies as may be relevant or applicable and will be readily accessible to all stakeholders at no cost and without retribution. Information about the Grievance Mechanism and access to the complaint registration mechanism must be communicated during the stakeholder engagement process. The information about complaint registration channels (phone number, email, complaint box locations, fax number etc.) will be displayed at prominent places for the key stakeholders. Guidance how to submit a grievance is included in (annex 3). All complaints and/or grievances regarding social and environmental issues can be received either orally (to the field staff), by phone, in complaints box or in writing to the UNDP.

To avoid the risk of stigmatization, exacerbation of the mental/psychological harm and potential reprisal, the GM will have a different approach to sensitive cases such as GBV and corruption cases. Where such cases are reported to the GM, it should immediately be raised to the GM focal point at UNDP (Social Safeguard and Environmental Specialist) and be referred to the appropriate service providers, such as medical and psychological support, emergency accommodation, and any other necessary services. IP's personals have been trained on the empathetic, non-judgmental, and confidential collection of these complaints. Only the nature of the complaint (what the

complainant says in her/his own words) and additional demographic data, such as age and gender, can be collected as usual. A GBV plan has been developed for the project (Annex 8).

A key part of the grievance mechanism is the requirement for the Project Management Team and construction contractor to maintain a register of complaints and/or grievances received at the respective project site offices. This includes grievances from workers. In addition to the project-level and complainants have the option to access UNDP's Accountability Mechanism, with both compliance and grievance functions. UNDP Stakeholder Response Mechanism offers locally affected people an opportunity to work with other stakeholders to resolve concerns, complaints and/or grievances about the social and environmental impacts of a UNDP project. The Mechanism is intended to supplement the proactive stakeholder engagement that is required of UNDP and its Partners throughout the project cycle ([www.undp.org/secu-srm](http://www.undp.org/secu-srm)). The ESMF stakeholder consultations noted that there was little awareness by project-affected people of the GM and their options. This will be an area to be strengthened moving forward.

UNDP will closely coordinate with the BMZ/KfW to provide needed information and to enable smooth and speedy financial and operational transactions to facilitate timely implementation at the level of the responsible parties. UNDP will maintain regular interactions with contractors/RPs for monitoring, quality assurance and as needed, management of complaints and grievances, as per agreed Grievance Redress Mechanism (GRM) under the project. The project will also look for further value-adding opportunities through ensuring internal synergies and bundling the on-going World Bank projects and with other projects under the different programme units of UNDP including the "Strengthening Institutional and Economic Resilience in Yemen" and the "Enhancing Rural Resilience and Recovery in Yemen" projects.

#### **Monitoring, reporting and evaluation (Section 10):**

The ESMF and its procedures are to be reviewed and updated on a regular basis by UNDP to reflect knowledge gained during the course of project delivery/construction. The MIS provides an important mechanism to track information on environmental and social safeguard implementation. A review will be conducted quarterly or as needed to identify opportunities to strengthen environmental and social safeguard elements in the MIS. UNDP will ensure to maintain and keep all administrative and social and environmental records which would include a log of complaints and incidents together with records of any measures taken to mitigate the cause of the complaints or incidents. Any incidents, major injury, or fatality, including non-conformance with the procedures of the ESMF, are to be recorded using an Incident Record and the details entered into a register. For any incident that causes or has the potential to cause material or significant social and/or environmental harm, the site supervisor/designated officer shall notify the Responsible Party Senior Management and the (AFH) Project Manager as soon as possible and no later than 24 hours. UNDP will also ensure significant incidents are reported to the KfW within 48 hours. The Responsible Party must cease work until remedies have been completed as per the approval of Project Manager. A daily social and environmental checklist (including OHS issues) is to be completed for active work sites with Substantial risks by the relevant site supervisor/designated officer and maintained within a register. A weekly social and environmental checklist is to be completed and will include reference to any issues identified in the daily checklists completed by the site supervisor or designated person. The progress of all corrective actions will be tracked using the register. In the case of potential occupational health and safety hazards, safe working systems and procedures will be developed and applied as well daily permit-to-work forms used to control and minimize risks to acceptable limits. Implementation of the ESMF to be included in overall project monitoring and reporting, including monitoring conducted by the TPMA.

**The institutional responsibilities for the resolution of major grievances will be defined on a case-by-case basis.** UNDP has a Social and Environmental Compliance Unit and processes for Compliance Review<sup>2</sup> and Stakeholder Response

---

<sup>2</sup><https://www.undp.org/content/undp/en/home/accountability/audit/secu-srm/social-and-environmental-compliance-unit.html>

Mechanism<sup>3</sup> to resolve any complaints or grievances reported. KfW should be informed if major grievances occur. In these cases, UNDP and KfW will jointly determine on a case-by-case basis how each institution will be involved in the resolution of grievances.

Third Party Monitoring (TPM) will also feed into UNDP's monitoring work. UNDP will prepare biannual narrative reports and end of project reports consolidating inputs from the Responsible Parties as well as convene project board meetings and undertake audits and evaluations. Interim unaudited financial reports shall be prepared and submitted to the donor after the end of the period covered by the report.

## 1 Introduction

This Environmental and Social Management Framework (ESMF) is prepared by UNDP to ensure the **(AFH) Project** is in compliance with UNDP's Social and Environmental Standards (SES) ([www.undp.org/ses](http://www.undp.org/ses)) and the standards required by KfW Sustainability Guidelines.<sup>4</sup>. The SES require that all UNDP projects consider the potential environmental and social opportunities that a project may generate and ensure that adverse social and environmental risks and impacts are avoided, minimized, mitigated, and managed.

Because the details of proposed activities are designed at the sub-project level, an Environmental and Social Management Framework (ESMF) is necessary to ensure policies and procedures are in place for consistent safeguards implementation across all sub-projects, and as required by the KfW Sustainability Guidelines. The KfW Development Bank assessment standards are the Environmental and Social Standards of the World Bank Group. The ESMF is intended to serve as a practical tool to guide identification and mitigation of potential environmental and social impacts of proposed investments and as a platform for consultations with stakeholders and potential project beneficiaries. The ESMF has been prepared in compliance with KfW Sustainability Guidelines. The KfW Development Bank assessment standards are the Environmental and Social Standards of the World Bank Group (i.e., for public agencies the Environmental and Social Standards (ESS) as well as relevant Operational Policies of the World Bank and the IFC Performance Standards (PS) for cooperation with the private sector, General and sector-specific Environmental, Health and Safety (EHS) Guidelines<sup>6</sup> as well as the Core Labor Standards of the International Labor Organization (ILO).

, the UNDP SES and relevant Yemeni policies on environmental assessment. The ESMF identifies the policy triggers for the project, the screening criteria of sub-projects, the environmental and social impacts for the likely sub-projects and the mitigation measures to mitigate the identified risks, and assessment of the institutional capacity and measures for capacity-filling gaps.

The ESMF provides a strengthened framework and clarity to ensure consistency with the UNDP SES and KfW Sustainability Guidelines and Social Safeguards Policies across all sub-projects. The ESMF was developed through a consultative process led by UNDP in close coordination with the KfW, and UNDP.

The ESMF provides the following:

- Description of the project (Section 2)
- Overview of the legal and regulatory framework (Section 3)
- Overview of project activities and key social and environmental risks (Section 4)

---

<sup>3</sup><https://www.undp.org/content/undp/en/home/accountability/audit/secu-srm/stakeholder-response-mechanism.html>

<sup>4</sup>[https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Nachhaltigkeitsrichtlinie\\_EN.pdf](https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Nachhaltigkeitsrichtlinie_EN.pdf)

- Procedures for screening, assessment, and management (Section 5)
- Institutional arrangements and capacity building (Section 6)
- Stakeholder engagement and information disclosure (Section 7)
- Grievance Mechanism (Section 8)
- Monitoring, reporting and evaluation (Section 9)

## 2 Project Description

The project is funded and supported by the German Ministry for Cooperation and Economic Development (BMZ) through KfW (generally in the form of direct grants to UNDP) and implemented by UNDP.

The Development Objective of this first project is to improvement of the economic situation of the population, especially of women in the fisheries sector of Aden as well as quantitative and qualitative improvement of the food situation of the population. The immediate objective of the project is to rehabilitate the fish harbor at Hajif, to restore the minimum requirements for re-launching operations, productivity and establishing effective management of the harbor. Furthermore, the project will contribute to employment creation, especially for youth and women and mobilize fish value chain actors whose livelihoods depend on sustainable fish production and processing but have been greatly affected by the conflict leading to distorted fish supply and value chain, to help them contribute to the food security and economic recovery in Yemen.

The overall objective of the project is to rehabilitate the fish harbor at Hajif, to restore the minimum requirements for re-launching operations, productivity and establishing effective management of the harbor. The project aims at benefiting the community of Aden with access to adequate quantities and affordable quality fish, to fill the worse food security gap created by the conflict and subsequent closure of the fish harbor. In line with the objectives of German Development Cooperation with Yemen in the sector, which is about the Creation of alternative income opportunities and life perspectives; improvement of the food security (medium-term developmental impact), the project seeks to restore the operations and services of the Aden Fishery Harbor (AFH) and integrate it back into the fisheries supply and value chain to contribute to the incomes, livelihoods and food security of the people of Aden, Yemen. The project overall Objective or goal will be achieved via two main outcomes (Module objectives), and the outputs identified to achieve them. The outcomes deliver the project objective. Outputs represent deliverables produced by the activities. Details of outputs and activities and their rationale are provided below and in the Result Matrix and Log frame respectively.

**Objective 1: Improvement of the economic situation of the population, especially of women in the fisheries sector of Aden.** This Objective is to stimulate sustainable increases in the incomes and food security of small-scale fishers' households in the project area, without leaving women behind. This will be achieved by restoring the AFH facilities and promoting profitable linkages among fishers and other value chain actors, improving Aden Fishery Harbor infrastructure, increasing compliance with quality and hygiene standards, supporting the creation of economic opportunities and MSEs and increasing access to financial services for women particularly. The project will improve the livelihoods of the urban and rural communities of Aden as well as for small-scale fisher women and youth by supporting them with fisheries inputs to improve their fish supply and value chain for maximizing benefits and improving or creating diverse earning and employment opportunities. Beneficiaries shall be able to access services from the port and along the fishery value chain by fostering active partnerships with and between small and medium fishing enterprises; and, by potentially supporting the introduction of larger vessels (greater than 12 meters length) depending on available human and financial capacity. Such vessels could be operated in partnership with other stakeholders working out of the AFH targeting migratory tuna, and deep-sea fisheries and, eventually landing their catch into AFH for value-added processing. In specific cases, the procurement of transportation vessels could be considered where this fills an important gap in targeted value chains.

Objective 2: Quantitative and qualitative improvement of the food situation of the population.

A key constraint for the people of Aden and women is to access affordable fish from the local market where the prices have increased significantly. The project through the rehabilitated facilities and reactivation of the fish supply and value chain, will support fishers to increase the supply and improve the quality of landed fish, facilitate integration of women and Value Chain Development in 9 local markets in Aden, and foster the creation of contractual linkages between fishers' organizations and processors. The fisheries value chain will be upgraded by rehabilitating the AFH and providing fishers with training, enhancing access to improved technologies, improving fish handling practices, ensuring the integrity of the cold chain, and promoting compliance with hygiene and quality standards. In this respect the project will support the activities that lead to increase in number of tons of fish processed in the port, number of people with access to the expanded fish supply, tons of fish being checked qualitatively in laboratories.

**Output 1: Priority infrastructure and facilities of the Aden fishery harbor are rehabilitated and equipped ensuring their effective functioning.**

This output area will focus on the provision of services and equipment that are well outlined in the assessment report recommendations including demolition of prioritized damaged AFH facilities and rebuilding them. Procurement of services and equipment that needs restoration and installing all the necessary support infrastructure to reactivate the whole facility and integrate it into the fish value chain. Several priority infrastructure and key facilities such as berth, loading cranes, ice plant, cold storage, maintenance workshop, fish processing facilities, administration building, and sewage and water facility will be rehabilitated successfully including identified key equipment that will be supplied. This will enable the AFH to facilitate adoption of improved and innovative fishing, processing and preservation practices and technologies in support of value chain enhancement for affordable fish to the Aden Communities. Activities will improve access of fish to the AFH facility and will equip the fishers using improved inputs and equipment, such as fishing gears, big boats, tools for fish processing, packaging materials and containers, through developing linkages and networks of efficiently and effectively functioning infrastructure that are integrated in the fish value chain. Ultimately, it is the quantity of quality fish that will be effectively stored in the rehabilitated cold storage facility, and able to access the local market that will define the success of the project. The project also aims at enhancing the quality control and standard operating procedures within the work environment of the AFH facility by ensuring all the safeguards are in place and complied with.

**Activities of output 1**

1.1. Prioritize and make procurement arrangements for services and equipment needed to rehabilitate selected critical infrastructure facilities. A preliminary assessment report for AFH conducted by UNDP Country Office Engineers, will be used to review the recommendations made, and the extent of the damaged facilities to determine the priority facilities for the rehabilitation work to be undertaken by the project. The scope for the prioritization of the facilities will be based on the fishing harbor/ports planning guide, which will involve collecting and clarifying the changes in circumstances and related information which must be considered, including: fish resources availability and growing concerns for quality and sustainability, the significant considerations for fishing port planning; the infrastructure facilities needed for a modern fleet; roles and functions of fishing ports in promoting other fisheries activities; the heavy financial burden of increased infrastructure and its maintenance on management authorities; possibility of natural disasters causing frequent, large scale damage to fishing ports; the increased effectiveness of ICT and emerging technologies which can be leveraged in fishing port operation, auctioning or marketing. UNDP team will undertake recruitments based on needed services and support preliminary project planning and preparation phase. This will include project technical manpower planning and recruitment, and initiation of all major procurements including identification of contractors. 1.2. Rehabilitate key selected facilities such as quay (553m), ice plant, cold storage (2000tons), fish processing center and facilities, administrative building and

warehouses (7 units), the powering systems and replacement of exit gate. This will involve engineering works led by UNDP with the support of local contractors who will be selected for the work leading to improving landing sites, supplying fixed and/or mobile cold storage facilities, use of clean technologies such as solar for ice production and for energy generation for auction facilities. This activity will as well, ensure opportunities for women/men beneficiaries to participate in the civil works that would provide them with additional short-term income. The designs of the infrastructure will take into account all recommended safeguards to avoid all risks associated with the rehabilitation. They will also ensure gender-sensitive sanitary facilities and facility level solid and liquid waste management systems. 1.3 Procure key equipment to repair/re-activate the quality control lab, cooling and processing facilities, forklifts (4), laboratory equipment and weighing equipment. The project will recruit a national Procurement Officer who will be inducted into the UNDP procurement system and charged with the overall responsibility for procurement planning, and tendering procurement following all the necessary procedures as laid down by UNDP Country Office. The procurement team shall follow the UNDP Programme and Operations Policies and Procedures (POPP) on contracts and procurements. The UNDP's procurement principles lay out the following general principles guiding procurement undertaken by the organization and they include: provide the best value for money; embody fairness, integrity, transparency; engage in effective international competition and serve the interest of UNDP. The national Procurement Officer will work with the International Project Manager and other relevant project implementation Unit staff to ensure that all required equipment and items are procured in time for rehabilitation and restoration work is implemented effectively. The PIU team will work with the contracted service providers following a project performance review reporting schedule to ensure timely delivery and completion of rehabilitation activities. 1.4 Repair and install effective water drainage and sanitation systems (including sewage system) and firefighting system) The Project will recruit a Safeguard Specialist who will ensure necessary arrangements for the implementation of this output activity by working with all relevant PIU team to procure the required items and working with required technical staff to put in place a wastage system and all other safeguards stipulated in the project. Ensure identification of risks, reduce risks to acceptable levels, define mitigation and application of safeguard measures as well as monitor compliance to the safeguard measures.

#### **Output 2: Improved management capacities for an effective and sustainable operation of the harbour**

The AFH has been greatly affected by the conflict which led to its closure in 2015 and since then all activities and services were grounded, and it will be reactivated afresh to enable it function normally. This will require identifying and preparing a fresh team of workers and managers to ensure a sustainable running of the facility. For the start, there will be several MDAs, private sector and cooperatives who will be selected and trained so as to participate in the operationalization of the facility and to support all the project activities by addressing immediate and longer-term requirements including institutional and technical capacity to strengthen technical, operational, and managerial capabilities. The government and its partners will play a big role in sensitizing the fishers and all the beneficiary community of Aden on safeguards and other trainings that will involve preparation of training modules, manuals, posters, leaflets on safeguards practices and compliance: development and operationalization of climate resilience and safeguards framework (social, environmental, and occupational health) including monitoring the compliance of the harbor operations and waste management to ensure application of safeguard measures, hygiene and quality control, control of pollution sources and protection of marine environment. A number of supportive guidelines and sensitization messages on how to engage with government for inclusive development by fishers and on fish consumption will be prepared delivered and disseminated.

#### **Activities of output 2**

2.1 Conduct capacity needs assessment and define capacity development priorities in consultation with the General Authority for Fisheries (GAF), GAF branch authorities and the Ministry of Agriculture, Irrigation and Fisheries Wealth, cooperatives, and the private sector. The PIU will make arrangements for the training service provider to train selected group of men and women MDAs, fishery associations and cooperatives for improved services

including management of the fishery associations/cooperative, sustainable capture fishery production, fish processing and storage including management of post-harvest losses, marketing, equipment supplies and services, credit and financial schemes, and social services, management of AFH and fish quota for local markets; Moreover, the capacity building training will also focus on sustainable fishing practices to strengthen the knowledge of women/men fishers on long-term impacts of climate change and related potential adjustment to their livelihood, sustainable fishing practices 2.2 Establish organizational structures, roles and staffing requirement for the AFH. An organizational structure for the AFH will be established collectively with the help of Communication/Crosscutting Officer, including defining the roles and guidelines for effective implementation of the project activities and onward operations of the AFH.

2.3 Undertake capacity development for national staff (institutions, fishery cooperatives, and the private sector) to address immediate and long-term institutional and technical capacity requirements. A service provider for the training will be procured and should prepare all packages and modules for training in various aspects of management, leadership, resources management, Operations and Maintenance sustainability, safeguards, project management and business skills.

2.4 Develop operations and Maintenance strategy for AFH infrastructure and facilities with action plan for sustainable harbor operation and management. The rehabilitated facilities will require a detailed plan of operations and maintenance to ensure sustainability and so the authorities of the harbor and any relevant staff shall be trained and equipped with tool kits to ensure. This will be carried out by an STE.

2.5 Review policies and regulations related to Fisheries Harbour and develop informed guidelines and regulations for effective management of AFH. An STE will be contracted to review, update and prepare relevant policy and regulations for the fisheries harbor and fish value chain in line with the national legal frameworks.

2.6 Develop and operationalize a climate resilience and safeguards framework (social, environmental, and occupational health) to ensure compliance within the harbor operations on sanitation, hygiene, and quality control, including waste control and management. The Safeguard Specialist will prepare a plan of action based on the assessments and put in place mitigation measures with a monitoring and evaluation system to ensure all risks are minimized within AFH.

2.7 Develop safeguard and pollution control systems and measures to reduce risks to acceptable and manageable levels of pollution from sources and ensure marine environment protection.

2.8 Develop an inclusive mechanism for sustainable AFH revenue-based resources mobilization, management, and benefit sharing.

This will involve a revenue-based resource mobilization strategy for the AFH with the aim of ensuring financial sustainability.

#### **Output 3: Improved employment opportunities for women and youth in the fishing community and value chain**

The women and youth are the most affected and vulnerable people affected by the conflict and are marginalized by the fishing industry in Yemen that is very dominated by men and made worse by the cultural sensitivities regarding men's perception of women. Elsewhere in the world it has been proved that women when supported can perform very well in fishing livelihoods and increase incomes for themselves. The project has identified three women groups within the surroundings of the AFH and these women will be supported with training and fisheries equipment as well as supported to play a role in the fish processing value chain at the AFH facility. The tailored training will help women to gain vital skills for business and leadership and to learn about fish quality control, sanitation and hygiene. The women and youth will also be supported to establish viable enterprises in the Aden Fish value chain based on the

assessment. The project will not provide microgrants but will train the beneficiaries on how to manage businesses, proposal writing, marketing, records keeping and savings.

#### Activities of output 3

3.1. Conduct a needs assessment of the Aden-based fishery value chain with emphasis on women and youth actors. A Gender Specialist will be recruited to help promote the women inclusion in the fisheries sector in Aden by conducting (under the oversight of the project manager) a needs assessment and then preparing a gender strategy and action plan for uplifting and supporting women fishers to integrate into the fish value chain of Aden while leveraging on the AFH rehabilitated facilities.

3.2. Undertake capacity building for AFH area fishers, cooperatives and associations with a package of training modules in fish quality control, hygiene and sanitation, business management and marketing skills, environmental and community resources management, Tailored package of training and/or sperate trainings will be provided for women fishers to enhance their productive roles in the different fishery value chain sectors and leadership roles to promote for sustainable fishing practices.

3.3. Support the women and youth from within the fisheries harbor of Aden area with fisheries inputs and integrate them into the fish value chain to improve their livelihoods. Women and youth will be deliberately supported with critical fish value chain inputs to enable them to gain a footing and be integrated into the fish value chain of AFH to enable them to improve their livelihoods. This will follow from the gender strategic plan for AFH women developed by the Gender Specialist and will require several stages of capacity building and then mentoring until the women are successful and self-supporting.

The harbor will be rebuilt back better with improved efficiencies, increased transparency and accountability to ensure effective management capacity to support fishery communities and enhance the fisheries value chain for sustainable livelihoods. The rehabilitation will also include provision of priority equipment and rehabilitation of critical infrastructure and facilities. The rehabilitation work shall take into consideration elements that support the design of the infrastructure to be risk-informed like: Climate change factors; Effective waste and sanitation management systems to ensure protection of the marine environment from pollution; Effective safeguard mechanism and hygiene practices; Renovation of the facility with equipment, utilities, green energy and providing space and facilities to allow and increase women involvement in fishery value chain activities.

## 2.1 Description of Baseline Environmental and Socioeconomic Conditions

The Republic of Yemen 2,200 km long coastline has very few natural bays and indentations. The coastline of the Gulf of Aden measures 1,550 km from Bab Al Mandab, the narrow straits separating the country's south-west peninsula from the African continent to the border with Oman in the east. The Red Sea coastline stretches 650 km north from Bab Al Mandab to the border with Saudi Arabia. The Socotra Archipelago, which lies off the tip of the East African Horn, has a coastline of 320 km. Yemen's closest neighbors are Oman in the east, Somalia and Djibouti across the Gulf of Aden, Eritrea across the Red Sea, and Saudi Arabia in the north.

The Gulf of Aden is dominated by the Indian Ocean monsoon system. The winds blow from east to north-east during the north-east monsoon, October to April, and from south-west during the south-west monsoon, May to September. The strongest winds and associated water currents occur in July/August. During the south-west monsoon, oceanic upwelling stimulates primary production of phytoplankton and ultimately creates an increase in the abundance of pelagic fish. The north-eastern part of the Gulf and the area south of Socotra are among the most productive marine areas in the world, with productivity levels comparable to those off the coasts of Peru and West Africa. The Red Sea, a semi-enclosed body of water, covers an area of about 440,000 km<sup>2</sup> and is characterized by

high water temperatures and high salinity. There are no major river inflows and water lost through evaporation far exceeds precipitation. The loss of water through evaporation is replenished through the inflow from the Gulf of Aden through the Straits of Bab Al Mandab. Primary productivity is relatively low due to poor surface circulation in the absence of strong wind systems. Productivity is greatest in the south where it is stimulated by the inflow of nutrient rich Indian Ocean water from the Gulf. An important feature of the southern part of the Red Sea is the numerous small islands and the reefs of different types extending far out in the sea.

The fisheries sector is one of the most promising economic sectors generating essential incomes for the fishermen. Yet, fishery resources face overexploitation and poaching by international industrial fishing fleets. Yemen lies on the Red Sea, the Arabian Sea (including Gulf of Aden) and the Indian Ocean, which are noteworthy areas that provide fish which forms a significant component of coastal population's diet and livelihood. Fish wealth is a major renewable natural resource of Yemen as well as a primary national source of income. Prior to the conflict, more than 350 species of fish and other marine life in the territorial waters made Yemen a major fish producing country in MNA.<sup>5</sup> Moreover, a variety of ecosystems such as coral reefs and mangroves, support about 65 commercially important species including invertebrates (shrimp, lobsters, cuttlefish, sea cucumbers), pelagic species (yellowfin and longtail tuna, kingfish, queenfish, Indian mackerel, Indian oil sardines) and demersal species (groupers, emperors, jacks, bream).<sup>6</sup> The total fish catch was about 160,000 tons in 2015, mostly associated with artisanal fishing. Although stock assessments were not available, the National Fisheries Strategy (2012-2025) indicates that the country's fisheries are at serious risk of depletion, due to lack of appropriate management to stabilize the valuable stocks especially in the coastal areas.

