

Sint Maarten
Improving Mental Health Services in Sint Maarten Project

DRAFT
Environmental and Social Management Plan (ESMP)

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Abbreviations and Acronyms

AIDS	Acquired Immune Deficiency Syndrome
C-ESMP	Contractor's – Environmental and Social Management Plan
CoC	Code of Conduct
DOC	Department of Culture
ES	Environmental and Social
EHSG	Environmental Health and Safety Guidelines
ESCP	Environmental and Social Commitment Plan
ESHS	Environmental, Social, Health and Safety
ESS	Environmental and Social Standards
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
GBV	Gender Based Violence
GDP	Gross Domestic Product
GoSM	Government of Sint Maarten
GP	General Practitioner
GRM	Grievance Redress Mechanism
HIV	Human Immunodeficiency Virus
LMP	Labour Management Procedures
MECYS	Ministry of Education, Culture, Youth and Sport
MHF	Mental Health Foundation
MoGA	Ministry of General Affairs
MOJCS	Ministry of Justice
MSIP	Management Strategies and Implementation Plan
NRPB	National Recovery Program Bureau
NRRP	National Recovery and Resilience Plan
OHS	Occupational Health and Safety
PIU	Project Implementation Unit
PMT	Project Management Team
SDG	Sustainable Development Goals
SEA	Sexual Abuse and Exploitation
SEP	Stakeholders Engagement Plan
SH	Sexual Harassment
SIMARC	Sint Maarten Archaeological Center
SXM	Sint Maarten
VROMI	<i>het ministerie van Volkshuisvesting, Ruimtelijke Ordening, Milieu en Infrastructuur</i> Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure
VSA	het ministerie van Volksgezondheid, Sociale Ontwikkeling en Arbeid Ministry of Public Health, Social Development and Labour

1 Executive Summary

This Environmental and Social Management Plan (ESMP) was drafted to manage the Environmental and Social risks and impacts which may arise from the implementation of the “Improving Mental Health Services in Sint Maarten” Project, and ensuring that the activities to be developed are in line with the local legal framework and the relevant World Bank’s Environmental and Social Standards (ESS).

The “Improving Mental Health Services in Sint Maarten” Project aims to improve and increase the mental health services of Sint Maarten, which were deteriorated from Hurricanes Irma and Maria in 2017 and COVID pandemic, while experiencing an increased demand. The project is co-funded by the Sint Maarten Recovery and Reconstruction Trust Fund and private investors (loan guaranteed by SZV). The Trust Fund is financed by the Government of the Netherlands and administered through a tripartite partnership of the Sint Maarten and the Netherlands governments, and the World Bank.

The project will consist of three components:

(a) Component 1: Supporting the strengthening of the national mental health system.

This component would finance technical assistance, training, goods and operational costs to: (i) provide training related to mental health governance to the Ministry of VSA; (ii) explore supporting changes to legislation and financing mechanisms (within the boundaries of the national legislative context and guided by government needs for support) to address gaps in mental health service delivery, including substance abuse treatment gaps; (iii) build and operationalize institutional arrangements for the national mental health promotion and prevention program; and (iv) strengthening treatment protocols, referral protocols, and mental health expertise within the mental health care chain, as needed.

(b) Component 2: Supporting the construction of a new MHF facility;

This component would finance civil works, technical assistance, goods, and other related activities to build and equip the new MHF facility to provide mental health services, including a day-care treatment facility, crisis intervention rooms, office space, and out/inpatient treatment facilities on a land recently acquired by MHF. Improving service capacity would include expanding the physical infrastructure of MHF to accommodate and expand capacity of existing services. The exact design will be determined in phases during implementation (using a two-phased design approach). The first phase of the design will be based on the capacity needs assessment that is being carried out by VSA during Project preparation. The second phase, if required, will be determined based on the outcome of the cost-benefit analyses under component 1.

© Component 3: Project management, monitoring, and evaluation.

This component would finance the related administrative expenditures for project management to be carried out by the NRPB and led by a Project Manager, including the needed expertise in contract management, procurement, financial management, environmental and social standards, other technical matters, and monitoring and evaluation, including project audits.

The new mental health facility will be located in the neighborhood of St. John's, which is a mixed use residential/social/commercial neighborhood within the Cul de Sac district. The Cul de Sac district is mainly a residential area, known as the school center of Sint Maarten.

The actual plot is located inside a mixed-use area, 2.5km away from Philipsburg, along LB Scott Road, which is the main road. There are no residential or business properties located along the east side of the vacant project site, which runs parallel to the LB Scott Road. An apartment building is located on the far south side corner of the plot, with the MAC Browlia F. Maillard Campus adjacent to it. Two similar key service providers are situated in the residential area of St John. These are the White and Yellow Cross Care Foundation (WYCCF) and the Ujima Foundation. The Mental Health Foundation provides mental health services to both entities.

The WYCCF is a not-for-profit non-governmental organization which provides a combination of health care services to clients in various categories to a diversity of target groups. This includes the elderly, disabled and those who need chronic care.

UJIMA is a partially government-subsidised "residential, therapeutic facility for boys". The facility offers a 24 hour residential therapeutic program for "at risk" young males who have been diagnosed with an emotional or behavioral disorder. In addition, it offers an After-school Day Treatment Program for boys who are not enrolled in the Residential program.

The new building will be constructed on flat, undeveloped, uninhabited land with a total size area of approximately 6000m² with access to water, electricity, and sewer lines. The draft zoning demarcation for the site shows that the intended planned use is "Central", with 12m maximum height and 50% maximum building density permitted. The plot is located in a flood prone area. There are rainwater drain gutters at the eastern and southern boundaries and a total of 5 mid-sized trees growing on the property. Additionally, there are two monuments located in proximity with the development plot, the Emilio Wilson Estate and Mary's Fancy Plantation.

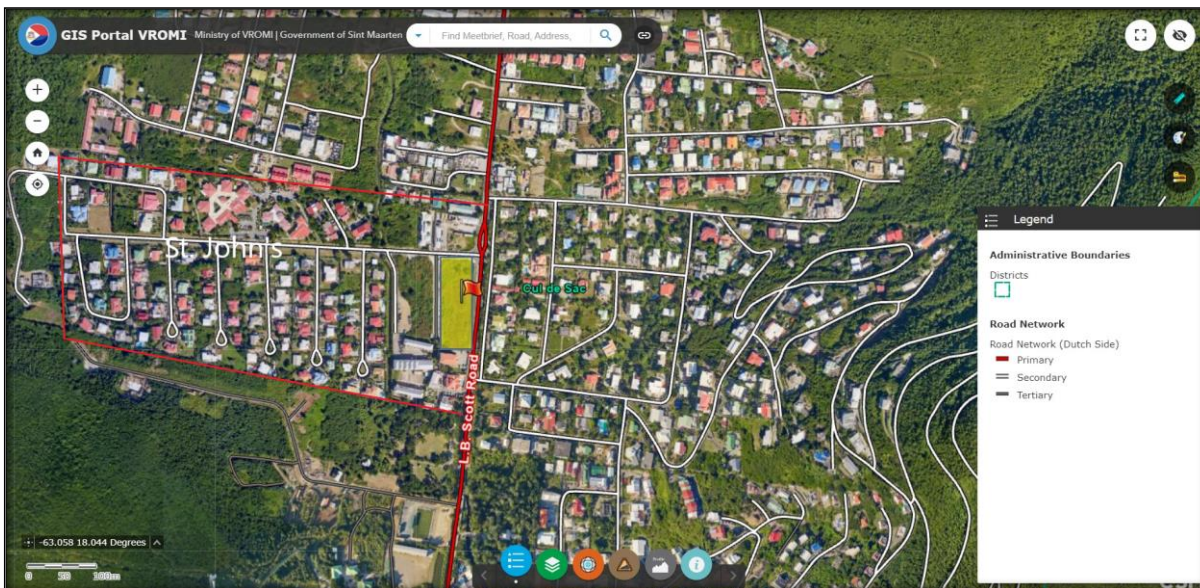


Figure 1: Overview of development plot, within the St. John's neighborhood of Cul de Sac district

The project Component 2 activities' potential adverse risks and impacts on the environment during implementation phase will be temporary in nature and mainly localized around the project area of works. The environmental impact is classified as

Moderate and is mainly related to air emissions from vehicles, dust generation from earth works, construction waste collection and disposal, wastewater collection and disposal, hazardous materials accidental spillage, stormwater runoff and noise pollution from construction activities that will potentially occur during works in the urban area where the facility will be located. During operation phase, main environmental impact pertains to sewage disposal, energy and water consumption and solid waste disposal.

Occupational Health and Safety (OHS) risks associated with construction of the new facility might also be considerable. Those risks are mainly associated with falling from a height, electricity shock and caught-in/between accidents. Other health/safety factors may include dust breathing, contact with chemicals, noise, falling objects, etc.

The Environmental and Social risks of Components 1 & 3 are considered low and moderate accordingly, based on the E&S screening carried out.

Overall, the Social impact will be positive since the Project will result in mental health capacity increase, better services and better facilities. The foreseen social risks are mostly related to the acceptance of the new facility from surrounding communities and accessibility of patients to the new services. Linked to this risk is the lack of information and awareness of mental health matters and the associated stigma and discrimination. Additional social risks are around OHS, work disagreements, Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH), labour issues and poor working conditions (example lack of personal protective equipment (PPE) and workers' exposure to work hazards).

There are clinical risks which are related to the potentially increased vulnerability of mental health patients occurring during the operation of the facility. This may include sexual vulnerability.

Community health and safety risks are also related to these construction activities, which may cause a temporary nuisance to nearby communities and facilities, due to noise, dust and traffic interference. Main concern is on the adjacent MAC Browlia F. Maillard Campus and the avoidance of disruption of classes. During the operation phase, there are community safety risks related to hurricane and seismic resilience, fire risks and universal accessibility.

Component 3, Project Management, would have the same risks as with the other projects comprising the NRPB portfolio. Some of which include possible delays of project approval or implementation phase, budget overrun, attracting specialized consultants, coordination with VSA & MHF and local community pushback on the new facility.

Table 1 below summarizes the Environmental and Social risks and impacts of the project, along with the proposed mitigation measures for minimizing any adverse effects. More detailed information can be found under Chapter 6.

Table 1: Summary of Potential E&S impacts and mitigation measures

Potential Impact	Mitigation Measures
Physical changes in the area: <i>New facility will be built in a vacant plot altering the current physical appearance</i>	<ul style="list-style-type: none"> -Building will be in an urban appropriate area -Architectural design will consider aesthetics and integration -Size according to building permits and zoning plan
Use of natural resources : <i>Energy & water usage during operational phase of buildings.</i>	Sustainability interventions will be designed and implemented in new buildings

Potential Impact	Mitigation Measures
Solid waste: <i>Waste will be produced in the construction stage from excavation and construction materials</i>	Solid waste will be collected and separated on site and transported to the MSWS, where some components can be reused or recycled, and others can be disposed of. A Solid Waste Management Plan will be part of the Contractor's Environmental and Social Management Plan (-ESMP).
Solid waste: <i>Waste will be produced during operation.</i>	This is mainly municipal type solid waste that will be collected and disposed as regular waste. Medical waste quantity is very minimal, but a plan will be developed for appropriate disposal.
Air emissions: <i>Dust emission from demolition and construction works. Exhaust emissions from vehicles and machinery.</i>	Dust suppression and equipment regular maintenance provisions will be included in the C-ESMP.
Pollution: <i>Spills of fuels, engine oils, thinners or paints may be released during construction. Soil might be treated for termites.</i>	Secondary containments, spill absorbents and other measures shall be part of the C-ESMP. Banned or highly toxic pesticides will not be used.
Wastewater: <i>Wastewater produced from construction workers</i>	Contractor will be responsible for placing lavatory facilities, collecting and disposing wastewater. Details will be in the C-ESMP.
Wastewater: <i>Wastewater produced from users of the facilities. There is potential of improvement compared to previous status.</i>	New building will be connected to the sewage network.
Noise: <i>Noise and vibration levels will increase during construction activities. The nearby school may be impacted.</i>	Noise levels will be monitored and controlled (noise barriers, respect rest hours, speed limits, etc.). Details will be in the C-ESMP.
Occupational Health & Safety: <i>Construction activities are associated with workers Health and Safety concerns.</i>	Health and Safety planning is an integral part of any construction activity and shall be addressed extensively in the C-ESMP. A Job Safety/Hazard Analysis shall also be prepared. PPEs will be provided to all workers. Scaffolds and harnesses will be sound and safe. Training will be provided to workers. Sanitation facilities will be provided. Compliance will be ensured by Contractor's and Supervisor's Environmental, Social, Health and Safety (ESHS) expert.
Community Health & Safety: <i>There might be an impact on the immediate community and commuters from additional noise, dust and traffic.</i>	Mitigation measures will be in place to deal with noise, dust, road safety and other possible risks and impacts, which are summarized in this table.
Cumulative impacts: <i>Multiple reconstruction and repair activities from NRPB and private owners may cumulate.</i>	Short term cumulative impact is possible. Consultation with affected communities shall address concerns and manage complaints.
Cultural resources: <i>There are actual remnants on the site of a structure, of which the use and historic value needed to be determined, and a small section of historic rock wall. Those features might be affected by the project.</i>	A Cultural Heritage Assessment was carried out to provide more information about the historic value and impact. The assessment concluded that those structures have been severely and/or completely damaged and as such would have minimal potential for preservation and are not suitable for potential restoration.
Ecology and water resources: <i>Minimum impact is expected other than potential silt and hazardous materials runoff .</i>	Mitigation measures already described regarding hazardous waste, noise, air and pollution will address any potential impact. Silt runoff measures will be included in the C-ESMP.
Universal access: <i>People with disabilities may not have full access to the new facility</i>	The design of the new buildings is anticipated to provide accessibility to people with disabilities. Universal accessibility provision will be included in the new buildings design.

Potential Impact	Mitigation Measures
Access to mental health services:	There may be individuals with other needs, in addition to mental health needs, including physical disabilities, which may not be adequately provided for in the new facility.
Life & Fire Safety: <i>Fire related risks for facility patients and staff</i>	The design of the new building should incorporate all local building codes, fire department regulations and in accordance with an internationally accepted Life & Fire Safety standard. A suitable qualified L&FS professional should audit and certify the Life & Fire Safety design.
Facility Maintenance. If left unattended the facility will deteriorate over time.	To ensure the maximum life expectancy of the new building, a maintenance plan shall be prepared and implemented.
Climate adaptation: Hurricane and seismic protection <i>for facility patients and staff</i>	<ul style="list-style-type: none"> -Hurricane (and seismic) resilience will be considered and included in the design of the new building. -Flood protection will be considered in the design. -Hurricane, Fire and Earthquake preparation plans will be required from Contractors.
Traffic: <i>Traffic disturbance may be caused by the works. Road closure not anticipated.</i>	Notifications will be given in advance and traffic control measures will be in place, with special considerations for the adjacent school. A Traffic Management Plan shall be part of the C-ESMP.
Sensitive Receptors: <i>Sensitive receptors (school, care facility) are in proximity with works sites and may be impacted by nuisance.</i>	The effect shall be managed through measures (regarding noise, dust, traffic minimization) already described and will be further detailed as part of the C-ESMP.
Employment and/or Income Opportunities: <i>Construction works generally increase employment and income opportunities through job openings and construction materials selling.</i>	The positive impact will be spread in the community since most of the workforce will be locally hired.
Labor and Working Conditions. Child work, fair payments and insurance need to be safeguarded.	The NRPB will develop, disclose and implement Labor Management Procedures (LMP) applicable to the project. The LMP will include a Grievance mechanism for workers to resolve complaints.
Covid-19, HIV/AIDS. <i>People traveling from abroad, close contact in enclosed spaces and inadequate protection measures may lead to Covid-19 spread.</i>	<ul style="list-style-type: none"> -Comply to country protocols -Comply to WHO protocols -Contractors to prepare and implement as needed Covid-19 plans.
SEA/SH, Substances, Criminality, Improper behavior. <i>Gender and sexual harassment or improper behaviour is a possibility on/around construction sites.</i>	<ul style="list-style-type: none"> -Sensitization training will be provided by Contractors. -Code of Conduct shall be signed by all workers before starting works. -Contractors will have in place a GRM for workers -NRPB has in place a GRM for all stakeholders.
Induced Disagreement: <i>Introducing a mental health facility may result in disagreement coming from local community.</i>	Stakeholders' consultations and awareness campaigns will be held periodically during project preparation and implementation as a component of the Stakeholder Engagement Plan (SEP) to address matters.
Contractor's ESHS Compliance: <i>There is a risk that civil works contractors may not fully comply with the ESHS requirements of the project.</i>	<ul style="list-style-type: none"> -Contractors will need to engage experienced and qualified ESHS personnel. -C-ESMPs will be prepared by contractor and approved by NRPB -A Supervisor will be engaged for monitoring performance and compliance -Contractor will be preparing monthly reports -Contractor will be reporting incidents/accidents
Stakeholder Engagement: <i>Inadequate stakeholder engagement and information disclosure may</i>	<ul style="list-style-type: none"> - NRPB has developed a draft SEP. - NRPB will consult and update the draft SEP and, once cleared, it will implement the SEP during project implementation.

Potential Impact	Mitigation Measures
<i>hinder successful project design and implementation.</i>	<ul style="list-style-type: none"> - Environmental and Social risk management documents will be publicly disclosed - A GRM is in place for resolving complaints - There are several assessments carried out which seek for stakeholders' feedback
Project Management: <i>Project preparation and implementation may be hindered by lack of capacity, delays and budget restrictions.</i>	<ul style="list-style-type: none"> -The project is supported by Government -VSA has an active role preparing and implementing the project -Supervisor will be engaged for managing the civil works implementation.