The 2022 Humanitarian Needs Overview (HNO) indicated that 23.4 million people in Yemen are estimated to require humanitarian assistance in 2022, of whom 12.9 million people in acute need. The main drivers behind the number of people in need are food insecurity and malnutrition, together with social services and protection needs. In 2023, an estimated 21.6 million people will need humanitarian assistance and protection services, a slight decrease from the 23.4 million people in need in 2022<sup>7</sup>. The current conflict has disrupted the country's existing business operations making entrepreneurs and firms either temporarily suspend operations, permanently close or, in the case of larger firms, relocate their operations overseas. According to the Integrated Phase Classification (IPC), a total of 18.8 million people, or 59 percent of the country's population are estimated to be acutely food insecure (IPC Phase 3 and above) in 2022, despite the presence of the ongoing humanitarian food assistance.<sup>1</sup> Local conflict, high food prices, depreciation of local currency, and disrupted livelihoods are considered the major drivers of acute food insecurity, and this could be further compounded by the recent war in Ukraine and the potential disruption of wheat export from Ukraine and the Russian Federation.

Yemen is highly vulnerable to climate change-related phenomena. Yemen's Third National Communication to the United Nations Framework Convention on Climate Change (UNFCCC) identified its coastal zone (the coastal Tehama plain, 30-60km wide along the Red Sea and Gulf of Aden (RSGA)) as one of the most vulnerable areas to climate change. Yemen experiences high risks from water scarcity, extreme heat, wildfire, locust infestation, floods, and landslides. All these hazards negatively affect the agricultural sector, which provides income to over 73% of rural population in Yemen and is a main source of food for substantial portion of population. Yemen will need US\$ 2.5-3.1 billion in the next 5 years to ensure food security. Forty-seven percent of cultivated area is rainfed and vulnerable to climate change; plant production per unit of cultivated area is relatively low. Climate vulnerability is likely to exacerbate other pressures on livelihoods, the economy, and the environment in the future. During this transitional period, to address food insecurity and negative effects of climate change, fisheries sector will be playing a critical role. According to MoAIFW, 2021 statistics, fish production is at 294,000 tons/annum and exports are

<sup>5</sup> Ellaya, M. 2019. Fishing during the war? The impact of war on Yemeni fisheries. Published by Fisheries Conflicts: Case Studies (<https://ucsdonline.maps.arcgis.com/apps/MapSeries/index.html?appid=1d694c00fecc42759f6605837c386354>)

<sup>6</sup> Ministry of Fish Wealth. 2012. National Fisheries Strategy (2012-2025).

<sup>7</sup> [Yemen Humanitarian Needs Overview 2023 \(December 2022\) \[EN/AR\] - Yemen | ReliefWeb](https://reliefweb.int/report/yemen/yemen-humanitarian-needs-overview-2023-december-2022-enar-yemen)

147,000 tons/annum from all processors, which means domestic consumption stands at 147,000 tons/annum or 50% of total production. At the same time, it is important to monitor the fish stock and manage it sustainably, not to deplete this valuable resource and ensure it provides food and income to Yemeni population in perpetuity.

#### Selected governorates: Aden

- **Aden, governorate**: Aden Governorate is located on the coast of the Red Sea and Gulf of Aden region

The project will be implemented in Aden governorate. The implementation of a new approach to fisheries harbour management will involve close collaboration with a full range of stakeholders and organizations at all levels of the fisheries value chain to put to value the harbour facilities and maximize the positive impact on the vulnerable communities and on the value chain actors. The initiative includes specific actions of capacity-building, analysis, consensus building, institutional strengthening and governance strengthening. In this context, the possibilities for establishing an appropriate stakeholder forum at the governorate level will be explored. The project will be implemented in areas which are accessible and where development interventions can be implemented. UNDP will capitalize on the on-going World Bank project management approach, with the strengthened operational risk management and project approaches sensitive to the conflict and political environment in Yemen. The project will be implemented by UNDP through the Direct Implementation Modality (DIM).

## 3 Legal and Regulatory Framework

The ESMF is prepared to:

- comply with national environmental and social laws and regulations, and the operating procedures of the line government ministry and relevant stakeholders. The results frameworks provide outcomes for production, marketing, and institutional capacity building for the fishery value chain. The AFH rehabilitation intervention will be located in Aden and other component on value chain improvement will focus more on developing women by helping integrate them into the fish value chain in Aden.
- **UNDP's updated Social and Environmental Standards (SES)<sup>8</sup> along with its key elements included in Parts A, B and C apply.** UNDP's Social and Environmental Standards are strongly aligned with the standards required by KfW Sustainability Guidelines.<sup>9</sup> Until also remaining minor gaps are assessed and closed, those requirements from KfW Sustainability Guidelines that are stricter than UNDP Social and Environmental standards apply in addition **Error! Reference source not found.** In line with the procedures, Social and Environmental Assessment is a continuous process where social and environmental impacts and risks need to be regularly re-evaluated and possibilities to avoid, minimize and mitigate risks need to be developed and agreed upon with all stakeholders. This applies also whenever there is a change of risks.

### 3.1 National Legislation, Policies and Regulations

#### 3.1.1 The fisheries law of Yemen

---

<sup>8</sup> <https://www.undp.org/publications/undp-social-and-environmental-standards>

<sup>9</sup>[https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Nachhaltigkeitsrichtlinie\\_EN.pdf](https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Nachhaltigkeitsrichtlinie_EN.pdf)

The basic fisheries law of Yemen is contained within Law Number 42 of 1991 on Regulating Fishing, Exploiting and Protection of Marine Animals ('The Fisheries Law'). The Fisheries Law was amended in 1997 through the issue of Law Number 43 of 1997 on Amending Some Articles of Law Number 42 of 1991 on Regulating Fishing, Exploiting and Protection of Marine Animals ('The Amended Fisheries Law').

The Fisheries Law and the Amended Fisheries Law define the powers of the Ministry of Fish Wealth and provide for a range of mechanisms to control fishing activities and to protect marine life and habitats. The Fisheries Law also contains the details of the administration of fisheries in Yemen, including the ability to license vessels and fishermen. The Fisheries Law and the Amended Fisheries Law have been further refined a number of times through the issue of Ministry and Cabinet Resolutions which add detail to the basic powers contained in the Fisheries Law. Many of the Resolutions issued between 1991 and 1997 were subsequently incorporated into the Amended Fisheries Law of 1997. Some of the more important of these Resolutions are:

- Presidential Resolutions of 1993 and 1995 issuing implementing regulations for the Ministry of Fish Wealth
- Ministerial Resolution 27 of 1997 establishing a guidance committee for fishing and fisheries management.
- Resolution Number 35 of 1997 of the Ministry of Fish Wealth defining the requirements of fishing vessels and fishing gear.
- Cabinet Resolution 232 of 1997 regulating the fishing, exploitation, and protection of shrimp.
- Resolution number 35 of 1998 of the Ministry of Fish Wealth on the regulation of the export of fish and marine products.

The Fisheries Law and the Amended Fisheries Law do not provide for the preparation of management plans for individual fisheries but are, in essence, more development-orientated and include details on the administration of fisheries.

The Fisheries Law and the Amended Fisheries Law identifies the Ministry of Fish Wealth as the responsible agency for managing fisheries in Yemen. The Ministry is therefore responsible for management, research and development and enforcement activities.

Because the Amended Fisheries Law is relatively new, it has not yet been further reviewed or revised, apart from the issue of specific Resolutions that define details of the Amended Law.

### **3.1.2 National Environmental Action Plan**

The Republic of Yemen (RoY) enacted a National Environmental Action Plan (NEAP) in 1995 that was prepared with the support of the World Bank. The NEAP defines priority actions regarding key environmental issues such as water resources, land resources, natural habitats, and waste management.

### **3.1.3 National Biodiversity Strategy and Action Plan**

The NBSAP calls for "achieving a resilient, productive and sustainable socio- ecosystem by 2050". The strategy and its action plan aim to halt the overall biodiversity loss and maintain healthy, productive, and functional ecosystems based on establishing coherent and resilient ecological networks supported by restructured policies and adequately mandated and empowered local communities and institutions for sustainable and equitable use of natural capital of importance to human well-being and economic prosperity.

### **3.1.4 Water Law**

The (AFH) project is subject to the following Yemeni laws and regulations: National Water Sector Strategy and Investment Program; Water Law No. 33 issued in 2002 and modified in 2006 after the creation of Ministry of Water and Environment, its by-law was issued in 2011 by the Cabinet decree.

The law defines water resources as any water available in the republic's territory and its share of common waters jointly owned with neighboring countries. This is comprised of ground water, surface water, wastewater after purification, and saline water after desalination. The law's main objective is to regulate, develop, sustain and increase efficiencies in water utilization, protect from pollution, transport, and engage the beneficiaries of water installations in participatory management, investment, development, operation, maintenance and preservation at the various stages of development. Water is considered as a common property accessible to all. Management of water resources is entrusted to the National Water Resources Authority, which assess the resources, classify water basins and zones, and prepare the national water plan, which is considered as one of the components of national economic and social planning. Priorities of water use are drinking, and domestic use shall have absolute priority. Then in declining priority, watering livestock, public utilities, irrigation, industrial purposes, minimal level of environmental needs. For these uses water distribution and transport should be done according to hygiene means. Existing and acquired water rights prior to the issuance of the law will be maintained, except in special cases when fair compensation will be ensured. Traditional water rights of rainwater harvesting and natural runoff flow in relation to irrigation shall be maintained. The same applies for the traditional rights on natural springs, streams, and creeks. The Water Law and its by-law are a notable achievement in Yemeni legislation and provide important legislation for environmental management of UNDP/ (AFH) Project activities.

### **3.1.5 Environmental Protection Law**

The Environmental Protection Law (Law 26/1995; EPL), enacted in 1995 in the wake of the NEAP, constitutes the framework environmental legislation for Yemen. It includes provisions for environmental protection in Yemen, the issuance of permits, and Environmental Impact Assessments (EIAs). The provisions of the law are implemented through By-Law 148/000.

The law is also designed to: (i) incorporate environmental considerations in economic development plans at all levels and stages of planning, (ii) protect the national environment from activities practiced beyond national boundaries, and; (iii) implement international commitments ratified by the RoY in relation to environmental protection, pollution control, the conservation of natural resources, and global environmental issues such as the depletion of the ozone layer depletion and climate change.

#### **Environmental Protection Authority**

The EPL established an Environmental Protection Council and granted it power to take all measures necessary to protect and improve the quality of environment and to prevent pollution of the environment. Decree 101/2005 established the Public Environmental Protection Authority (EPA) to replace the Council and lays down its objectives, tasks, and management. The functions assigned to the EPA include:

- preparing and executing appropriate policies/strategies/plans to protect the environment.
- conducting environmental surveys
- assessing areas/resources/species to be protected through necessary measures conserving the ecosystem including flora and fauna, wild and marine life as per existing laws and monitoring their application.
- developing legislative proposals for environment protection in coordination with other agencies involved
- developing a National Emergency Plan to combat natural disaster and environmental pollution in consultation with the agencies concerned implementing environmental protection law and other relevant laws/regulations.
- reviewing EIA studies for public /private sector projects for giving clearance and monitoring their execution

- coordinating relevant programs/activities with national, regional, and international agencies and organizations
- recommending necessary laws, regulations, and systems to protect the environment, in accordance with regional and international agreements on environmental protection.
- collecting data, assessing, and evaluating the status of the environment, and setting up suitable monitoring systems
- laying down appropriate standards for protecting the environment from pollution and formulating policy guidelines to combat industrial pollution and protect animal, plant, and marine ecology.

### 3.1.6 Labor Law

The ROY Labor Law, Act No.5 of 1995, includes OHS requirements for workplaces that needs to be applied in the project.

- The Labor Law (Law 5/1995) states that women are equal to man in all aspects without any discrimination, and that equality should be maintained between women and men workers in recruitment, promotion, wages, training, social insurance. It also regulates work time for pregnant women.
- The Labor Law regulates the rights and wages of workers, their protection, occupational health, and safety. In addition, the Social Insurance Law regulates retirement compensation.
- Yemen has ratified ILO Convention Number 138 on Minimum Age for Admission to Employment (Law 7/2001). The Convention establishes a minimum age for admission to employment.
- Yemen has also ratified the ILO Convention 182 on the Worst Forms of Child Labor. It refers to child labor as work that is mentally, physically, socially, or morally dangerous and harmful to children; and interferes with their schooling by depriving them of the opportunity to attend school, by obliging them to leave school prematurely; or by requiring them to attempt to combine school attendance with excessively long and heavy work.

### 3.1.7 Summary of Yemen's Law and International Ratification of International Convention regarding Women Employment and Gender Equality

Yemen ratified the Convention on Elimination of all Forms of Discriminations Against Women (CEDAW) in 1984, and prepared a National Strategy for Women Development in 1997, which was **updated** in 2015. Implementation of CEDAW is delegated to relevant ministries and authorities (Decree 55/2009). Based on amendments proposed by the Women National Committee, 24 laws were amended to ensure building gender balance in accordance with the convention. 149.

There are some Yemen national laws and strategy address gender and GBV as follows:

- Gender Equality in the Labor Law (Law 5/1995): **states the women are equal to Man in all aspects with no discrimination.**
- ***Gender based violence: this reflects on three items of :1) Yemen established its National committee for Women in Supreme council for Women's Affairs in 1996 which designated to for implementing Beijing Platforms for Action (1995) and then to report on progress on the CEDAW" 2) Yemen National Strategy - GBV*** which is part of the National Strategy for the development Women 2006-2015, to ensure all legal measures to protect women's rights; 3) Domestic and Social Violence, a draft law was made in 2014, to eliminate violence against women and girls.
- Yemen Legal and Social Services: Yemeni Women Union (YWN) was established in 1990 to provide legal information on services to survivors GBV. Also, YWN does receive some cases on GBV with help of UNFPA, The YWN is active in North and South.
- Laws and strategy regarding The Gender Equal in the labor Law, GBV required to be activated in the South Yemen, but in the North is not allowed to be implemented fully.

### 3.1.8 The government and its partners Operating Procedures

The government and its partners will play a big role in sensitizing the fishers and all the beneficiary community of Aden on safeguards and other trainings that will involve preparation of training modules, manuals, posters, leaflets on safeguards practices and compliance: development and operationalization of climate resilience and safeguards framework (social, environmental, and occupational health) including monitoring the compliance of the harbour operations and waste management to ensure application of safeguard measures, hygiene and quality control, control of pollution sources and protection of marine environment. Supportive guidelines and sensitization messages on how to engage with government for inclusive development by fishers and on fish consumption will be prepared delivered and disseminated.

## 3.2 International Agreements and Protocols

The RoY is party to several international environmental agreements, the most important of which are:

- World Heritage Convention
- International Convention on Civil Liability for Oil Pollution Damage
- Convention on Biodiversity
- Convention on the Conservation of Migratory Species
- Convention on International Trade in Endangered Species of Wild Fauna and Flora
- United Nations Framework Convention on Climate Change (Yemen acceded to the Kyoto Protocol and is party to Paris Agreement but not ratified)
- United Nations Convention on Combating Desertification
- Environmental Modification Convention
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
- Convention on Wetlands of International Importance Especially as Waterfowl Habitat
- Law of the Sea
- Montreal Protocol on Substances that Deplete the Ozone Layer
- Stockholm Convention on Persistent Organic Pollutants

In general, national agencies are not currently in a position to handle the technical complexities and reporting requirements of international agreements.

Project activities are not expected to be in breach of any international agreement to which the RoY is a party.

## 3.3 UNDP's Social and Environmental Standards

UNDP's Social and Environmental Standards (SES) are applied to all UNDP projects, including the 'Fishery Harbour Rehabilitation and Value Chain Development in Aden' project UNDP's Social and Environmental Standards are strongly aligned with the standards required by KfW Sustainability Guidelines.<sup>10</sup> Based on the findings from the gap assessment of the UNDP and KfW social safeguard and environmental requirements, minor gaps among the two have also been closed in the ESMF. Requirements from KfW Sustainability Guidelines that are stricter than UNDP Social and Environmental standards apply in addition and will help mitigate potentially high adverse environmental and social impacts during the selection and implementation of subprojects under this fishery project.

UNDP's SES came into effect in January 2021. The SES underpin UNDP's commitment to mainstream social and environmental sustainability in its Programmes and Projects to support sustainable development. The objectives of the standards are to:

- Strengthen the quality of programming by ensuring a principled approach.

---

<sup>10</sup>[https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Nachhaltigkeitsrichtlinie\\_EN.pdf](https://www.kfw-entwicklungsbank.de/PDF/Download-Center/PDF-Dokumente-Richtlinien/Nachhaltigkeitsrichtlinie_EN.pdf)

- Maximize social and environmental opportunities and benefits.
- Avoid adverse impacts to people and the environment.
- Minimize, mitigate, and manage adverse impacts where avoidance is not possible.
- Strengthen UNDP and partner capacities for managing social and environmental risks; and
- Ensure full and effective stakeholder engagement, including through a mechanism to respond to complaints from project-affected people

The SES are an integral component of UNDP's quality assurance and risk management approach to programming. This includes the [Social and Environmental Screening Procedure](#) (see the completed SESP for the project in Annex 1).

Table 1. Key Elements of UNDP's Social and Environmental Standards (SES) Part A: SES Programme Principles	Part B: SES at Project standard levels	PART C: Social and Environmental Management System
<b>Principle 1: Leave No One Behind</b> <b>Principle 2: Human Rights</b> <b>Principle 3: Gender Equality and Women's Empowerment</b> <b>Principle 4: Sustainability and Resilience</b> <b>Principle 5: Accountability</b>	Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management Standard 2: Climate Change and Disaster Risks Standard 3: Community Health, Safety and Security Standard 4: Cultural Heritage Standard 5: Displacement and Resettlement Standard 6: Indigenous Peoples Standard 7: Labor and Working Conditions Standard 8: Pollution Prevention and Resource Efficiency	✓ Quality Assurance and Risk Management ✓ Screening and Categorization ✓ Assessment and Management ✓ Stakeholder Engagement and Response Mechanism ✓ Access to information ✓ Monitoring, Reporting and Compliance

The Standards are underpinned by an Accountability Mechanism with two key functions:

- A [Stakeholder Response Mechanism](#) (SRM) that ensures individuals, peoples, and communities affected by UNDP projects have access to appropriate procedures for hearing and addressing project-related grievances; and
- A [Compliance Review](#) process to respond to claims that UNDP is not in compliance with UNDP's social and environmental policies.

### 3.4 KfW Requirements

#### World Bank Environmental and Social Framework (ESF)

The KfW Development Bank assessment standards are the Environmental and Social Standards of the World Bank Group.

The (AFH) project will follow the World Bank's Environmental and Social Framework which sets out the World Bank's commitment to sustainable development and is also applicable to the KfW funded projects, through a Bank Policy and a set of Environmental and Social Standards that are designed to support Recipient, with the aim of ending extreme poverty and promoting shared prosperity. Listed below are the standards of the World Bank

- Environmental and Social Standard 1: Assessment and Management of Environmental and Social Risks and Impacts.
- Environmental and Social Standard 2: Labor and Working Conditions.
- Environmental and Social Standard 3: Resource Efficiency and Pollution Prevention and Management.

- Environmental and Social Standard 4: Community Health and Safety.
- Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.
- Environmental and Social Standard 6: Biodiversity Conservation And Sustainable Management Of Living Natural Resources
- Environmental and Social Standard 8: Cultural Heritage
- Environmental and Social Standard 9: Financial Intermediaries; and
- Environmental and Social Standard 10: Stakeholder Engagement and Information Disclosure.

Environmental and Social Standard ESS1 applies to all projects financed by KfW Development Bank. ESS1 establishes the importance of:

- A. the Recipient's existing environmental and social framework in addressing the risks and impacts of the project.
- B. an integrated environmental and social assessment to identify the risks and impacts of a project.
- C. effective community engagement through disclosure of project-related information, consultation, and effective feedback; and
- D. management of environmental and social risks and impacts by the Recipient throughout the project life cycle.

The Bank requires that all environmental and social risks and impacts of the project be addressed as part of the environmental and social assessment conducted in accordance with ESS1. ESS2–10 set out the obligations of the Recipient in identifying and addressing environmental and social risks and impacts that may require particular attention. These Standards establish objectives and requirements to avoid, minimize, reduce, and mitigate risks and impacts, and where significant residual impacts remain, to compensate for or offset such impacts.

### **Environment, Health, and Safety Guidelines**

The World Bank Group Environment, Health and Safety (EHS) guidelines are referenced in footnote 1 of OP 4.01. They are technical reference documents with general and industry-specific examples of Good International Industry Practice (GIIP). They define acceptable pollution prevention and abatement measures and emission levels.

The EHS Guidelines contain the performance levels and measures that are generally considered to be achievable in new facilities by existing technology at reasonable costs. Application of the EHS Guidelines to existing facilities may involve the establishment of site-specific targets, with an appropriate timetable for achieving them.

The application of the Guidelines to existing facilities may involve the establishment of site-specific targets with an appropriate timetable for achieving them. The environmental assessment process may recommend alternative (higher or lower) levels or measures, which, if acceptable to the World Bank, become project- or site-specific requirements.

If less stringent levels or measures than those provided in the EHS Guidelines are appropriate, in view of specific project circumstances, a full and detailed justification for any proposed alternatives is needed as part of the site-specific environmental assessment. This justification should demonstrate that the choice for any alternate performance levels is protective of human health and the environment. When host country regulations differ from the levels and measures presented in the EHS Guidelines, projects are expected to achieve whichever is more stringent.

Due to the nature of (AFH) project activities, the Project will use as appropriate the General Guidelines, including (i) Environmental, (ii) Occupational Health and Safety, (iii) Community Health and Safety, and (iv) Construction and Decommissioning, as well as the Guidelines for Construction and Decommissioning, as well as any other relevant Guidelines.

Table 2: WB's ESSs and UNDP SESs for the (AFH) project

WB 's ESSs	UNDP's ESSs	Yemeni Requirements	Gap
ESS1: Assessment and Management of Environmental and Social Risks and Impacts.	Standard 2: Climate Change and Disaster Risks	<p>The Law requires the preparation of an EIA during the preparation of all projects and the inclusion of mitigation measures in the project's capital and recurrent costs (<b>Cabinet Decree Number 89/1993</b>).</p> <p>The EIA should describe: (i) proposed project activities, design of activity, the surrounding environment that may be affected, including a land use map of the adjacent areas, the requirement and types and source of energy, raw material and infrastructure services and roads emergency plan and safety, waste disposal etc.; (ii) and (iii) alternatives using less polluted inputs, as well as consideration of the 'no-project' alternative (<b>EPL Article 37 Para (b)</b>).</p> <p>The EIA guidelines also include requirements for monitoring, capacity building, verification of monitoring results and findings (<b>EPL Article 60</b>).</p>	<p>No Gap.</p> <p>UNDP and RPs ensures sets out the assessing, managing, mitigate and monitoring environmental and social risks or impact may occur is any phase of the project cycles, beside ensure sustainability and reduce social and environmental risks, including the climate change and disaster risk reduction. UNDP and partners ensure all activities in consistent with WB's ESSs and UNDP SES and Yemeni law.</p>
ESS2: Labor and Working Conditions.	Standard7: Labor and work Conditions	<p>The occupational safety and health activities in Yemen are organized by Chapter 9 of the Yemeni Labor Law <b>Number 5/1995, Law Number 25/1997 and Law Number 25/2003</b>, the articles of which require employers to take.</p> <p>All precautions necessary to ensure that workplaces are safe and healthy.</p>	<p>There is a gap between the World Bank's ESS Guidelines, UNDP SES and Yemeni laws and regulations.</p> <p>The projects will apply whichever is more stringent. The project will ensure the availability of the appropriate work environment and conditions for occupational safety and health as details indicated in the LMP.</p>
ESS 3: Resource Efficiency and Pollution Prevention and Management.	Standard 8: Pollution Prevention and resource efficiency.	<p>National law gives priority to the principle of environmental protection and pollution prevention, and not only to the mitigation or compensation of impacts. It also encourages research and development in all environmental aspects (<b>EPL, Article 90</b>).</p>	<p>The Project will avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities.</p> <p>Assess impacts from waste generation, emission and discharge expected from the subproject activities during all phases and include relevant mitigation measures into the subproject specific ESMPs.</p>

			<p>Ensure adherence of conducted activities with ESMPs.</p> <p>Prepare guidelines based on Good International Industry Practices (GIIP) for safe and sustainable fisheries.</p> <p>Creating awareness amongst fishers about safe and sustainable fisheries.</p>
ESS 4: Community Health and Safety	Standard 3: Community Health, Safety and Security		<p>The project will assess and addresses any sort of risk related to health, security and safety that may impact the affected communities. The responsibility of RPs and UNDP to eliminate and avoid negative impacts on the community.</p>
ESS 5: Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement			<p>Most of the project civil works will take place within the confines of existing fishery infrastructure/facilities. However, the alternative analysis during the project designing stage will be made to avoid or reduce the land acquisition and restriction of land use as much as possible to minimize the negatively physical and socioeconomic impacts to local people especially the vulnerable.</p>
ESS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources	Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management	<p>Yemen has signed in 1992 and ratified in 1995 the International Convention on Biological Diversity which was launched at the Earth Summit conference in 1992. In so doing, Yemen has acknowledged the value of biological resources as an integral part of its natural heritage with the potential for yielding long term benefits for the Yemen people and as essential foundation for sustainable development.</p>	<p>The relevance of this ESS will be further discussed and assessed during the preparation of subproject's ESMP. Mitigation measures will be in place to protect or minimize the adverse impacts to aquatic ecosystems during construction (e.g., increased water turbidity, accidental pollution from spillage of construction materials and leakage of oil and grease).</p>
ESS 8: Cultural Heritage	Standard 4: Cultural Heritage		<p>There is a potential for chance finds during project construction activities. A chance finds procedure has been included in the project ESMF and will be included in Subproject's ESMP.</p>

			Subprojects will be screened and assessed for potential impacts on cultural heritage and relevant mitigation measures will be included in the Subproject's ESMPs and construction contracts.
ESS 9: Financial Intermediaries; and			UNDP and RPs recognize that strong domestic capital and financial markets and access to finance are crucial to promote economic development, and poverty reduction. The project's intervention will be monitored, mitigated and managed the environmental and social risks ( gender, GBV and SEA) and impacts of any negative impacts.
ESS 10: Stakeholder Engagement and Information Disclosure	<b>UNDP Social and Environmental Management System Requirements:</b> Stakeholder Engagement and Response Mechanisms	Article 35 of the Yemeni Constitution declares that Environment protection is the responsibility of the state and the community and that it is a duty for every citizen. It requires the Involvement of stakeholders, including project-affected groups and local nongovernmental organizations, as early as possible, in the preparation process and ensure that their views and concerns are made known to decision makers and taken into account.	No Gap. UNDP undertake the essentiality of participation and engagement between project recognizes the importance of open and transparent stakeholders to enhance Effective participation of all vulnerable groups, sustainability of the project and stakeholder's ownership. The participation and engagement with stakeholders start form project design, implementation monitoring and evaluation.

## 4 Social and Environmental Impacts and Risks

This section summarizes key social and environmental risks and indicative management measures for the project. Because a full risk analysis is not possible until site-specific design details are known, the identification of project level risks provides an indicative assessment to be elaborated further through sub-project level screening, assessment, and risk management (see Section 5). Therefore, sub-project screening and site-specific assessments and management plans will be essential.

**The environmental risk is considered 'Substantial' (refer to Annex 1: Social and Environmental Screening Template)** given that the project will support interventions associated with construction activities as well as operation phase – such as of Port different facilities (quay, warehouses, admin building, etc.) -, including dust emissions, noise, debris, and generation of solid and liquid waste - all of which can result in air, water and social pollution if not adequately managed. This risk rating takes into consideration, amongst other things, the type and nature of its activities, the sensitivity of project areas in Yemen. Nonetheless, most of these impacts are expected to be site-specific, reversible, and generally of medium magnitude that can be mitigated following appropriate measures.

Other potential significant risk include Occupational Health and Safety (OHS) incidents associated with implementation of civil works considering the experience under some previous projects in Yemen. There are other OHS risks during operation of the fishery value-chain, both at sea and onshore. Moreover, there are risk of injuries due to the potential explosion of a remnant of war (ERW) and more broadly to civil war activities. The project also presents a risk for overfishing if not well regulated.

The social risks and impacts associated with the project have been assessed as substantial and are mostly linked to the activities under AFH project. Risks include elite capture and the exclusion of vulnerable or disadvantaged groups and individuals from project benefits, risks associated with poor labor conditions, failure to protect the labor force, such as child and forced labor, as well as community health and safety risks, including the risk of exposure to COVID-19. Moreover, the project may lead to conflicts resulting from unequal benefit-sharing from improved fisher households and businesses, particularly related to the micro-grant activities, or sustainable resource management among members of coastal communities. It is not expected that the project will lead to risks associated with the restriction of land access, land acquisition and resettlement, as any civil works leading to such impacts will be excluded from project financing. The selected coastal governorate of Aden has been screened for high security risks; however the risks are still assessed as substantial given the potential security risks to project beneficiaries and workers, including the risk of exposure to the explosion of a remnant of war (ERW). The project is not expected to lead to boundary dispute as activities are not expected to go beyond Yemen's national maritime borders. The project has been screened for sexual abuse and exploitation and sexual harassment (SEA/SH) risks and rated as substantial. Even though the risks are expected to be localized and can be managed through the implementation of prevention and mitigation measures, conflicts associated with benefits distribution, elite capture and security risks remain substantial.

The main risks identified through the SESP (Annex 1) are summarized below along with minimum requirements that need to be considered and indicative management measures.

## 4.1 Conflict

### 4.1.1 Activities That May Result in Conflict Risks

Because of the ongoing conflict in Yemen, all sub-projects need to be developed using a conflict sensitive approach to ensure activities don't exacerbate conflict or violence. In addition, local conflicts may occur due to competition over limited jobs and the risk of conflict within the fishing communities if some individuals receive project benefits and others do not, as well as conflict between contractors and local laborers. This is a key element of UNDP's commitment to human rights in the SES.

### 4.1.2 Management Measures

Management measures include developing a clear definition of targeting and selection criteria based on data provided by the UN Clusters; participatory preparation and implementation of subprojects by communities and relevant stakeholders (refer to ESMF section on Stakeholder Engagement for further detail); frequent communication with communities and local stakeholders; grievance redress/ stakeholder response mechanism procedures to ensure timely handling of grievance redress; and public disclosure of the reasons for the rejection of subprojects, if any, to increase transparency.

UNDP apply a conflict-sensitive approach to prevent and detect conflict and respond quickly to potential conflicts. This helps ensure that the implementation process will do no harm and leads to effective development interventions.

The following steps are taken to ensure achieving such a goal:

- Through transparent allocation of funds that is based on national statistics indicators in the governorate and district levels, followed by coordination with local actors and inclusive participatory process, UNDP will be reducing conflict over resources.
- Selection of the community beneficiaries is based on a transparent eligibility criteria and consultations with communities and local leaders.
- Before implementation and during the participatory consultations with local communities to define the interventions, UNDP team analyzes the context in which the project will be implemented to make sure that UNDP intervention will not cause a conflict or escalate an existing conflict in that area. This analysis enables UNDP to understand the interaction between the intervention and the context in a particular area. The steps will be as follows:
  - Understanding the context in which the project will be implemented.
  - Carrying out a conflict analysis and sensitivity.
  - Understanding the interaction between the intervention and the Context.
  - Linking the conflict analysis with the programming cycle of the Intervention.
  - Using this understanding to avoid negative impacts and maximize positive impacts.
  - Implement, monitor, and evaluate the intervention under a conflict-sensitive approach (including redesign when necessary).
- Expected environmental and social impacts (including OHS risks) are identified during the project's preparation and mitigation measures are included in the design and implementation plan. Where investments are required to implement the measures, ensure reflection of these measures quantified as pay-items in the tender bill of quantities.
- During the implementation process, UNDP staff keeps.
  - Monitoring the situation to predict and recognize possible conflicts around the project and try to keep risks at a minimal level.
  - Following-up in order to strengthen the partnership with local authorities and community committees as important players in conflicts resolution.
- UNDP does not interfere to resolve existing conflict or be part of any conflict. However, UNDP intervention might help in reducing existing conflict.
- UNDP complaint mechanism will be a complementing tool to catch shortcomings that may arise, through of the above precaution measures, and deal with them transparently and learn lessons from them to improve performance in future programs. Project-affected people will be informed of the complaint mechanism.

## 4.2 Gender and Social Inclusion

With persistent gender gaps existing even prior to the conflict (i.e. in education, legal restrictions on mobility and decision-making, barriers to female participation in the labor force and in political life, and few opportunities for voice, paid work and entrepreneurial activity), women are more vulnerable to the economic, social and security challenges that result from the conflict and should thus be proactively reached for access to cash to improve their purchasing power for food and basic necessities. The stark gender gaps are influenced by and set within the context of conservative and strict gender norms. The project includes specific actions and design parameters to ensure the inclusion and participation of women. Such design parameters will ensure women are provided an equal opportunity to benefit from the employment opportunities (for example, targeting female-headed households, allowing flexibility in work hours, and providing on-site childcare). Besides a Gender and GBV plan has been developed to eliminate and mitigate any potential risks (see Annex 8).

Consideration for IDPs, women, people with disability and youth as specific vulnerable groups are included in the targeting as well as type of intervention. Improving the livelihood of the most vulnerable groups is central to poverty reduction and achieving the sustainable development goals. It can contribute to greater social equity, inclusion,

cohesion, and human capital formation in Yemen, all of which are critical to breaking the cycle of poverty, deprivation, and social exclusion.

#### **4.2.1 Activities That May Result in Gender and Social Inclusion Impacts or Risks**

The (AFH) project is implemented in the midst of the current crisis in Yemen, where women are adversely affected and at the same time asked to take on new and additional roles as heads of households or income-earners. In this light, (AFH) project implementation is found to have the potential to reproduce discrimination against women based on gender and age, if adequate gender mainstreaming considerations are not taken into account within the Project approach.

#### **4.2.2 Management Measures**

To the extent possible because of the current gender -sensitive culture in the country, the (AFH) project will promote gender equality and the empowerment of women and seek to reduce gender inequalities in access to and control over resources and the benefits of development according to Gender and GBV Plan.

- Sub-projects will ensure that both women and men are able to participate meaningfully and equitably, have equitable access to project resources, and receive comparable social and economic benefits.
- Sub-projects will not discriminate against women or girls or reinforce gender-based discrimination and/or inequalities.
- Sub-projects will ensure precautionary measures are in place to prevent potential exposure of beneficiaries, workers, and affected people to sexual exploitation and abuse.
- Sub-projects will ensure precautionary and control measures are in place to prevent potential exposure of beneficiaries, workers, and affected people to health and safety hazards.

The project will build upon existing services and pilot new approaches to improve the quality of targeted social care services and economic opportunities for people with disabilities. The (AFH) project has mainstreamed gender issues and is addressing gender equality from project identification, site selection, management, and oversight. Gender and GBV/SEA Action Plan (GAP) will ensure the consideration of the potential limitations on women's ability to use, develop and protect natural resources, considering different roles and positions of women and men in accessing environmental goods and services. Gender and GBV/SEA Action Plan (GAP) will be implemented and mainstreamed to the project's activities ; gender, GBV and SEA risks are assessed at substantial level, but it will be reassessed continuously during activity and subprojects planning and implementation, beside it will be integrated in the mitigation measures and monitoring plan in ESMP with specific indicators.

To ensure women are targeted by the project, women are encouraged to participate by measures that make their participation easier and acceptable to households and the community: allowing flexible hours of on-site work, providing on-site childcare (this will also hire a caregiver from the community), having the subproject at the community level and at a location close to the villages, and by consulting women on the types of subprojects they can participate in. However, although women are ostensibly excluded from the primary fishing sector, they may participate in some pockets of subsistence fishing. For example, in Yemen, where fishing is a strictly male activity, women in a few villages are reported to have their own boats and directly engage in fishing<sup>11</sup>.

The project will be implemented in Aden governorate. The implementation of a new approach to fisheries harbor management will involve close collaboration with a full range of stakeholders and organizations at all levels of the

---

<sup>11</sup> The gender wage gap in 2015, comparing the average wage of women with that of men in the agriculture, forestry and fisheries sector, was 39 per cent.<sup>562</sup>. The sector wage gap in 2015, defined as average wages of women in the agriculture, forestry and fisheries sector compared to average women's wages across sectors, was 54 per cent.

<https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2020/Womens-economic-empowerment-in-fisheries-in-the-blue-economy-of-the-Indian-Ocean-Rim-en.pdf>

fisheries value chain to put to value the harbor facilities and maximize the positive impact on the vulnerable communities and on the value chain actors. The initiative includes specific actions of capacity-building, analysis, consensus building, institutional strengthening and governance strengthening. In this context, the possibilities for establishing an appropriate stakeholder forum at the governorate level will be explored. The project will be implemented in areas which are accessible and where development interventions can be implemented.

UNDP will capitalize on the on-going World Bank project management approach, with the strengthened operational risk management and project approaches sensitive to the conflict and political environment in Yemen.

The project will be implemented by UNDP through the Direct Implementation Modality (DIM).

### 4.3 Biodiversity and Natural Resources

Conserving biodiversity, maintaining ecosystem services, and sustainably managing natural resources are fundamental to sustainable development. The (AFH) project will seek to maintain and enhance the goods and services provided by biodiversity and ecosystems in order to secure livelihoods, food, water and health, enhance resilience, conserve threatened species and their habitats, and increase carbon storage and sequestration. (FH) project will also promote sustainable use of natural resources to support livelihoods of vulnerable communities as well as benefit sharing between biodiversity conservation and livelihoods restoration. All project construction activities are not expected to pose any adverse impacts on the natural conservation/ protected areas. As a precautionary approach, the ESMF has included an E&S screening tool to ensure that no project activities to be financed will have significant impacts on critical natural habitats (Annex 1). The relevance of this ESS will be further discussed and assessed during the preparation of subproject's ESMP. Mitigation measures will be in place to protect or minimize the adverse impacts to aquatic ecosystems during construction (e.g., increased water turbidity, accidental pollution from spillage of construction materials and leakage of oil and grease).

The following types of activities will be ineligible for financing under the Project:

- Activities that may cause long term, permanent and/or irreversible adverse impacts (e.g., loss of major natural habitat).
- Activities that may have significant adverse social impacts and may give rise to significant social conflict.
- Activities that may affect lands or other vulnerable minorities.
- Activities, including new constructions or expansions, that may involve, physical relocation or adverse impacts on cultural heritage.
- New constructions or expansions that may involve permanent resettlement or land acquisition.
- Activities that have high probability of causing serious adverse effects to human health and/or the environment not related to treatment of COVID-19 cases.
- All the other excluded activities set out in the ESMF of the Project.

#### 4.3.1 Activities That May Result in Biodiversity and Natural Resources Impacts or Risks

The project will intervene in fisheries.

##### Fisheries (Low to Moderate Risk)

The project will promote the sustainable management and harvesting (fish and all other types of aquatic organisms) of living natural resources. The project's physical interventions will be limited to the existing footprint at one site including different facilities (quay, warehouses, admin building etc.) of Aden Fishery Harbor though at much larger civil work scale.

and proposed activities are not anticipated to result in any significant threats against biodiversity and habitats. The project does not intend to support any intervention which might lead to introducing alien or non-native species in the project areas.

There is a low risk that the project may impact on biodiversity and natural resources through overexploitation of fisheries. Potential engine hazards (fire) and loss of power which are a major cause of accidents for small fishing boats (which often lack basic safety equipment, are too small and otherwise unsuitable for offshore operations). The small boat engines are not used in deep waters, consequently this reduces the possibility of overfishing additionally fishermen will use traditional methods of fishing. Some of the fishermen will be equipped with fish finders, to help expedite the search of the fish and thus economize the use of fuel. The design of this activity under the (AFH) project has provisions to ensure sustainability, and the project will carefully monitor the activities of the fishermen during its implementation. This will include relevant training and capacity building for artisanal fishermen to ensure such risks are mitigated.

It should be mentioned that the project will ensure sustainable use of fisheries resources through enhanced institutional and governance capacity, technology transfer and capacity building in science-based but practical and context specific sustainable management practices and controlling of fishing effort level that do not impair resource productivity underpins the proposed operation. In addition, by incorporating key elements of sustainable fishery and scaling up the use of innovative technologies, the program aims to make a first step towards a sustainable blue economy in the region.

#### **4.3.2 Management Measures**

Considerations for the identification of management measures are summarized below, and additional guidance can be referred to in the [SES Biodiversity Conservation and Natural Resource Management](#).

**Precautionary approach:** The (AFH) project applies a precautionary approach to the use, development, and management of natural habitats, the ecosystem services of such habitats, and living natural resources.

**Assessment:** As an integral part of the social and environmental assessment process, direct and indirect impacts on natural resources, biodiversity, and ecosystem services in the Project's area of influence are identified and addressed. In sub-projects that present potential significant impacts on natural resources, biodiversity, and ecosystem services an assessment process will consider, inter alia (i) risks of habitat and species loss, degradation and fragmentation, invasive alien species, overexploitation, hydrological changes, nutrient loading, pollution, and (ii) differing values (e.g., social, cultural, economic) attached to biodiversity and ecosystem services by potentially affected communities. Potential cumulative and induced impacts will be assessed.

**Sustainable management of living natural resources:** Living natural resources will be managed in a sustainable manner. Sustainable resource management is the management of the use, development, and protection of resources in a way, or at a rate, that enables people and communities, including indigenous peoples, to provide for their social, economic, and cultural well-being while also sustaining the potential for those resources to meet the needs of future generations. This includes safeguarding biodiversity and the life-supporting capacity of air, water, and soil ecosystems. Sustainable management also ensures that people who are dependent on these resources are properly consulted, women and men have opportunities to equally participate in development, and benefits are shared equitably.

UNDP will ensure sustainable resource management through the application of appropriate, industry-specific best management practices, and where codified, through application of one or more relevant credible standards as demonstrated by an independent verification or certification system. Selection of sites will take into consideration important habitats/sensitive habitats and will not occur at those areas.

For Projects that involve the production, harvesting, and/or management of living natural resources by small-scale landholders and/or local communities, UNDP will support adoption of appropriate and culturally sensitive sustainable resource management practices.

In addition to the general requirements related to management measures as stated in the section above, project context specific management measures were identified for each sector.

#### **Project specific management measures in addition to standard SES UNDP measures (fisheries)**

The project will work with fishing associations responsible for ensuring that fishing protocols that establish procedures for sustainable fisheries are in place and adhered to, to protect fish stocks and regulate seasonal controls on fishing. Development and strict implementation of policy, legislative and management tools are working to ensure harvest level of coastal resources are maintained within the biological limits of Yemen's coastal zones.

The project will be implemented in line with the Biodiversity Conservation and Sustainable NRM of the SES which includes fishing management. The concept of sustainable and responsible fishing will be promoted through this partnership. Through its direct support to small scale fishermen, the project will improve community livelihoods and training on quality and resource sustainability to include the reduction of wastage.

#### **Project specific management measures in addition to standard SES UNDP to be developed based on the local context:**

Social and environmental risk assessments should be conducted to address, among other issues, potential effects and impacts related to climate variability, water pollution, sedimentation, water-related disasters, and fisheries.

### **4.4 Climate Change**

Climate change is a fundamental threat to sustainable development and the fight against poverty. It has the potential to stall and even reverse human development through its impacts on key development sectors and activities, including agriculture and food production, water, ecosystems and other natural resources, disaster risk management and health. Climate change may exacerbate extreme weather events, increasing the risk of high-impact disasters. Communities that are already subjected to impacts from climate change may experience an acceleration and/or intensification of impacts due to Project activities that do not integrate and anticipate climate change risks.

Yemen has a predominantly semi-arid to arid climate and is highly vulnerable to climate change-related impacts such as drought, extreme flooding, changes of rainfall patterns, increased storm frequency/severity, sea level rise. Literature shows that the main sectors under stress are water resources, agriculture, and coastal zones.

The (AFH) sub-projects will aim to be sensitive to climate change risks and not contribute to increased vulnerability to climate change.

#### **4.4.1 Activities That May Result in Climate Change Impacts and Risks**

The (AFH) project activities related to fisheries, will be most sensitive and vulnerable to the impacts of climate change. Project activities (Harbor structures) may play a role in exacerbating climate risks through participating in erosion or through converting habitats including mangroves/seagrasses that play a role in Carbon sequestration. those structures are also susceptible to climate risks such as increase of sea water level that may cause the flooding of those areas. Also, infrastructure in areas of potential flooding may also be at risk.

#### **4.4.2 Management Measures**

**Climate change risk assessment:** As an integral part of the social and environmental assessment process, Proposed subprojects are screened and assessed for climate change-related risks and impacts of and to projects. UNDP will ensure relevant climatic information is identified and informs project design and management measures. If significant potential risks are identified, further scoping and assessment of vulnerability, potential impacts, and avoidance and mitigation measures, including consideration of alternatives to reduce potential risks, will be

required. In projects, or a portfolio of projects, that present climate change risk, a climate change risk assessment may include the following, where relevant:

- a) Potential project-related increases in emissions that may exacerbate climate change, such as GHG emissions and black carbon emissions.
- b) The viability or longer-term sustainability of project outcomes due to potential climate change. This will involve the identification of components that are sensitive or vulnerable to emerging or anticipated manifestations of climate change.
- c) Risks that a project may increase exposure to climate change. Project components must be assessed for potential unintended or unforeseen increases in vulnerability to climate change.
- d) Potential social, gender, and age risks, based on the differentiated impacts of climate change.
- e) Opportunities for (i) facilitating adaptation via synergies with existing or planned activities, (ii) combining mitigation (e.g., reduction in GHG emissions) and adaptation measures, and (iii) exploiting potentially beneficial changes in climatic or environmental conditions to deliver developmental benefits.

Mitigation measures should also incorporate assessing and selecting strategic areas that would not contribute in erosion and sea water rise and selection of site should take into consideration climate risks.

## 4.5 Community Health, Safety and Working Conditions (including OHS)

The (AFH) project will avoid or minimize the risks and impacts to community health and safety that may arise from project-related activities, with particular attention given to marginalized groups. This includes Occupational Health and Safety (OHS) risks. Labor is one of a country's most important assets in the pursuit of poverty reduction. Respect of workers' rights and the provision of safe working conditions are keystones for developing a strong and productive workforce. The (AFH) project applies the KfW Development Bank assessment standards which are the Environmental and Social Standards of the World Bank Group UNDP Environment, Health, and Safety (EHS) guidelines. An OHS framework is still under preparation. The project does not involve construction or rehabilitation of dams or depend on water supply from existing dams. Therefore, standard measures in the UNDP Environment, Health, and Safety Guidelines (EHSG) to ensure the community health and safety of communities during the construction and operation of project financed infrastructure should suffice. These include the measures in general facility design and operation, communication and training, and the measures to address physical hazards, chemical hazards, personal protective equipment, special hazard environments, and monitoring.

### 4.5.1 Activities That May Result in OHS and Community Health, Safety, Working Condition Impacts and Risks

Sub-project activities, equipment, and infrastructure can increase community exposure to risks and impacts. While this is identified as a High Risk, some projects have experienced high levels of OHS risks. This has therefore been identified as a priority risk and management measures put in place to reduce risk and manage risks.

Such project activities such as working from height, excavation works, rock extraction, working in confined areas, lone workers, traffic, and weak management of work site such as housekeeping and access and egress controls, drowning, electrical shocks, and exposure to water borne diseases may pose hazards and risk threats to the workers and local community members. Exacerbating this, stakeholders have noted that there is a weak culture of using safety precautions and safety gear in Yemen.

In addition, given the context in Yemen, there is a risk of airstrikes that needs to be minimized to the extent possible. Another challenge is that some of the safety gear needed is not always available in the local markets.

Basic services, such as water and sewer, may face disruption and present community health and safety risks to those affected.

Project activities that may trigger such risks to workers are detailed under the “Hazard identification, risk assessment and determining controls” section of the latter report and in the UNDP’s Social and Environmental Screening Procedure are listed below:

- Project construction, operation (fall from heights (human and material), slip, trip and falls, transportation including traffic injuries, material and equipment handling and transfer, excavation work, others e.g., weather elements, physical exertion, etc.)
- Potential increased health risks (e.g., from water-borne or other vector-borne diseases or communicable infections)
- Risks related to ongoing conflict in Yemen and potential for airstrikes.
- Environmental risks (pollution, sewage discharges, Asbestos, hazardous waste handling)
- Exposure hazards includes things like dangerous chemicals.
- Fire Hazards
- Electrical Hazards
- Repetitive Motion Injury
- Falling Objects
- Working in a confined space

#### **4.5.2 Management Measures**

Appropriate management measures have been put in place. A detailed OHS risk categorization was developed for the purpose of identifying sub-project level risks to enable halting any salient high-risk projects from further implementation until adequate management measures are put in place. Additionally, support to the Responsible Parties has been reinforced by training and monitoring and capacity assessments.

**Community health and safety:** Community health and safety refers to protecting local communities from hazards caused and/or exacerbated by project activities including flooding, landslides, contamination or other natural or human-made hazards, disease, and the accidental collapse or failure of Project structural elements. Project-related activities may directly, indirectly, or cumulatively change community exposure to hazards. A significant concern with major development projects is the spread of communicable diseases such as the Covid-19 from the workforce to the surrounding communities.

Risks to, and potential impacts on, the safety of affected communities and workers during the design, construction, operation, and decommissioning of projects will be assessed to establish preventive measures and plans to address them in a manner commensurate with the identified risks and impacts. These measures will favor the prevention or avoidance of risks and impacts over their minimization and reduction. Consideration will be given to potential exposure to both accidental and natural hazards, especially where the structural elements of the project are accessible to members of the affected community or where their failure could result in injury to the community. Sub-projects will avoid or minimize the exacerbation of impacts caused by natural or man-made hazards, such as landslides or floods that could result from land use changes due to activities.

Community health and safety refers to protecting local communities from hazards caused and/or exacerbated by project activities including flooding, landslides, contamination or other natural or human-made hazards, disease, and the accidental collapse or failure of Project structural elements. Project-related activities will not affect the community because they are located in Aden Fishery Harbour which is an area completely enclosed by a fence, wall, and other natural and artificial barrier which prevents unauthorized entry.

While there is a significant risk for fatal incidents or serious injuries to occur for the labors under the project, particularly civil work (scaffolding, working at height etc.),

**Infrastructure and equipment design and safety:** Structural elements will be designed and constructed by competent professionals and certified or approved by competent authorities or professionals. Structural design will

take into account climate change considerations, as appropriate. Sub-projects with structural elements or components whose failure or malfunction may threaten the safety of communities, will ensure that: (i) plans for Project supervision, operation, and maintenance are developed and monitored; (ii) independent expertise on the verification of design, construction, and operational procedures is used; and (iii) periodic safety inspections are carried out.

**Safety of services:** Where the project involves provision of services to communities, UNDP will establish and implement appropriate quality management systems to anticipate and minimize risks and impacts that such services may have on community health and safety.

**Traffic and road safety:** The potential traffic and road safety risks to workers, affected communities and road users will be identified, evaluated, and monitored throughout the project life cycle and, where appropriate, measures and plans will be developed to address them. All road safety incidents and accidents shall be recorded and reported to identify negative safety issues and establish and implement measures to resolve them.