2 Purpose and Contents of the Environmental and Social Management Plan

This **Environmental and Social Management Plan (ESMP)** is intended to be a practical tool during project design, monitoring and implementation and describes the steps involved in identifying and mitigating potential negative environmental and social impacts induced by the Project. The ESMP includes a detailed screening of the risks and impacts of the project's different components, the mitigation measures to avoid or minimize any negative impact, the relevant World Bank's ESSs, and the budgeting for the costs of the proposed measures, which are presented in Section 6.

2.1 Contents of the ESMP

This ESMP consists of the following sections:

- Section 1: Executive Summary
- Section 2: Purpose and Contents of the ESMP.
- Section 3: Project Description. This section describes the activities carried out under the “Improving Mental Health Services in Sint Maarten” Project (MHP), background and cost.
- Section 4: Legal and Policy Framework. This section explains the relevant ESSs and national legislation applicable to the project.
- Section 5: Baseline Environmental and Social Conditions. This section describes the existing environmental and social conditions of the project area.
- Section 6: Environmental and Social Risks and Mitigation Measures. This section describes the environmental and social setting of the project area and potential environmental and social impacts and risks associated with the project activities. It also describes proposed detailed management plans, mitigation measures to address these impacts and risks and a monitoring plan.
- Section 7: Implementation Schedule for Environmental and Social Risk Management Instruments
- Section 8: Project Institutional Arrangements and Capacity. This section describes the institutional arrangements for implementation of the project and the ESMP.
- Section 9: Annexes.

3 Project Description

Project Title: Improving the Mental Health Services in Sint Maarten Project (also referred to as the Mental Health Project or MHP)

The “Improving Mental Health Services in Sint Maarten” Project will improve and increase the capacity of mental health services in Sint Maarten, according to Sint Maarten’s 2018 National Recovery and Resilience Plan (NRRP), which lays out priorities and a roadmap for Sint Maarten’s recovery, reconstruction, and resilience following Hurricane Irma generally, and consistent with the key pillars of the “Strategic Framework 2019-2025: Sint Maarten Reconstruction, Recovery and Resilience Trust Fund.

The project will consist of three components:

- (1) Supporting the strengthening of the national mental health system.
- (2) Supporting the construction of a new MHF facility.
- (3) Project management, monitoring and evaluation.

3.1 Background of the Project

3.1.1 Mental Health Foundation (MHF)

In 2000, the Mental Health Foundation (MHF), subsidized by the Government, initiated outpatient and in 2006, inpatient treatment of mental disorders in Sint Maarten. Prior to that, no psychiatric care was available on Sint Maarten, and patients suffering from mental disorders were being referred to the sister island of Curacao.

After Hurricane Irma, post hurricane health impacts, including psychosocial care, were highlighted as critical needs by the Sint Maarten National Recovery and Resilience Plan. The NRRP emphasized the need to improve access to quality mental health services.

The current MHF capacity does not meet increased demand. The MHF operates in a facility located at the Cay Hill area, which they bought and partially renovated in 2010. The facility has weathered several hurricanes, is in rather dilapidated condition, many walls are cracked, and part of the building is sinking. More importantly, the demand for services has long surpassed the physical capacity of the facility and personnel is overstretched, thus limiting the access to and quality of mental health care. After the Island was hit by hurricane Irma in 2017, MHF experienced an increase in patient care requests and most notably for patients in need for urgent/inpatient care. These requests notably have increased further during the COVID-19 pandemic. Loss of jobs and overall prolonged uncertainty have significantly increased the demand for mental health care, presenting a challenge upon the MHF to keep up with growing needs of patients and their support environment. The current capacity of day care stands approximately between 20-30 clients, while the MHF indicated that the demand is higher than this number, leaving patients in need without access to care. Also, the MHF lacks specific profiles of staff to provide adequate and more efficient care.

Continuous education and professional advancement of MHF staff presents a challenge, due in some measure to the limited training options available on-island and to the overwhelming workload of staff, preventing absences for training, in-country or abroad. Furthermore, strengthening the care chain via training, development of protocols and improving the referral systems and expanding professional expertise in the care chain could substantially strengthen the role of key service providers, such as general practitioners in mental health care service delivery with beneficial outcomes for patients and mental health care service providers. Early detection, prevention, promotion, and awareness activities will sensitize the community.

3.1.2 Trust Fund

Following the devastation caused by Hurricanes Irma and Maria, the Government of Sint Maarten (GoSM) prepared a consolidated National Recovery and Resilience Plan (NRRP) that prioritizes immediate, short, medium and long-term needs for the recovery, reconstruction and resilience of Sint Maarten. This Plan includes estimates of the financial requirements, costs and investments that are necessary to build Sint Maarten back better.

Since January 2018, the World Bank has been assisting the Government of Sint Maarten in the establishment and implementation of a recovery and reconstruction program to implement the NRRP. A significant component of this program is financed through a Trust Fund financed by the Netherlands, managed by the World Bank, and implemented by the Government of Sint Maarten.

In parallel to the establishment of the Trust Fund and the execution of the NRRP, the Government of Sint Maarten developed an institutional structure for the implementation of Trust Fund financed projects. This structure is materialized in the National Recovery Program Bureau (NRPB) which serves as the Project Implementation Unit (PIU) for Trust Fund projects for which the Government of Sint Maarten enters into a Grant Agreement. As such, the NRPB represents the Government of Sint Maarten vis-a-vis the World Bank in the implementation of Trust Fund financed projects.

Funds in the amount of US\$8 million were allocated for this proposed “Improving Mental Health Services in Sint Maarten” Project by the Trust Fund Steering Committee on July 14, 2021. Additional funding to cover the full cost of civil works for the new MHF building under Component 2 is being sought for an amount ranging between US\$7-11 million on top of the current allocation from the Grant.

3.2 Project Components

The Project will include three components:

Component 1: Supporting the strengthening of the national mental health system.

The activities of this component are:

- (i) Strengthening mental health governance capacity. This activity will leverage technical assistance to conduct a review of mental health policies and plans to identify any planning or policy gaps and to develop recommendations for addressing gaps. Additionally, this activity will involve the design/adaptation and implementation of training and/or continuous education courses, for VSA officials. Training for VSA officials will primarily focus on the design, implementation, and evaluation of mental health programs and policies with a focus on using a community-based approach. Training where appropriate and possible, would preferably utilize a train-the-trainer model of education to encourage continued use of materials and tools. The beneficiary for this activity will be

the Department of Public Health, VSA, with support from an external technical assistance (direct contract with a renowned institute is envisaged).

- (ii) Providing technical support for updating the mental health financing system and related legislation to address gaps in mental health service delivery. Based on guidance from the government, this activity will support a review of mental health-related legislation to identify the gaps in policy and legislation which may be hindering the delivery of optimal mental health care and provide support in developing and executing mental health legislative reform. This activity will also involve the provision of technical support to VSA for enhancement of capacity in financial analysis and planning for continuity and sustainable mental health services. This includes conducting a cost-benefit analysis based on the country's mental health strategic plan. Data is lacking on how to implement a sustainable holistic approach for mental health care service delivery (including substance abuse) and for the proposed way forward. The cost-benefit analysis will measure the costs and benefits of execution of existing mental health services, as well as potential new services and products. The outcome of these analyses will inform the government in mental health agenda setting in the medium to long term and legislative and policy reform. This sub-component would also support the establishment of sustainable payment mechanisms through SZV for mental health services. The beneficiary for this activity will be the Department of Public Health, VSA, with support from external technical assistance and the implementing agency will be NRPB.
- (iii) Prevention and mental health promotion activities. This activity will support the establishment of institutional arrangements for a multisectoral platform or working group under the Collective Prevention Services (CPS), to implement the national mental health promotion and prevention program. CPS is an executive entity under VSA that aims to promote public health and disseminate preventative information. Additionally, the activity will involve technical assistance to the multisectoral platform under the CPS for the development, implementation, and evaluation of a kick-off mental health promotion and prevention campaign. The platform's kick-off campaign can include elements aimed at promoting healthy lifestyles and preventing substance use disorders at the community level. Stakeholder consultations suggest that stigma against persons with mental illness exist in Sint Maarten. Such sentiment can serve as a barrier to seeking care and impede the realization of benefits from the improved quality and scope of mental health care. The aim is also to include education components to address myths and misconceptions associated with those with mental health disorders. The technical lead and beneficiary for this activity will be CPS, VSA, with support from external technical assistance.
- (iv) Strengthening treatment protocols, referral protocols, and mental health expertise within the mental health care chain, including but not limited to MHF, general practitioners (GPs), and the Ministry of Justice. This activity aims to improve the clinical decision-making process and quality standards of mental health care provided by organizations across the care continuum. This activity will involve an evaluation of existing treatment and referral protocols to identify areas for improvement in accordance with international standards. This evaluation will inform the revision of existing protocols and the development of new evidence-based protocols for MHF and other MH service providers. Technical assistance will then be provided to support the adoption of the new protocols and audit their implementation for potential adjustments, as may be needed. VSA will take a lead role in this process in collaboration with other key stakeholders (e.g., MHF, GPs and other mental health care providers). Additionally, this activity will involve training and education activities aimed at improving mental health expertise in organizations across the care continuum. This would involve the design and implementation of tailored baseline surveys for each target group (including but not limited to all relevant mental health service/care providers, GPs, and frontline workers) to identify areas for improvement in mental health expertise and knowledge. Baseline survey results will then inform the design/adaptation and implementation of training and continuous education courses specific to each target group. Trainings would amongst others utilize a train-the-trainer model if feasible to encourage continued use of materials and tools, where appropriate. Of note, trainings for law enforcement officers will be aligned with the World Bank Staff Guidance Note on Criminal Justice Activities. The beneficiary for this activity will be the Department of Public Health, VSA, with support from external technical assistance and NRPB.

Component 2: Supporting the construction of a new MHF facility

This component would finance civil works, technical assistance, goods such as surveillance equipment (e.g., CCTV for crisis rooms), furniture, consultancies for the design and supervision of the new construction and other related activities to build and equip the new MHF facility to provide mental health services, including a day-care treatment facility, crisis intervention rooms, office space, and out/inpatient treatment facilities on a land recently acquired by MHF. Improving service capacity would include expanding the physical infrastructure of the MHF to accommodate and expand their capacity of existing services. The civil works will occur in St Johns Estate near the White and Yellow Cross Foundation. The land is in a different location to MHF's existing facility, and it is boarded by a gutter, a main road, a residential road, and a primary school. The new land has access to electricity, water, and main sewer lines. The building needs to be sustainable and will consider climate smart and maintenance low options, where appropriate and possible, such as the use of design elements to reduce storm water runoff during heavy rains, the creation of green spaces to reduce heat island effects, and energy-efficient ventilation, and air conditioning (HVAC) systems. The building will be accessible to the disabled and outfitted to function as a state-of-the-art mental health facility. The exact design will be determined in phases during implementation (using a two-phased design approach). To support the MHF in seeking co-financing from private investors and to accelerate Project implementation, the selection process and the hiring of the firm to prepare a preliminary technical design of the building could be launched at the earliest and any related payments to the firm could be subject to retroactive financing from the Grant once the disbursement condition of the category of expenditures financing Component 2 is lifted.

Component 3: Project management, monitoring, and evaluation

This component would finance the related administrative expenditures for project management to be carried out by the NRPB and led by a Project Manager, including the needed expertise in contract management, procurement, financial management, environmental and social standards, other technical matters, and monitoring and evaluation, including project audits.

4 Legal and Policy Framework

4.1 World Bank Environmental and Social Standards (ESSs)

The World Bank's Environmental and Social Framework (ESF) enables the World Bank and Borrowers to better manage environmental and social risks of projects and to improve development outcomes. It offers broad and systematic coverage of social and environmental risks. This is done through a set of ten (10) Environmental and Social Standards (ESSs) which set out the requirements that apply to Borrowers.

The ESSs set out the requirements for Borrowers relating to the identification and assessment of environmental and social risks and impacts associated with projects supported by the Bank through Investment Project Financing. The Bank believes that the application of these standards, by focusing on the identification and management of environmental and social risks, will support Borrowers in their goal to reduce poverty and increase prosperity in a sustainable manner for the benefit of the environment and their citizens.

The ten ESSs that establish the standards that the Borrower and the project will meet through the project life cycle, are as follows:

- ✓ ESS1: Assessment and Management of Environmental and Social Risks and Impacts
- ✓ ESS2: Labor and Working Conditions
- ✓ ESS3: Resource Efficiency and Pollution Prevention and Management

- ✓ ESS4: Community Health and Safety
- ✓ ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement
- ✓ ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources
- ✓ ESS7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities
- ✓ ESS8: Cultural Heritage
- ✓ ESS9: Financial Intermediaries
- ✓ ESS10: Stakeholder Engagement and Information Disclosure

The he following ESSs were established as relevant to the Project :

ESS 1: Assessment and Management of Environmental & Social Risks and Impacts

This standard sets out the Borrower's responsibilities for assessing, managing and monitoring environmental and social risks and impacts associated with each stage of a project supported by the Bank through Investment Project Financing (IPF), in order to achieve environmental and social outcomes consistent with the Environmental and Social Standards (ESSs).

ESS1 calls for environmental and social assessment of project related risks and impacts, these will be managed through this ESMP. The ESMP will be publicly disclosed and consulted with relevant stakeholders. An Environmental and Social Commitment Plan (ESCP) has been developed that sets out the material measures and action required to comply with the ESSs. Monitoring and regular reporting on the environmental and social performance of the project against the ESS's will be conducted. Contractors will need to prepare site specific C-ESMPs, engage qualified ESHS personnel and report regularly on compliance to the environmental and social risk management.

ESS 2: Labour and Working Conditions

ESS2 recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth.

ESS2 applies to all project workers, in this project workers are anticipated to be people employed/engaged directly by NRPB and, through third parties such as, consultants and contractor's workers. Labour Management Procedures (LMP) applicable to the project have been developed and will be publicly disclosed. The Project will not employ any workers under the age of 18. Contractors shall be requested to develop and operate their own labour GRM for workers complaints. Next to that, the NRPB's GRM also functions as the labour GRM and is open to receive worker complaints, who are direct workers or contracted workers, that might arise in the MHP. The arrangements for handling project-worker complaints are described in the LMP. The details of the Contractor's GRM will be made available to all workers and the NRPB's GRM for workers is available for all members of the public and for workers on NRPB's website.

ESS 3: Resource Efficiency and Pollution Prevention and Management

ESS3 recognizes that economic activity and urbanization often generate pollution to air, water, and land, and consume finite resources that may threaten people, ecosystem services and the environment at the local, regional, and global levels.

Resource efficiency is relevant to the project and energy efficiency interventions in buildings will be considered during the design, in close coordination with the Architect and MHF, depending also on the available funds. Emissions to air, wastewater discharges and noise levels will need to comply with World Bank EHS Guidelines. Excavation and construction waste will be properly disposed as needed.

ESS 4: Community Health and Safety

ESS4 addresses the health, safety, and security risks and impacts on project-affected communities and the corresponding responsibility of Borrowers to avoid or minimize such risks and impacts, with particular attention to people who, because of their particular circumstances, may be vulnerable.

ESS4 is relevant to the project, since construction works may impact the urban community where those sites are located, increasing traffic/congestion and road accidents risks, noise & vibration levels, covid-19 transmission, releasing dust to air and creating nuisance to sensitive receptors.

ESS 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

This standard is not relevant. No land acquisition and/or restrictions on land use and/or involuntary resettlement are expected under this project. The new construction will be done on a plot already owned by the Mental Health Foundation and which does not have any informal or formal occupants.

ESS 8: Cultural Heritage: This standard sets out measures designed to protect cultural heritage throughout the project life cycle. It recognizes that cultural heritage provides continuity in tangible and intangible forms between the past, present and future. People identify with cultural heritage as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions.

The development property used to be part of a plantation and is in proximity to other former plantations, which are now part of Sint Maarten's Cultural Heritage. There are actual remnants on the site of a structure and a small section of dry rock wall dating from the plantation era. A Cultural Heritage Assessment was carried out to determine the historic value of the site and propose appropriate measures to be implemented before commencement of works.

ESS 10: Stakeholder Engagement and Information Disclosure

ESS10 recognizes the importance of open and transparent engagement between the Borrower 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.

A draft Stakeholders Engagement Plan (SEP) has been developed for the project, that will be publicly disclosed and consulted upon, which includes a schedule for engagement with the stakeholders as plans for the new building and services are developed and finalized.

4.2 Sint Maarten National Regulations

Applicable Policies, Legislation and Regulations of the Government of Sint Maarten

Previously part of the Netherlands Antilles, Sint Maarten became an autonomous country within the Kingdom of the Netherlands on October 10, 2010. Sint Maarten has full autonomy for internal affairs, including environmental and labour legislation. The Dutch Government retains responsibility for defence and foreign affairs.

According to Article 22 of the 'Constitution of the Country of Sint Maarten,' it shall be a constant concern of the GoSM to keep the country habitable and to protect and improve the natural environment and the welfare of animals. Currently, the country has no comprehensive legislation related to environmental protection and no law for carrying out environmental impact assessment (EIA) for any development projects. Should the GoSM establish any relevant legislation or ordinances on environmental protection during the implementation of this Project, the Special Project's Management Team commits to, after consultation with World Bank, adhere to these policies. If new legislation leads to additional costs or impediments to carry out the Project, renegotiation will start with the World Bank.

The Government has some existing policies and regulations on the management of environmental and social issues. These regulations and their applicability to the Project, particularly as they apply to the World Bank's ESSs relevant to the project are summarised in Table 2 below, with a brief gap analysis.