**Ecosystem services:** Where appropriate and feasible, responsible parties will identify the project's potential risks and impacts on ecosystem services that may be exacerbated by climate change. Adverse impacts will be avoided, and if they are unavoidable, appropriate mitigation measures will be implemented.

**Management and safety of hazardous materials:** The responsible parties will avoid or minimize the potential for community exposure to hazardous materials and substances that may be released by the project. Where there is a potential for the public (including workers and their families) to be exposed to hazards, particularly those that may be life threatening, special care will be exercised to avoid or minimize their exposure by modifying, substituting, or eliminating the condition or material causing the potential hazards. Measures and actions to control the safety of deliveries of hazardous materials, and of storage, transportation and disposal of hazardous materials and wastes will be implemented, as well as measures to avoid or control community exposure to such hazardous material.

**Emergency preparedness:** Responsible Parties will be prepared to respond to accidental and emergency situations in a manner appropriate to prevent and mitigate any harm to people and/or the environment. This preparation, reflected in planning documents, will include the identification of areas where accidents and emergency situations may occur, communities and individuals that may be impacted, response procedures, provision of equipment and resources, designation of responsibilities, communication, and periodic training to ensure effective response. Risk hazard assessment (RHA) will be conducted, as part of the environmental and social assessment. Based on the results of the RHA, the Recipient will prepare an Emergency Response Plan (ERP) in coordination with the relevant local authorities and the affected community, and will take into account the emergency prevention, preparedness and response arrangements put into place with project workers.

An emergency response plan will include: (a) engineering controls (such as containment, automatic alarms, and shutoff systems) proportionate to the nature and scale of the hazard; (b) identification of and secure access to emergency equipment available on-site and nearby; (c) notification procedures for designated emergency responders; (d) diverse media channels for notification of the affected community and other stakeholders; (e) a training program for emergency responders including drills at regular intervals; (f) public evacuation procedures; (g) designated coordinator for ERP implementation; and (h) measures for restoration and cleanup.

The emergency preparedness and response activities will be periodically reviewed and revised, as necessary to reflect changing conditions. The differential impacts of emergency situations on women and men, the elderly, children, disabled people, and potentially marginalized groups will be considered, and the participation of women in decision-making processes on emergency preparedness and response strategies will be strengthened. Appropriate information about emergency preparedness and response activities, resources, and responsibilities will be disclosed to affected communities.

**Community exposure to disease:** Sub-projects will avoid or minimize the potential for community exposure to water-borne, water-based, water-related, and vector-borne diseases, and communicable diseases that could result from activities, taking into consideration the differentiated exposure to and higher sensitivity of marginalized

groups. Sub-projects will avoid or minimize transmission of communicable diseases that may be associated with the influx of temporary or permanent project labor. Standing water will be minimized, covered or treated to minimize mosquito breeding. Local authorities and the Responsible Parties will coordinate closely to ensure any disruption to local basic services, such as water and sewer, is avoided where possible and otherwise minimized.

**Gender-based Violence (GBV)/Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH):** Sub-projects will ensure that gender sensitive interventions are mainstreamed across all project components, creating pathways for employment and participation in society and playing a key role in building resilience to shocks, improving livelihoods and mitigating social constraints. A GBV assessment will be undertaken for subprojects prior to implementation to have a sense of potential GBV, Sexual Exploitation and Abuse (SEA)/SH. The assessment will be conducted to cover activities that include interaction between male workers and female beneficiaries and laborer's provided by contractors. The project will prepare a Gender Action Plan.

**Labor influx:** As civil works are expected to be of small-scale and implemented by local contractors, labor influx is expected to be low. No labor camps are expected to be set up for the project. In some cases, worker unavailability or lack of technical skills and capacity among local community will require the implementing partner/ contractor to bring skilled labor from outside the project area. Depending on the size and the skill level of the local workforce, a share of the workers required for the project will be recruited locally. This is generally easier for unskilled workers, while more specialized staff (typically required in smaller numbers) frequently will be hired from nearby communities, hence no camps will be required. UNDP will ensure Transparent local community engagement and participation during initial project decision-making and continue routinely throughout the life of the project through GRMs to ensure effective Information disclosure, community involvement.

**Work standards:** Sub-projects will comply with national labor and occupational health and safety laws, with obligations under international law, and consistency with the principles and standards embodied in the International Labor Organization (ILO) fundamental conventions, including freedom of association, elimination of discrimination in employment and occupation, elimination of forced or compulsory labor, and elimination of the worst forms of child labor. The (AFH) project will not employ people under the age of 18; however, youth that are 16-17 years old may be eligible for employment training and capacity building. Hence documentary evidence (passport, identity card or birth certificate) of all workers prior to involving them on activities of the project, shall be verified. This applies for: Direct workers, contracted workers, and community workers.

**Occupational health and safety:** Occupational health and safety refers to protecting workers from accident, injury or illness associated with exposure to hazards encountered in the workplace. Hazards can arise from materials (including chemical, physical, and biological substances and agents), environmental or working conditions (e.g., oxygen-deficient environments, excessive temperatures, improper ventilation, poor lighting, faulty electrical systems), or work processes (including tools, machinery and equipment).

Responsible Parties' commitment to the OHS Framework strengthens compliance with OHS requirements and protection of staff/workers, as well as middle management accountability to implement the policy and roles and responsibilities and enforcing control measures and procedures. Risk assessment will be conducted for each sub-project site to identify potential hazards and risks and develop and implement corresponding risk control measures. Safety measures hierarchy will be applied starting with hazard elimination, substitution, engineering controls, administrative controls and finally use of PPEs. Furthermore, safe working systems and procedures will be developed and used as well as permit-to-work forms for high-risk activities to control risks, authorize implementation confirming compliance to OHS requirements and ensuring close monitoring and inspections to control and minimize risks. In addition, the development of positive OHS behavior and strong culture of adherence and compliance to OHS systems will be promoted including setting up and activating branch OHS committees and conducting of field inspections regularly by managers to ensure improvement of OHS systems and practices and promote conducive OHS culture.

Workers will be provided with a safe and healthy working environment, taking into account risks inherent to the particular sector (including gender bias) and specific classes of hazards in the work areas. Steps will be taken to

prevent accidents, injury, and disease arising from, associated with, or occurring during the course of work and will ensure the application of preventive and protective measures consistent with the World Bank Group's Environmental, Health, and Safety Guidelines and other international good practice, as reflected in internationally recognized standards. The involved workers will be insured, and the insurance payment will be covered directly by the IP in case of direct implementation modality and as a pay item through bills of quantities in the bidding documents in case of contracting modality. UNDP in cooperation with IPs has developed an OHS framework that details all the guidelines and requirements under the (AFH) project. Please refer to the OHS Framework for details (Framework for Actions on Occupational Health and Safety (Annex 4)

**Security-related issues:** Sub-projects under the (AFH) project do not engage security personnel. In case sub-projects do require involvement and engagement of security personnel to protect facilities and personal property, security arrangements should be provided in a manner that does not violate human rights or jeopardize the community's safety and security. Potential risks posed by security arrangements to those within and outside the project area will be assessed, those providing security will be appropriately vetted and trained, and security arrangements will be appropriately monitored and reported.

## 4.6 Cultural Heritage

The (AFH) project seeks to ensure that Cultural Heritage is protected in the course of sub-project activities. UNDP seeks to ensure equal participation, access and contribution of women and men in protecting and sharing the benefits of Cultural Heritage.

The Standard applies to sub-projects that may adversely impact Cultural Heritage, including projects that meet any of the following criteria: (i) located in, or in the vicinity of, a Cultural Heritage site; (ii) involving significant excavations, demolitions, movement of earth, flooding, or other environmental changes; (iii) proposes to utilize tangible or intangible forms of Cultural Heritage for commercial or other purposes. (iv) interventions to preserve the cultural heritage sites.

### 4.6.1 Activities That May Result in Cultural Heritage Impacts and Risks

The level of risks and negative impacts varies, dependent on the work locations, typology and scale of the works, environmental and social baseline conditions, sensitivity of the receptors. The proposed sub-projects are located in the planning/existing area for existing footprint such as roads, landing sites and fish markets. They do not expect to have adverse impacts on critical habitat, archaeological and historical sites. It is anticipated that these sub-projects are mostly taken place in modified habitats or in the area that are heavily disturbed by human activities. The risk rating will be assessed in detail during the preparation of each subproject.

The proposed sub-projects are located in Aden Fishery Harbor which is an area completely enclosed by a fence, wall, and other natural and artificial barrier which prevents unauthorized entry. The location **does not have critical habitat, archaeological and historical sites.**

### 4.6.2 Management Measures

**Avoidance:** Avoid significant adverse impacts to Cultural Heritage through alternative project siting and design. The impacts on Cultural Heritage resulting from project activities, including mitigating measures, may not contravene the national legislation, or its obligations under relevant international treaties and agreements.

**Mitigation:** Where potential adverse impacts are unavoidable, appropriate mitigation measures will be identified and incorporated as an integral part of the social and environmental assessment process. Where potential adverse impacts may be significant, a Cultural Heritage Management Plan should be developed as part of the Environmental and Social Management Plan (ESMP).

**Use of experts:** For projects with potential adverse impacts, qualified and experienced independent experts will assess the project's potential impacts on Cultural Heritage using, among other methodologies, field-based surveys

and involving meaningful, effective, and informed stakeholder consultations as part of social and environmental assessment process.

**Use of Cultural Heritage:** Where a project proposes to utilize Cultural Heritage, including the knowledge, innovations, or practices of local communities, affected communities will be informed of their rights, the scope and nature of the proposed development, and the potential consequences of such development. The project will not proceed without meaningful, effective participation of affected communities and unless (i) good faith negotiations with affected communities result in a documented outcome, and (ii) the Project provides for fair and equitable sharing of benefits from any commercialization of such knowledge, innovation, or practice, consistent with the affected community's customs and traditions. For Projects that propose to utilize Cultural Heritage of indigenous peoples, the requirements of Standard 6: Indigenous Peoples apply.

**Chance find procedures:** When the social and environmental assessment process determines that Cultural Heritage is expected to be found in the project area, chance find procedures will be included in the ESMP. In case of a suspected chance finds is located the following steps will be followed:

- 1- work at subproject site will be suspended immediately.
- 2- technical engineer to notify the consultant engineer and subproject officer immediately.
- 3- the area will participate to prevent any damage to the area.
- 4- Competent specialist will conduct investigation on the area to evaluate the situation
- 5- Implementing partner will initiate communication with concerned governmental agency.
- 6- Implementing partner will prepare a report detailing the location, time and the finding and what steps has been taken.

Chance finds will not be disturbed until an assessment by a competent specialist is made and actions consistent with these requirements are identified.

**Conditions for removal:** The project will not remove any Cultural Heritage unless the following conditions are met: (i) no alternatives are available; (ii) the overall benefits of the Project substantially outweigh the anticipated Cultural Heritage loss from removal; and (iii) any removal employs best available techniques and is conducted in accordance with relevant provisions of national and/or local laws, regulations, and protected area management plans and national obligations under international laws.

## 4.7 Pollution Prevention and Resource Efficiency

### 4.7.1 Activities That May Result in Pollution and Resource Efficiency Impacts and Risks

The project will provide investments for restoring infrastructure and improving fish and marine aquaculture value chain, particularly the Harbour rehabilitation works. Inadequate management of project's activities can lead to pollution of soil, water, air, and cause harm to people and environment. Given the nature and scale of the physical interventions foreseen under the project, it is not expected that the project will make significant use of resources such as water, energy, and raw materials. In addition, it is not expected that the activities will significantly generate major pollution. During the operation phase, fish processing activities can generate solid wastes and by-products, wastewater, and odor. Fish processing activities may generate potentially large quantities of organic waste and by-products from inedible fish parts. The process generally also requires large amounts of water, primarily for washing and cleaning purposes, but also for the storage and refrigeration of fish products before and during processing. Management and disposal of wastewater could become therefore an environmental concern. The project is not expected to produce significant emissions of greenhouse gases. The ESMF and subsequent site-specific ESMPs will identify any measures which will be required to ensure efficient use of water and energy, as well as proper disposal of wastes associated with implementation of activities.

**Solid waste generation:** The solid wastes may include (i) wastes from construction site preparation demolished debris) (ii) construction solid wastes include packaging materials such as cement bags, wood and iron scraps, debris, contaminated excavated soils, false samples/materials; (iii) domestic solid wastes from worker camps (mainly organic wastes from food preparation, redundant food, and inorganic packaging materials, etc.); Some of the construction wastes such as usable excavated soils, construction materials can be reused for beneficial purposes such as ground leveling. Some wastes such as packaging materials can be recycled. Inorganic construction waste, if not properly loaded and disposed of, would occupy spaces at/surrounding the construction sites, affecting the landscape and may pose safety risks for the pedestrians/traffic passing by. The volumes of domestic wastes generated from worker camps depends on the number of workers reside on site. If not properly collected and disposed of, these may generate bad odors, cause nuisance to the public, attract disease-causing vectors such as flies and rats which pose health risks to the workers and local communities.

**Hazardous wastes generation:** Hazardous waste may be generated at construction sites may include waste oil, bitumen, used containers of paints, Asbestos, and solvent etc. If not properly stored and disposed of, these types of construction waste would cause serious soil and water pollution, lead to environment hazard and/or affecting public health.

The rapid assessment found a significant number of Harbour facilities where asbestos is found, and they are in a very poor state, badly damaged.

An OHS framework has been developed for this project (annex 4) including the following Management plans:

-**An Asbestos Abatement Remedial Management Plan (AARMP)** is developed to ensure safe removal, handling, temporary storage, transport, and disposal of all hazardous asbestos materials during the Fishery Harbor Rehabilitation and Value Chain Development in Aden financed under the KfW

-**Waste Management Plan (WMP)** is developed to ensure safe removal, handling, temporary storage, transport, and disposal of all hazardous waste materials during the Fishery Harbor Rehabilitation.

**Domestic wastewater generation:** Domestic wastewater including sewage and grey water shall be generated from workers camps and construction sites. The wastewater may contain high concentration of organic substances, nutrients, and pathogens. If not properly collected and treated before discharging into water bodies, such wastewater may generate bad odors (particularly from stagnant wastewater), cause soil and water pollution, affecting the vegetation cover, aquatic lives and people health.

**Water quality reduction:** Runoff passing the excavated/disturbed land can bring soil particles and other pollutants into water bodies causing increased water turbidity. In addition, the surface runoff passing uncovered areas of fuel storage / machine repair at construction sites may also wash some wasted oil and other contaminants into water bodies, causing water pollution. On the other hand, as discussed above, domestic wastewater discharged from the construction sites may also cause water pollution from increased organic matters (BOD), nutrient loads (N) and pathogens. Water quality reduction would cause negative impacts on aquatic lives as discussed below or affect other water users.

**Negative impacts on aquatic life:** Wastewater and surface runoff from camps and construction sites may cause increased water turbidity, organic matters (represented by BOD), N, oil and grease contents in the receiving water bodies. Increased water turbidity would obstruct sunlight to reach aquatic flora, leading to reduction in photosynthetic capacity. Increased suspended solids in water may also obstruct inspirations of aquatic fauna. Decomposition of organic matters would lead to reduction of Dissolve Oxygen (DO) in water, affecting the development of aquatic life. Oil and other hazardous substance may cause harm or even kill aquatic lives. Therefore, wastewater from construction sites should be properly managed, particularly at locations with high fishery resource values.

#### 4.7.2 Management Measures

**Pollution prevention:** Sub-projects will avoid the release of pollutants, and when avoidance is not feasible, minimize and/or control the intensity and mass flow of their release. This applies to the release of pollutants to air, water, and land due to routine, non-routine, and accidental circumstances.

Pollution prevention and control technologies and practices consistent with international good practice are applied during the project life cycle. The technologies and practices applied will be tailored to the hazards and risks associated with the nature of the Project.

**Ambient considerations:** To address adverse impacts on existing ambient conditions (such as air, surface water, groundwater, and soils), a number of factors will be considered, including the finite assimilative capacity of the environment, existing and planned land use, existing ambient conditions, the Project's proximity to ecologically sensitive or protected areas, the potential for cumulative impacts with uncertain and irreversible consequences, and strategies for avoiding and minimizing the release of pollutants.

**Wastes:** Sub-projects will avoid the generation of hazardous and non-hazardous waste materials. Where waste generation cannot be avoided, Projects will reduce the generation of waste, and recover and reuse waste in a manner that is safe for human health and the environment. Where waste cannot be recovered or reused, it will be treated, destroyed, or disposed of in an environmentally sound manner that includes the appropriate control of emissions and residues resulting from the handling and processing of the waste material. If the generated waste is considered hazardous, reasonable alternatives for its environmentally sound disposal will be adopted while adhering to the limitations applicable to its transboundary movement. When hazardous waste disposal is conducted by third parties, UNDP and Implementing Partners will ensure the use of contractors that are reputable and legitimate enterprises licensed by the relevant government regulatory agencies and that chain of custody documentation to the destination is obtained.

**Hazardous materials:** Projects will avoid or, when avoidance is not feasible, minimize and control release of hazardous materials resulting from their production, transportation, handling, storage, and use. Where avoidance is not possible, the health risks, including potential differentiated effects on men, women, and children, of the potential use of hazardous materials will be addressed in the social and environmental assessment. Projects will consider the use of less hazardous substitutes for such chemicals and materials and will avoid the manufacture, trade, and use of chemicals and hazardous materials subject to international bans or phase-outs due to their high toxicity to living organisms, environmental persistence, potential for bioaccumulation, or potential for depletion of the ozone layer.

## 5 Procedures to Address Social and Environmental Risks and Impacts

### 5.1 Sub-Project Screening and Classification Requirements

The (AFH) project will support a series of sub-projects over the course of its implementation. Each sub-project will be screened for social and environmental risks (including OHS risks) and impacts Screening and classification will be completed prior to approval of sub-projects and signing of the Financial Agreement. The screening of sub-projects will also be updated if there are any significant changes in the sub-project's design or context that may materially change its social and environmental risk profile.

Screening results and classification inform final appraisal and approval of a sub-project. Social and environmental screening results will be included in the submission. Screening results in substantial and moderate will require development of ESMPs by Contractor safeguard team and will be sent to UNDP and KfW for clearance as well as be recorded in the MIS.

Sub-project screening and categorization should be conducted at the earliest stage of design when sufficient information is available for this purpose. Based on the screening, the sub-project is categorized according to the degree of potential social and environmental risks and impacts. In some cases, applicability of specific SES requirements will need to be determined through additional scoping, assessment, or management review. The screening process results in one of the following four categories for the proposed sub-project.

- **Low Risk:** Projects that include activities with minimal or no risks of adverse social or environmental impacts. Further assessment of potential adverse social and environmental risks and impacts is not required.
- **Moderate Risk:** Projects that include activities with potential adverse social and environmental risks and impacts, that are limited in scale, can be identified with a reasonable degree of certainty, and can be addressed through application of standard best practice, mitigation/control measures and stakeholder engagement during Project implementation.
- **Substantial Risk:** Substantial Risk Projects will require social and environmental assessment and review to determine how the potential impacts identified in the screening will be avoided or when avoidance is not possible, minimized, mitigated, and managed. A site-specific Environmental and Social Management Plan (scaled to nature of the risks) should be in place to ensure risks are managed.
- **High Risk:** Projects that include activities with potential significant and/or irreversible adverse social and environmental risks and impacts (including OHS), or which raise significant concerns among potentially affected communities and individuals as expressed during the stakeholder engagement process. High Risk activities may involve significant impacts on physical, biological, socioeconomic, or cultural resources. Further impact assessment is required, and an Environmental and Social Management Plan will be in place. High Risk Projects require tight control measures, closer monitoring, enhanced internal and external support.

As part of the screening process, the planned FC-measure is appraised at an early stage in order to determine its relevance in terms of environmental and social impacts and risks. The screening process is designed to identify and appraise the type and scale of any adverse environmental and social impacts or risks that may arise from the planned FC-measure.

The appraisal of the environmental and social impacts considers the whole project, even if KfW Development Bank is financing only a component of the project. The next step, once the relevance of such consequences or risks has been established, is to define the type and scope of additional studies which need to be conducted as part of FC-measure preparations.

All FC-measures are classified into one of the following four categories “A” (high risk), “B+” (substantial risk), “B” (moderate risk) or “C” (low risk), according to the relevance of their potentially adverse environmental and social impacts and risks.

## 5.2 Site-Specific Assessment and Management Requirements

The targeted and site-specific assessments and management plans will be undertaken for all Substantial Risk sub-projects once project activities/sub-projects and sites are identified. The assessment(s) will be conducted in a manner consistent with the UNDP SES, and the World Bank’s Environmental and Social Framework and lead to the development of appropriately scaled management measures and plans to address the identified risks and impacts. For projects with easily identified risk management measures, a simplified ESMP must be developed.

The UNDP SES and the World Bank Environmental and Social Framework’ require that in all cases relevant social and environmental assessments and adoption of appropriate mitigation and management measures be completed, disclosed, and discussed with stakeholders prior to implementation of any activities that may cause adverse social and environmental impacts.

OHS framework will be incorporated in site-specific ESMPs so that it is effectively implemented, and its implementation is properly monitored. Site specific Environmental Management Plan (ESMPs) shall include occupational health and safety measures: safety of workers and other persons, noise, maintenance of equipment, prevention of spread of diseases, debris, cleanliness, ease of movement, any social disputes and general appearance of the subproject including tree planting, etc.

The UNDP shall establish, implement, and maintain procedures to monitor and measure OH&S performance on a regular basis. These procedures shall provide for: both qualitative and quantitative measures, proactive and reactive measures of performance.

All site-specific assessments and management plans will be **cleared by KfW and UNDP** and recorded in the MIS. In cases where similar activities are being conducted in a particular region, these activities may be grouped and covered under one site-specific ESMP. All ESMPs will be available upon request.

## 6 Institutional Arrangements and Capacity Building

### 6.1 General Management Structure and Responsibilities

#### 6.1.1 KfW Development Bank

A KfW senior management task team has been established to oversee and make decisions about remedies in connection with the UNDP-implemented activities. In particular, the task team's functions/responsibilities consist of: (a) reviewing periodic financial progress and results reports measured by targets and benchmarks agreed at the time of project approval; (b) applying the agreed process for dealing with serious issues, including significant social and environmental issues; (c) reviewing progress reports on actions taken to address a serious situation and results obtained, including details of any recovery of funds or write-off of losses; and (d) exercising remedies of suspension and termination in accordance with the provision of the legal agreement.

#### 6.1.2 Project Board (Biannual Review Meetings)

The Project Board (UNDP, KfW) has oversight and advisory authority, representing the highest body for coordination, strategic guidance, oversight, and quality assurance. The body facilitates collaboration between UNDP, the KfW, and other stakeholders for the implementation of the Project. The Project Board reviews and endorses the Annual Work Plans (AWPs), provides strategic direction and oversight, reviews implementation progress, and reviews narrative and financial progress reports. The Project Board will be convened by UNDP and meet at least on a 6-monthly basis. It will coincide with the timing of KfW technical review missions.

A progress report will be presented to the Project Board and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the annual project quality rating summary, an updated risk long with mitigation measures, and any evaluation or review reports prepared over the period.

#### 6.1.3 UNDP

UNDP will be responsible for overseeing the implementation and compliance with the ESMF. The ESMF and developed management plans will also be a part of any tender documentation for the procurement processes.

UNDP will be responsible for the revision or updates of this document during the course of project, in consultation with stakeholders and the KfW.

### Project Management Team

The Project Management Team ensures effective implementation of activities on the ground, risk mitigation, and timely delivery of the results. The team has geographic presence in both Sana'a and Aden to ensure inclusion and to minimize political sensitivities.

The Project Manager is responsible for day-to-day management and decision-making for the project. The Project Manager's prime responsibility is to ensure that the project produces the results specified in the Project Document to the required standard of quality and within the specified constraints of time and cost. The Project Manager is responsible for overseeing implementation of the ESMF and required environmental and social risk management actions.

The Project Manager is supported by a team that includes National Coordinator, an International M&E Specialist, National M&E officer, International Safeguards Specialist, National Environmental and OHS officer, National gender and social safeguard officer, Finance and Admin Associate and Communication Officer. A Management Information System is in final stages of development to support project management. It is overseen by the UNDP Programme Team on Economic Resilience and Recovery which has the responsibility of ensuring technical/substantive quality assurance as well as on other aspects such as finance, HR, audit, and M&E (pls see section below). The Project Management Team is also supported by experts in UNDP Headquarters and Regional Hubs, including SES expertise.

The project safeguard team including an International Safeguards Specialist, National Environmental and OHS and National gender and social safeguard officers will be responsible for enhancing the capacity of UNDP and contractors to improve social, environmental, and occupational health standards and services, contributing to improved decision making and to capitalize on potential opportunities while ensuring that adverse social and environmental risks are avoided, minimized, mitigated and managed.

### **Project Oversight and Assurance**

The 'project assurance' function of UNDP is to support the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are managed and completed. Project assurance has to be independent of the Project Manager; therefore, the Project Board cannot delegate any of its assurance responsibilities to the Project Manager. Furthermore, UNDP provides quality assurance for the project; ensures compliance with UNDP policies and procedures, including its Social and Environmental Standards and implementation of the requirements of this ESMF.

The oversight and quality assurance for the (AFH) project is done by the UNDP ERR Programme Team, which oversees the UNDP Yemen programme portfolio focusing on livelihoods and service delivery. UNDP Headquarters will provide corporate oversight and management support including finance, human resources, audit, and investigations.