Sint Maarten's national legislation also makes provision for the management and regulation of medical services on the island, which also includes mental health care. The relevant legislation/ordinances are as follows and can be found at the links provided:

- Country Ordinance containing rules for restricting the establishment of medical professionals
<https://lokaleregelgeving.overheid.nl/CVDR142328?&show-wti=true>
- Registering as a healthcare professional - to work as a healthcare professional in the Netherlands, you must have the right professional qualifications and register in the BIG register
<https://english.bigregister.nl/registration/>
- National Ordinance on the Supervision of the Insane
[NATIONAL ORDINANCE regulating the supervision of the insane | Local laws and regulations \(overheid.nl\)](#)

St. Maarten adopted its own Planning and Zoning Ordinance in 1993 (Eilandsverordening Ruimtelijke Ontwikkelingsplanning St. Maarten, "EROP") and it is updated in 2013 which is the **National Ordinance Spatial Development Planning** (AB 2013, GT no. 144).

National ordinance, concerning Building- and Public Housing a.k.a. **Building Ordinance** (AB 2013, GT no. 136). There are **two National Decrees** for execution of **Article 19** (AB 2013, GT no. 146) and **Article 43** (AB 2013, GT no. 401) of the Building Ordinance.

As per April 26, 2020 **Article 28a of the National Ordinance Spatial Development Planning (Lrop)** has recently come back into effect.

Article 28a. regulates the requirements for a civil works permit, which will allow the Minister to review certain planned works prior to approval. This will ensure that the works will not cause undesirable and irreversible damage to the environment and are executed with concern to the environment and that the works fit within the Government Spatial Development Vision.

In addition, the article allows the government to impose conditions on the execution of the works. Approval by the Minister would be required for the following works:

- The excavation, raising, leveling or explosion of land
- The construction of roads and other pavements
- Works and projects that impact the water management and the groundwater level
- The felling and clear-cutting of trees or other cultivation
- The demolition of structures
- The filling and/or dredging of water.

Table 2: Summary of Sint Maarten National Laws and Gaps with the World Bank's ESSs

General Environmental and Social Management Provisions	National Laws and Requirements	Gaps
ESS1: Environmental and Social Assessment.	<p>A number of national laws govern the environmental and social management (see legislation listed in the rest of the table below). Specific legislation may contain provisions based on which an environmental and/or social impact assessment may be required, such as in the event of a request to develop a specific area (art. 28, par. 4, of the National Ordinance Spatial Development Planning (17-04-2015, AB 2015, no.9).</p>	<p>There is not an adequate legal and regulatory framework to guide environmental and social impact assessments.</p> <p>There is a limited number of elements that meet environmental and social assessment good practice.</p>
ESS2: Labour and Working Conditions	<p>Labour Legislation of St Maarten</p> <p>National ordinance concerning safeguarding labor in enterprises a.k.a. Safety Ordinance (AB 2013, GT no. 438).</p> <p>Safety Decrees I-III (AB 2013 GT no. 348; no. 280; no. 350)</p> <p>A National HIV and AIDS Workplace Policy (2012)</p> <p>Country Ordinance containing rules for restricting the establishment of medical professionals https://lokaleregelgeving.overheid.nl/CVDR142328?&show-wti=true</p> <p>Registering as a healthcare professional - to work as a healthcare professional in the Netherlands, you must have the right professional qualifications and register in the BIG register https://english.bigregister.nl/registration/</p> <p>National Ordinance on the Supervision of the Insane https://lokaleregelgeving.overheid.nl/CVDR142032</p>	<p>The current labour legislation covers the issues of minimum wages, employee dismissal, prohibition of child labor, occupational injury, holidays and special leaves etc; however, there is no specific section on vulnerable workers such as women, persons with disabilities, children of working age, migrant workers, contracted workers, and community workers.</p>
ESS3: Resource Efficiency and Pollution Prevention Management	<p>National Energy Policy (2014)</p> <p>The current Electricity Concessions Ordinance (AB 2013, GT no. 147) and the Electricity Concession of N.V. GEBE</p> <p>Waste Ordinance (AB 2013, GT no. 135).</p> <p>National Ordinance Wastewater (AB 2013, GT no. 142)</p> <p>The National Ordinance for Nature Protection and Management (AB 2013, GT no. 809)</p> <p>The National Ordinance for the Prevention of Pollution from Ships (AB 2013, GT No. 298)</p> <p>National Ordinance Clearance of Ships and Wrecks (AB 2013, GT no. 314)</p>	<p>Policies and ordinances are in place to promote sustainable water and energy use.</p> <p>There are gaps with regard to pollution emission and discharges standards.</p> <p>The current Waste Ordinance does not address management, storage and transport of hazardous materials, chemicals and pesticides.</p>

	<p>Environmental Norms for Air & Sound, Water & Wastewater, Waste</p> <p>Article 28 A (Lrop)</p>	
ESS4: Community Health and Safety	<p>Hindrance Ordinance and derivative regulations. (AB 2013 GT nr. 139 and AB 2013 GT nr. 140).</p> <p>National Ordinance Public Health (AB 2018, 20).</p> <p>National Decree of the Governor of Sint Maarten Concerning Public Health Rules National Decree on Public Health (AB 2017, GT No. 33).</p>	There are no current regulations that require facilities to inform adjacent communities of potential risks and hazards including hazardous wastes, traffic safety, impacts of labor influx and issues associated with security personnel.
ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources	<p>National ordinance, concerning management of nature and protection of the prevalent fauna and flora (AB 2013, GT no. 809).</p> <p>National Decree, entailing general measures, concerning management and protection of flora and fauna as well as nature parks (AB 2013, GT no. 143).</p> <p>There are two relevant island policies that are not covered by legislation; Beach Policy (Public notice August 1994). Hillside Policy (Public notice No. 986/98).</p> <p>Temporary Fishing Prohibition Cartilage Fish Decree (AB 2011, no. 35).</p> <p>Fisheries Land Decree (AB 2013, GT no. 405).</p> <p>Fisheries Products National Decree (AB 2013, GT no. 354).</p> <p>National Nature Conservation Ordinance – Ao2001, No. 41;</p> <p>Nature Conservation Ordinance St, Maarten- AB2003, No. 35</p> <p>St Maarten Proposed Land Parks Management Plan (2009);</p> <p>Sint Maarten Nature Policy has been drafted; but not yet finalized.</p>	<p>Measures to protect, conserve, maintain and restore natural habitats and biodiversity have been proposed; however, it has not been legalized.</p> <p>Although there are laws regarding development activities impacting critical habitats and biodiversity, degradation continues because of the lack of enforcement.</p> <p>There is not an adequate legal and regulatory framework to guide environmental and social impact assessments.</p> <p>There is a limited number of elements that meet environmental and social assessment good practice. Incorporating ecosystem services into national capital is not required under current legal mandates.</p>
ESS8: Cultural Heritage.	<p>The Philipsburg Declaration and Action Plan (2015)</p> <p>Integrated Cultural Policy Framework of St. Maarten (2007)</p> <p>National decree, entailing general measures of the execution of the Monuments ordinance (AB 2013, GT no. 50).</p> <p>National decree pertaining to the criteria for the designation and protection of monuments (AB 2013, GT no. 46).</p> <p>National decree monuments register (AB 2013, GT no. 49).</p> <p>National Ordinance laying down new rules regarding the foundations for the preservation of monuments (AB 2013, GT no. 336)</p> <p>National Ordinance laying down rules on the management of maritime areas in Sint Maarten (AB 2013, GT no. 851)</p> <p>National Decree on the design and working methods of the Monument Council (AB 2013, GT no. 47)</p>	<p>Comprehensive regulation addressing potential adverse impacts on cultural property requires additional formulation.</p> <p>Legal protection relating to commercial use of cultural heritage remains ambiguous.</p>

	<u>NATIONAL ORDINANCE containing rules with regard to the import and export of goods</u> (AB 2014, GT no. 6)	
ESS10: Stakeholder Engagement and Information Disclosure.	There is no national law or regulation.	There is no national law or regulation. Stakeholder engagement and information disclosure are designed at the project level in relation to project's stakeholders and their needs.

4.3 International Conventions and Guidelines

4.3.1 Convention Agreements

In case hazardous materials, or other relevant waste materials, need to be recycled or finally disposed off-island, then such activities, including transportation, will be completed in compliance with the relevant articles of the Conventions below, in case transportation happens to countries that have ratified them (Sint Maarten is not party to either of the Conventions). In addition, applicable local regulations shall be followed.

- Basel Convention <http://www.basel.int/>

The Basel Convention is a multilateral agreement governing all transboundary movements of hazardous waste for recovery or disposal. As of November 2020, 187 countries and the European Commission are parties to the Basel Convention (United States is not a party). Basel Convention was introduced to reduce the movements of hazardous waste between nations, and specifically to prevent transfer of hazardous waste from developed to less developed countries. In addition to conditions on the import and export of the above wastes, there are stringent requirements for notice, consent and tracking for movement of wastes across national boundaries.

- International Agreement on Transboundary Shipments of Waste (OECD)
[The OECD Control System for waste –recovery - OECD](#)

The Agreement applies to transboundary movements of waste destined for recovery operations between OECD Member countries. There are 37 OECD Member countries, including USA.

4.3.2 World Bank Group Environmental, Health and Safety (EHS) Guidelines

The World Bank Group Environmental, Health and Safety (EHS) guidelines are technical reference documents with general and industry specific examples of Good International Industry Practice (GIIP). EHS guidelines are applied as required by their respective policies and standards. The applicability of specific technical recommendations should be based on the professional opinion of qualified and experienced persons. When host country regulations differ from the levels and measures presented in the EHS Guidelines, Projects are expected to achieve whichever is more stringent. World Bank Group EHS guidelines are available at:

[https://www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/Sustainability-At-IFC/Policies-Standards/EHS-Guidelines.](https://www.ifc.org/wps/wcm/connect/Topics_Ext_Content/IFC_External_Corporate_Site/Sustainability-At-IFC/Policies-Standards/EHS-Guidelines)

4.3.3 Additional International Operational Guidance Applicable to this Project

- OSHA’s Occupational Safety and Health Standards 29 CFR 1910
[1910 | Occupational Safety and Health Administration \(osha.gov\)](#)
- OSHA’s Safety and Health Regulations for Construction 29 CFR 1926
[1926 | Occupational Safety and Health Administration \(osha.gov\)](#)
- World Bank’s Technical Note on “Public Consultations and Stakeholder engagement in World Bank supported operations when there are constraints on conducting public meetings”
[2020-10-01-11-04-717aa8e02835a7e778b2fff46f531a8c.pdf \(portal.gov.bd\)](#)

- St Maarten Covid-19 Health & Safety Updates
[Government of St. Maarten \(sintmaartengov.org\)](#)

- The World Health Organisation (WHO) Special Initiative for Mental Health (2019-2023): Universal Health Coverage for Mental Health

WHO works with Member States and partners to improve the mental health of individuals and society at large. This includes the promotion of mental well-being, the prevention of mental disorders, and efforts to increase access to quality mental health care that respects people’s human rights.

VISION: All people achieve the highest standard of mental health and well-being

“The WHO Special Initiative for Mental Health will advance mental health policies, advocacy and human rights, and scale up quality interventions and services for individuals with mental health conditions, including substance use and neurological disorders. For continued scale up and global learning, WHO will implement this work in 12 priority countries, working in partnership with Member States, local, and international partners, as well as organizations of people with lived experience.”¹

- United Nations Sustainable Development Goal #3: Good Health and Wellbeing²
Goal 3 Targets

3.4 By 2030, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being.

3.5 Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol.

¹ Accessible at: <https://apps.who.int/iris/bitstream/handle/10665/310981/WHO-MSD-19.1-eng.pdf?sequence=1&isAllowed=y>

² <https://www.un.org/sustainabledevelopment/health/>

5 Baseline Environmental and Social Conditions

5.1 Physiography

Sint Maarten is an island country in the Leeward Islands of the Caribbean. It is a constituent country of the Kingdom of the Netherlands. It encompasses the southern 40% of the Caribbean Island of Saint Martin, while the northern 60% of the island constitutes the French overseas territory of Saint Martin. Sint Maarten is centred on 18° 01'N Latitude and 63° 05' W Longitude. The island hinges between the Lesser and the Greater Antilles and lies between the Atlantic Ocean and the Caribbean Sea. Other neighbouring island territories include Saba, Sint Eustatius Anguilla, St. Kitts and Nevis and St. Barthélemy. The total land area of the entire island is 90 km² (15km long and 13 km wide at its widest point). The island features a series of jagged ranges of hills from north to south terminating at Pic Paradis, 424 m the highest point, on the French side of the island. The coastline is a series of beaches, coastal lagoons, rocky areas and mangroves, and the interior is characterized by many valleys, most of which are rather flat.

5.2 Climate

The climate of Sint Maarten is tropical with hot and sunny weather all year around. Daily average temperature ranges from 25 degrees Celsius (°C) in the period from January to March, to 28 °C between June and October. The night temperature rarely drops below 20 °C, while sometimes it can reach 35 to 37 °C during the day from June to November. Average annual rainfall is 1045 mm. In the period from June to November (but mostly from August to October), Sint Maarten can be hit by tropical depressions and hurricanes, as happens in general in the Caribbean.

5.3 Natural Hazards

Sint Maarten is highly vulnerable to natural disasters and adverse climatic events due to its location within the Atlantic hurricane zone. For the past decades, the country has been exposed to high winds, intense storms and numerous hurricanes including: Donna in 1960 (Category 3), Hugo 1989 (category 3-4), Luis in 1995 (Category 4), Lenny (1999) and Irma 2017 (Category 5 on Saffir-Simpson scale). Due to the size of the country, a single storm has the potential to impact the entire population directly. High winds, rainfall and flooding are the principal risk factors while the country is also vulnerable to earthquakes. Coastal areas are exposed to flood risk from storm surge and tsunamis. Increased urbanization along with climate change and limited country capacity to build with resilience adds to its vulnerability to natural hazards.

5.4 Biological Environment

The major part of Sint Maarten is covered with secondary vegetation derived from either seasonal formations or dry evergreen formations. Only on the top of the hills, some more or less original semievergreen seasonal forest is found. This type of forest has regionally become extremely rare too. Because of its small area, this forest formation is very vulnerable.

On the higher hills of the two ridges in the middle part of the island, and the hills of the eastern ridge, dense secondary woodland vegetation is growing, preventing erosion and with a high scenic value.

Along the coast and inland waterways remains of mangrove forests and other types of coastal vegetation survive, which are of high ecological value, and also have scenic value.

The fauna of St. Maarten is limited in species, not only because of St. Maarten's small size, but also because of habitat destruction, hunting and imported predators. Like the other Lesser Antilles, Saint Martin was never connected to a continent. Subsequently, it has a relatively low diversity of native fauna, particularly those that cannot fly. During the colonial period, most native habitats were destroyed for agriculture, including deforestation of the interior and the draining of mangrove wetlands. It is presumed that at least most of the current forests are secondary growth.

The introduction of non-native animals, both accidental (rats, mice) and deliberate (livestock, mongoose) has also been implicated in the destruction of habitat and the extinction of native species. More recently, development for tourism has resulted in further destruction and degradation of habitats such as the lagoon and the numerous salt ponds on the island.

Without peaks high enough to support a cloud forest, the highlands are primarily tropical deciduous forest, where many trees lose leaves during the dry season. Dry scrubland also makes up a good deal of the interior of the island, particularly in areas that are used as pasture for goats or cattle. There are numerous salt ponds on the island, and most are ringed with mangrove wetlands. While there are dry gulches that may fill temporarily after strong rains, there are no permanent rivers. Beaches and rocky shorelines ring the island, and in areas that are not developed, littoral (seaside) forest or scrub can be found. There is a large, enclosed lagoon in the southwest part of the island. In the seas surrounding the island, a mix of sand, seagrass beds and coral reefs can be found³.

5.5 Demography and Socio-economy

Sint Maarten is a constituent country of the Kingdom of the Netherlands in the Caribbean. It is the most densely populated country in the Caribbean with a population of over 50,000 in an area of 34 square km and a per capita Gross Domestic Product (GDP) of US\$25,381.

English is the widely spoken language though both Dutch and English are the official languages of the country. In addition to the registered inhabitants, there is a significant group of unregistered migrants, estimated to be between 10,000 and 15,000.

Tourism and tourism-related industry is the major source employment in the country. Only about 10 % of the land is considered suitable for domestic agricultural production, and over 90% of food products are imported. Nearly 30% of the male working population (45% for female workers) earn less than ANG 2,000 (USD 1,115) per month. Literacy rate in people over the age of 14 is 95.8%.

³ Source: The Incomplete guide to the Wildlife of Saint Martin

5.6 Site Specific Social and Environmental Baseline Conditions of Project’s Area of Impact

The location of the new mental health facility is in the neighbourhood of St. John’s which is a mixed residential/social/commercial neighbourhood within the Cul de Sac district. The actual plot is located inside a mixed-use area, 7 minutes or 2.5km away from Philipsburg. The Cul de Sac district is mainly a residential area, known as the school centre of Sint Maarten, with primary access to a single main road- the LB Scott Road, though the district is also accessible via a secondary road which runs through the neighbourhoods of Mary’s Fancy, Saunders through to South Reward.

The LB Scott Road has two lanes which provide access to the neighbourhoods of Mary’s Fancy, Saunders, Betty’s Estate, St John’s, Retreat Estate, St Peter’s, South Reward (including Weymouth Hill), Ebenezer. The main road and some secondary roads can become heavily congested during peak traffic hours. The project site is located next to public facilities, with supermarkets, other stores and bus stops in walking distance. It is adjacent to a primary school and is in the vicinity of a care facility for the elderly and the physically disabled - the White and Yellow Cross Care Foundation (WYCCF). Further down behind WYCCF is the Ujima Foundation located, which is a residential therapeutic facility for youth 8-13. The new building will be built on flat, undeveloped, uninhabited land with a total size area of approximately 6000m² with access to water, electricity, and sewer lines.