#### **6.1.4 Responsible Parties**

UNDP will engage the MoAIFW, GAF, private sector actors (fishing companies, retailers), Aden Chamber of Commerce, fisheries cooperatives as well as women fora, fisheries associations, and other relevant institutions (local authorities). The project will work in synergy with the following UNDP ongoing projects:

- **Sustainable Fishery Development in Red Sea and Gulf of Aden (SFISH):** the SFISH project, funded by the World Bank, targets small fishers and actors along the fishery value chain. An area around Aden, centered around a landing site for artisanal fishers, will be targeted providing infrastructural and capacity development support to small Fishery Harbor Rehabilitation and Value Chain Development in Aden 16 fishers and actors along the fishery value chain, enhancing their ability in exploiting the presence of the rehabilitated Aden fishery harbor infrastructure and facilities.
- **Strengthening Institutional and Economic Resilience in Yemen (SIERY) project:** within the EU funded SIERY project a fish market will be constructed in Aden in the course of 2023 that will serve to collect the share of the fish catch

originating from both the private companies that will make use of the Aden fishery harbor facilities as well as the catch originating from the artisanal fishers and shall serve the local Aden community needs.

Other synergies:

- **UNOPS World Bank funded infrastructural project:** the UNOPS-led project focus on rehabilitation of vital infrastructures, particularly roads. Coordination with the project shall allow for rehabilitation of roads and related infrastructures that will support the fishery value chain centered around Aden, for both the national market and export.
- **GIZ:** exchanges with GIZ have been ongoing to maximize GIZ experience and developed standards and manuals in support of both the fishery value chain as well as the institutional capacity necessary to provide enhanced governance to the sector.

ESMPs will be prepared by contractors, contracted SES officer and technical Engineers and will be reviewed by UNDP and cleared by the KfW.

Environmental and social management duties is assigned to **site engineer** and technical engineers and **site manager** (contractors). Some of the duties of the site engineer/manager include:

- organization and conduct of training programmes, including induction training for all workers on the site.
- organization of information to be passed from management to workers, including those of subcontractors.
- provision and implementation of environmental and social management measures, including occupational health and safety measures.
- Investigation and review of the circumstances and causes of environmental and social risks so as to advise to the senior management on preventive measures, and participation in pre-site planning.

Technical engineer duties will include:

- working conditions and equipment are safe.
- workplace safety and risk management measures are regularly inspected.
- potential environmental and social risks are managed effectively and responded to quickly if unexpected issues arise.
- workers have been adequately trained for the job they are expected to do.
- social and environmental management measures, including workplace safety measures, are implemented.
- the best solutions are adopted using available resources and skills.
- necessary personal protective equipment is available and used.

Making the work site safe require regular inspections and provision of the means for taking remedial measures. The training of **workers** enables them to recognize the risks involved and how they can overcome them. Workers are shown the safe way of getting a job done. The workers are involved directly, such as through the following:

- “Tool-Box Briefing”, a five- to ten-minute session with the supervisor just prior to starting a task gives the workers and the supervisor a chance to talk about social and environmental risks, including safety problems, likely to be encountered and potential solutions to those problems. This activity is simple to be implemented and it may prevent a serious accident or issue.
- “Safety Check”, a check by workers that the work environment is safe before starting an operation may allow them to take remedial action to correct an unsafe situation that could later endanger them, another worker, or surrounding community.

### 6.1.5 Third Party Monitors

The Third-Party Monitoring Agent (TPMA) reports directly to the UNDP Project Manager, working in close collaboration with the project M&E Specialist and with the Responsible Parties for project implementation. The TPMA supports the UNDP project management team to provide the Project Board and other stakeholders with

better means for learning from field experience, improving service delivery to community, planning, and allocating resources, and demonstrating results. The TPMA is expected to provide UNDP with quarterly reports.

Reporting templates/checklists incorporate social and environmental risk monitoring, Gender and social issue and includes monitoring implementation of agreed management measures. Each TPMA report includes a specific section to address the OHS, GRM, Environmental, and social implementation in the subprojects. Regular meetings with TPM team, Ips and UNDP are in place to discuss the findings and improve the tools.

## 6.2 Capacity Building and Awareness

UNDP have the responsibility for ensuring systems are in place so that relevant employees, contractors, and other workers are aware of the environmental and social requirements for project implementation, including the ESMF.

Awareness will be conducted on a sustained basis. The following awareness sessions will be in place:

- Capacity building of site engineers/site supervisors on ESMF requirements and E&S screening and ESMP preparation (led by UNDP): To create awareness on specific social and environmental risks and management measures for their control as applicable to the project activities and to build their capacity to carry out monitoring and supervision activities in the field.
- Awareness of workers including contractual workers and local labor (led by UNDP): All workers engaged in any activity with the potential to cause serious social and/or environmental harm will receive awareness on SEA/SH, GRM, etc. To ensure implementation of the site-specific management measures.

# 7 Stakeholder Engagement and Information Disclosure

## 7.1 Principles for Meaningful, Effective and Informed Stakeholder Engagement

The (AFH) project and its Responsible Parties will ensure meaningful, effective, and informed stakeholder engagement in the design and implementation of all sub-projects. A stakeholder engagement plan has been developed (Annex 5). Civil society actors and organizations, local communities and other key stakeholders are crucial partners for project delivery and advancing sustainable development.

Stakeholder engagement supports the development of strong, constructive, and responsive relationships that are critical for sound project design and implementation. Effective stakeholder engagement enhances project acceptance and ownership and strengthens the social and environmental sustainability and benefits of supported interventions. It is both a goal in itself – upholding the rights of citizens and others to participate in decisions that may affect them – as well as an effective means for achieving project outcomes, including those related to democratic governance, protecting the environment, promoting respect for human rights, and preventing and resolving conflict.

Meaningful, effective, and informed stakeholder engagement will possess the following characteristics:

- Free of external manipulation, interference, coercion, and intimidation.
- Gender and age-inclusive and responsive.
- Culturally appropriate and tailored to the language preferences and decision-making processes of each identified stakeholder group, including disadvantaged or marginalized groups.
- Based on prior and timely disclosure of accessible, understandable, relevant, and adequate information, including draft documents and plans.
- Initiated early in the project design process, continued iteratively throughout the project cycle, and adjusted as risks and impacts arise.
- Addresses social and environmental risks and adverse impacts, and the proposed measures and actions to address these.

- Seeks to empower stakeholders, particularly marginalized groups, and enable the incorporation of all relevant views of affected people and other stakeholders into decision-making processes, such as project goals and design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
- Documented and reported in accessible form to participants, in particular the measures taken to avoid or minimize risks to and adverse impacts on the project stakeholders.
- Consistent with States' duties and obligations under international law.

## 7.2 Information Disclosure

Information disclosure refers to the provision of timely, accessible information regarding the project and its potential social and environmental impacts to stakeholders in order to facilitate their meaningful, effective and informed participation in project design and implementation. Stakeholders require access to relevant project and sub-project information in order to understand potential project-related opportunities and risks and to engage in design and implementation.

In addition to have access to general project information, stakeholders need access to screening reports, draft and final assessments and management plans. This information is to be disclosed in a timely manner, in an accessible place, and in a form and language understandable to affected persons and other stakeholders. These elements of effective disclosure are briefly elaborated below:

- Timely disclosure: information on potential project-related social and environmental impacts and mitigation/management measures should be provided in advance of decision-making. Draft screenings, assessments and management plans should be provided in advance as part of the stakeholder consultation process. In all cases, draft and final screenings, assessments and management plans must be disclosed and consulted on prior to implementation of activities that may give rise to potential adverse social and environmental impacts.
- Accessible information: Stakeholders need to be able to readily access information regarding assessments and management plans. While local regulatory requirements might mandate availability of environmental assessments in government offices, this may not be sufficient to ensure that local stakeholders can access the information. Other means of dissemination may need to be considered, such as posting on websites, public meetings, local councils or organizations, newsprint, television and radio reporting, flyers, local displays, direct mail.
- Appropriate form and language: Information needs to be in a form and language that is readily understandable and tailored to the target stakeholder group who speaks Arabic language. Summary information from assessments and management plans may need to be translated and presented by various means (e.g., written, verbal). Level of technical detail, local languages and dialects, levels of literacy, roles of women and men, and local methods of disseminating information are important considerations in devising appropriate forms of disclosure. A general solicitation of feedback on project documents may not be an appropriate form of information sharing and solicitation of input. Rather, the material may need to be presented in a contextual manner, such as the presentation of options with key information and questions designed to solicit feedback. Appropriate forms of proactive disclosure should be utilized beyond web posting of information. These may include radio broadcasts, brochures, community postings, SMS, oral presentations, etc. Also, it is vital to ensure that appropriate communication methods are devised to reach potentially marginalized and disadvantaged groups.

The stakeholder engagement process is an excellent moment to solicit from stakeholders the types of information they want and need and the most appropriate formats and languages and mechanisms for dissemination.

The SES contain requirements for the disclosure of screening reports; draft and final social and environmental assessments and management plans; and any required social and environmental monitoring reports. For further detail on UNDP SES stakeholder engagement and information disclosure requirements please refer to the UNDP

guidance [UNDP Guidance on Stakeholder Engagement](#) -. The ESMF LMP, and SEP will be disclosure with representatives of stakeholder groups in Arabic language during consultation meeting, and at beneficiaries' locations.

### 7.3 The (AFH) Project Systems in Place for Stakeholder Engagement and Information Disclosure

Meaningful stakeholder engagement is required by UNDP for participation in project intervention by communities and individuals. The Standard Operating Procedures of UNDP include procedures for community and stakeholder engagement within their project cycles as a key component of project identification, design, and implementation, and described a key component of the longer-term sustainability strategy for operations and maintenance.

The principles for sub-project cycle identification, development, and management specify that communities are involved from the outset in the selection and design phases, through project closure with disseminating hard copies for ESMF, GRM and others. To engage communities and reduce potential risks of conflicts between stakeholders over sub-projects a careful selection criterion was developed by UNDP While laying out an objective set of criteria, and national data-based distress index, communities are also called upon to participate at the municipal level to engage in prioritization of community projects and identification of beneficiaries.

The TPMA also helps ensure stakeholders have been duly consulted and monitors their level of satisfaction with the (AFH) project including with the sub-project selection criteria. TPM surveys have verified implementation of planned interventions, adherence to agreed implementation procedures, quality of implemented interventions, beneficiaries, and community satisfaction on various aspects of project interventions and its effects/impacts on targeted beneficiaries and communities. Women and men, youth are interviewed separately to enable meaningful participation by marginalized groups.

In addition, A stakeholder engagement plan SEP for the (AFH) project has been developed. The SEP recognizes the importance of open and transparent engagement between the Recipient and project stakeholders as an essential element of good international practice. Effective stakeholder engagement can improve the environmental and social sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation. Stakeholder engagement is an inclusive process conducted throughout the project life cycle. Where properly designed and implemented, it supports the development of strong, constructive, and responsive relationships that are important for successful management of a project's environmental and social risks.

The overall objective of this SEP is to define a plan of action for stakeholder engagement, including technically and culturally appropriate approach to public consultation and information disclosure, throughout the entire project cycle. The SEP outlines the ways in which the project team will communicate with stakeholders and includes a mechanism by which people can raise concerns, provide feedback, or make complaints about project activities.

The involvement of different stakeholders, including the local population and fishers is essential to the success of the project in order to ensure smooth collaboration between project staff and local communities.

The SEP focuses on:

- Identifying direct and indirect adversely affected or may be affected, and who will need additional information to understand the limits of project impacts.
- Mapping the project impact zones and locating the affected communities within a specific geographic area can help define or refine the project's area of influence.
- Engaging and consulting the project' beneficiaries in the planning, implementation, monitoring and reporting process.

- Enhancing participatory approaches in all project cycles by each selected community with SWF families, and other families with pregnant and locating women and children.
- Ensuring confidentiality and social protection to the disadvantaged, indigenous and marginalized groups through the use Stakeholder Response Mechanism (GRM) that provides an opportunity for the affected people to response and grief for any problems and concerns in confidentiality and anonymity.
- Mainstreaming human rights, women empowerment, full participation, transparency, information disclosure, and environmental sustainability in all project's actions; and
- Building robust, innovative, and transparent Information Management System (MIS) that reflect all activities, and which are implemented in accordance with the project identification and proposal.

#### 7.4 Project-Level Grievance Redress Mechanism

UNDP will maintain regular interactions with contractors/RPs for monitoring, quality assurance and as needed, management of complaints and grievances, as per agreed Grievance Redress Mechanism (GRM) under the project.

Third Party Monitoring (TPM) will also feed into UNDP's monitoring work. UNDP will prepare biannual narrative reports and end of project reports consolidating inputs from the Responsible Parties as well as convene project board meetings and undertake audits and evaluations. Interim unaudited financial reports shall be prepared and submitted to the donor after the end of the period covered by the report. UNDP will coordinate with the Government of Yemen, relevant authorities at the sub-regional level for technical consultations, international partners and UN agencies to enable a conducive and coherent supporting environment for contractors and/or RPs.

In addition to its main office in Sana'a, UNDP has a sub-office in Aden to interact with the local authorities, stakeholders, contractors and RPs, and monitor field activities. UNDP also relies on a contracted Third-Party Monitoring Agent to perform complementary monitoring of the projects.

The Grievance Redress Mechanism include the following main principles:

- a. provides a legitimate process that allows for trust to be built between stakeholder groups and assures stakeholders that their concerns will be assessed in a fair and transparent manner.
- b. allows simple and streamlined access to the Grievance Mechanism for all stakeholders and provide adequate assistance for those that may have faced barriers in the past to be able to raise their concerns.
- c. provides clear and known procedures for each stage of the Grievance Redress Mechanism process and provides clarity on the types of outcomes available to individuals and groups.
- d. ensures equitable treatment to all concerned and aggrieved individuals and groups through a consistent, formal approach that, is fair, informed, and respectful to a concern, complaints and/or grievances.
- e. provides a transparent approach, by keeping any aggrieved individual/group informed of the progress of their complaint, the information that was used when assessing their complaint and information about the mechanisms that will be used to address it; and
- f. enables continuous learning and improvements to the Grievance Redress Mechanism. Through continued assessment, the learnings may reduce potential complaints and grievances.

The GRM will be gender- and age-inclusive and responsive and address potential access barriers to women, the elderly, the disabled, youth and other potentially marginalized groups as appropriate to the Project. The GRM will not impede access to judicial or administrative remedies as may be relevant or applicable and will be readily accessible to all stakeholders at no cost and without retribution.

Information about the Grievance Redress Mechanism and how to make a complaint and/or grievance must be communicated during the stakeholder engagement process and placed at prominent places for the information of the key stakeholders.

All complaints and/or grievances regarding social and environmental issues can be received either by phone, in complaints box or in writing to the UNDP. A key part of the grievance redress mechanism is the requirement for the Project Management Team and construction contractor to maintain a register of complaints and/or grievances received at the respective project site offices, this includes grievances from workers. The following information will be recorded:

- a. time, date and nature of enquiry, concern, complaints and/or grievances.
- b. type of communication (e.g., telephone, letter, personal contact, site box, SMS, email).
- c. name, gender, contact address and contact number if available.
- d. anonymity complaints are also registered, investigated, and solved.
- e. response and review undertaken as a result of the enquiry, concern, complaints and/or grievances; and
- f. actions taken and name of the person taking action.
- g. In case the complainant is not satisfied with resolution and settlement of the complaints, he/she escalates the cases to higher level.

**Grievances related to Gender Based Violence (GBV):** To avoid the risk of stigmatization, exacerbation of the mental/psychological harm and potential reprisal, the GM shall have a different and sensitive approach to GBV related cases. The GRM equally applies to workers who experience GBV. Where such a case is reported to the GRM, it should immediately be referred to the appropriate service providers, such as medical and psychological support, emergency accommodation, and any other necessary services. It should also be reported to the safeguard staff of the UNDP who can advise on relevant service providers.

Refer to Annex 3 for the 'Guidance for Submitting a Grievance'.

## 7.5 UNDP Accountability Mechanism

In addition to the project-level and national grievance redress mechanisms, complainants have the option to access [UNDP's Accountability Mechanism](#), with both compliance and grievance functions. The [Social and Environmental Compliance Unit](#) investigates allegations that UNDP's Standards, screening procedure or other UNDP social and environmental commitments are not being implemented adequately, and that harm may result to people or the environment. The Social and Environmental Compliance Unit is housed in the Office of Audit and Investigations and managed by a Lead Compliance Officer. A compliance review is available to any community or individual with concerns about the impacts of a UNDP programme or project. The Social and Environmental Compliance Unit is mandated to investigate valid requests independently and impartially from locally impacted people, and to report its findings and recommendations publicly.

The [Stakeholder Response Mechanism](#) offers locally affected people an opportunity to work with other stakeholders to resolve concerns, complaints and/or grievances about the social and environmental impacts of a UNDP project. Stakeholder Response Mechanism is intended to supplement the proactive stakeholder engagement that is required of UNDP throughout the project cycle. Communities and individuals may request a Stakeholder Response Mechanism process when they have used standard channels for project management and quality assurance and are not satisfied with the response (in this case the project level grievance redress mechanism). When a valid Stakeholder Response Mechanism request is submitted, UNDP focal points at country, regional and headquarters levels will work with concerned stakeholders and Responsible Parties to address and resolve the concerns. Visit [www.undp.org/secu-srm](http://www.undp.org/secu-srm) for more details.

## 8 Monitoring, Reporting and Evaluation of ESMF Implementation

The ESMF and its procedures are to be reviewed regularly and on an ongoing basis by UNDP staff. The objective is to update the ESMF to reflect knowledge gained during the course of project delivery/construction and to reflect new knowledge.

Amendments will be made to the ESMF if:

- There are relevant changes to social and environmental conditions or generally accepted management practices; or
- New or previously unidentified social and environmental risks are identified; or
- Information from the project monitoring and surveillance methods indicate that current control measures require amendment to be effective; or
- There are changes to legislation that are relevant to the project; or
- There is a request made by a relevant regulatory authority.

When an update is made, all site personnel are to be made aware of the revision as soon as possible, e.g., through a toolbox meeting or written notification.

The Project Manager will monitor the overall implementation of the ESMF, most particularly the:

- i. timely preparation of environmental and social screening forms for all subprojects (list of subprojects by risk category by date)
- ii. timely preparation and clearance of subproject ESMPs, as needed (list of instruments with dates)
- iii. monitoring of ESMP implementation, including monitoring of mitigation measures, and monitoring of contractors environmental and social performance (indicators)
- iv. training of project staff, implementing partners, and contractors (list of persons, dates, and places)

The Project Manager will prepare:

- i. biannual reports summarizing monitoring results, to be included in the Project's Biannual Review Meetings
- ii. an annual evaluation of all environmental and social monitoring activities, which will be submitted to the KfW as part of overall project implementation reporting.

Monitoring and audit reports will be shared with the KfW.

The minimum requirements for environmental, social, health, and safety (ESHS) risk mitigation that each contractor engaged by the Project must take into consideration when preparing their company ESMP can be found in (annex 9) The ESHS requirements will be incorporated in the bidding documents and as technical clauses in contracts.

### 8.1 Monitoring and Reporting Indicators:

UNDP agreed several indicators that can be used for Gender and GBV/SEA reporting and monitoring that not limited to:

- Number of Children promoted to work under/ above 18.
- Number of women and men discriminated based on gender, disability, and age.
- Number of trainings conducted on preventing gender discrimination. GBV and SH
- Number of GBV/SH survivor referred to services providers or legal support with high confidentiality.
- Number of work of GBV/SH complains received and registered in GRM.
- No of skilled/all workers signed COC.
- No of training and capacity building provided to senior management staff, gender specialists, FPs, community members on Gender/GBV and SEA
- Number of awareness raising conducted and contact number/GRM provided.

- Number of male and female workers.
- Numbers of field visits conducted.
- Number of Meetings conducted with UNDP.
- Number of TPM reports received.
- Number of Red flags issued by TPM.

Occupational Health and Safety Indicators for reporting and monitoring include but not limited to:

- Incidents / anomalies reports
- Monthly reports
- Events analysis & synthesis
- Incidents/ anomalies action plan
- Project/ Site OHS Plan
- Risk assessment register
- Safeguard training records
- Field visits records
- Number of recruited Workers by contractors
- Number of workers with special needs
- Number of workers under 18 years old
- Numbers of Working hours (W.H)
- Lost Time injury
- Restricted time injury
- Total Recordable Injury Rate
- Number of safeguard reports submitted.
- Number of ESMPs prepared and cleared.

## 8.2 Management Information System (MIS)

UNDP MIS is under implementation and will include safeguard reporting, monitoring and KPI indicators.

## 8.3 Sub-Project Self-Monitoring and Reporting

For construction activities, the Responsible Party/site supervisor will be responsible for daily inspections (e.g., environmental inspections, Occupational Health & Safety) of the construction site.

The Responsible Parties will be responsible for the day-to-day compliance of the ESMF at the specific project site. The Responsible Parties will maintain and keep all administrative and social and environmental records which would include a log of complaints and incidents together with records of any measures taken to mitigate the cause of the complaints or incidents (see below sections on incident reporting and on complaints). UNDP will prepare a monthly report that includes (training, GRM, Accidents, working hours, field visits, and other highlights). A quarterly report that summaries the safeguard highlights will also be prepared by UNDP.

### 8.3.1 Social, environmental and OHS incident reporting

Any incidents, including non-conformances to the procedures of the ESMF, are to be recorded using an Incident Record and the details entered into a register. For any incident that causes or has the potential to cause material or significant social and/or environmental harm, the site supervisor/designated officer shall notify the Responsible Party senior management and the (AFH) project Manager as soon as possible and no later than **24 hours**. UNDP will also ensure significant incidents are reported to the KfW within 48 hours. The Responsible Party must cease work

until remediation has been completed as per the approval of Project Manager. All accidents are also kept in the register log at subproject site.

### 8.3.2 Daily and weekly inspection checklists

A daily social and environmental checklist (including OHS issues) is to be completed for active work sites with Substantial risks by the relevant site supervisor/designated officer and maintained within a register. A weekly social and environmental checklist is to be completed and will include reference to any issues identified in the daily checklists completed by the site supervisor or designated person. The completed checklist is to be forwarded to the site engineer for review and follow-up if any issues are identified. Copy of all inspections are kept at the worksite in the register log.

### 8.3.3 Corrective Actions

Any non-conformances to the ESMF are to be noted in weekly social and environmental inspections and logged into the register. Depending on the severity of the non- conformance, the site supervisor/designated officer may specify a corrective action on the weekly site inspection report. The progress of all corrective actions will be tracked using the register. Any non-conformances and the issue of corrective actions are to be advised to Responsible Parties senior management and the (AFH) Project Manager.

## 8.4 Sub-Project Third-Party Monitoring and Reporting

The TPMA is expected to provide an independent perspective and extend the reach of UNDP in the field. The TPMA will monitor activities of the identified responsible parties financed by the project. The TPMA is expected to visit project sites quarterly based on a sampling methodology.

Monitoring of environmental and social risks and implementation of management measures will be included in Third Party Monitoring templates and reports.

## 8.5 Monitoring Plan

Table 4. Summary of ESMF Monitoring, Reporting and Evaluation Activities

Monitoring Activity	Purpose/Action	Frequency	Expected Action	Indicators and means of Verification	Location	Roles and Responsibilities
Annual evaluation	To ensure Project Board is updated on ESMF implementation, issues, and lessons learned.	Annually	Include reporting on ESMF implementation in documentation prepared for Biannual Review Meetings	X of annual evaluation report successful submitted each year.	All sites	The (AFH) Project Manager (informed by TPM reports, self-reporting of sub-projects, field visits)
Biannual reports (for biannual review meetings)	To ensure Project Board is updated on ESMF implementation, issues, and lessons learned.	Biannually	Include reporting on ESMF implementation in documentation prepared for Biannual Review Meetings	X of biannual reports submitted to review meeting	All sites	The (AFH) Project Manager (informed by TPM reports, self-reporting of sub-projects, field visits)

<b>Quarterly Monitoring</b>	Qualitative and quantitative review of selection of projects, engaging with local stakeholders. Identification of any new social and environmental risks and monitoring of implementation of site-specific management plans.	Quarterly	Apply TPM methodology, to include consideration of social, environmental, and occupational health risks and management	X of quarterly monitoring report submitted	All sites	TPMA and UNDP project team
<b>Field Visits</b>	Conduct field visits to spot-check sub-projects and ensure effective implementation, including ESMF implementation	Periodic	Ensure risks are appropriately identified and managed. If new risks identified, screening and management plan to be updated.		All sites	UNDP Project Management Team
<b>Learning</b>	Knowledge, good practices, and lessons learned regarding social and environmental risk management will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	At least annually	Relevant lessons are captured by the project team and used to inform management decisions.		All sites	UNDP Project Management Team and UNDP Programme
<b>Review and adapt activities and approach as necessary</b>	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons, and quality will be discussed by the project board and used to make course corrections.	X mitigation measures and adaptive activities conducted to inform the decision making	All sites	UNDP Project Management Team and UNDP Programme

<b>Project Progress Reports</b>	As part of progress report to be presented to the Project Board and key stakeholders, analysis, updating and recommendations for risk management will be included.	Annually, and at the end of the project (final report)	Incorporation of progress on risk management elements, including ESMF	No of project progress report submitted and endorsed with analysis, key stakeholders, and recommendations for risk management	All sites	UNDP Project Management Team
<b>Site Inspections</b>	To ensure early identification and resolution of potential risks	Daily and weekly	Completion of site inspections checklists (to include social, environmental, and occupational hazards and risks)	X of daily and weekly inceptions' checklists checked to ensure ES and OHS in place	All sites	(Site Supervisors)
<b>Child Protection</b>	To ensure child protection and rights are at the center included in all activities of the subproject cycle. NO children are pushed by their families to work due to need of money	Daily	Child labor is not permitted - All workers are 18 Years old and above.  Verifying Age by checking IDs and other available documents.  Ensure Labor Log is available, and all workers are registered	X of the workers who are permitted to work above 18.	All sites	Gender specialists/ focal point  Technical Resident Engineer / Community Committee
<b>Gender fairness and equality</b>	To ensure equal access and treatment, no discrimination to all selected beneficiaries are provided. No discrimination against women and persons with disabilities when selecting beneficiaries. A Gender Action Plan will be prepared.	Daily and every activity and action to UNDP and Quarterly to KfW	UNDP adopt a non-discrimination policy that ensures non-discriminatory and inclusive manner, including women and persons with disabilities when selecting beneficiaries. As well as inclusion of women in community committees.	X of women and men (including people with disability) are members of community committee. X of cases received on discrimination based on gender, disability, and age.  X male and female workers hired per subproject	All sites	Gender specialist & Gender FP/ focal points at fields Technical Resident Engineer / Community Committee

<b>Elimination and protection from GBV and SEA</b>	<p>To ensure all project staff and workers are aware and well informed and protected from gender discrimination, GBV and SEA risks and have rights to report immediately and confidentially on GBV and SEA.</p>	<p>Daily and at any time to UNDP.</p> <p>Quarterly to KfW</p>	<p>UNDP provides capacity building on GBV and SEA, in collaboration with GBV and SEA focal points. UNDP staff work on daily basis to build capacity and ensure mitigation for the GBV and SEA risks are immediately resolved and that workers are aware and signed a COC at field level.</p> <p>UNDP will provide training and sensitization, signage on site, reporting on grievances.</p> <p>UNDP collaboratively with GBV and SEA focal points to established Referral pathway and SOPs.</p>	<p>X training on gender, GBV and SEA. X no of cases well reported and treated on GBV and SEA.</p> <p>X of workers trained and signed COC.</p> <p>A Referral system developed and agreed.</p>	All sites	<p>UNDP Gender/ specialists/ focal point</p> <p>Technical Resident Engineer / Community Committee/ GRM and safeguard specialist/GBV and Gender focal point</p>
<b>Capacity building on social, environmental and OHS new requirements for ESSs and SESs</b>	<p>To ensure all partners having sufficient capacity and experience to implement the new safeguard requirements. Several capacity building activities should be conducted at leadership, technical, field staff, including the three project components</p>	<p>Monthly to UNDP and Quarterly reports on capacity building updates</p>	<p>UNDP provides technical support to their field staff regarding new requirements of ESMF, ES, OHS, SEP, Gender and GBV, LMP and any relevant issues</p>	<p>X of capacity building/ training/ workshops/ seminars conducted by UNDP. X participants per gender disaggregated data (attendance sheet.)</p>	All sites	UNDP

<b>Best practices and research/studies and assessment</b>	Best practices, successful stories, assessment, and studies will be conducted to ensure and provide evidence of safeguard requirements are in place with sufficient mitigation to potential risks.	Annually	UNDP carry out assessments and study and best practices (such as impact of cash assistance, best practices, women empowerment, and economic development)	X of best practices, assessment and study completed and published	All sites	UNDP in collaboration of TPM
---	--	----------	--	---	-----------	------------------------------

## 9 Annexes

### Annex 1. Social and Environmental Screening Template (2021 SESP Template, Version 1)

#### Project Information

<i>Project Information</i>	
1. Project Title	Fishery Harbour Rehabilitation and Value Chain Development in Aden (P910447)
2. Project Number (i.e. Atlas project ID, PIMS+)	(P910447)
3. Location (Global/Region/Country)	Aden Governorate , Republic of Yemen
4. Project stage (Design or Implementation)	Implementation
5. Date	Jan 2023

## Part A. Integrating Programming Principles to Strengthen Social and Environmental Sustainability

### QUESTION 1: How Does the Project Integrate the Programming Principles in Order to Strengthen Social and Environmental Sustainability?

#### *Briefly describe in the space below how the project mainstreams the human rights-based approach*

*The project upholds the principles of accountability and the rule of law, participation and inclusion, and equality and non-discrimination based on gender, age, religion, political views, or affiliation to parties to the current conflict, social or geographical origin, birth, or other status. UNDP will also ensure the meaningful, effective and informed participation of stakeholders in the formulation, implementation, monitoring and evaluation of the (AFH) Project. The project also establishes a dedicated grievance mechanism and capacity to ensure that the duty-bearers are accountable to the rights-holders for the actions undertaken in the course of the project.*

#### *Briefly describe in the space below how the project is likely to improve gender equality and women's empowerment*

*Focus will be given towards gender equality and women's empowerment through aiming towards equal representation of women and men in the project steering committee in addition to encouraging women participation in all project activities. Awareness events will invite women and NGOs working with women to reach out to as many women as possible. The project recognizes that in the midst of the current crisis in Yemen, women are adversely affected and at the same time asked to take on new and additional roles as heads of households or income-earners. The project will actively target women to support their income-generation opportunities and contribute to the delivery of community service and livelihood assets. The project ensures applying gender disaggregated data, preventing gender-based violence (GBV) and Sexual Exploitation and Abuse (SEA), including elderly and people with disability. A Gender Action Plan has therefore been prepared for the project and includes the following measures that will be implemented by the project:*

- Encourage national partners to ensure women's participation and their equal and active participation ensured in all project-related events including consultation processes, workshops, and informative events.*
- Whenever possible, data collected throughout the duration of the project will be disaggregated by age and gender, including participants in events and project activities as well as monitoring and evaluation.*
- Capacity of all stakeholders including the project team and government partners will be increased on gender equality and the gender action plan.*
- Ensure women representation to be provided with adequate technical training to meet job requirements.*

*As stated in the Gender Action Plan, all project activities will be aligned with the UNDP Gender Equality Strategy (2018-2021), which was prepared in conjunction with the UNDP Strategic Plan and is operationalized in parallel with it. UNDP's Gender Equality Strategy highlights the pivotal significance of gender equality and women's empowerment and reaffirms that sustainable human development will not be fully achieved unless women and girls are able to contribute on an equal basis with men and boys to their societies. The outcome of the project will thus contribute to SDG 5: Achieve gender equality and empower all women and girls.*

**Briefly describe in the space below how the project mainstreams sustainability and resilience**

*The Project's Theory of Change assumes that if income-generation and livelihoods opportunities are increased for vulnerable households (including IDPs), with essential service delivery restored and key local businesses revived, Yemeni households and communities will be able to better cope with the impact of the current crisis and be strong drivers of the sustainability, resilience-building, and recovery efforts. the (AFH) Project contributes to the preservation and sustainability of its implementation capacity of much needed service delivery programmes.*

*By rehabilitating the Aden fish Harbour and strengthening its operational and management capacities, the project will contribute to the sustainability of the local value chain and of the institutions linked to the fishery sector. The capacity development component focusing on fisheries sector institutions aims at consolidating the gains from the rehabilitation component by enhancing their monitoring, management, and regulatory capacities, with the additional objective of enhancing their ability to collect revenues from the Harbour activity. Capacity building related to fishing practices and fish handling and preservation shall strengthen the actors focusing on the local Fishery Harbour Rehabilitation and Value Chain Development in Aden 22 markets as well as on national market and eventually export. Furthermore, the project will act as a catalyst and shall enable attracting additional support from interested donors.*

**Briefly describe in the space below how the project strengthens accountability to stakeholders**

*Developing the local partners' GRM systems strengthens accountability, operations oversight, citizen engagement, and learning. In addition to continuing these methods, UNDP will enhance the GRM system by operating a TPM call center facility for outbound calls to project beneficiaries and targeted communities for verification. Weekly, monthly, and quarterly reports including a summary of opened/processed complaints focusing on the performance of the GRM will be generated automatically by the system. UNDP will involve the project stakeholders and affected people through applying effective stakeholder engagement and full participation in all project's phases, UNDP will also closely monitor any negative environmental and social impact and ensure compliance with the safeguards through Third Party Monitoring.*

*The project will include a governance mechanism that will strengthen participatory planning and monitoring of the fishery sector performance at the local level and related capacity building that would allow stakeholders to engage meaningfully. Setting up of local governance systems led by GAF with participation of key stakeholders and linkages created with private sector will ensure contributions to operate and maintain the fishery assets that will be restored, improved, and developed.*

## Part B. Identifying and Managing Social and Environmental Risks

<p><b>QUESTION 2: What are the Potential Social and Environmental Risks?</b></p> <p><i>Note: Complete SESP Attachment 1 before responding to Question 2.</i></p>	<p><b>QUESTION 3: What is the level of significance of the potential social and environmental risks?</b></p> <p><i>Note: Respond to Questions 4 and 5 below before proceeding to Question 5</i></p>	<p><b>QUESTION 6: Describe the assessment and management measures for each risk rated Moderate, Substantial or High</b></p>		
<p><b>Risk Description</b> <i>(broken down by event, cause, impact)</i></p>	<p><b>Impact and Likelihood</b> <i>(1-5)</i></p>	<p><b>Significance</b> <i>(Low, Moderate, Substantial, High)</i></p>	<p><b>Comments (optional)</b></p>	<p><b>Description of assessment and management measures for risks rated as Moderate, Substantial or High</b></p>
<p><b>Risk 1: Limiting women's opportunities to benefit from the proposed project.</b></p> <p><b>Related to:</b></p> <ul style="list-style-type: none"> <li>- Gender Equality and Women's Empowerment; P.10</li> <li>- Standard 7: Labor and Working Conditions; 7.5</li> </ul>	I=3 L=3	<p>Moderate</p> <p>Women in Yemen are not well represented within the country's working population. Their influence in policy making in the country is also limited. Therefore, their opportunities to benefit from the project may be limited. The project will also create new jobs and will conduct training and awareness campaigns. Women may not be well represented in these activities and may not receive the training and awareness raising offered.</p>		<p>A Gender Action Plan have been developed during project preparation. Measures to reduce the risk of discrimination against women include:</p> <ul style="list-style-type: none"> <li>- Maximize participation of female in decision and policy making</li> <li>- Project staff undertaking efforts to ensure equal participation and engagement of women and men in the planning, implementation and monitoring of proposed project</li> <li>- Designate a specific percentage for women engagement in training sessions</li> <li>- Invite women and NGOs working with women to awareness events to reach out to as many women as possible</li> </ul> <p>The project will ensure that gender sensitive interventions are mainstreamed across all project components creating pathways for employment and participation in society and playing a key role in building resilience to shocks, improving livelihoods and mitigating social constraints.</p> <p>The ESMP will also consider gender risks, and the GAP will be updated as needed based on those additional assessments.</p>

<p><b>Risk 2: Release of pollutants to the environment from the improper storage, transport, and disposal of generated waste</b></p> <p><b>Related to:</b></p> <ul style="list-style-type: none"> <li>- Standard 8: Pollution Prevention and Resources Efficiency; 8.1, 8.2, 8.3, 8.4</li> </ul>	I=3 L=3	Moderate	<p>This is anticipated as a rapid assessment found several Harbour facilities where asbestos is found, and they are in a very poor state, badly damaged. This will lead to the generation of waste from the removal of Asbestos in the AFH building materials and fixtures. If not properly handled and disposed, pollutants and hazardous material can be released into the environment. The release of hazardous material into the environment might also occur resulting from improper handling and disposal of old AC units as well that may contain already banned refrigerants. The improper disposal of such units leads to the leakage of ODSS.</p>	<p>Asbestos Abatement Remedial Management Plan (AARMP) is developed to ensure safe removal, handling, temporary storage, transport, and disposal of all hazardous asbestos materials during the Fishery Harbour Rehabilitation.</p> <p>Waste Management Plan (WMP) is developed to ensure safe removal, handling, temporary storage, transport, and disposal of all hazardous waste materials during the Fishery Harbour Rehabilitation.</p> <p>The Contractor shall, always keep the construction area, including storage areas used free from accumulation of waste material.</p> <p>Waste materials including, but not restricted to refuse, garbage, sanitary wastes industrial wastes and oil and other petroleum products, shall be disposed of by the Contractor. Disposal of combustible materials shall be by burying, where burial of such materials is approved by the Project Engineer and Environmental and OHS officer by burning, where burning of approved materials is permitted, or by removal from the construction area. Disposal of non-combustible materials shall be by burying where burial of such materials is approved by the Project Engineer or by removal from the construction area. Waste materials removed from the construction area shall be dumped at an approved dump.</p>
<p><b>Risk 3: Potential health and safety risks to the local community from exposure to hazardous material</b></p> <p><b>Related to:</b></p> <ul style="list-style-type: none"> <li>- Standard 3: Community Health, Safety and Working Conditions; 3.5</li> </ul>	I=3 L=3	Moderate	<p>Community health and safety might be affected due to the improper transport, storage, and/or disposal of hazardous materials resulting from the removal of Asbestos in the buildings of the AFH sites.</p> <p>This is anticipated as a rapid assessment found several</p>	<p>In the ESMF states that an appropriately scoped ESMP will be prepared before commencement of the retrofitting activities addressing the risks associated with handling, disposal or recycling of existing building materials and devices/appliances such as Asbestos and old and energy inefficient ACs). The ESMP, including a Waste Management Plan, will describe measures on safe handling, storage, and disposal of these hazardous material associated with the retrofitting activities.</p>

			Harbour facilities where asbestos is found, and they are in a very poor state, badly damaged.	
<p><b>Risk 4: Working conditions by the contractor selected for the project do not meet national or labor laws and international labor commitments.</b></p> <p><b>Related to:</b></p> <ul style="list-style-type: none"> <li>- Standard 7: Labor and Working Conditions; 7.1, 7.2, 7.6</li> </ul>	I = 3  L = 3	Moderate	<p>Workers at the construction site engaged in the project may be denied freedom of association and collective bargaining and exposed to discriminatory working conditions, include occupational health and safety risks.</p>	<p>The contractors to be engaged in the rehabilitation activities will be preceded by a risk assessment to ensure compliance with SES.</p> <p>Contractors will adopt and implement occupational, health and safety (OHS) measures as described in the ESMF and ESMPs. Contractors will develop and implement, either as subsection of the LMP or a standalone document (and prior to the commencements of any construction work), a site-specific OHS management plan and will perform safety audits and site visits to be carried out monthly. OHS requirements will be incorporated in all contracts as part of the bidding/contractual agreements.</p>
<p><b>Risk 5: Occupational health and safety risks associated with the rehabilitation activities.</b></p> <p><b>Related to:</b></p> <ul style="list-style-type: none"> <li>- Standard 7: Safety and Working Conditions; 7.1, 7.6</li> </ul>	I=3  L=3	Moderate	<p>Workers at the AFH sites they may be exposed to several occupational health risks including injuries from falling from heights, accidents from moving machines, Scaffolding and exposure to chemicals including hazardous material from old non-energy equipment.</p>	<p>The ESMF states that an ESMP will be prepared prior to any Sub-projects works addressing associated occupational health and safety risks. The ESMP will include an Occupational Health and Safety Plan to ensure that workers are safe during the sub-project's activities. This will include conditions under which the use of PPE (safety hats and shoes, safety goggles, respiratory masks) is mandatory. It will ensure that first aid kits are available on site. For major injuries, emergency, primary and preventative care workers will have access to health facilities. The plan will also include the proper handling and disposal of old appliances and use of chemicals. In addition, the contractor that will be engaged to perform the rehabilitation works will need to undergo a private sector risk assessment to ensure abidance by SES.</p>

	QUESTION 4: What is the overall project risk categorization?			
	<i>Low Risk</i>	<input type="checkbox"/>		
	<i>Moderate Risk</i>	<input checked="" type="checkbox"/>	<p>Five potential risks have been identified for this project, the Five of which are assessed as MODERATE. As a result, this project is rated overall as a Moderate Risk project. ESMF, Stakeholder Engagement Plan and Gender Action Plan have been prepared to meet SES requirements. During project implementation, an ESMP that includes an Occupational Health and Safety Plan and a Waste Management Plan. In addition, the Contractor that will be engaged in the rehabilitation activities will undergo a risk assessment in line with UNDP requirements, which will include a SESP to ensure adherence to SES requirements.</p> <p>Furthermore, the project is engaging a consultancy firm to carry out a detailed study of proposed work. Their deliverables' statement states:</p> <p>The documents will include Statement of Works (SOW), detail drawings, Bill of Quantities (BOQ) and Engineering Estimates, safeguarding, disposal management and environmental impact assessment, and implementation methodology to be used for the construction/rehabilitation of quay wall of fishing harbour.</p>	
	<i>Substantial Risk</i>	<input type="checkbox"/>		
	<i>High Risk</i>	<input type="checkbox"/>		

QUESTION 5: Based on the identified risks and risk categorization, what requirements of the SES are triggered? (check all that apply)				
Question only required for Moderate, Substantial and High Risk projects				
<u>Is assessment required? (Check if "yes")</u>	X			<i>Status? (Completed, planned)</i>
<i>if yes, indicate overall type and status</i>			Targeted assessment(s)	
			ESIA (Environmental and Social Impact Assessment)	
			SESA (Strategic Environmental and Social Assessment)	
<u>Are management plans required? (Check if "yes")</u>	X			
<i>If yes, indicate overall type</i>		X	Targeted management plans (e.g., Gender Action Plan, Emergency Response Plan, Waste Management Plan, others)	Gender Action Plan. Stakeholder Engagement Plan, (completed),
		X	ESMP (Environmental and Social Management Plan which may include range of targeted plans)	Planned for during implementation (including Occupational Health and Safety Plan and Waste Management Plan)

		<input checked="" type="checkbox"/>	ESMF (Environmental and Social Management Framework)	Completed
	<i>Based on identified risks, which Principles/Project-level Standards triggered?</i>		Comments (not required)	
	<i>Overarching Principle: Leave No One Behind</i>			
	<i>Human Rights</i>	<input type="checkbox"/>		
	<i>Gender Equality and Women's Empowerment</i>	<input checked="" type="checkbox"/>		
	<i>Accountability</i>	<input checked="" type="checkbox"/>		
	1. <i>Biodiversity Conservation and Sustainable Natural Resource Management</i>	<input type="checkbox"/>		
	2. <i>Climate Change and Disaster Risks</i>	<input type="checkbox"/>		
	3. <i>Community Health, Safety and Security</i>	<input checked="" type="checkbox"/>		
	4. <i>Cultural Heritage</i>	<input type="checkbox"/>		
	5. <i>Displacement and Resettlement</i>	<input type="checkbox"/>		
	6. <i>Indigenous Peoples</i>	<input type="checkbox"/>		
	7. <i>Labor and Working Conditions</i>	<input checked="" type="checkbox"/>		
	8. <i>Pollution Prevention and Resource Efficiency</i>	<input checked="" type="checkbox"/>		

## Final Sign Off

*Final Screening at the design-stage is not complete until the following signatures are included.*

<b><i>Signature</i></b>	<b><i>Date</i></b>	<b><i>Description</i></b>
QA Assessor		UNDP staff member responsible for the project, typically a UNDP Programme Officer. Final signature confirms they have “checked” to ensure that the SESP is adequately conducted.
QA Approver		UNDP senior manager, typically the UNDP Deputy Country Director (DCD), Country Director (CD), Deputy Resident Representative (DRR), or Resident Representative (RR). The QA Approver cannot also be the QA Assessor. Final signature confirms they have “cleared” the SESP prior to submittal to the PAC.
PAC Chair		UNDP chair of the PAC. In some cases, PAC Chair may also be the QA Approver. Final signature confirms that the SESP was considered as part of the project appraisal and considered in recommendations of the PAC.

SESP Attachment 1. The (AFH) Project overall Social and Environmental Risk Screening Checklist

<u>Checklist Potential Social and Environmental Risks</u>		
<p><b>INSTRUCTIONS:</b> The risk screening checklist will assist in answering Questions 2-6 of the Screening Template. Answers to the checklist questions help to (1) identify potential risks, (2) determine the overall risk categorization of the project, and (3) determine required level of assessment and management measures. Refer to the <a href="#">SES toolkit</a> for further guidance on addressing screening questions.</p>		
<p><b>Overarching Principle: Leave No One Behind</b></p> <p><b>Human Rights</b></p>		<b>Answer (Yes/No)</b>
P.1 Have local communities or individuals raised human rights concerns regarding the project (e.g., during the stakeholder engagement process, grievance processes, public statements)?		No
P.2 Is there a risk that duty-bearers (e.g., government agencies) do not have the capacity to meet their obligations in the project?		No
P.3 Is there a risk that rights-holders (e.g., project-affected persons) do not have the capacity to claim their rights?		No
<p><i>Would the project potentially involve or lead to:</i></p>		
P.4 adverse impacts on enjoyment of the human rights (civil, political, economic, social, or cultural) of the affected population and particularly of marginalized groups?		No
P.5 inequitable or discriminatory impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups, including persons with disabilities? <sup>12</sup>		No
P.6 restrictions in availability, quality of and/or access to resources or basic services, in particular to marginalized individuals or groups, including persons with disabilities?		No
P.7 exacerbation of conflicts among and/or the risk of violence to project-affected communities and individuals?		No
<p><b>Gender Equality and Women's Empowerment</b></p>		
P.8 Have women's groups/leaders raised gender equality concerns regarding the project, (e.g., during the stakeholder engagement process, grievance processes, public statements)?		No
<p><i>Would the project potentially involve or lead to:</i></p>		
P.9 adverse impacts on gender equality and/or the situation of women and girls?		No
P.10 reproducing discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?		Yes
P.11 limitations on women's ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services?		No

<sup>12</sup> Prohibited grounds of discrimination include race, ethnicity, sex, age, language, disability, sexual orientation, gender identity, religion, political or other opinion, national or social or geographical origin, property, birth, or other status including as an Indigenous person or as a member of a minority. References to "women and men" or similar is understood to include women and men, boys and girls, and other groups discriminated against based on their gender identities, such as transgender and transsexual people.