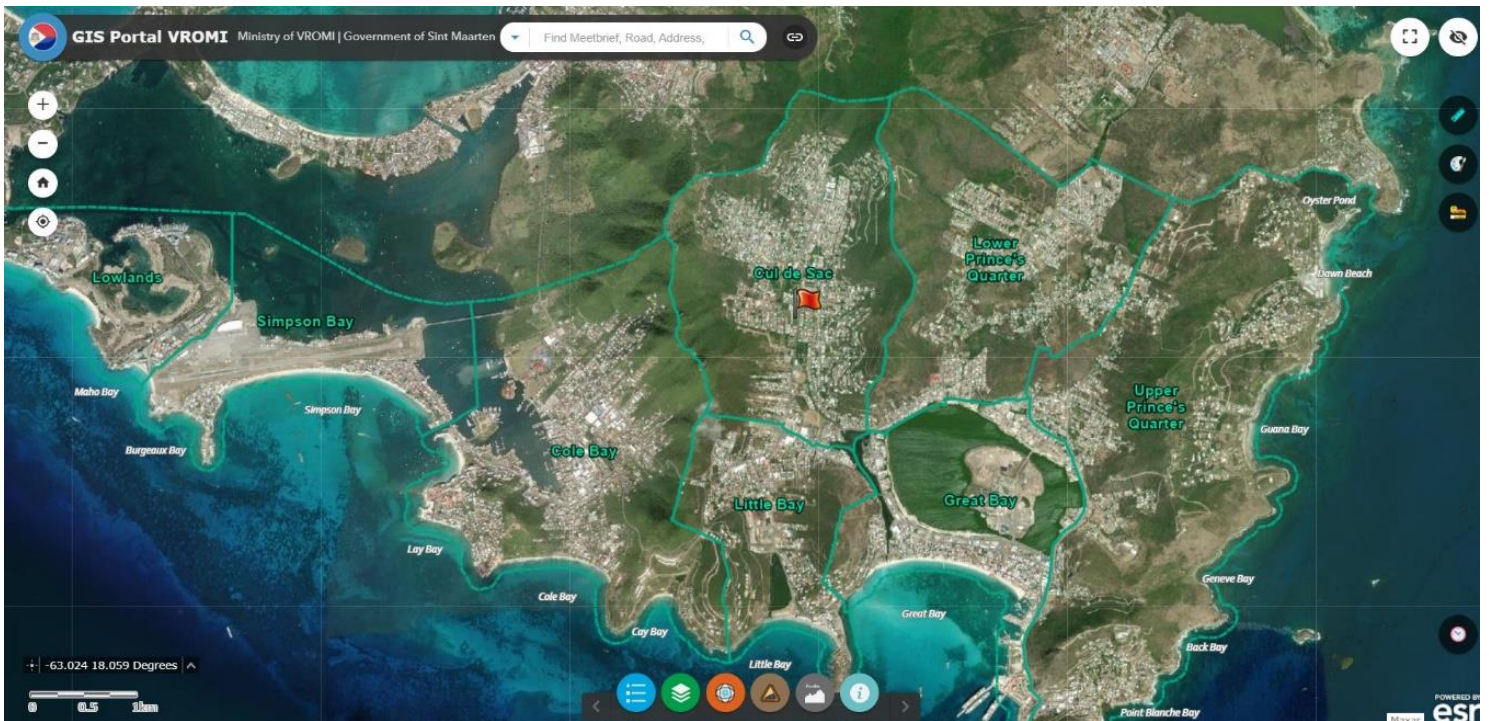


Figure 2: Cul de Sac area location on Sint Maarten

Cul de Sac, once the fertile valley of sugar plantations, has seen considerable building development. The district has a population of 6,911 with a total of 2,472 dwellings. Cul de Sac consists of the neighborhoods of Mary's Fancy, St. John's, Saunders, Betty's Estate, Ebenezer, Retreat, St. Peters and South Reward. The shops, schools, community facilities are spread out, mostly along the main road. There is no 'town or village heart'. There is a clustering of primary and secondary schools located in this district, namely the following: MAC Browlia F. Maillard Campus, Ruby Labega Primary, Hillside Christian

Elementary School – Helmich Sniijders Campus, Sr. Magda Primary, St. Maarten Academy, MAC High School, Milton Peters College, St. Maarten Vocational Training School, MAC John A. Gumbs Campus, St.Maarten Academy P.S.V.E and St. Dominic Primary & High School as well as several daycare centers for young children.

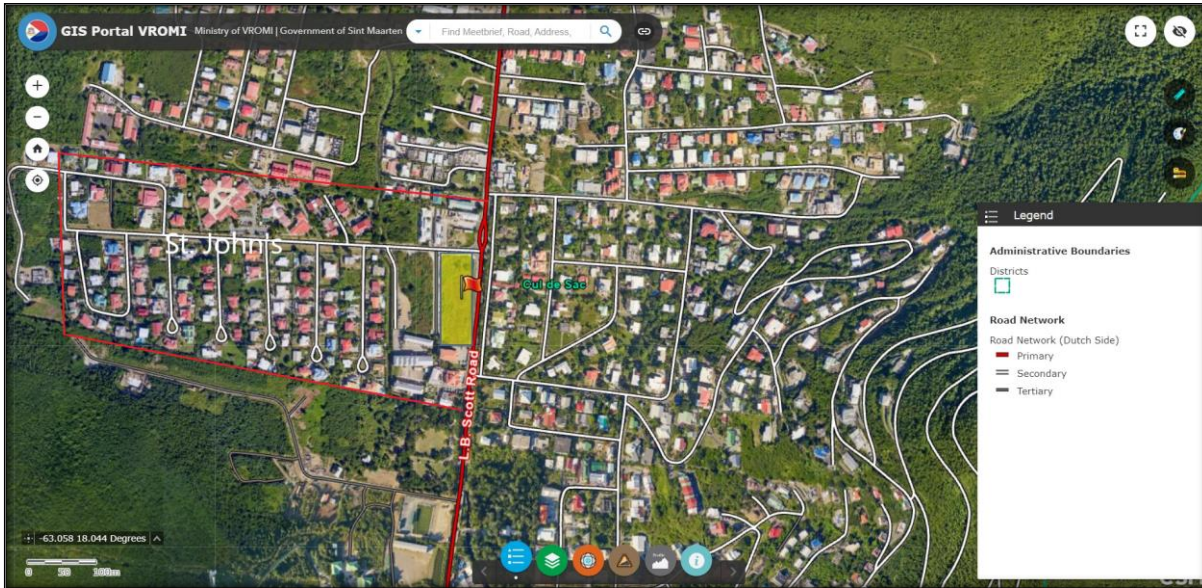


Figure 3: Overview of development plot, within the St.John’s neighborhood of Cul de Sac district

The new Mental Health Facility development plot is located at the eastern edge of the St. John’s neighborhood, along the main LB Scott Road, which is serving the Cul de Sac area, across the Saunders neighborhood. The main access road to the plot is through LB Scott Road, taking a left turn on St. John’s estate road, as highlighted in the image below. The draft zoning demarcation for the site shows that the intended planned use is “mixed-use”, with 12m maximum height and 50% maximum building density permitted. The plot is located in a flood prone area with a maximum flood depth of 0,3m. There are rainwater drain gutters at the eastern and southern boundaries of the property.

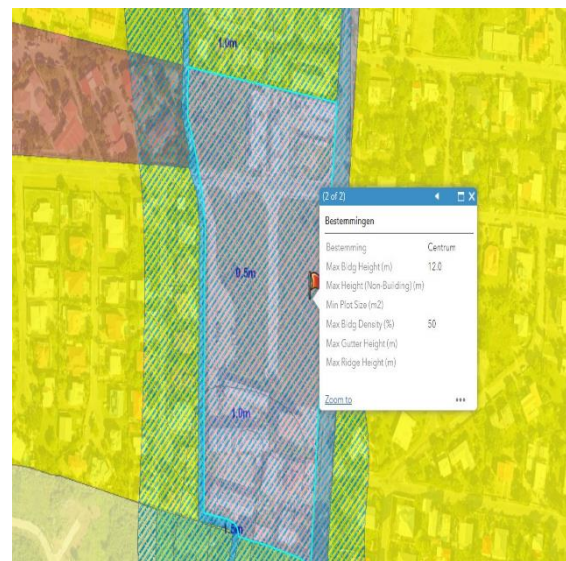
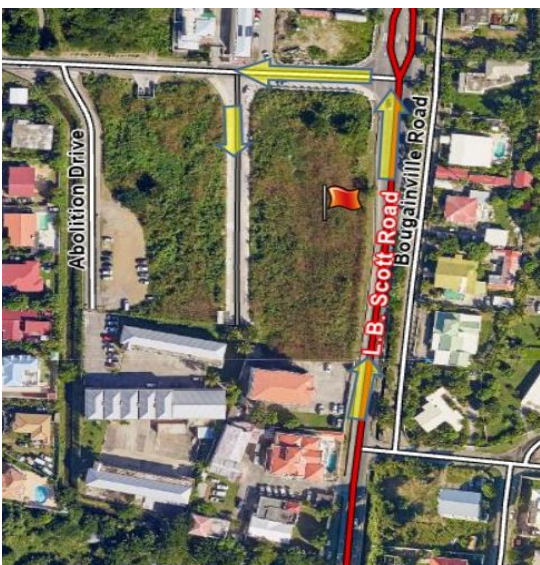


Figure 4: Access road to the development plot - Figure 5: Planning zone of the plot



Figure 6: Monuments located around the project plot

There are two monuments located in proximity with the development plot. The Emilio Wilson Estate is covering about 90ha from the road to the top of Sentry Hill. The Estate has significant cultural and historical values particularly in the lower section of the site. This includes remnants of sugar cane plantations (Industry and Golden Rock Plantation) and related buildings. The Mary's Fancy Plantation was constructed in the 18th century, where grapes were initially grown. Once the sugar industry started on Sint Maarten, the plantation made large investments to build a sugar factory on the grounds. It was once a hotel, which was known as the only plantation hotel on the island.

The development property used to be part of a plantation and is in proximity to other former plantations, which are now part of Sint Maarten's Cultural Heritage. There are actual remnants on the site of a structure, of which the use and historic value is yet to be precisely determined, and a small section of historic rock wall likely dating from the plantation era, both located along the edge of the property.

The historic map below indicates that there used to be two stone structures on the plot. Part of a stone dry wall, marking the property boundary is present, as seen in image below.



Figure 7: Historic map of the area noting two stone structures and image of a part of an historic dry-stone wall

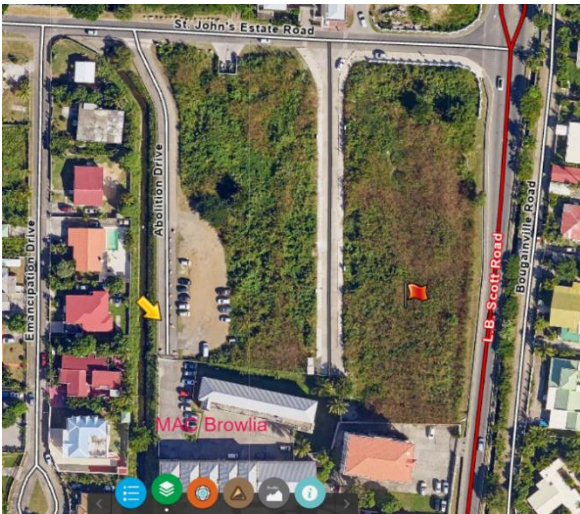


Figure 9: The MAC School location

The MAC Browlia F. Maillard Campus is adjacent to the development land. The entrance for the school is from the back, through Abolition drive road, as indicated on Figures 9 and 10. The school is fenced all along the perimeter of the premises. The school had 391 students and 31 teachers during the 2019/2020 school year. School hours is 8am to 1:30pm.

The White and Yellow Cross Care Foundation (WYCCF) is found approximately 300m west of the plot boundaries (see figure above). The WYCCF, originally founded in the 70's and moved to its current location in 2002, focus on chronic care, elderly care and the intellectually and physically disabled. A total of 104 clients live in this facility.

There are a total of 5 mid-sized trees growing on the property. Three of them are grouped in the northeast corner of the plot and the two others are along the east boundary of the property. Shrubs, bushes, vines and perennial vegetation are growing fast due to the tropical climate. Trees position and overgrowth vegetation can be seen in the images below.

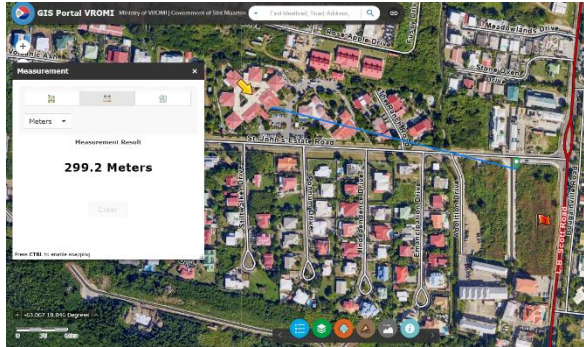


Figure 8: WYCCF location



Figure 10: Trees found in the property, vegetation overgrowth and entrance to the MAC School

6 Environmental & Social Risks and Mitigation Measures

6.1 Environmental and Social Risks & Impacts Screening Matrix

An Environmental and Social (E&S) Screening is an initial step in the due diligence for project execution and undertaken in the early stages of project development. The E&S Screening assists in assigning the environmental and social risk categories of project activities. The Screening Matrix presented below (Table 3 & Table 4) helps identify the key aspects that need to be further examined and managed, outlining the depth of social and environmental mitigation which may be required.

The information collected will inform the actions of the project towards eliminating, reducing or mitigating potential negative social and environmental impacts. Each risk is presented in the form of a Screening Question, followed by a response and a description of what the likely effect can be. The risk rating is determined by the level of impact (varying levels of significance). Impacts can be negative or positive. Impact scale is classified as Minor, Moderate or High. Relevance of the impact to each of the subcomponents (1 to 3) and project phases (design, construction/implementation and operation) are also indicated. Actions for mitigation are then explained in the next section.

Impact Categorization	Impact Categorization	Component	Phases
(-) Negative (+) Positive	L – Low M- Moderate H-High	1 Technical Support 2 Construction 3 Management	D-Design C-Construction or Implementation O-Operation
Example: (-) (M) (1&2) (C&O) (Negative impact) (Moderate impact) (Component 1&2) (Construction & Operation phase)			

Table 3. Environmental Screening Matrix

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
1. Will construction, operation or decommissioning of the proposed works involve actions which will cause physical changes in the area (topography, land use, changes in water bodies, etc.)?	<u>Yes</u> A new building(s) will be constructed on a previous undeveloped property. The estimated covered spaces, based on the Capacity Needs Assessment, are expected to be 1.300m ² and overall footprint is 1.900m ² . The draft zoning demarcation for the site shows that the intended planned use is “Center”, with 12m	<u>(-) (M) (2) (C)</u>

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
	<p>maximum height and 50% maximum building density permitted. Center zones allow for a wide range of activities such as healthcare, hotels, shops, social facilities, public buildings, and residential. The final impact on topography and land use will depend on the architectural design of the new facility and the building permit in place. The land is flat, located in the Cul de Sac valley. No water bodies will be impacted.</p>	
<p>2. Will construction or operation of the proposed works use increased natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?</p>	<p><u>Yes</u></p> <p>Mineral resources and wood (in the form of construction materials) will be used for the construction of the building(s). Energy will be required for transportation, machinery and tool use. Energy is produced from non-renewable resources (fossil fuels). Energy, water and other resources will also be consumed during the operational life of the new facility.</p> <p>These are standard construction materials and resources that will be used for construction and operation, which are not in short supply.</p> <p>Buildings construction industry is responsible of 5% global energy consumption and 10% of global emissions. The buildings construction sector accounts for approximately 50% of the demand for cement and 30% of steel.</p> <p>(2020 Buildings GSR FULL REPORT.pdf (globalabc.org))</p>	<p><u>(-) (M) (2) (C&O)</u></p>
<p>3. Will the works involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?</p>	<p><u>Yes</u></p> <p>There are materials usually found on construction sites, that could be potentially harmful to human health and the environment if not properly handled. Quantities are usually small and materials are not readily stored onsite. Common hazardous materials found on construction sites may include diesel, gasoline, solvents, adhesives, paints, cleaning fluids, anti-freeze fluids, car/equipment engine oil or other fluids, batteries, filters.</p>	<p><u>(-) (M) (2) (C)</u></p>