<p><i>For example, activities that could lead to natural resources degradation or depletion in communities who depend on these resources for their livelihoods and well being</i></p>		
P.12	exacerbation of risks of gender-based violence?  <i>For example, through the influx of workers to a community, changes in community and household power dynamics, increased exposure to unsafe public places and/or transport, etc.</i>	No
<p><b>Sustainability and Resilience:</b> Screening questions regarding risks associated with sustainability and resilience are encompassed by the Standard-specific questions below</p>		
<p><b>Accountability</b></p>		
<p><i>Would the project potentially involve or lead to:</i></p>		
P.13	exclusion of any potentially affected stakeholders, in particular marginalized groups and excluded individuals (including persons with disabilities), from fully participating in decisions that may affect them?	Yes
P.14	grievances or objections from potentially affected stakeholders?	Yes
P.15	risks of retaliation or reprisals against stakeholders who express concerns or grievances, or who seek to participate in or to obtain information on the project?	No
<p><b>Project-Level Standards</b></p>		
<p><b>Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management</b></p>		
<p><i>Would the project potentially involve or lead to:</i></p>		
1.1	adverse impacts to habitats (e.g., modified, natural, and critical habitats) and/or ecosystems and ecosystem services?  <i>For example, through habitat loss, conversion or degradation, fragmentation, hydrological changes</i>	No
1.2	activities within or adjacent to critical habitats and/or environmentally sensitive areas, including (but not limited to) legally protected areas (e.g., nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?	No
1.3	changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods? (Note: if restrictions and/or limitations of access to lands would apply, refer to Standard 5)	No
1.4	risks to endangered species (e.g., reduction, encroachment on habitat)?	No
1.5	exacerbation of illegal wildlife trade?	No
1.6	introduction of invasive alien species?	No
1.7	adverse impacts on soils?	No
1.8	harvesting of natural forests, plantation development, or reforestation?	No
1.9	significant agricultural production?	No
1. 10	animal husbandry or harvesting of fish populations or other aquatic species?	No

1.11	significant extraction, diversion or containment of surface or ground water? <i>For example, construction of dams, reservoirs, river basin developments, groundwater extraction</i>	No
1.12	handling or utilization of genetically modified organisms/living modified organisms?	No
1.13	utilization of genetic resources? (e.g., collection and/or harvesting, commercial development)	No
1.14	adverse transboundary or global environmental concerns?	No
<b>Standard 2: Climate Change and Disaster Risks</b>		
<i>Would the potentially involve or lead to:</i>		
2.1	areas subject to hazards such as earthquakes, floods, landslides, severe winds, storm surges, tsunami, or volcanic eruptions?	No
2.2	outputs and outcomes sensitive or vulnerable to potential impacts of climate change? <i>For example, through increased precipitation, drought, temperature, salinity, extreme events</i>	No
2.3	direct or indirect increases in vulnerability to climate change impacts or disasters now or in the future (also known as maladaptive practices)? <i>For example, changes to land use planning may encourage further development of floodplains, potentially increasing the population's vulnerability to climate change, specifically flooding</i>	No
2.4	increases of greenhouse gas emissions, black carbon emissions or other drivers of climate change?	No
<b>Standard 3: Community Health, Safety and Security</b>		
<i>Would the potentially involve or lead to:</i>		
3.1	construction and/or infrastructure development (e.g., roads, buildings, dams)? (Note: the GEF does not finance projects that would involve the construction or rehabilitation of large or complex dams)	No
3.2	air pollution, noise, vibration, traffic, injuries, physical hazards, poor surface water quality due to runoff, erosion, sanitation?	Yes
3.3	harm or losses due to failure of structural elements of the project (e.g., collapse of buildings or infrastructure)?	No
3.4	risks of water-borne or other vector-borne diseases (e.g., temporary breeding habitats), communicable and noncommunicable diseases, nutritional disorders, mental health?	No
3.5	transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g., explosives, fuel and other chemicals during construction and operation)?	Yes
3.6	adverse impacts on ecosystems and ecosystem services relevant to communities' health (e.g., food, surface water purification, natural buffers from flooding)?	No
3.7	influx of project workers to project areas?	No
3.8	engagement of security personnel to protect facilities and property or to support project activities?	No
<b>Standard 4: Cultural Heritage</b>		
<i>Would the project potentially involve or lead to:</i>		
4.1	activities adjacent to or within a Cultural Heritage site?	No

4.2	significant excavations, demolitions, movement of earth, flooding, or other environmental changes?	No
4.3	adverse impacts to sites, structures, or objects with historical, cultural, artistic, traditional, or religious values or intangible forms of culture (e.g., knowledge, innovations, practices)? (Note: projects intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts)	No
4.4	alterations to landscapes and natural features with cultural significance?	No
4.5	utilization of tangible and/or intangible forms (e.g., practices, traditional knowledge) of Cultural Heritage for commercial or other purposes?	No
<b>Standard 5: Displacement and Resettlement</b>		
<i>Would the project potentially involve or lead to:</i>		
5.1	temporary or permanent and full or partial physical displacement (including people without legally recognizable claims to land)?	No
5.2	economic displacement (e.g., loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)?	No
5.3	risk of forced evictions?	No
5.4	impacts on or changes to land tenure arrangements and/or community-based property rights/customary rights to land, territories and/or resources?	No
<b>Standard 6: Indigenous Peoples</b>		
<i>Would the project potentially involve or lead to:</i>		
6.1	areas where indigenous peoples are present (including project area of influence)?	No
6.2	activities located on lands and territories claimed by indigenous peoples?	No
6.3	impacts (positive or negative) to the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the project is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country in question)?  <i>If the answer to screening question 6.3 is “yes”, then the potential risk impacts are considered significant, and the project would be categorized as either Substantial Risk or High Risk</i>	No
6.4	the absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories, and traditional livelihoods of the indigenous peoples concerned?	No
6.5	the utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples?	No
6.6	forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources?  <i>Consider, and where appropriate ensure, consistency with the answers under Standard 5 above</i>	No
6.7	adverse impacts on the development priorities of indigenous peoples as defined by them?	No
6.8	risks to the physical and cultural survival of indigenous peoples?	No

6.9	impacts on the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices?  <i>Consider, and where appropriate ensure, consistency with the answers under Standard 4 above.</i>	No
<b>Standard 7: Labor and Working Conditions</b>		
<i>Would the project potentially involve or lead to: (note: applies to project and contractor workers)</i>		
7.1	working conditions that do not meet national labor laws and international commitments?	Yes
7.2	working conditions that may deny freedom of association and collective bargaining?	Yes
7.3	use of child labor?	No
7.4	use of forced labor?	No
7.5	discriminatory working conditions and/or lack of equal opportunity?	Yes
7.6	occupational health and safety risks due to physical, chemical, biological, and psychosocial hazards (including violence and harassment) throughout the project life-cycle?	Yes
<b>Standard 8: Pollution Prevention and Resource Efficiency</b>		
<i>Would the project potentially involve or lead to:</i>		
8.1	the release of pollutants to the environment due to routine or non-routine circumstances with the potential for adverse local, regional, and/or transboundary impacts?	Yes
8.2	the generation of waste (both hazardous and non-hazardous)?	Yes
8.3	the manufacture, trade, release, and/or use of hazardous materials and/or chemicals?	Yes
8.4	the use of chemicals or materials subject to international bans or phase-outs?  <i>For example, DDT, PCBs and other chemicals listed in international conventions such as the <a href="#">Montreal Protocol</a>, <a href="#">Minamata Convention</a>, <a href="#">Basel Convention</a>, <a href="#">Rotterdam Convention</a>, <a href="#">Stockholm Convention</a></i>	Yes
8.5	the application of pesticides that may have a negative effect on the environment or human health?	No
8.6	significant consumption of raw materials, energy, and/or water?	No

## Annex 2: Environmental and Social Management Plan - Indicative Outline

Please refer to the [UNDP SES Guidance Note on Assessment and Management](#) for additional information.

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.

UNDP 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 content of the ESMP will include the following:

### **(a) *Mitigation***

The ESMP identifies measures and actions in accordance with the mitigation hierarchy that reduce potentially adverse environmental and social impacts to acceptable levels.

The plan will include compensatory measures, if applicable. Specifically, the ESMP:

- (i) identifies and summarizes all anticipated adverse environmental and social impacts (including those involving indigenous people or involuntary resettlement).
- (ii) 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.
- (iii) estimates any potential environmental and social impacts of these measures; and
- (iv) takes into account, and is consistent with, other mitigation plans required for the project (e.g., for involuntary resettlement, indigenous peoples, or cultural heritage).

### **(b) *Monitoring***

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

Specifically, the monitoring section of the ESMP provides.

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

### **(c) *Capacity Development and Training***

To support timely and effective implementation of environmental and social project components and mitigation measures, the ESMP 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.

#### ***(d) Implementation Schedule and Cost Estimates***

For all three aspects (mitigation, monitoring, and capacity development), the ESMP provides (a) 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 (b) the capital and recurrent cost estimates and sources of funds for implementing the ESMP. These figures are also integrated into the total project cost tables.

The content of the ESMP will be presented as per the ESMP template that was agreed with the implementing partners. It will include as minimum the following elements:

1. Introduction: includes
  - Name of Subproject,
  - Subproject ID Subproject.
  - Location Sector and type of Subprojects.
  - Department implementing Subprojects Estimated cost of SB.
  - Field Visit Was consultation carried out Proposed Class of the SB (A to D Low to High)
  - A Table indicates: date, agency name and safeguard staff who screen and review and approve the ESMPS.
2. Sub project Description: compromises
  - 2.1 Scope of work
    - Location
    - Land Acquisition
    - Resources and services' access restriction
    - COVID19 Sensitivity
  - 2.2 Gender and Social related issues
    - Child Labor
    - Gender: Number affected and disadvantaged people of men, women, boys, girls, elderly people, and people with disability
    - GBV and SEA
    - Conflict sensitivity and Do NO Harm
3. Environmental and social Baseline Conditions: includes.
  - Introduction
  - Rain, climate, and weather
  - Air Quality and Noise
  - Existing situation of the targeted Area
  - Targeted Beneficiaries: Affected, disadvantaged, marginalized, and interested groups.
4. Environmental and Social Impact Assessment: contains.
  - Applicability

- Eligibility
- Environmental and Social Screening

5. Environmental, Social Impact Analysis plan and Mitigation measures
  - Environmental and Social Impact Analysis plan and Mitigation measures
  - Occupational and health Safety Plan (OHS Plan) to update according to LMP.
6. Environmental and Social Monitoring Plan
  - Environmental and Social Monitoring Plan (for monitoring daily work) with proposed outputs, activities, and indicators.
  - Occupational Health and Safety:
  - Includes all mitigation measures that indicated in the ESCP.
7. Stakeholder engagement Plan and Public Consultation: focuses on and limited to
  - Introduction
  - Consultation Methodology and approach
  - Topics of the Consultations
  - Results of the consultations
  - Sustainability of subproject and community ownership
  - Stakeholder engagement plan
8. Grievance Response Mechanism, compromises of
  - Hotline
  - Complain Box
  - Brochure distributed to the Local community.
  - Complain Handling Mechanism
9. Annexes
  - Environmental & Social Checklist
  - Environmental and Social Responsiveness (ESR) criteria at proposal stage
  - Public Consultation Report
  - complaints handling mechanism.

## Annex 3. Guidance for Submitting a Grievance



Guidance for Submitting a Request to UNDP Social and Environmental Compliance Unit (SECU) and/or the Stakeholder Response Mechanism (SRM) [for more information go to [www.undp.org/secu-srm](http://www.undp.org/secu-srm)]

---

### Purpose of this form

- If you use this form, please put your answers in bold writing to distinguish text.
- The use of this form is recommended, but not required. It can also serve as a guide when drafting a request.

This form is intended to assist in:

- (1) Submitting a request when you believe UNDP is not complying with its social or environmental policies or commitments and you are believing you are being harmed as a result. This request could initiate a 'compliance review', which is an independent investigation conducted by the Social and Environmental Compliance Unit (SECU), within UNDP's Office of Audit and Investigations, to determine if UNDP policies or commitments have been violated and to identify measures to address these violations. SECU would interact with you during the compliance review to determine the facts of the situation. You would be kept informed about the results of the compliance review.

and/or

- (2) Submitting a request for UNDP "Stakeholder Response" when you believe a UNDP project is having or may have an adverse social or environmental impact on you and you would like to initiate a process that brings together affected communities and other stakeholders (e.g., government representatives, UNDP, etc.) to jointly address your concerns. This Stakeholder Response process would be led by the UNDP Country Office or facilitated through UNDP headquarters. UNDP staff would communicate and interact with you as part of the response, both for fact-finding and for developing solutions. Other project stakeholders may also be involved if needed.

Please note that if you have not already made an effort to resolve your concern by communicating directly with the government representatives and UNDP staff responsible for this project, you should do so before making a request to UNDP's Stakeholder Response Mechanism.

**Confidentiality** If you choose the Compliance Review process, you may keep your identity confidential (known only to the Compliance Review team). If you choose the Stakeholder Response Mechanism, you can choose to keep your identity confidential during the initial eligibility screening and assessment of your case. If your request is eligible and the assessment indicates that a response is appropriate, UNDP staff will discuss

the proposed response with you, and will also discuss whether and how to maintain confidentiality of your identity.

### Guidance

When submitting a request please provide as much information as possible. If you accidentally email an incomplete form, or have additional information you would like to provide, simply send a follow-up email explaining any changes.

### Information about You

Are you...

1. A person affected by a UNDP-supported project?

Mark "X" next to the answer that applies to you: Yes: No:

2. An authorized representative of an affected person or group?

Mark "X" next to the answer that applies to you: Yes: No:

*If you are an authorized representative, please provide the names of all the people whom you are representing, and documentation of their authorization for you to act on their behalf, by attaching one or more files to this form.*

3. First name:

4. Last name:

5. Any other identifying information:

6. Mailing address:

7. Email address:

8. Telephone Number (with country code):

9. Your address/location:

10. Nearest city or town:

11. Any additional instructions on how to contact you:

12. Country:

### What you are seeking from UNDP: Compliance Review and/or Stakeholder Response

You have four options:

- Submit a request for a Compliance Review.
- Submit a request for a Stakeholder Response.
- Submit a request for both a Compliance Review and a Stakeholder Response.
- State that you are unsure whether you would like Compliance Review or Stakeholder Response and that you desire both entities to review your case.

13. Are you concerned that UNDP's failure to meet a UNDP social and/or environmental policy or commitment is harming, or could harm, you or your community? Mark "X" next to the answer that applies to you: Yes: No:
14. Would you like your name(s) to remain confidential throughout the Compliance Review process?

Mark "X" next to the answer that applies to you:      Yes:      No:

If confidentiality is requested, please state why:

15. Would you like to work with other stakeholders, e.g., the government, UNDP, etc. to jointly resolve a concern about social or environmental impacts or risks you believe you are experiencing because of a UNDP project?

Mark "X" next to the answer that applies to you:      Yes:      No:

16. Would you like your name(s) to remain confidential during the initial assessment of your request for a response?

Mark "X" next to the answer that applies to you:      Yes:      No:

If confidentiality is requested, please state why:

17. Requests for Stakeholder Response will be handled through UNDP Country Offices unless you indicate that you would like your request to be handled through UNDP Headquarters. Would you like UNDP Headquarters to handle your request?

Mark "X" next to the answer that applies to you:      Yes:      No:

If you have indicated yes, please indicate why your request should be handled through UNDP Headquarters:

18. Are you seeking both Compliance Review and Stakeholder Response?

Mark "X" next to the answer that applies to you:      Yes:      No:

19. Are you unsure whether you would like to request a Compliance Review or a Stakeholder Response?

Mark "X" next to the answer that applies to you:      Yes:      No:

**Information about the UNDP Project you are concerned about, and the nature of your concern:**

20. Which UNDP-supported project are you concerned about? (If known):

21. Project name (if known):

22. Please provide a short description of your concerns about the project. If you have concerns about UNDP's failure to comply with its social or environmental policies and commitments, and can identify these policies and commitments, please do (not required). Please describe, as well, the types of environmental and social impacts that may occur, or have occurred, as a result. If more space is required, please attach any documents. You may write in any language you choose.

23. Have you discussed your concerns with the government representatives and UNDP staff responsible for this project? Non-governmental organisations?

Mark "X" next to the answer that applies to you:      Yes:      No:

If you answered yes, please provide the name(s) of those you have discussed your concerns with.

Name of Officials You have Already Contacted Regarding this Issue:

First Name	Last Name	Title/Affiliation	Estimated Date of Contact	Response from the Individual

24. Are there other individuals or groups that are adversely affected by the project?

Mark "X" next to the answer that applies to you: Yes:  No:

25. Please provide the names and/or description of other individuals or groups that support the request:

First Name	Last Name	Title/Affiliation	Contact Information

Please attach to your email any documents you wish to send to SECU and/or the SRM. If all of your attachments do not fit in one email, please feel free to send multiple emails.

#### Submission and Support

To submit your request, or if you need assistance please email: [project.concerns@undp.org](mailto:project.concerns@undp.org)

## KfW Grievance Redress System

KfW Development Bank has been helping the German Federal Government to achieve its goals in development policy and international development cooperation for more than 50 years. On behalf of the German Federal Government, and primarily the Federal Ministry for Economic Cooperation and Development (BMZ), as part of German Financial Cooperation we finance and support programmes and projects that mainly involve public sector players in developing countries and emerging economies – from their conception and execution to monitoring their success.

As an important international provider of development finance and part of KfW Group, we bear a particular responsibility and, from this, draw consequences for sustainable action. Sustainability for us goes far beyond the simple protection of the environment. Our aim is to work in a way that secures the basis and quality of life for coming generations. In order to be successful on a sustainable basis, we place special demands on ourselves, our projects and programmes and our project implementation agencies.

Our understanding of customer orientation begins with disclosing to you how we deal with complaints at the bank. We want to give everyone who feels negatively affected by a project or programme supported by KfW Development Bank the opportunity to submit a complaint.

As a bank committed to responsibility, we foster dialogue with all contact partners of the projects and programmes we finance.

Your critical feedback also helps us to recognise any reoccurring problems and to improve our services even further.

Below you will find an overview of the main steps in the procedure: How to log a complaint, the required information and how we deal your complaint.

Please submit your complaint preferably in writing directly to the central Complaints Office.

- **Online:** [Complaint form](#)
- **Email:** [FZ-complaints@KfW.de](mailto:FZ-complaints@KfW.de)
- **By mail:**  
Central Complaints Office  
KfW Development Bank  
Palmengartenstrasse 5-9  
60325 Frankfurt am Main.

Can confidentiality be requested?

Yes. If requested, KfW Development Bank will not disclose the identity of the complainant to the body commissioned to implement the project. We will only disclose documents transmitted confidentially with the complainant's approval. And in case confidentiality may constrain efforts to seek a satisfactory resolution we will contact you to agree on the next steps.

## Annex 4. OHS Framework and OHS Toolkit

(Will be attached later separately)

## Annex 5. Stakeholder Engagement Plan

(Will be attached later separately)

## Annex 6. Labor Management Procedure

(Will be attached later separately)

## Annex 7. Environmental and Social Commitment Plan

(Will be attached later separately, provided by the KfW)

## Annex 8. Gender and GBV Plan

(Will be attached later separately)

## Annex 9. Environmental and Social Requirements for Contractors

This Annex defines the minimum requirements for environmental, social, health, and safety (ESHS) risk mitigation that each of the entities contracted (the Contractor) by the Project must take into consideration when preparing their company ESMP.

The ESHS requirements will be incorporated in the bidding documents and as technical clauses in contracts.

The ESHS requirements include 10 sections.

1. General Provisions
2. ESHS Training
3. Construction Site Management
4. Occupational Health and Safety (OHS)
5. Road safety and Traffic Safety
6. Chance Find Procedures

7. Emergency Preparedness and Response
8. Stakeholder Engagement
9. Labor force management, including the Code of Conduct
10. Contractor Environmental and Social Reporting

## General Provisions

### Contractor Environmental and Social Management Plan (C-ESMP)

*The Contractor shall:*

- Prepare and submit to UNDP for approval a Contractor Environmental and Social plan and Social Management Plan (C-ESMP)
- Include in the C-ESMP a detailed explanation of how the Contractor's performance will meet the ESHS requirements.
- Ensure that sufficient funds are budgeted to meet the ESHS requirements, and that sufficient capacity is in place to oversee, monitor and report on C-ESMP performance.
- Put in place controls and procedures to manage their ESHS performance.
- Get prior written approval from UNDP before it can start its activities.

The C-ESMP will be a contractual document that will serve as a reference during the monitoring and evaluation of the environmental and social performance of the Contractor.

### Compliance with Laws, Regulations, and National Standards

The Company and its subcontractors must:

- Know, respect and apply the laws, regulations and standards in force in Yemen relating to the environment, as well as social, health and safety aspects.
- Assume full responsibility for any claim related to an activity under their control that does not comply with these laws, regulations, or standards.

### Environmental, Social, Health and Safety Manager

The Contractor shall:

- Include in the C-ESMP an organization chart of the personnel assigned to environmental and social management.
- Designate an ESHS Manager who will ensure that ESHS requirements are rigorously followed by all and at all levels of execution by its contracted workers.

### Contractual Obligations

*The Contractor shall:*

- Remedy any defect, failure, or non-performance of ESHS requirements that is duly notified to it in writing by the delegated project owner.
- Assume the costs associated with any delay or interruption of the work, as well as any additional work resulting from non-compliance with ESHS requirements. In the event of failure to perform the remedial work, UNDP may have it performed by a company of its choice, at the expense of the defaulter.

- Failure to comply with ESHS requirements, duly noted by UNDP, may be grounds for termination of the contract.
- A Contractor that has been terminated for failure to comply with ESHS requirements may be subject to sanctions up to and including suspension of the right to bid for a period determined by UNDP, with a reduction in the price and a freeze on the holdback.
- Failure by the Contractor to comply with one or more ESHS requirements may expose it to refusal of provisional or final acceptance of the work by UNDP. The execution of each environmental and social measure may be the subject of a partial acceptance.

The Contractor's obligations with respect to ESHS requirements run until final acceptance of the contracted activity, which will only be given by UNDP after all the measures required by the ESHS requirements have been met.

## ESHS Training

*The Contractor shall*

---

- Determine ESHS training needs in collaboration with UNDP.
- Maintain records of all ESHS training, orientation, and induction.
- Ensure, through appropriate contract specifications and monitoring that service providers, as well as contracted and subcontracted labor, are trained adequately before assignments begin.
- Demonstrate that its employees are competent to carry out their activities and duties safely. For this purpose, the Contractor shall issue a Competence Certificate for every person working on site (relative to trade and aspect of work assignment) that specifies which tasks can be undertaken by which key personnel.

## Orientation Training

*The Contractor shall:*

---

- Provide ESHS orientation training to all employees, including management, supervisors, and workers, as well as to subcontractors, so that they are apprised of the basic site rules of work at/on the site and of personal protection and preventing injury to fellow employees.
- Training should consist of basic hazard awareness, site-specific hazards, safe work practices, and emergency procedures for fire, evacuation, and natural disaster, as appropriate. Any site-specific hazard or color coding in use should be thoroughly reviewed as part of orientation training.

## Visitor Orientation

*The Contractor shall:*

---

- Establish an orientation program for visitors, including vendors, that could access areas where hazardous conditions or substances may be present.
- Visitors shall not enter hazard areas unescorted.
- Ensure that visitors shall always be accompanied by an authorized member of the contractor, or a representative of UNDP or of its Implementing Partners, who has successfully fulfilled the ESHS orientation training, and who is familiar with the project site construction hazards, layout, and restricted working areas.

## New Task Employee and Contractor Training

*The Contractor shall:*

- Ensure that all workers and subcontractors, prior to commencement of new assignments, have received adequate training and information enabling them to understand work hazards and to protect their health from hazardous ambient factors that may be present. The training should adequately cover the step-by-step process that is needed for Project activities to be undertaken safely, with minimum harm to the environment, including:
  - Knowledge of materials, equipment, and tools
  - Known hazards in the operations and how they are controlled.
  - Potential risks to health
  - Precautions to prevent exposure.
  - Hygiene requirements
  - Wearing and use of protective equipment and clothing
  - Appropriate response to operation extremes, incidents, and accidents

## Construction Site Management

### Vegetation

*The Contractor shall:*

- Prevent any unnecessary destruction, scarring, or defacing of the natural surroundings in the vicinity of the construction site.
- Protect all trees and vegetation from damage by construction operations and equipment, except where clearing is required for permanent works, approved construction roads, or excavation operations.
- Revegetate damaged areas on completion of the Works, and for areas that cannot be revegetated, scarifying the work area to a condition that will facilitate natural revegetation, provide for proper drainage, and prevent erosion.
- Avoid planting trees within 4 meters of rights of way (ROW)
- Use, as much as possible, endemic species for replanting, species that are not listed as a noxious weed, and species with minimal water demands.
- Repair, replant, reseed or otherwise correct, as directed by UNDP or its IP's, and at the Contractor's own expense, all unnecessary destruction, scarring, damage, or defacing of the landscape resulting from the Contractors operations.
- Transport labor and equipment in a manner to avoid as much as possible damage to grazing land, crops, and property.

### Protection of the Existing Installations

*The Contractor shall:*

- Safeguard all existing buildings, structures, works, pipes, cables, sewers, or other services or installations from harm, disturbance, or deterioration during construction activities.
- Coordinate with local authorities to identify existing infrastructure that might not be visible.
- Repair any damage caused by the Contractor's activities, in coordination with concerned authorities.
- Take all reasonable precautions to prevent or reduce any disturbance or inconvenience to the owners, tenants or occupiers of properties to the construction activities, and more generally to the public.

- Maintain safe access to public and private properties that might be affected by construction activities. If necessary, provide acceptable alternative means of passage or access to the satisfaction of the persons affected.
- Provide alternative water supply systems in the event that existing systems are displaced or temporary shutdown because of the works, to ensure that inhabitants' water needs are met.
- Avoid working during night hours.

## Waste from Construction Activities

*The Contractor shall:*

- Collect and properly manage all solid wastes resulting from the construction activities, including construction debris and spoils, to prevent the contamination of soil and groundwater.
- Remove unneeded excavation material from construction sites as soon as possible.
- Agree with relevant municipalities about construction waste disposal.
- Carefully select waste disposal sites, to be approved by UNDP or its Implementing Partner
- Minimize littering of roads by ensuring that vehicles are licensed and loaded in such a manner as to prevent falling off or spilling of construction materials, and by sheeting the sides and tops of all vehicles carrying mud, sand, other materials, or debris.
- Transfer construction waste to assigned places in the selected waste disposal sites with documented confirmation.
- Properly dispose of solid waste and debris at designated permitted sites waste disposal sites allocated by the local authorities and obtain a receipt of waste from the authorized landfill authority.

## Air Quality

*The most common pollutant involved in fugitive emissions is dust or particulate matter (PM) that is released during the transport and open storage of solid materials, and from exposed soil surfaces, including unpaved roads. Accordingly, the Contractor shall:*

- Use dust control methods, such as covers, water suppression, or increased moisture content for open materials storage piles, or controls, including air extraction and treatment through a baghouse or cyclone for material handling sources, such as conveyors and bins.
- Use water suppression for control of loose materials on paved or unpaved road surfaces. Oil and oil by-products are not a recommended method to control road dust.
- Use wheel washes at quarries, ready-mix plants, construction sites, and other facilities to prevent track-out of mud, dust, and dirt on to public road.
- Regularly clean road surfaces within the construction sites to remove accumulated fine material, and regularly clean transportation vehicles.
- Cover open bodied trucks handling sand, gravel, or earth.
- Minimize smoke from diesel engines by regular and proper maintenance, in particular by ensuring that the engine, injection system and air cleaners are in good condition.

## Hazardous and Toxic Materials

*Toxic and deleterious wastes resulting from the Contractor's activities require special attention in order to forestall their introduction into the natural environment which could result in harm to people, aquatic life or natural growth of the area. Accordingly, the Contractor shall:*

- Train workers regarding the handling of hazardous materials
- Label using easily understandable symbols, and provide material safety data sheets, for chemical substances and mixtures according to the Globally Harmonized System (GHS) of classification and labelling of chemicals.

- Store hazardous materials as per the statutory provisions of the Manufactures, Storage, and Import of Hazardous Chemicals Rules (1989), under the Environment (Protection) Act, 1986.
- Provide adequate secondary containment for fuel storage tanks and for the temporary storage of other fluids such as lubricating oils and hydraulic fluids,
- Use impervious surfaces for refueling areas and other fluid transfer areas.
- Train workers on the correct transfer and handling of fuels and chemicals and the response to spills
- Provide portable spill containment and cleanup equipment on site and training in the equipment deployment.
- Deposit or discharge toxic liquids, chemicals, fuels, lubricants, and bitumen into containers for salvage or subsequent removal to off-site locations.
- Treat hazardous waste separately from other waste
- Avoid the storage or handling of toxic liquid adjacent to or draining into drainage facilities.
- Keep absorbent materials or compounds on Site in sufficient quantities corresponding to the extent of possible spills.
- Locate landfill pits for the disposal of solid waste at least 100 m from water courses and fencing them off from local populations.
- Ensure adequate primary treatment of sanitation effluents and installing septic tanks away from village watering points.

### **Area Signage**

*The Contractor shall:*

---

- Appropriately mark hazardous areas.
- Install warning signs.
- Ensure that signage is in accordance with international standards and is well known to, and easily understood by workers, visitors, and the general public as appropriate.
- Demarcate work sites with safety tape, fencing or barricades, as appropriate, to prevent unauthorized access to the construction sites.
- Safeguard public safety by covering holes and by installing guardrails along temporary pathways.

### **Borrow Pits and Quarries**

*Materials required for site fill, backfill or the construction of permanent works that are not available from the surface will be obtained from borrow areas and quarries that the Contractor will identify, subject to approval by the UNDP or its Implementing Partners.*

*The Contractor shall adhere to the following standards when siting, developing, operating, and reinstating borrow pits and quarries:*

---

- Obtain all necessary permits for borrow pits and quarry operations.
- Locate quarry sites as far away from settlements as possible. Quarry operations will produce noise and dust that will impact on nearby inhabitants even if controls are imposed.
- Fence and secure quarry sites. Steep quarry faces are a hazard to people and livestock.
- Locate borrow pits and quarries at least 100 m from watercourses or human habitations.
- Avoid all use of explosives for stones quarrying.
- Locate, to the extent possible, borrow pits on land that is not used for cultivation and is not wooded.
- Avoid areas of local historical or cultural interest and locate pits more than 25 m of grave sites.
- Hide, to the extent possible, pits from the road. Quarries and borrow pits should be designed to minimize visible scarring of the landscape.
- Develop a borrow pits and quarry management plan, including a plan to reinstate borrow pits and quarry sites as closely as possible to their original state.

In addition, the Contractor shall:

- Ensure that the material for roadbeds will reduce the risk of landslides, particularly in very steep terrain.
- Aggregates for road construction are widely found and sands and gravels are generally found in abundance. Shortages of either rock or gravel materials are therefore likely to be very localized.

### **Location of Worker Camps**

*The Contractor shall:*

---

- Consult and negotiate with local stakeholders before proposing a location for its camps.
- Submit the proposed locations to UNDP or IP's for approval, including a justification for their location, as well proposed measures to mitigate the environmental and social risks and impacts around the camp and to enhance social benefits.

### **Decommissioning of Camps, Worksites and Plant**

*The Contractor shall:*

---

- Clear construction sites of any equipment or waste, and ensuring that the sites are free from contamination.
- Dispose of or recycle any equipment or waste in an appropriate and environmentally sound manner.
- Hand construction sites over to the original owners, taking into account his/her wishes and national legislation.

### **Occupational Health and Safety**

Contractors will collaborate with other contractors in applying health and safety requirements, when workers from more than one contractor are working together in one location, without prejudice to the responsibility of each party for the health and safety of its own workers.

### **Severe Weather and Facility Shutdown**

*The Contractor shall:*

---

- Design and build workplace structures to withstand the expected elements for the region and designate an area designated for safe refuge, if appropriate.
- Develop Standard Operating Procedures (SOPs) for project or process shutdown, including an evacuation plan.

### **Lavatories and Showers**

*The Contractor shall:*

---

- Provide adequate lavatory facilities (toilets and washing areas) for the number of people expected to work at the construction sites, and make allowances for segregated facilities, or for indicating whether the toilet facility is "In Use" or "Vacant".
- Provide toilet facilities with adequate supplies of hot and cold running water, soap, and hand drying devices.
- Where workers may be exposed to substances poisonous by ingestion and skin contamination may occur, provide facilities for showering and changing into and out of street and work clothes.

## Potable Water Supply

*The Contractor shall:*

- Provide adequate supplies of potable drinking water from a fountain with an upward jet or with a sanitary means of collecting the water for the purposes of drinking.
- Ensure that water supplied to areas of food preparation or for the purpose of personal hygiene (washing or bathing) meets drinking water quality standards.

## Clean Eating Area

*The Contractor shall:*

- Where there is potential for exposure to substances poisonous by ingestion, make suitable arrangements to provide clean eating areas where workers are not exposed to the hazardous or noxious substances.

## Personal Protective Equipment (PPE)

*The Contractor shall:*

- Identify and provide at no cost appropriate PPE to workers, the workers of subcontractors, as well as to visitors, which gives adequate protection without incurring unnecessary inconvenience to the individual.
- Ensure that the use of PPE is compulsory.
- Provide sufficient training in the use, storage, and maintenance of PPE to its workers and workers of its subcontractors.
- Properly maintain PPE, including cleaning when dirty and replacement when damaged or worn out.
- Determine requirements for standard and/or task-specific PPE based on of Job specific Safety Analysis (JSA).
- Consider the use of PPE as a last resort when it comes to hazard control and prevention, and always refer to the hierarchy of hazard controls when planning a safety process.

## Noise

*The Contractor shall institute appropriate measures to reduce the exposure of workers to construction noise, including but not limited to:*

- Avoid exposure to a noise level greater than 85 dB(A) for a duration of more than 8 hours per day without hearing protection. In addition, no unprotected ear should be exposed to a peak sound pressure level (instantaneous) of more than 140 dB(C).
- Enforce the use of hearing protection should be enforced actively when the equivalent sound level over 8 hours reaches 85 dB(A), the peak sound levels reach 140 dB(C), or the average maximum sound level reaches 110 dB(A).
- Provide hearing protective devices capable of reducing sound levels at the ear to at most 85 dB(A).
- Reduce the “allowed” exposure period or duration by 50 percent for every 3 dB(A) increase in in excess of 85 dB(A).
- Perform periodic medical hearing checks on workers exposed to high noise levels.
- Rotate staff to limit individual exposure to high levels.
- Install practical acoustical attenuation on construction equipment, such as mufflers.
  - Use silenced air compressors and power generators.
  - Keep all machinery in good condition.
  - Install exhaust silencing equipment on bulldozers, compactors, crane, dump trucks,

- excavators, graders, loaders, scrapers, and shovels.
- Post signs in all areas where the sound pressure level exceeds 85 dB(A).
- Shut down equipment when not directly in use.
- Provide advance notice to occupants if an activity involving high level impact noise is in close proximity to buildings.

### Slips and Falls

Slips and falls on the same elevation associated with poor housekeeping, such as excessive waste debris, loose construction materials, liquid spills, and uncontrolled use of electrical cords and ropes on the ground, are also among the most frequent cause of lost time accidents at construction and decommissioning sites.

To prevent slips and falls from, or on, the same elevation, the Contractor shall:

- Implementing good house-keeping practices, such as the sorting and placing loose construction materials or demolition debris in established areas away from foot paths
- Clean up excessive waste debris and liquid spills regularly.
- Locate electrical cords and ropes in common areas and marked corridors.
- Ensure that workers use slip retardant footwear.

### Working at Heights

The contractor shall implement fall prevention and protection measures whenever a worker is exposed to the hazard of falling more than two meters, or through an opening in a work surface. Fall prevention / protection measures may include:

- Installation of guardrails with mid-rails and toe boards at the edge of any fall hazard area
- Proper use of ladders and scaffolds by trained employees
- Use of fall prevention devices, including safety belt and lanyard travel limiting devices to prevent access to fall hazard area, or fall protection devices such as full body harnesses used in conjunction with shock absorbing lanyards, or selfretracting inertial fall arrest devices attached to fixed anchor point or horizontal lifelines.
- Appropriate training in use, serviceability, and integrity of the necessary PPE
- Inclusion of rescue and/or recovery plans, and equipment to respond to workers after an arrested fall.

### Struck By Objects

The Contractor shall:

- Use a designated and restricted waste drop or discharge zones, and/or a chute for safe movement of wastes from upper to lower levels.
- Conduct sawing, cutting, grinding, sanding, chipping, or chiseling with proper guards and anchoring as applicable.
- Maintain clear traffic ways to avoid driving of heavy equipment over loose scrap.
- Use temporary fall protection measures in scaffolds and out edges of elevated work surfaces, such as handrails and toe boards to prevent materials from being dislodged.
- As necessary, require workers to wear appropriate PPE, such as safety glasses with side shields, face shields, hard hats, and safety shoes.

## **Welding/Hot Work**

The contractor shall:

- Provide proper eye protection such as welder goggles and/or a full-face eye shield for all personnel involved in, or assisting, welding operations. Additional methods may include the use of welding barrier screens around the specific workstation (a solid piece of light metal, canvas, or plywood)

## **First Aid and Accidents**

*The Contractor shall:*

---

- Ensure that qualified first-aid by qualified personnel is always available. Appropriately equipped first-aid stations should be easily accessible throughout the place of work.
- Provide workers with rescue and first-aid duties with dedicated training so as not to inadvertently aggravate exposures and health hazards to themselves or their co- workers. Training would include the risks of becoming infected with blood-borne pathogens through contact with bodily fluids and tissue.
- Provide eye-wash stations and/or emergency showers close to all workstations where immediate flushing with water is the recommended first-aid response.
- Provide dedicated and appropriately equipped first-aid room(s) where the scale of work or the type of activity being carried out so requires.
- Equip first aid stations and rooms with gloves, gowns, and masks for protection against direct contact with blood and other body fluids.
- Make widely available written emergency procedures for dealing with cases of trauma or serious illness, including procedures for transferring patient care to an appropriate medical facility.
- Immediately report all accidental occurrences with serious accident potential such as major equipment failures, contact with high-voltage lines, exposure to hazardous materials, slides, or cave-ins to UNDP or IP's.
- Immediately investigate any serious or fatal injury or disease caused by the progress of work by the Contractor and submit a comprehensive report to UNDP and IP's.

## **Communicable Diseases**

*Sexually transmitted diseases (STDs), such as HIV/AIDS, are the communicable diseases of most concern because of labor mobility. Recognizing that no single measure is likely to be effective in the long term, the Contractor shall implement a combination of behavioural and environmental modifications to mitigate communicable diseases:*

---

- Provide treatment through standard case management in on-site or community health care facilities.
- Ensure ready access to medical treatment, confidentiality, and appropriate care, particularly with respect to migrant workers.
- Promote collaboration with local authorities to enhance access of workers families and the community to public health services and ensure the immunization of workers against common and locally prevalent diseases.
- Provide basic education on the conditions that allow the spread of other diseases such as COVID-19, Lassa Fever, Cholera and Ebola. The training should cover sanitary hygiene education.
- Prevent illness in immediate local communities by:
  - Training health workers in disease treatment
  - Conducting immunization programs for workers in local communities to improve health and guard against infection.

- Providing health services

## COVID-19

*In the context of the COVID-19 pandemic, Contractors shall develop and implement measures to prevent or minimize an outbreak of COVID-19 and develop procedures indicating what should be done if a worker gets sick. The Contractor shall:*

- Assess the characteristics of the workforce, including those with underlying health issues or who may be otherwise at risk.
- Confirm that workers are fit for work, including temperature testing, and refusing entry to sick workers.
- Consider ways to minimize entry/exit to site or the workplace, and limit contact between workers and the community/general public.
- Train workers on hygiene and other preventative measures and implement a communication strategy for regular updates on COVID-19 related issues and the status of affected workers.
- Treat workers who are or should be self-isolating and/or are displaying symptoms.
- Assess risks to continuity of supplies of medicine, water, fuel, food, and PPE, taking into account international, national and local supply chains.
- Reduce, store and dispose of medical waste.
- Adjust work practices to reduce the number of workers and increase social distancing.
- Expand health facilities on-site compared to usual levels, develop relationships with local health care facilities and organize for the treatment of sick workers.
- Build worker accommodations further apart, or have one worker accommodation in a more isolated area, which may be easily converted to quarantine and treatment facilities, if needed
- Establish a procedure to follow if a worker becomes sick (following WHO guidelines)
- Implement a communication strategy with the community, community leaders and local government in relation to COVID-19 issues on the site.

## Vector-Borne Diseases

*Reducing the impact of vector-borne disease on the long-term health of workers is best accomplished by implementing diverse interventions aimed at eliminating the factors that lead to disease. The Contractor, in close collaboration with community health authorities, shall implement an integrated control strategy for mosquito and other arthropod-borne diseases that includes the following measures:*

- Prevent of larval and adult propagation through sanitary improvements and elimination of breeding habitats close to human settlements.
- Eliminate unusable impounded water.
- Increase water velocity in natural and artificial channels.
- Consider the application of residual insecticide to dormitory walls.
- Implement integrated vector control programs.
- Promote the use of repellents, clothing, netting, and other barriers to prevent insect bites.
- Use chemoprophylaxis drugs by non-immune workers and collaborating with public health officials to help eradicate disease reservoirs.
- Monitor and treat circulating and migrating populations to prevent disease reservoir spread.
- Collaborate and exchange in-kind services with other control programs in the project area to maximize beneficial effects.
- Educate project personnel and area residents on risks, prevention, and available treatment.
- Monitor communities during high-risk seasons to detect and treat cases.
- Distribute appropriate education materials.

- Follow safety guidelines for the storage, transport, and distribution of pesticides to minimize the potential for misuse, spills, and accidental human exposure.

## Road safety and Traffic Safety

*The Contractor shall ensure traffic safety by all project personnel during displacement to and from the workplace, and during the operation of project equipment on private or public roads. The Contractor shall adopt best transport safety practices across all aspects of project operations with the goal of preventing traffic accidents and minimizing injuries suffered by project personnel and the public, including:*

---

- Emphasize safety aspects among drivers.
- Improve driving skills and requiring licensing of drivers.
- Institute defensive driving training for all drivers prior to starting their job.
- Adopt limits for trip duration and arranging driver rosters to avoid overtiredness.
- Avoid dangerous routes and times of day to reduce the risk of accidents.
- Use speed control devices (governors) on trucks, and remote monitoring of driver actions.
- Require that drivers and co-passengers wear seatbelts, and duly sanction defaulters.
- Regularly maintain vehicles and use manufacturer approved parts to minimize potentially serious accidents caused by equipment malfunction or premature failure.

*Where the project may contribute to significant changes in traffic along existing roads the Contractor shall:*

---

- Commence activities that affect public motorways and highways, only after all traffic safety measures necessitated by the activities are fully operational.
- Arrange diversions for providing alternative routes for transport and/or pedestrians.
- Minimize pedestrian interaction with construction vehicles, particularly at crossing points to schools, markets, and any animal crossing points of significance, through appropriate signage, engineered footpaths or traffic slowing devices.
- Organize meaningful road accident awareness events at all roadside schools and communities within 150 meters of the road centerline, covering safe road crossing, road accident hazards from weather conditions and vehicle roadworthiness, overloading and driver alertness, dangers posed by parked and broken-down vehicles, etc.
- Collaborate with local communities and responsible authorities to improve signage, visibility, and overall safety of roads, particularly along stretches located near schools or other locations where children may be present.
- Collaborate with local communities on education about traffic and pedestrian safety (e.g., school education campaigns).
- Coordinate with emergency responders to ensure that appropriate first aid is provided to all affected persons in the event of accidents.
- Use locally sourced materials, whenever possible, to minimize transport distances, and locate associated facilities such as worker camps close to project sites.
- Employ safe traffic control measures, including road signs, traffic cones, removable barriers, and flag persons to warn of dangerous conditions.

## Chance Find Procedure<sup>13</sup>

*The Contractor shall:*

- Develop and adopt a Chance Find Procedure that outlines the actions to be taken if previously unknown cultural heritage is encountered, including:
  - determine whether cultural heritage is expected to be found, either during construction or operations
  - train construction crews and supervisors to spot potential archaeological finds.
  - keep records and ensure expert verification.
  - provide chain of custody instructions for movable finds
  - notify the Department of Archaeology at the Ministry of Culture or a local university, for quick assessment and action.
  - define clear criteria for potential temporary work stoppages required for rapid disposition of issues related to the finds.
- Avoid indirect damage to existing cultural heritage, such as affecting masonry through vibration.

## Emergency Preparedness and Response

*The Contractor shall:*

- Establish and maintain an emergency preparedness and response system, in collaboration with appropriate and relevant third parties including to cover: (i) the contingencies that could affect personnel and facilities of the project to be financed; (ii) the need to protect the health and safety of project workers; (iii) the need to protect the health and safety of the Affected Communities. The emergency preparedness and response system shall include:
  - Identification of the emergency scenarios
  - Specific emergency response procedures
  - Training of emergency response teams
  - Emergency contacts and communication systems/protocols (including communication with Affected Communities when necessary)
  - Procedures for interaction with government authorities (emergency, health, environmental authorities)
  - Permanently stationed emergency equipment and facilities (e.g., first aid stations, firefighting equipment, spill response equipment, personal protection equipment for the emergency response teams)
  - Protocols for the use of the emergency equipment and facilities
  - Clear identification of evacuation routes and muster points
  - Emergency drills and their periodicity based on assigned emergency levels or tiers.
  - Decontamination procedures and means to proceed with urgent remedial measures to contain, limit and reduce pollution within the physical boundaries of the project property and assets to the extent possible.

## Stakeholder Engagement

*As part of the overall Project Stakeholder Engagement<sup>14</sup>, the Contractor will undertake a process of stakeholder engagement with representative persons and communities directly affected by the activities it undertakes, including, if necessary, the public disclosure of its C-ESMP. The Contractor*

---

<sup>13</sup> Particular care must be taken when opening or operating quarries

<sup>14</sup> The overall process of stakeholder engagement is described in the Project Stakeholder Engagement Plan (SEP)

*shall also maintain throughout the Project good relations with local communities and will give these communities prior notice of plans and schedules as they might affect local people.*

*The stakeholder engagement process will also be applicable in the event of land acquisition associated with changes in the footprint of activities.*

---

## **Labor Force Management**

### **Labor Influx**

*The Contractor shall:*

- Establish worker camps when accommodation supply is insufficient for workers, including subcontractors and associated support staff.
- Locate worker camps away from environmentally sensitive areas.
- Build additional/separate roads to project and workers' camp sites.
- Organize the commute from camp to project to reduce traffic.
- Ensure workers' camp and associated facilities are connected to a septic tank or other wastewater systems that are appropriate and of sufficient capacity for the number of workers and local conditions.
- Avoid contamination of fresh water sources
- Provide opportunities for workers to regularly return to their families.
- Provide opportunities for workers to take advantage of entertainment opportunities away from rural host communities.
- Ensure that children and minors are not employed directly or indirectly on the project and keep registration and proof of age for all employees on-site.
- Pay adequate salaries for workers to reduce incentive for theft.
- Pay salaries into workers' bank accounts rather than in cash.
- Get an appropriate mix of locally and non- locally procured goods to allow local project benefits while reducing risk of crowding out of and price hikes for local consumers.
- Create supervised leisure areas in workers' camp.
- Establish substance abuse prevention and management programs.
- Hire workers through recruitment offices and avoid hiring "at the gate" to discourage spontaneous influx of job seekers.
- Identify authorized water supply source and prohibiting use from other community sources.
- Separate service providers for community and workers' camp/construction site.
- Put in place measures to reduce water and electricity consumption.
- Employ locals to the extent possible.
- Develop and adopt a Gender Action Plan to promote the transfer of construction skills to local women, to facilitate their employment at the Project site, including training and recruitment targets.

### **Labor Conditions**

*The Contractor shall:*

- Implement the measures and commitments defined in the Project Labor Management Procedures.
- Provide all workers with terms and conditions that comply with Yemeni Labor Legislation, most particularly Decree 5/1995) and applicable International Labor Organization conventions on workplace conditions.
- Put in place workplace processes for project workers to report work situations that they believe are not safe or healthy, and to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to their life or

health. Project workers who remove themselves from such situations will not be required to return to work until necessary remedial action to correct the situation has been taken. Project workers will not be retaliated against or otherwise subject to reprisal or negative action for such reporting or removal.

- Avoid all forms of forced or compulsory labor, i.e., all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily.

## Insurance

*The Contractor shall:*

---

- Protect the health of workers involved in onsite activities, as indicated in Chapter X of Yemen's Labor Code
- Compensate any employee for death or injury.

## Grievance Mechanism for Workers

*The Contractor shall put in place a Grievance Mechanism for its workers and the workers of its subcontractors that is proportionate to its workforce. The GM for workers shall be distinct from the Project level Grievance Mechanism described in the Project Stakeholder Engagement Plan (SEP) for affected individuals and communities, and shall adhere to the following principles:*

---

- Provision of information. All workers should be informed about the grievance mechanism at the time they are hired, and details about how it operates should be easily available, for example, included in worker documentation or on notice boards.
- Transparency of the process. Workers must know to whom they can turn in the event of a grievance and the support and sources of advice that are available to them. All line and senior managers must be familiar with their organization's grievance procedure.
- Keeping it up to date. The process should be regularly reviewed and kept up to date, for example, by referencing any new statutory guidelines, changes in contracts or representation.
- Confidentiality. The process should ensure that a complaint is dealt with confidentially. While procedures may specify that complaints should first be made to the workers' line manager, there should also be the option of raising a grievance first with an alternative manager, for example, a human resource (personnel) manager.
- Non-retribution. Procedures should guarantee that any worker raising a complaint will not be subject to any reprisal.
- Reasonable timescales. Procedures should allow for time to investigate grievances fully but should aim for swift resolutions. The longer a grievance is allowed to continue, the harder it can be for both sides to get back to normal afterwards. Time limits should be set for each stage of the process, for example, a maximum time between a grievance being raised and the setting up of a meeting to investigate it.
- Right of appeal. A worker should have the right to appeal to the KfW or national courts if he or she is not happy with the initial finding.
- Right to be accompanied. In any meetings or hearings, the worker should have the right to be accompanied by a colleague, friend, or union representative.
- Keeping records. Written records should be kept at all stages. The initial complaint should be in writing, if possible, along with the response, notes of any meetings and the findings and the reasons for the findings. Any records on SEA shall be registered separately and under the strictest confidentiality.
- Relationship with collective agreements. Grievance procedures should be consistent with any collective agreements.
- Relationship with regulation. Grievance processes should be compliant with the national employment code.

## Protection from Sexual Exploitation and Abuse

*The Contractor shall:*

---

- Provide repeated training and awareness raising to the workforce about refraining from unacceptable conduct toward local community members, specifically women.
- Inform workers about national laws that make sexual harassment and gender-based violence a punishable offence which is prosecuted.
- Prohibit its employees from exchanging any money, goods, services, or other things of value, for sexual favors or activities, or from engaging any sexual activities that are exploitative or degrading to any person.
- Develop a system to capture gender-based violence, sexual exploitation, and workplace sexual harassment related complaints/issues.
- Adopt a policy to cooperate with law enforcement agencies in investigating complaints about gender-based violence.

## Protection from Child Labor

*The Contractor shall:*

---

- Verify that workers are older than 18 when hiring.
- Exclude all persons under the age of 18.
- Review and retain copies of verifiable documentation concerning the age of workers.

## Contractor Environmental and Social Reporting

*The Contractor shall report major work-related incidents, accidents, or loss of life to UNDP or the relevant Implementing Partner **within 24 hours** of their occurrence.*

*The Contractor shall monitor, keep records and report on the following environmental and social issues:*

---

- *Safety:* hours worked, lost time injury (LTI), lost workdays, recordable incidents, and corresponding Root Cause Analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (for example, revised job safety analysis, new or different equipment, skills training, and so forth).
- *Environmental incidents and near misses:* environmental incidents and high potential near misses and how they have been addressed, what is outstanding, and lessons learned.
- *Major works:* those undertaken and completed, progress against project schedule, and key work fronts (work areas).
- *ESHS requirements:* noncompliance incidents with permits and national law (legal noncompliance), project commitments, or other ESHS requirements.
- *ESHS inspections and audits:* by the Contractor, UNDP and its Implementing Partners, or others—to include date, inspector or auditor name, sites visited, and records reviewed, major findings, and actions taken.
- *Workers:* list of workers at each site, confirmation of ESHS training, indication of origin (expatriate, local, nonlocal nationals), gender, age with evidence that no child labor is involved, and skill level (unskilled, skilled, supervisory, professional, management).
- *Training on ESHS issues:* including dates, number of trainees, and topics.
- *Footprint management:* details of any work outside boundaries or major off-site impacts caused by ongoing construction—to include date, location, impacts, and actions taken.
- *External stakeholder engagement:* highlights, including formal and informal meetings, and information disclosure and dissemination—to include a breakdown of women and men consulted and themes coming from various stakeholder groups, including vulnerable groups (e.g., disabled, elderly, children, etc.).

- *Details of any security risks:* details of risks the Contractor may be exposed to while performing its work—the threats may come from third parties external to the project.
- *Worker grievances:* details including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up yet to be taken grievances listed should include those received since the preceding report and those that were unresolved at the time of that report.
- *External stakeholder grievances:* grievance and date submitted, action(s) taken and date(s), resolution (if any) and date, and follow-up yet to be taken grievances listed should include those received since the preceding report and those that were unresolved at the time of that report. Grievance data should be gender disaggregated.
- Major changes to Contractors environmental and social practices.
- *Deficiency and performance management:* actions taken in response to previous notices of deficiency or observations regarding ESHS performance and/or plans for actions to be taken should continue to be reported to UNDP until it determines the issue is resolved satisfactorily.