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
4. Will the works require asbestos removal or extensive mold remediation actions?	<u>No</u> This will be a newly constructed building	n/a
5. Will the proposed works produce solid waste during construction or operation or decommissioning?	<u>Yes</u> Solid waste will be produced as part of the construction works. This is usually excavation soil, packaging material; wood, plastics and gypsum panels leftovers; broken tiles, concrete, etc. Construction waste quantities are usually smaller than demolition waste. The actual numbers depend on the construction technique. For timber based non-residential buildings the average is around 30kg/m ² , while for reinforced steel the average can reach 90kg/m ² . According to the preliminary footprint figures, construction waste is expected between 40-100tons, for the duration of works. (PDF) Construction and demolition waste indicators (researchgate.net) During operation, municipal solid waste will be produced by the patients and staff of the facility. From Red Cross statistics on medical facilities, an average of 1.5kg-3kg of total general solid waste per patient per day is produced, while hazardous waste is only a small portion of the total. Even smaller amount of hazardous or other type of medical waste is expected from the proposed mental facility, since no medical procedures are performed.	<u>(-) (M) (2) (C)</u> <u>&</u> <u>(-) (M) (2) (O)</u>
6. Will the proposed works release pollutants or any hazardous, toxic or noxious substances to air?	<u>Yes</u> Dust emission from land clearing and earth works is to be expected for a short duration (a few weeks). Vehicles and machinery movement/use will release exhaust emissions. The adjacent MAC school and residential building will be the recipients mostly affected from dust during this period.	<u>(-) (M) (2) (C&O)</u>
7. Will the proposed works cause excessive noise and vibration or release of light or heat energy?	<u>Yes</u> Noise and vibration levels will increase during construction works. Noise levels may be exceeded during specific phases of the works, e.g. when heavy	<u>(-) (M) (2) (C)</u>

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
	<p>equipment is used. The LB Scott is a busy road and background noise levels are already high during peak hours. The adjacent MAC school and residential building will be the recipients mostly affected during this period. There are also residences across the road.</p> <p>The facility is not expected to contribute into the noise pollution during the operational phase.</p>	
<p>8. Will the proposed works lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p><u>Yes</u></p> <p>Workers' sanitation needs will accumulate grey and sewage wastewater. Spills of diesel, solvents or paints during construction is a risk. Silt may be released into the drain gutters along with the rain water runoff from the construction site.</p> <p>During the operation phase, it is mainly wastewater that will be produced from patients and staff of the facility. An estimate, based on US standards for mental facilities, is an average of 400 litre per bed per day.</p>	<p><u>(-) (M) (2) (C)</u></p> <p>&</p> <p><u>(-) (M) (2) (O)</u></p>
<p>9. Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?</p>	<p><u>Yes potentially</u></p> <p>Construction activities are associated with workers Health and Safety concerns. Injuries associated with accidents are possible in a construction site. Environmental accident potential is not considered to be significant.</p> <p>During the operational phase, the risk is considered low.</p>	<p><u>(-) (H) (2) (C)</u></p> <p>&</p> <p><u>(-) (L) (2) (O)</u></p>
<p>10. Are there any other factors which should be considered such as consequential development which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the area?</p>	<p><u>Yes</u></p> <p>NRPB is funding multiple reconstruction and repair activities, for numerous beneficiaries. Those activities may coexist and impose a cumulative impact on the area. Specifically for the greater Cul de Sac area, NRPB is funding the repair of numerous schools, including the adjacent MAC Browlia Maillard. By the time the facility will be built, the repairs to the school are finished. Those repairs are either under</p>	<p><u>(-) (L) (2) (C)</u></p>

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
	implementation or in open bid stage. There is little chance of overlapping with the proposed project.	
<p>11. Are there any areas on or around the location which are protected under international or local legislation for their ecological, landscape, cultural or other value, which could be affected by the project?</p>	<p><u>No</u></p> <p>There are two monuments located in proximity with the development plot. The Emilio Wilson Estate covers about 90ha from the main road to the top of Sentry Hill. The Mary's Fancy Plantation was constructed in the 18th century and made large investments to build a sugar factory on the grounds.</p> <p>Those monuments will not be affected by the project as they are located outside of the property under development. There are no other relevant areas protected for their ecological or landscape value, although several areas are considered to be of high ecological value.</p>	<p><u>(-) (L) (2) (C&O)</u></p>
<p>12. Are there any other areas on or around the location which are important or sensitive for reasons of their ecology, e.g. wetlands, watercourses or other water bodies, the coastal zone, mountains, forests or woodlands, which could be affected by the project?</p>	<p><u>No</u></p> <p>No such areas are located around the site, but the plot is located in a flood prone area and there are rainwater drain gutters at the eastern and southern boundaries of the property. Those drains, along with runoff collected from other areas, discharge the rainwater into the Fresh Pond, 2,3kms at the south. Silt water runoff from the site may end up in this pond. The risk is not considered significant.</p>	<p><u>(-) (L) (2) (C)</u></p>
<p>13. Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora, e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the project?</p>	<p><u>No</u></p> <p>This is an urban area but the Cul de Sac area is surrounded by green hillsides serving important ecological functions. Particularly the Emilio Wilson Estate has a high biological value which is relatively undisturbed. There is no impact foreseen from the project.</p>	<p><u>(-) (L) (2) (C)</u></p>
<p>14. Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?</p>	<p><u>No</u></p> <p>No such waters are located at the immediate area, but see also 12 above, regarding silt runoff.</p>	<p><u>(-) (L) (2) (C)</u></p>

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
<p>15. Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?</p>	<p><u>No</u></p> <p>High landscape and scenic value areas are not located around the site, but the Cul de Sac valley with the surrounding green hillsides, despite the urban development, to some extent still offer a scenic value, particularly to those residing on a higher elevation up to the (protected) hills. Any potential impact on this value will depend upon the physical characteristic of the new buildings, subject to the building code requirements. See also #1 above regarding permitted height and land coverage.</p>	<p><u>(-) (L) (2) (C)</u></p>
<p>16. Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?</p>	<p><u>Yes potentially</u></p> <p>The development plot is accessible through the main LB Scott Road and the St. John's estate road, the latter one being the main entrance into the St. John's neighbourhood. A need for temporary closing of those roads is not foreseen but some disturbance of normal traffic may occur associated with heavy equipment movement. Access to the adjacent school is unlikely to be disturbed as part of normal works, mainly because the access road to the school is a different parallel road and it is not shared with the access road to the project site, and also because heavy equipment driving is not allowed between 06:30 – 08:30 and 12:00 – 14:00, which are the school peak hours. During operation of the new facility, no significant impact on accessibility or road traffic is expected.</p>	<p><u>(-) (M) (2) (C)</u></p>
<p>17. Are there any transport routes on or around the location which are susceptible to congestion, or which cause environmental problems, which could be affected by the project?</p>	<p><u>Yes potentially</u></p> <p>The main LB Scott Road is susceptible to congestion during peak hours, as it is the main road to a large residential area. Closing of the main road is not foreseen, but the movement of heavy equipment and personnel, may contribute to the existing traffic problem.</p> <p>During operation of the new facility, no significant impact on road traffic is expected.</p>	<p><u>(-) (M) (2) (C)</u></p>

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
<p>18. Is the project in a location where it is likely to be highly visible to many people?</p>	<p><u>Yes</u></p> <p>The new facility will be constructed in an urban area. Will be visible from the main L.B.Scott Road and to people living on the surrounding hills. See also 1 above regarding maximum height of the buildings.</p>	<p><u>(-) (M) (2) (C&O)</u></p>
<p>19. Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?</p>	<p><u>Yes</u></p> <p>See #11 above regarding monuments around the area. Those protected sites will not be affected.</p> <p>The development property used to be a plantation and is in proximity to other former plantations, which are now part of Sint Maarten’s Cultural Heritage. There is a structure on the site, of which the use and historic value was assessed, and a small section of historic rock wall likely dating from the plantation era, both located along the edge of the property. Those features might be affected by the project.</p> <p>A Cultural Assessment was carried out to providing more information about the historic value of the above-mentioned structures and impacts (see Annex 2). Utilizing the Werbata 1916 map as a basis, there were two rectangular historical buildings noted at this property, that both have been severely and/or completely damaged. It is suggested that the original historical structures have absolutely minimal preservation, and as such would not be suitable for potential restoration. The minimal surviving dry-stone 'slave walls' evidence to the southeast of the property, are also of minimal quality for preservation and/or restoration.</p>	<p><u>(-) (H) (2) (C)</u></p>
<p>20. Is the project located in a previously undeveloped area where there will be loss of greenfield land?</p>	<p><u>Yes</u></p> <p>The development property used to be a plantation and was not ever build on. The property manager had been regularly cutting down the vegetation overgrowth to prevent nuisance (fire risk, pests, etc.) on the nearby community.</p> <p>There are a total of 5 midsized common trees growing on the property. Three of them are grouped in the northeast corner of the plot and the two others are</p>	<p><u>(-) (L) (2) (C)</u></p>

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
	along the east boundary of the property. A couple of those trees might be affected by the development.	
21. Are there existing land uses on or around the location e.g. homes, gardens, other private property, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, mining or quarrying which could be affected by the project?	<p><u>Yes</u></p> <p>The MAC Browlia F. Maillard Campus is adjacent to the development land. The entrance for the school is from the back, through Abolition drive road (different road than the project site road). The school is fenced all along the perimeter of the premises. The White and Yellow Cross Care Foundation (WYCCF) is found approximately 300m west of the plot boundaries.</p> <p>The school might be affected by the proposed project, whereas possible impacts and risks may include noise, dust, traffic and road safety, parking availability, etc. No impact is expected for the WYCCF which is further away. ESHS risks are not expected during the operation phase. MHF provides services to WYCCF and the new location will be an improvement in regards to the current situation.</p>	<u>(-) (M) (2) (C)</u>
22. Are there any plans for future land uses on or around the location which could be affected by the project?	<p><u>No</u></p> <p>Project does not affect future urban development.</p> <p>St. John's is a mixed use residential/social/commercial neighbourhood, adjacent plots could be used for aforementioned purposes and development of this plot is not expected to affect that.</p>	<u>(n/a) (L) (2) (C&O)</u>
23. Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	<p><u>Yes</u></p> <p>The new facility will be constructed in a mixed residential area. Possible impact is mainly related to traffic congestion during the construction phase. See 17 above for more details.</p>	<u>(-) (M) (2) (C)</u>
24. Are there any areas on or around the location which are occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities, which could be affected by the project?	<p><u>Yes</u></p> <p>The MAC Browlia F. Maillard Campus is adjacent to the development land and WYCCF is in proximity. See 21 above for more details on possible impacts.</p>	<u>(-) (M) (2) (C)</u>

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
25. Are there any areas on or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	<u>No</u> No, but refer to 12 above regarding possible silt water runoff from the construction site, discharging into Fresh Pond at the south. Wetlands can be considered scarce resources.	<u>(-) (M) (2) (C)</u>
26. Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	<u>No</u> No, but see previous point 25. Fresh Pond is under pressure from the urban development.	<u>(-) (L) (2) (C)</u>
27. Is the project location susceptible to subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions which could cause the works to require additional environmental considerations?	<u>Yes</u> The plot is located in a flood prone area with a maximum projected flood depth of 0.3m. There are rainwater drain gutters at the eastern and southern boundaries of the property. Sint Maarten is highly vulnerable to natural disasters and adverse climatic events due to its location within the Atlantic hurricane zone. The project location is no exception.	<u>(-) (H) (2) (C&O)</u>
28. Will pesticides, rodenticides or any other vector control products be used during any stage of project implementation and operation?	<u>Yes Potentially</u> Although not a common practice in Sint Marten, the soil under the foundation and in direct vicinity with the new building may need to be treated against termites. The necessity of this treatment will need to be verified during design.	<u>(-) (M) (2) (C)</u>

Table 4. Social Screening Matrix

Screening Questions/Statements	Yes/No Describe the likelihood of a significant effect	Rating
Resettlement Impacts		

Screening Questions/Statements	Yes/No Describe the likelihood of a significant effect	Rating
1. Do the works require temporary displacement of people from their current settlement/homes?	<u>No</u> The development plot is vacant and not used for agriculture or other activities. The plot perimeter is being delineated and no entry signs have been placed, for establishing a cut-off date, as of June 2 nd , 2022. Refer to Annex 1 for the site survey census and cut-off date evidence.	n/a
2. Will the work reduce the employment opportunities for the surrounding communities?	<u>No</u> Construction works generally increase employment and income opportunities through job openings and sale of construction materials. Surrounding businesses may benefit from increased customers (construction workers). Consultants and other specialized professionals will be engaged on project preparation and implementation. Job opportunities will be created during the Operation phase, primarily in maintenance, landscaping and a proposed garden for self-sustainability.	(+) (M) (1&2&3) (D&C&O)
3. Will the work cause limits to people's access to the water, public services or other resources that they depend on?	<u>No</u> Cut-off of services is not foreseen during construction. There will be no impact on public services. Access to public services, in particular to the MAC Browlia School, will not be limited by the works. Access road to the school is highly unlikely to be disturbed as part of normal works because the access road to the site is not the road to the school. During operation of the new facility, no significant impact on accessibility or road traffic is expected.	(-) (L) (2) (C&O)
4. Will there be a reduction in income for the communities?	<u>No</u> Construction and other works under the project increase employment and income opportunities through job openings and selling of construction materials. No businesses will be disrupted.	(+) (M) (1&2&3) (D&C&O)
5. Is there a potential for the work to induce disagreements?	<u>Yes</u> There may be concerns from the community about the location of such a facility in the neighbourhood. Negative	(-) (L) (2) (D&C&O)

Screening Questions/Statements	Yes/No Describe the likelihood of a significant effect	Rating
	<p>attitudes towards mental health issues, which exist in society, may influence and be reflected in the reactions of members of the adjacent community. However, the risk is low because there are already two similar existing facilities which are even nearer to the community than the proposed site. Also, the MHF is a well known, recognized and respected foundation which has been offering its services to the Sint Maarten community for many years already.</p> <p>Extensive consultation will be required to ensure stakeholder engagement from an early stage.</p>	
Occupational Health and Safety Impacts		
6. Will the work interfere with the health and safety of the worker/employee of the contractor?	<p><u>Yes</u></p> <p>The potential Occupational Health and Safety risks are in line with all construction related projects. Those risks are mainly associated with falling from a height, electricity shock and caught-in/between accidents. Other health/safety factors may include dust breathing, contact with chemicals, noise, falling objects, etc.</p>	(-) (H) (2) (C)
Community Health and Safety		
7. Is there a chance that the work will cause labour influx to the area?	<p><u>No</u></p> <p>Though there are considerable reconstruction works on St Maarten, labour influx from abroad has not been experienced so far and is not expected for this project. Details about the workforce shall be clarified in consultation with the awarded contractor and will also depend on the timeframe of works execution.</p> <p>The combined manpower required for construction works may be estimated based on the total area of the building and construction period, as 0.5-1m²/man-day.</p> <p>DRAFT CIS PRODUCTIVITY FORMAT PUBLIC COMMENT</p>	(-) (L) (2) (C&O)
8. Is there a risk that the project will lead to gender disparity, Sexual Harassment (SH) and	<p><u>Yes.</u></p> <p>Gender disparity: Employment patterns on construction projects generally favour males, resulting in women</p>	(-) (L)(2&3) (D&C&O)

Screening Questions/Statements	Yes/No Describe the likelihood of a significant effect	Rating
Sexual Exploitation and Abuse (SEA)?	<p>being overlooked for jobs on the site or being paid less than men, regardless of their skills and qualifications. This is also a possibility on this project.</p> <p>SEA and SH: the existence of a mixed gender work force at the project site may give rise to incidences of unwanted sexual advances, physical contact or sexual assault. The use of sexually inappropriate language resulting in discomfort is also a risk.</p>	
9. Is there a possibility that there will be an increased exposure of the community to communicable diseases such as HIV/AIDS, Covid 19 and other public health concerns?	<p><u>No</u></p> <p>Risk of exposure to communicable diseases will be no more than as exists nationally.</p>	(-) (L) (2) (C&O)
10. Is there a risk that there will be increased safety concerns due to introduction of the project?	<p><u>Yes</u></p> <p>There is heightened activity in the community with an influx of persons (workers) outside of the neighborhood, being present in the neighborhood for a period of time. Heightened activity and influx of persons in the neighborhood may generally lead to minor safety concerns, which will be mitigated according to the Environmental and Social instruments to be developed for the project (LMP and SEP) as well as related measures such as stakeholder engagement, CoC, SEA/SH training, supervision, etc).</p> <p>Community consultations and awareness campaigns will be held periodically during project implementation as a component of the SEP to address matters of safety at the site.</p>	(-) (L) (2) (C)
11. Is there a risk that the work will lead to substance abuse (drug abuse, excessive alcohol consumption, etc.)?	<p><u>No</u></p> <p>Based on experience with similar works, there was no increase in the use of substances in the surrounding communities where projects were implemented.</p>	(-) (L) (2) (C)
12. Is there a possibility that there will be an	<p><u>Yes potentially</u></p>	(-) (L) (2) (C)

Screening Questions/Statements	Yes/No Describe the likelihood of a significant effect	Rating
increased exposure of the community to COVID-19?	The pandemic has gone into an endemic phase and Government has lifted the COVID-19 measures. The situation will be monitored and risk rating will be reassessed if conditions evolve differently.	
Labor Issues		
13. Are there potential hazards to the workers?	<p><u>Yes</u></p> <p>Occupational Health and Safety risks are related to construction works. Those risks are mainly associated with falling from a height, electricity shock and caught-in/between accidents. Other health/safety factors may include dust breathing, contact with chemicals, noise, falling objects, etc.</p> <p>OHS risks for consultants executing desk research, interviews, technical assessments and supervision are related to interaction with other people, such as SH/SEA and conducting visits in the field related to assessment of land and supervision of active construction sites. The OHS risks for consultants are acceptable in the context of regular work activities and are classified as minor.</p>	<p>(-) (H) (2) (C)</p> <p>&</p> <p>(-) (L) (2) (D&C&O)</p>
14. Is there a risk that the workers will not receive the proper PPEs from the contractor?	<p><u>Yes</u></p> <p>There is a risk that Contractor will fail to provide the right type of PPE for each activity or adequate number of PPEs for all personnel. There is also a risk of workers not wearing the provided PPEs due to lack of knowledge, training, discomfort and habits.</p>	(-) (H) (2) (C)
15. Is there a possibility that COVID-19 provisions will not be in place?	<p><u>Yes, potentially.</u></p> <p>The pandemic developed into an endemic phase and Government has lifted the COVID-19 measures. The situation will be monitored and risk rating will be reassessed if conditions evolve differently.</p>	(-) (L) (2) (C)
16. Are there going to be workers housing facilities?	<p><u>No</u></p> <p>Labour will be locally hired and workers will already have housing. Specialists may be required and might be</p>	(-) (L) (2) (C)

Screening Questions/Statements	Yes/No Describe the likelihood of a significant effect	Rating
	recruited from overseas in small numbers and will look after their own housing. The project is not of the scope which requires a large work force necessitating workers' housing facilities.	
17. Is there a concern that emergency situations procedures for the project site will not be incorporated?	<u>Yes</u> There is a risk that Contractor will fail to develop and implement appropriate procedures to manage emergency situations, as a result of natural or man-made disasters. Work related accidents, Hurricane, Flood, Pollution spill, Fire and Earthquake are the most relevant.	(-) (M) (2) (C))
Operational Risks		
Clinical Risks 18. Are there concerns for the increased vulnerability of mental health patients? (Sexual vulnerability of mental health patients)	<u>Yes</u> The patient can be at risk of or exposed to damage or harm if the building does not meet internationally accepted requirement/standards for these types of facilities. The new facility will be an improvement for patients compared to the current situation.	<u>(-)(M)(2)(O)</u>
19. Will staff hired to work at the facility be adequately qualified, having the required permits and licenses? (This includes being BIG registered, i.e. Professions in Individual Health Care; BIG -Beroepen in de Individuele Gezondheidszorg, where applicable)	<u>Yes</u> The risk of patients of the facility being cared for by unqualified individuals may exist due to the unavailability of qualified personnel on the island.	<u>(+)(H)(2)(O)</u>
20. Stigma and discrimination against mental health and mental health patients	Yes, potentially. Stigma associated with mental illness often prevents patients from seeking and adhering to treatment, as	<u>(-)(H)(1&2)(O)</u>

Screening Questions/Statements	Yes/No Describe the likelihood of a significant effect	Rating
	<p>patients may “attempt to distance themselves from the labels that mark them for social exclusion”.⁴</p> <p>Some people may have misconceptions about what certain diagnoses mean.</p>	
<p>21. Are there concerns of a lack of information and awareness about mental health in the community?</p>	<p>Yes. Limited knowledge about mental illness can prevent individuals from recognizing mental illness and seeking treatment.</p>	<p><u>(-)(M)(1&2)(O)</u></p>
<p>Accessibility to services and medication</p> <p>22. Are there concerns that the facility will not be equally accessible to all those afflicted by mental health problems and who are in need of the services which will be provided by the facility?</p>	<p>Yes. There may be individuals with other needs, in addition to mental health services, including physical disabilities, which may not be adequately provided for in the new facility.</p> <p>Design of the project would mitigate these risks, making this an inclusive project. (For example, building of ramps for wheelchair bound patients and placing warning stripes for the visually impaired).</p>	<p><u>(-)(M)(2)(O)</u></p>
<p>Training Risks</p>		
<p>Risks related to the Training Needs Assessment and the Training</p>		
<p>23. Will the training adequately address the needs of the selected trainees?</p>	<p>Yes. The Training Needs Assessment will provide the relevant information to ensure that the right people are trained to meet the mental health needs of the country.</p>	<p><u>(+)(H)(1)(O)</u></p>
<p>Will the project improve access to mental health services?</p> <p>24. Will the mental health project identify gaps in mental health services needed on the</p>	<p>Yes. This is the aim and expected. During the preparation of the project, assessments are carried out to identify gaps in mental health services needed on the island, as well as identifying what the barriers are for accessing mental health services. The project will provide recommendations to improve mental health services and</p>	<p><u>(+)(M)(1)(O)</u></p>

⁴ <https://www.uniteforsight.org/mental-health/module6#>

Screening Questions/Statements	Yes/No Describe the likelihood of a significant effect	Rating
island and will the project identify barriers to access mental health services?	to remove any barriers for accessing those services. For example, the project will provide recommendations for the insurance coverage for treatment of substance use.	
OHS Risks 25. Will Mental Health Facility personnel face Occupational Health and Safety Risks?	Yes OHS risks may include Biological, Chemical, Physical or Psychological concerns, for the facility personnel.	<u>(-)(M)(2)(O)</u>

6.2 Environmental & Social Mitigation Measures and Compliance with ESSs Requirements of the Project

Table 5 Below provides details about the mitigation measures, plans and instruments for preventing and minimizing any adverse environmental and social impacts/risks of the Project and responsibilities for the implementation of those measures. The mitigation measures are listed according to the relevant Environmental and Social Standards (ESSs). A summary of the impacts and risks identified through the E&S screening matrix (Section 6.1) is also included in the table for guiding the reader.

The legend below explains the abbreviations used for the impact/risk categorization, different project components and project phases.

Impact Categorization	Impact Categorization	Component	Phases
(-) Negative (+) Positive	L – LOW M -Moderate H-High	1. Technical Support 2. Construction 3. Management	D-Design C-Construction or Implementation O-Operation
<p>Example: (-) (L) (1&2) (C&O) (Negative impact) (Low impact) (Component 1&2) (Construction & Operation phase)</p>			

Table 5: Environmental and Social Mitigation Measures

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS1 Assessment and Management of Environmental and Social Risks and Impacts	Risk: Environmental and social risks (+) (M) (1&2) (D&C&O)	E&S assessment throughout project life cycle. NRPB has screened all project components and included the screening findings and proposed mitigation measures as part of this ESMP. NRPB will continue screening any proposed activity throughout the project life cycle in accordance with the ESCP, and, thereafter, develop, adopt, and implement mitigation measures, as required under the ESCP.	NRPB
ESS1	Risk: Environmental and social risks (+) (M) (1&2) (C&O)	Develop and implement an ESMP. The NRPB will develop, disclose and implement an Environmental and Social Management Plan. The works Contractor will prepare a Contractors ESMP (C-ESMP) for NRPB's approval.	NRPB
ESS1	Risk: Environmental and social risks (+) (M) (1&2) (D&C&O)	Conduct monitoring and reporting on the environmental and social performance of the project against the ESS's. The NRPB will prepare and submit to the Bank bi-annual monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, status of preparation and implementation of E&S documents required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism(s).	NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS1	Risk: Lack of Environmental and Social expertise/capacity for implementation of the project (+) (M) (1&2) (D&C)	NRPB Staffing: NRPB shall maintain an organizational structure with qualified E&S staff and resources to support the management of E&S risks during project implementation, including at least one Environmental Specialist and at least one Social Specialist from the NRPB E&S staff appointed for the project.	NRPB
ESS1	Risk: Contractor does not engage the services of qualified ESHS personnel. (+) (M) (1&2) (C)	Contractor Staffing: NRPB shall require contractors to hire and maintain throughout construction at least one Environmental, Social, Health and Safety (ESHS) specialist as key personnel. The specialist shall have at least a Bachelors degree in Engineering, Environmental Management, Occupational Health & Safety, or similar, with 5 years' experience in supporting comparable projects in a similar position. This expert shall be on site during works implementation phase.	Contractor (Supervisor, NRPB to approve)
ESS1	Risk: Lack of key Environmental & Social personnel for supervision of ESHS practices by Supervising contractor. (+) (M) (1&2)	Supervisor Staffing: NRPB shall hire and maintain at least one supervision firm for the works with at least one Environmental, Social, Health and Safety (ESHS) specialist as key personnel of the firm to be on island throughout the duration of the construction works.	Supervisor, NRPB
ESS1	Risk: Contractor does not have an organised plan to manage and comply with ESHS requirements during the life of the project. (+) (M) (2) (C)	Contractor's ESMP (C-ESMP): Bidders shall prepare Management Strategies and Implementation Plans (MSIP) as part of their offer and Contractors shall prepare and implement a C-ESMP, with the following minimum sub-plans, that will be prepared in compliance with the requirements of the bidding documents, ESMP and World Bank EHS	Contractor (Supervisor, NRPB to approve)

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>guidelines. The C-ESMP shall be approved by NRPB, after Supervisor’s review, before commencement of works.</p> <ul style="list-style-type: none"> ✓ ESHS Mobilization Strategy; ✓ Traffic Management Plan; ✓ Code of Conduct, Sexual Exploitation and Abuse (SH/SEA) prevention and response action plan; ✓ Covid-19 prevention plan; ✓ OHS Workers Health & Safety Plan; ✓ Training Plan for Workers; ✓ Community Health & Safety Plan (including Traffic Management, Noise Prevention, Dust minimization, Complaint management procedure for community complaints); ✓ Labour Management Procedures (LMP) which includes a Labour Grievance Redress Mechanism for Workers (Labour GRM); ✓ Community Engagement and Consultation Plan; ✓ Waste management plan (including pollution prevention, wastewater management, solid waste management); ✓ Fuels, pesticides and other hazardous substances management plan; ✓ Chance Find Procedures; ✓ Emergency preparedness plan (Hurricane, Fire and Earthquake). <p>For details on the content of those sub-plans, Contractor shall refer to the mitigation measures described in this document and the C-ESMP general guidelines that will be part of the tender package. The Contractor shall also prepare Job Safety/Hazard Assessments for the different works under the project.</p>	

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS1	<p>Risk: Contractor does not comply with the ESHS contractual obligations.</p> <p>(+) (M) (2) (C)</p>	<p>Contractor Reporting & Monitoring:</p> <p>The Contractor shall prepare monthly environmental and social monitoring reports on the status of implementation of ESHS aspects, and update the C-ESMP quarterly. A Reporting Template has been developed to aid Contractors in fulfilling their monthly reporting obligations. The Template is attached in ESMP Annex 4. The Contractor shall develop and regularly update an online database related to site inspection non-conformances. Regular meetings shall be held where ESHS matters will be discussed.</p>	Contractor
ESS1	<p>Risk: Project Management Team are not made aware of Incidents and accidents which occur at the project site or project related activities.</p> <p>(+) (M) (2) (C)</p>	<p>Contractor reporting on incidents/accidents:</p> <p>The NRPB Environmental and Social Officers and their Supervision Consultant shall investigate all incidents related to workplace injuries and accidents; and, on the environment (e.g. oil spills, pollution events), and social (e.g. gender-based violence, the non-function of GRM, etc.) incidents.</p> <p>The Contractor shall implement the recommendations of the Supervision Consultant and NRPB to avoid recurrence of these incidents.</p> <p>The Contractor shall provide immediate (and in writing within 24 hours) notification to the Project Manager and NRPB of incidents in the following categories. After the initial written reporting, the Contractor shall undertake a root cause analysis and propose appropriate measures to avoid future incidents. A detailed report shall be submitted in writing, for NRPB's approval, within 3 days. The authorities (VSA) will have to be notified for any injuries or fatalities according to legislation.</p> <p>(a) Inspection, investigation by, or warning or official order from, government regarding a</p>	Contractor (Supervisor, NRPB to monitor)

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>(possible) violated policy, legislation or permit conditions.</p> <p>(b) Any work-related fatality;</p> <p>(c) Report accidents requiring medical treatment, in case of hospital admittance, in case of medical leave days, in case permanent complete or partial invalidity of an employee, fractured or cracked bones or teeth, punctured eardrums or hearing loss;</p> <p>(d) Near miss events; that are legally required to be reported by the Contractor to the Labor Department immediately, no later than three days .</p> <p>(e) A significant environmental incident as a consequence of which major pollution (air, water, noise, or land) or a significant adverse environmental impact (wildlife or local habitat) has occurred, is occurring, or is likely to occur.</p> <p>(f) Any allegation of sexual exploitation or abuse, sexual harassment or sexual misbehavior, rape, sexual assault, child abuse, or defilement, or other violations involving children.</p> <p>(g) Suspected Code of Conduct violations in regard to human rights, discrimination against workers, drugs or other illegal activities, fraud & corruption, and conflict of interest;</p> <p>(h) Significant adverse effects or damage to private property (e.g., vehicle accident, damage from flying debris, working beyond the boundary);</p> <p>(i) Damage to cultural heritage, artifacts, monuments, sacred grounds, etc;</p> <p>(j) Encroachment on private property, burglary or theft of assets;</p> <p>Further instructions in incidents/accidents reporting can be found in Section 6.9.</p>	
ESS1	(+ (M) (1&2&3) (D&C)	NRPB reporting on incidents/accidents:	NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>Promptly notify the World Bank of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public, workers and other stakeholders, including, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury. This notification will be made no later than 72 hours after learning of the incident or accident.</p> <p>Provide sufficient detail regarding the scope, severity, and possible causes of the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by the contractor and supervising entity, as appropriate.</p> <p>Subsequently, as per the World Bank's request, prepare a report on the incident or accident and propose any measures to prevent its recurrence.</p>	
ESS1	<p>Risk: Building design does not comply with the relevant local legislation</p> <p>(+) (M) (2) (D&C)</p>	<p>Acquiring a Building Permit and compliance with building regulations.</p> <p>The Design Firm will prepare all necessary drawings and studies, while NRPB will submit the application to VROMI for the Building Permit. The new facility shall: (a) ensure resilience to hurricanes, earthquakes, fires, and other relevant natural disasters; (b) incorporate life and fire safety measures; and (c) ensure accessibility; all of which shall, at minimum, meet the requirements of the Sint Maarten Building Code.</p>	NRPB, Design Firm
ESS2 Labour and Working Conditions	<p>Risk: Labourers, contractors and sub-contractors hired to work on the project are subjected to poor working conditions. Contractor does not comply with local and</p>	<p>Develop and implement Labour Management Procedures applicable to the Project.</p> <p>The NRPB will develop, disclose and implement Labor</p>	NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
	<p>international labour policies and legislation.</p> <p>(+) (M) (1&2&3) (D&C)</p>	<p>Management Procedures applicable to the project, in a timeframe as agreed in the ESCP.</p> <p>The Project will not employ any workers under the age of 18.</p> <p>NRPB will incorporate the relevant aspects of the project's LMP, including Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH) prevention and COVID 19 protocols for the workplace, where necessary, into the ESHS specifications of the bidding documents with firms and contractors.</p>	
ESS2	<p>Risk: Workers aggrieved by the project have no formal means of reporting or lodging concerns. This includes contractors, subcontractors and other members of the public who provide labour to the project.</p> <p>(+) (M) (1&2&3) (D&C)</p>	<p>A grievance mechanism will be provided for all project workers to raise workplace concerns.</p> <p>The LMP for this project will have a GRM for project workers, which is included in the NRPB institutional GRM.</p> <p>The NRPB's Labour GRM has been updated recently and is available for project workers under the whole portfolio.</p> <p>NRPB's GRM and complaints procedure can be found on the website: https://nrpbxm.org/complaints-procedure/</p>	NRPB
ESS2	<p>(+) (M) (2) (C)</p>	<p>The contractor will be required to provide a GRM for the workers on the project site to file labour complaints in the C-ESMP.</p> <p>The NRPB will require that C-ESMPs have LMPs with GRM for labour related complaints.</p> <p>Workers shall have access to a 2-tier GRM. Contractors are required to submit a workers' GRM for NRPB's approval, as part of the C-ESMP, for operation during implementation of the works.</p>	Contractor (NRPB to approve)

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>The contractor will inform the workers of the GRM at the time of hiring and make it easily accessible to them. Contractors should establish a formalized procedure or process for dealing with workers' grievances. Key principles:</p> <ul style="list-style-type: none"> ✓ assigning a responsible person to organise the resolution of grievances; ✓ defined timeframes for acknowledgement of the receipt of complaints and subsequent resolution; ✓ practical arrangements for maintaining confidentiality, reviewing and resolving grievances, including resources and organisational arrangements; ✓ information on the grievance mechanism that is readily retrievable from a company web site, locations where project information in hard copy has been placed, and/or from company representatives. Grievance mechanisms should be appropriate for the scope of the project to allow effective resolution of issues in a timely manner; ✓ grievances should be registered and logged regardless of whether they were received in writing or verbally. A simple database is advisable to manage and monitor grievances. <p>Further instructions in developing the Contractor's GRM can be found in Project's LMP (Section 6.4).</p>	
ESS2	<p>Risk: Workers' behaviours both on and off the project site may negatively impact the wellbeing of colleagues on site and/or members of the community, reputation of the NRPB.</p> <p>(-) (M) (2) (C)</p>	<p>Code of Conduct (CoC) for works Contractor:</p> <p>The Bidder shall submit the Code of Conduct that will apply to the Contractor's employees and subcontractors. In addition, the Bidder shall submit an outline of how this Code of Conduct will be implemented. This will include: how it will be introduced into conditions of</p>	<p>Contractor (NRPB to approve)</p>

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>employment/engagement, what training will be provided, how it will be monitored and how the Contractor proposes to deal with any breaches. The minimum content of the CoC can be found in Annex 7. The CoC shall be explained to workers and signed by them before mobilization to site.</p>	
ESS2	<p>Risk: Workers are at risk of being injured on site due to inadequate knowledge of possible hazards and the required management plan and provisions for prevention.</p> <p>(-) (H) (2) (C)</p>	<p><i>OHS (Occupational Health & Safety)</i> Job Safety/Hazard Analysis Requirement: Contractors are obliged to implement all reasonable precautions to protect the health and safety of workers. The application of prevention and control measures to occupational hazards shall be based on the site-specific Job/Hazard Analysis. A Construction Risk Assessment (CRA) is essential to identify hazards and risks and appropriate controls prior to mobilization to site. All hazards identified must be prioritized. The completion of a Job Hazard Analysis (JHA) is required to verify that hazards and risks associated with a specific task are identified and appropriate controls are implemented prior to execution of the task. All hazards identified must be prioritized. The JHA must be communicated to all workers involved with the task prior to initiating the task. Subcontractors will be responsible for developing their own JHAs or safe work procedure for any work in their scope that is hazardous and/or complex. The CRA and JHA shall be submitted for NRPB's approval before works commencement.</p>	Contractor (Supervisor, NRPB to approve)
ESS2	<p>Risk: Workers are exposed to hazards at the project site due to a lack of protective gear.</p> <p>(-) (H) (2) (C)</p>	<p><i>OHS - Availability of Personal Protective Equipment (PPEs) and First Aid Kits</i></p> <p>Contractor shall provide, and ensure usage of, appropriate personal protection equipment (PPE) for</p>	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		workers, such as safety boots, helmets, masks, gloves, protective clothing, goggles, body harness, and/ or ear protection as needed based on the work requirements and will have First Aid Kits available to address immediate/minor needs.	
ESS2	<p>OHS</p> <p>Working at Heights related risks (falling)</p> <p>(-) (H) (2) (C)</p>	<p><i>Ladders:</i></p> <ul style="list-style-type: none"> ✓ All straight ladders shall be tied off; ✓ Ladders shall be placed so that they form an angle no greater than 30° from vertical; ✓ Ladders shall extend at least 1 meter above the level to be served; ✓ The Contractor shall inspect ladders for cracked, broken, or defective parts before use; ✓ Set up ladders on stable surfaces; ✓ Use non-conductive ladders (e.g., fiberglass) and exercise extreme caution when working near power lines. <p><i>Scaffolds:</i></p> <ul style="list-style-type: none"> ✓ The scaffold must be structurally sound and sturdy; ✓ Scaffolds should be set up on completely solid footing; ✓ A competent person must supervise workers as scaffolds are erected, dismantled, moved, or altered in any way; ✓ All scaffolding must be equipped with toe-boards, midrails, and guardrails ✓ The scaffolding platforms should be tightly planked; ✓ The scaffold may be accessed by way of stairwells and ladders; ✓ The scaffolding must rest at least 10 feet away from electrical power lines during all times; ✓ Proper scaffolding shall be used for all activities that are 6 feet (or more) above ground level. <p><i>Personal Fall Protection:</i></p>	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<ul style="list-style-type: none"> ✓ A fall arrest system shall be used any time when working at an elevated level and exposed to a fall hazard; ✓ 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 self-retracting inertial fall arrest devices attached to fixed anchor point or horizontal lifelines.; When vertical lifelines are used, each employee must be attached to a separate lifeline; ✓ Anchorages, lanyards and vertical lifelines must have a minimum breaking strength of 5,000 pounds; ✓ Personal fall arrest systems are rigged in such a manner that the employee cannot free fall more than 6 feet (1.8 m) or contact a lower level; ✓ A competent person or qualified person must inspect each knot in a lanyard or vertical lifeline to ensure that it meets the requirements, before any employee uses the lanyard or lifeline; ✓ Provide appropriate training in use, serviceability, and integrity of the necessary PPE. 	
ESS2	<p>OHS</p> <p>Electricity related risks (electric shock)</p> <p>(-) (H) (2) (C)</p>	<ul style="list-style-type: none"> ✓ Assume that electrical lines are energized until proven otherwise; ensure that grounding procedures are accomplished and that all sources of electricity are isolated; ✓ Inspect the work area for downed conductors and do not go near, drive over, or otherwise come into contact with them; ✓ Ensure that all workers assessing and repairing electrical installations are experienced ; ✓ Use electrical-specific PPE (gloves, face shields) needed based on the type and approximate voltage of service; 	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<ul style="list-style-type: none"> ✓ Unless de-energized and visibly grounded, maintain proper distance from overhead electrical power lines (at least 3 m) and/or provide insulating barriers. 	
ESS2	<p><u>_OHS_</u></p> <p>Open trenches. Falling, collapsing risks</p> <p>(-) (M) (2) (C)</p>	<ul style="list-style-type: none"> ✓ Ensure that trenches are adequately barricaded and provided with signs to prevent risk of workers falling into them; ✓ In case trenches are deeper than 70 cm, provide necessary safety tools and equipment such as ladders; ✓ Provide support to trench walls (unstable soil) to avoid collapsing; ✓ Store all materials, including those removed from the trench or excavation, at least 2 feet away from the sides of the trench or behind a suitable restraining system; ✓ Ensure that all adjacent buildings/structures or surface obstructions (e.g., trees, large rocks) near the trench are supported or removed. 	Contractor
ESS2	<p><i>OHS</i></p> <p>Moving machines. Caught in between or run over risks.</p> <p>(-) (H) (2) (C)</p>	<ul style="list-style-type: none"> ✓ Personnel working on the ground must keep clear of moving equipment, wear high visibility vests and never work behind a working machine. Machine operators are not to move equipment without facing in the right direction; ✓ Ensure moving equipment is outfitted with audible back-up alarms; ✓ Establishing rights-of-way and site speed limits; ✓ Training of workers to verify eye contact with equipment operators before approaching the operating vehicle; ✓ Using inspected and well-maintained lifting devices that are appropriate for the load. 	Contractor
ESS2	<p><i>OHS</i></p> <p>Poor or no sanitation facilities, no drinking water, inadequate rest.</p>	<p>The contractor shall:</p> <ul style="list-style-type: none"> ✓ Arrange safe drinking water to workers; ✓ Provide adequate sanitation facilities (toilets and washing areas); 	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
	Poor working/labor conditions. (-) (M) (2) (C)	✓ Shade/rain protection and sitting for all personnel.	
ESS2	<i>OHS</i> Unavailability of safety related equipment. (-) (H) (2) (C)	Contractor shall prepare an inventory of health and safety equipment and logistical arrangements for supply of such. This may include: mobile scaffolds equipped with guardrails; midrails, guardrails, planks and toe-boards for scaffolds completion; acoustic barriers; fencing panels; PPEs for workers; signage; harnesses/lanyards; waste funnels; waste skips and bins; portable toilets; washing stations; paper-roll stands; sanitizers; surgical masks; fire extinguishers; first-aid kits; drinking water containers; secondary spill containment equipment; oil/fuel absorption materials; silt fences; circular saws/grinders with safety guard.	
ESS2	<i>OHS</i> Lack of proper OHS training. (-) (H) (2) (C)	Workers shall be given workplace specific induction training before mobilizing them to the site. This will inform workers about the hazards and risks they may face at the workplace, how the risks are controlled and what to do in an emergency. The induction training shall also include the environmental and social measures and plans in place, e.g. the Code of Conduct, GRM for workers, waste management and Covid protection. Toolbox meetings on different topics, with emphasis on health and safety issues, shall be held daily before works of the day start. The employer should ensure that workers and contractors, 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: <ul style="list-style-type: none"> o Knowledge of materials, equipment, and tools o Known hazards in the operations and how they are controlled 	

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<ul style="list-style-type: none"> o Potential risks to health o Precautions to prevent exposure o Hygiene requirements o Wearing and use of protective equipment and clothing o Appropriate response to operation extremes, incidents and accidents 	
ESS2	<p><i>OHS risks for Mental Health Workers During the Operational Phase of the project</i></p> <p>(-) (M) (2) (O)</p>	<p>Assessment of potential OHS risks and preparation of a plan to manage and mitigate those.</p> <p>Permanent presence of security officers and installation of security cameras.</p> <p>Regulations and standards for the prevention of occupational hazards within the facility.</p>	MHF
ESS2 & ESS4	<p>Lack of proper planning for emergency situations</p> <p>(-) (M) (2) (C)</p>	<p>Contractor shall develop an Emergency sub-plan as part of the C-ESPM, for responding to the following events: Fire, Flood, Hurricane, Worker accident, Environmental accident.</p> <p>The person responsible of administrating and organizing the plan will need to be identified. The plan shall identify which resources are available and have contingency plans in place to make up for any deficiencies. A list of emergency phone numbers shall be available on the site. Resources such as fire extinguishers, spills containment equipment, and first aid kits must be maintained and clearly identified. Personnel trained in first aid, should be included in the plan.</p> <p>Particularly for hurricane preparedness, the plan shall include actions for:</p> <ul style="list-style-type: none"> o Monitoring the weather conditions o Notifying workers o Securing jobsite materials o Securing hazardous materials o Plan for water removal 	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<ul style="list-style-type: none"> ○ Ensure the security of the structure ○ Assess the post-storm damage and plan for recovery actions 	
	<p>Exposure of workers to Covid-19 in case the epidemic changes significantly and government is implementing measures</p> <p>(-) (M) (2) (C)</p>	<p>Contractor is being expected to assess the site-specific situation, following national regulations and WHO guidelines, putting in place mitigation measures to avoid or minimize the chance of COVID-19 infection, and planning what to do if either project workers become infected or the workers come in contact with community members affected by COVID-19. The Contractor should identify measures to address the COVID-19 situation. A systematic approach to planning, recognizing the challenges associated with rapidly changing circumstances, will help the project put in place the best measures possible to address the situation. The Covid-19 sub-plan will be prepared as part of the C-ESMP.</p>	Contractor
<p>ESS3 Resource Efficiency and Pollution Prevention and Management</p>	<p>Natural resources consumption.</p> <p>(-) (M) (2) (C&O)</p>	<p>Energy and Water Efficiency interventions in buildings will be considered during the design, in close coordination with the Mental Health Foundation, depending also on the available funds. Design Firm shall propose energy & water conservation measures based on a cost vs. savings estimation. Passive interventions should be preferred. The proposed cost-optimal energy performance methodology/rating should be in accordance with EU regulations and/or USA sector standards where possible.</p> <p>Those interventions may include among others: bioclimatic design of the building, natural ventilation, solar water heaters, walls and roof insulation, double-glazed windows, LED lights, water saving faucets/toilets, shade, energy efficient cooling.</p>	NRPB, Design Firm
<p>ESS3 & ESS4</p>	<p>Release of air pollutants. Construction dust and vehicles exhaust emissions.</p>	<p>Contractor will be responsible for minimizing dust emission as a result of works activities, monitoring</p>	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
	(-) (M) (2) (C)	<p>dust levels, comply with WB EHS limits and apply mitigation measures. Those measures may include among others:</p> <ul style="list-style-type: none"> √ Minimizing dust from material handling sources, such as conveyors and bins, by using covers and/or control equipment (e.g. water suppression); √ Minimizing dust from open area sources, including storage piles, by using control measures such as installing enclosures and covers, and increasing the moisture content; √ Dust suppression techniques should be implemented, such as applying water or non-toxic chemicals to minimize dust from vehicle movements; √ Truck loads of loose materials should be covered; √ Truck speed should regulated and truck routes should avoid residential areas. <p>Vehicles and heavy equipment should follow the recommended maintenance schedule to ensure exhaust emissions are within the acceptable limits of the manufacturer.</p> <ul style="list-style-type: none"> √ Inform the community of planned activities which may cause dust emissions in a timely manner. √ Planning activities in consultation with local communities and particularly the adjacent school, so that activities with the greatest potential to generate dust are planned during periods of the day/week that will result in least disturbance; 	
ESS3	<p>Release of wastewater.</p> <p>(-) (M) (2) (C&O)</p>	<p>During construction phase, Contractor shall provide adequate number of sanitation facilities for workers, including hand washing stations. Sewage and grey water shall be collected regularly from those facilities and disposed to an authorized receiver.</p> <p>During operation phase, sewage from building users will be directed into the sewerage network and treated in the WWTP facility of Sint Maarten. Sewage</p>	<p>a) Contractor</p> <p>b) NRPB, Contractor</p>

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>connection point is available at the adjacent L.B. Scott Rd, which is serviced through the main sewerage line. The connection pipework is part of the scope of works.</p>	
<p>ESS3</p>	<p>Solid waste disposal.</p> <p>(-) (M) (2) (C&O)</p>	<p>Contractor shall develop a sub-plan as part of the C-ESMP and identify waste materials expected on this project, their disposal method, and handling procedures. Contractor shall report metrics of material quantity disposed and keep Chain of Custody papers. Contractor shall comply with the Waste Ordinance regulations.</p> <p>Contractor shall characterize the solid waste according to composition, source, types of wastes produced, generation rates, or according to local regulatory requirements. Effective planning and implementation of waste management strategies should include:</p> <ul style="list-style-type: none"> ○ Review of waste sources during planning, siting, and design activities, including during equipment modifications and process alterations, to identify expected waste generation, pollution prevention opportunities, and necessary treatment, storage, and disposal infrastructure; ○ Definition of opportunities for source reduction, as well as reuse and recycling; ○ Definition of procedures and operational controls for on-site storage; ○ Definition of options / procedures / operational controls for treatment and final disposal; ○ Prevent the commingling of non-hazardous and hazardous waste to be managed; ○ Collect waste and ensure safe storage. Avoid contact with rainwater. Protect from wind blow; ○ Dispose only at authorized sites; 	<p>Contractor</p>

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<ul style="list-style-type: none"> ○ Keep sites clean and tidy at all times. b) During the operation phase, solid waste will be produced daily from the users of the facility. This waste is mainly municipal type solid waste and will be collected/disposed through the established government practices in place. The MHF will be encouraged to sign a collection agreement with one of the private recycling companies that operate in St Maarten, until the Government establishes a recycling program. There might be also small quantity of medical waste (syringes, medicine), so a medical waste management plan will be developed during the implementation phase for this type of waste collection and disposal following government and WB regulations/guidelines including World Bank Group EHS Guidelines for Health Care Facilities. Space, maintenance and safety requirements for a possible medical waste treatment equipment/room shall be considered in the technical design of the facility. 	b) MHF, NRPB, VSA, Design Firm
ESS3	Fuels, pesticides and other hazardous substances use and/or accidental release. (-) (M) (2) (C)	Contractor shall prepare a respective sub-plan as part of the C-ESMP and provide information about the types and amounts of hazardous materials present in the project. This information should be recorded and should include a summary table with the following information: <ul style="list-style-type: none"> ○ Name and description (e.g. composition of a mixture) of the Hazmat ○ Classification (e.g. code, class or division) of the Hazmat ○ Internationally accepted regulatory reporting threshold quantity or national equivalent of the Hazmat ○ Quantity of Hazmat used per month 	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<ul style="list-style-type: none"> ○ Characteristic(s) that make(s) the Hazmat hazardous (e.g. flammability, toxicity) Contractor shall ensure that the following key points are considered: <ul style="list-style-type: none"> ○ The Material Safety Data Sheets (MSDS) shall be kept on site for inspection. ○ Identify of locations of hazardous materials and associated activities on an emergency plan site map. ○ Store hazardous materials in an area protected from rain, wind and heat, on impermeable surface. ○ Document of availability of spill response equipment (e.g absorption materials, shovels, bins) sufficient to handle at least initial stages of a spill. ○ Provide of secondary containment, drip trays or other overflow and drip containment measures, for hazardous materials containers at connection points or other possible overflow points. Secondary containment structures shall be inspected to ensure the integrity and remove any liquid accumulation. ○ Prevent overfill of tanks by using appropriate control methods such as gauges, float valves, shut-off valves, etc. ○ Fittings, pipes and hoses used for liquids transfer shall be compatible and suitable for the characteristics of the materials transferred, as well as regularly inspected. ○ Not comingle empty containers or tools (e.g. paint buckets and brushes) with other solid waste. Collect and dispose separately in accordance with local requirements. ○ Hazardous waste containers shall be labeled as such. 	

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<ul style="list-style-type: none"> ○ Paints, solvents and other hazardous fluids should not be poured or washed into the drain. ○ PPEs are available for workers in contact with such materials. <p>Contractor shall not use any pesticide that is banned in USA or EU. Contractor shall not use any formulated products that fall in WHO classes IA and IB (World Health Organization's Recommended Classification of Pesticides by Hazard and Guidelines to Classification). The pesticide formula must have negligible adverse human health effects, be effective against the target species and must have minimal effect on nontarget species and the natural environment.</p> <p>Contractor shall have in place a procedure to handle any accidental spill. Training shall be provided to workers handling such materials. Incorporate in the training information from Material Safety Data Sheets (MSDSs).</p>	
ESS3	Use of pesticides for termite treatment (-) (M) (2) (C)	The necessity of a possible termite treatment of the new building foundations will need to be verified during design. Alternative techniques vs chemical spraying should be discussed. If termiticide spraying is approved by NRPB, then the chemical formula shall have the minimum possible effect on health and environment.	NRPB, Design Firm
ESS3	Silt runoff release into waterbodies (-) (M) (2) (C)	Contractor shall take measures for keeping the soil on the construction site, rather than letting it be washed off into natural water bodies. A silt fence should be placed, which is a temporary sediment barrier made of porous material. The fence should be well designed, installed and maintained. Before the placement of the fence, Contractor should analyse the construction site's contours to determine the proper placement. The linear length of the fencing should be proportional to the construction site area.	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		If there is a need for discharging pumped out water, this water will need to be filtered through a silt bag or similar equipment.	
ESS3	Trees cutting (-) (L) (2) (D&C)	There are a total of 5 midsized trees growing in the property. The design Architect should take this under account and integrate as many as possible of those trees in the building/plot layout, at a minimum the three of them that are grouped in the northeast corner of the plot. If preservation is not possible, then Contractor shall replant those trees to another location within the plot.	Design Firm, NRPB, Contractor
ESS3	Lack of Green spaces (+) (M) (2) (D&C&O)	The design Architect shall consider the integration of greenspaces in the building/plot layout. The greenspaces should be carefully designed to offer multifunctional benefits in terms of biology, water infiltration, shade, recreation. Endemic or acclimatized trees and shrub species should be preferred, according to guidance that should be sought from VROMI.	Design Firm, NRPB
ESS4 Community Health and Safety	Safety risks to community related to the building's structural elements. (-&+) (H) (2) (D&C&O)	Structural elements of the project will be designed and constructed by competent professionals and certified or approved by competent authorities or professionals. Emphasis will be given into hurricane and seismic resilience. The buildings must be able to withstand category 5 hurricanes and also resist earthquake forces Zone 3 according to the UBC for the Caribbean region. The Project is expected to have a positive impact compared to current building practices, which do not require Category 5 Hurricane resilience.	NRPB, Design Firm, Contractor, Supervisor
ESS4	Life & Fire Safety (L&FS) risks for building users. (-&+) (H) (2) (D&C&O)	The building shall be designed to meet all local building codes, Fire Department regulations and in accordance with an internationally accepted Life & Fire Safety standard (i.e. the Life Safety Code by US	NRPB, Design Firm, Contractor, Supervisor


Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>NFPA).</p> <p>The Design Consultant shall engage a Life & Fire Safety Professional in a key personnel position. The Consultant is expected to prepare the following reports:</p> <ul style="list-style-type: none"> ○ L&FS Master plan ○ Fire protection technical design ○ Final testing and commissioning of fire protection systems ○ Final delivery of L&FS documentation <p>The Project is expected to have a positive impact compared to current L&FS practices.</p>	
ESS4	Hurricane Preparedness (-&+) (M) (2) (D&C&O)	<p>The building should be designed to include aspects related to energy and potable water autonomy in case of hurricane related disaster. The minimum autonomy period should be discussed and agreed based on MHF needs and Government advise. Energy generator, sufficient fuel supply and potable water tanks should be incorporated in the design, to cover the needs of the building users. The specific needs will be further discussed with the MHF during the preparation and implementation phase.</p> <p>The Project is expected to have a positive impact compared to current practices.</p>	NRPB, Design Firm, Contractor, Supervisor, MHF
ESS4	Accessibility restrictions of the new facility (-&+) (M) (2) (D&C&O)	<p>The facility shall provide easy access to people with disabilities and must also have sex appropriate amenities. The universal design principles shall be followed by the Design Firm. All floors and rooms shall be accessible, as well as toilets, recreation areas, green spaces, etc.</p> <p>The Project is expected to have a positive impact compared to current building practices.</p>	NRPB, Design Firm

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS4	Ensure the sustainability of the investment (-&+) (M) (2) (D&O)	To ensure the maximum life expectancy of the new building, a maintenance plan shall be prepared by the Designer or works Contractor with MHF's collaboration and later be implemented by the MHF. MHF should commit to the allocation of the necessary resources for the execution of the maintenance activities. The Project is expected to have a positive impact compared to current building maintenance practices.	NRPB, Design Firm or Contractor, MHF
ESS4	Risk of falling into Trenches excavated on public spaces (-) (M) (2) (C)	Contractor shall: <ul style="list-style-type: none"> ○ Ensure that trenches excavated in public areas shall be adequately barricaded and provided with signs to prevent risk of public falling into them. ○ Properly cover open trenches using cover boards (should be robust/safe for pedestrian/cars) especially at the end of the working day. ○ Safe pedestrian crossings shall be placed over open trenches to facilitate residents' mobility. 	Contractor
ESS4	Traffic and road safety related risks (-) (M) (2) (C&O)	The Contractor shall: <ul style="list-style-type: none"> ✓ Always maintain safe access to and egress from the site for the duration of the Works. The Contractor shall be responsible for conducting the Works without putting at risk members of the public or others who may be affected by the Works. ✓ Not block the local streets/roads for traffic without first obtaining the required authorization from the Ministry of Public Housing, Spatial Planning, Environment and Infrastructure (Ministry of VROMI) and the Ministry of Justice; ✓ In consultation with the Ministry of VROMI inform the General Public of any scheduled blocking of roads (Newspaper ads and PSAs). 	Contractor, Design Firm

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<ul style="list-style-type: none"> ✓ Where relevant, place traffic signs and flagmen at required places to control the traffic as directed by the Ministry of VROMI ✓ Employing safe traffic control measures, including road signs and flag persons to warn of dangerous conditions. ✓ Avoid movement of trucks and heavy equipment during traffic peak hours and school drop-off/pickup hours. ✓ The contractor shall manage available parking spaces in a responsible manner, shall encourage or facilitate joint transportation for staff. ✓ Contractor should prepare a drawing with site access routes, entry gates and storage area. ✓ Contractor shall prepare a Traffic Management sub-plan as part of the C-ESMP. ✓ Particularly for the adjacent MAC Browlia F. Maillard Campus the Contractor should ensure safe and unobstructed access to St John's Estate Rd (main road), for students, parents, school staff and community. <p>The Design Firm shall consider the future use of the facility and assess the parking spaces needs for the building users and visitors. The building layout shall provide adequate parking spaces to facilitate those needs and not burden the surrounding community.</p>	
ESS4	Unauthorized access to the construction site. Risk of accident. (-) (M) (2) (D&C&O)	Security fencing shall be provided around the perimeter of the construction site, including any additional precautionary measures taken to prevent unauthorized entry to the site at all times during the construction period. Security fencing shall be minimum of 1.8m high, wire mesh panels or equivalent. Where the construction site adjoins a public	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>thoroughfare, the common boundary between them shall be fenced for its full length with a hoarding. The hoarding shall be constructed of solid materials to a height of not less than 1.8 m adjacent to the thoroughfare.</p> <p>The site shall be equipped with signage that informs all workers and visitors of the regulations, hazards and site or job specific safety equipment required. Any unsafe area should be identified with a barricade and hazard signage. Warning for unauthorized access shall be visible at the entrance. Contractor will need to specify type, dimensions and number of signs used per site.</p> <p>Signage shall be posted for community members with information on different channels available to submit a complaint.</p> <p>The access to the new facility during the operation phase will be controlled as is currently the case. The Design Firm should consider the safety and accessibility needs of the facility, in consultation with MHF, and design appropriate safety and security elements.</p>	Design Firm, MHF
ESS4	Flooding risk of construction site and new building (-) (M) (2) (D&C&O)	<p>The new facility is located in a flood prone area and Design Firm shall propose appropriate mitigation measures for the safety of buildings and users, as part of the design package.</p> <p>The Design Firm shall prepare a flood assessment/report specifically for the development plot and propose proportional measures for flood avoidance, drainage infrastructure, impermeable surfaces, water retention/infiltration etc.</p>	Design Firm

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>The design of the new building should be in accordance with the draft Zoning Plan of the area, in terms of flood safety risk protection.</p> <p>The Contractor shall have in place an Emergency Response sub-plan in case of flooding, to protect the construction site, workers safety, materials, infrastructure etc, and the means for fast recovery and resume of works after such event.</p>	Contractor
ESS4	<p>Nuisance to the Community due to noise. (-) (H) (2) (C)</p>	<p>The Contractor shall:</p> <ul style="list-style-type: none"> √ Regularly measure noise levels and take extra measures in case of non-compliance with the WB standards (see table further down). √ Install noise control devices, such as temporary noise barriers, noise quilts or deflectors for impact and blasting activities; √ Use exhaust muffling devices for combustion engines where possible; √ Avoid working outside normal working hours. √ Maintain all equipment and vehicles to keep them in good working order. √ Inform the community of planned activities which may cause noise nuisance in a timely manner. √ Planning activities in consultation with local communities so that activities with the greatest potential to generate noise are planned during periods of the day that will result in least disturbance; √ Avoiding or minimizing project transportation through community areas where possible; √ Comingle loads for minimizing load/drop-off movements; √ Limiting the hours of operation for specific pieces of equipment or operations, especially mobile sources operating through community areas; √ Re-locating noise sources to less sensitive areas to take advantage of distance and shielding; √ Developing a mechanism to record, resolve and respond to complaints, including complaints regarding noise. 	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility														
		 Environmental, Health, and Safety GENERAL EHS GUIDELINES: ENVIRO NOISE MANAGEMENT <table border="1" data-bbox="1129 418 1474 591"> <thead> <tr> <th colspan="3">Table 1.7.1- Noise Level Guidelines⁵⁴</th> </tr> <tr> <th rowspan="2">Receptor</th> <th colspan="2">One Hour L_{Aeq} (dBA)</th> </tr> <tr> <th>Daytime 07:00 - 22:00</th> <th>Nighttime 22:00 - 07:00</th> </tr> </thead> <tbody> <tr> <td>Residential; institutional; educational⁵⁵</td> <td>55</td> <td>45</td> </tr> <tr> <td>Industrial; commercial</td> <td>70</td> <td>70</td> </tr> </tbody> </table> <p>Specifically for the MAC Browlia F. Maillard Campus and the adjacent residential unit, Contractor shall erect a noise barrier of appropriate height, along the south side of the plot boundary, to ensure the compliance with above WB limits and also install real time noise measuring devices to confirm the compliance.</p> <p>The NRPB already has a GRM in place which is available to the community for the lodging of complaints regarding any of the projects implemented by NRPB. Additionally, the contractor is mandated to develop a GRM following the guidelines described in this ESMP, provided by the NRPB. This should be included in the C-ESMP and will provide procedures for the lodging of community complaints. (See ESS10 further in this table for more details on the GRM).</p>	Table 1.7.1- Noise Level Guidelines ⁵⁴			Receptor	One Hour L _{Aeq} (dBA)		Daytime 07:00 - 22:00	Nighttime 22:00 - 07:00	Residential; institutional; educational ⁵⁵	55	45	Industrial; commercial	70	70	
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	Daytime 07:00 - 22:00	Nighttime 22:00 - 07:00															
Residential; institutional; educational ⁵⁵	55	45															
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ESS4	Nuisance to patients due to road noise.	The new facility may include structural features that will minimize the impact of outside noise. Such features could include noise insulating windows and	MHF, Design Firm														

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
	<p>The new facility is adjacent to a busy road which may cause a nuisance to patients suffering from noise sensitive, causing anxiety, etc.</p> <p>(-) (M) (2) (O)</p>	<p>walls or a noise barrier along the road. Proportional measures shall be proposed by Design Firm based on consultation and the needs of MHF. A Noise assessment could be performed for measuring the baseline conditions. Mitigation measures will be specified in detail during the preparation and implementation phase of the project.</p>	
ESS4	<p>Community nuisance from dust and exhaust emissions into the air</p> <p>(-) (M) (2) (C)</p>	<p>See ESS3 above for dust and exhaust emissions avoidance and mitigation measures.</p>	Contractor
ESS4	<p>Exposure of community to Covid-19 in case the epidemic changes significantly and government is implementing measures</p> <p>(-) (L) (2) (C&O)</p>	<p>There is a low risk of increase of the community exposure to Covid-19. The pandemic has gone into an endemic phase and Government has lifted the Covid measures. The situation will be monitored and risk rating will be reassessed if conditions evolve differently.</p> <p>The MHF will be responsible for assessing the endemic situation during the operation phase and adopting appropriate protective measures for patients and staff.</p>	NRPB, Contractor, Supervisor, Design Firm, MHF
ESS4	<p>Nuisance to sensitive receptors due to construction activities</p> <p>(-) (H) (2) (C)</p>	<p>The MAC Browlia F. Maillard Campus and, to a lesser extent, the WYCCF which is further away, have been identified as the sensitive receptors in proximity with the project site. The mitigation measures for minimizing noise, dust and traffic disturbance described above should prevent any significant negative impact.</p> <p>Contractor is also responsible for informing the wider Community about the works and actively identifying if there are people with health or other conditions, who are sensitive, and could potentially be disproportionately affected by construction nuisance.</p>	Contractor, NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		Receiving of complaints is another channel for identifying people requiring special attention.	
ESS4	Impact on area aesthetics (-) (L) (2) (D&C&O)	The impact on the aesthetic value of the area will depend on the physical characteristics of the new building. The Design Firm shall consider the smooth integration of the new facility appearance into the surrounding area, subject to applicable building codes and draft Zoning Plans.	Design Firm
ESS4	Cumulative impact from other construction activities (-) (M) (2) (C)	NRPB is funding numerous civil works in the greater Cul De Sac area, but the chance of overlapping is minor to zero based on the current planning of projects. In case of an overlap, NRPB should consider the possible cumulative impact on neighbourhoods and minimize long term impact on residents, businesses and users of the area, by utilizing appropriate measures like coordinating between different Contractors, creating synergies, adopting the program planning, enhancing the stakeholder engagement, etc. NRPB should convey this information to Contractors who may be required to adjust their C-ESMP accordingly.	NRPB , Contractor
ESS4	Community risks from emergency situations on the construction site (fire, flying objects, flood, etc.) (-) (M) (2) (C)	The Emergency Response sub-plan prepared by Contractor as part of the C-ESMP shall describe the measures in place to minimize any negative impact on workers and community health and safety. More details are given under ESS2 above.	Contractor
ESS4	Security personnel related risks (use of force, behaviour towards the public, etc) (-) (L) (2) (C)	Contractor has a responsibility to ensure proper hiring, training, rules of conduct, and supervision of private security personnel (single guard or night watchman). Contractor should be guided by the Good Practice Note: <i>“Assessing and Managing the Risks and Impacts of the Use of Security Personnel”</i> ; Contractor shall have a policy to perform preemployment screening for all guards. At a minimum, these checks	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>should include police records, certificates of good conduct as well as checks with former employers; Use-of-Force Training shall be provided to personnel. Training should emphasize avoidance of unlawful or abusive behavior. This training should clearly define abusive behavior in relation to proper behavior and point out sanctions; Use of force restraint and caution must be exercised; Contractor should ensure that all employees are provided with the appropriate training and equipment to undertake their responsibilities.</p>	
ESS4	SEA/SH (-) (M) (2) (C&O)	<p>The Contractor is required to refer any community complaints with a SEA/SH component to the NRPB's GRM and will be dealt with appropriately. Depending on the needs of the complainant, referral to service providers and/or law enforcement will take place.</p> <p>Sensitization training on SEA/SH, legal ramifications for infraction and the Contractor's and NRPB's GRM provides guidance for dealing with SEA/SH matters.</p> <p>The NRPB Code of Conduct for Construction outlines the obligations on all the Contractor's staff regarding SEA/SH, that all workers are expected to adhere to. The Contractor is required to include this in their own CoC which is subject to NRPB's approval.</p> <p>The Contractor shall include in the C-ESMP, a section on investigation of possible violations and the consequences thereof.</p> <p>Disciplinary sanctions are firstly governed by the country's labour legislation and secondly by the contract specific arrangements.</p> <p>All workers are required to sign the CoC prior to starting any work. Workers must follow the Contractor's Training which shall include SEA/SH sensitization, Code of Conduct, and related topics.</p>	Contractor, NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>SEA/SH training shall also be repeated regularly (monthly) and particularly where an incident of non-compliance has occurred.</p> <p>Contractor will conduct Toolbox Trainings for staff prior to commencement of works, and regularly (weekly) during construction phase. This will include sensitisation on SEA/SH and the Code of Conduct, which provides guidelines specific to these issues.</p> <p>Supervisors/Relevant Personnel (ESHS Officers) will be hired to deal with matters related to these infractions, based on procedures described in the CoC and the Contractors' GRM.</p> <p>Contractor to be encouraged to hire women to work on their projects to ensure gender equity/distribution, once the female applicants have the required skill, training or academic qualifications.</p>	
ESS4	Resistance from members of the community about the construction of such a facility in the neighborhood (-) (H)(2)(C&O)	The Project Management Team (PMT) will conduct effective stakeholder consultations prior to commencement of works, during the project planning phase in line with the standards and in accordance to the SEP.	NRPB
ESS4	Increased substance abuse in the community (-) (L)(2)(C)	Contractor, in consultation with NRPB, shall take necessary actions to prevent improper behavior of its personnel. Regulations must be outlined at orientation with workers, prior to the commencement of the works. Contractor to have periodic meetings with staff.	
Operational Risks			
ESS4	Clinical Risks	The management of the facility will implement measures which will ensure continuous monitoring and surveillance during operations.	MHF

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
	<p>Increased sexual vulnerability of mental health patients, self-harm and harm to others done by mental health patients</p> <p>(-)(H)(2)(O)</p>	<p>Installation of security cameras and other security features included in the design of the facility</p> <p>The design of the facility should meet internationally accepted requirements/standards.</p> <p>The new facility will be an improvement for patients, compared to the current situation.</p> <p>Measures will be Implemented to remove access to dangerous items and prevent situations from occurring.</p>	Design Firm
	<p>Personnel hired not adequately qualified to provide care to mental health patients.</p> <p>(-)(H)(2)(O)</p>	<p>Terms of reference for staff positions will be guided by the best practices and requirements in mental health care.</p> <p>Terms of Reference for the hiring of medical/healthcare personnel for the facility will have, as a requisite, registration in the BIG Register of the Netherlands and other relevant licenses and permits, based on the particular position.</p>	MHF
	<p>Access to services - facility will not be equally physically accessible to all those with mental health problems</p> <p>(-)(L)(2)(D&O)</p>	<p>The design will incorporate features for universal access to the facility.</p>	<p>Design Firm</p> <p>Contractor</p> <p>MHF</p>
	<p>Training not meeting the needs of trainees for the care of mental health patients</p> <p>(-)(L)(1)(C&O)</p>	<p>Training program will be based on the assessment conducted during the project preparation and implementation phase.</p>	<p>MHF</p> <p>Training Consultant</p>

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS4	The mental health project will not identify gaps in mental health services needed on the island and the barriers to access mental health services.	During the project preparation phase, multiple assessments are being conducted, such as the Capacity Needs Assessment, The Situational Analysis and the financial and organisational review of the MHF. The outcome and recommendations of these assessments will be taken up in the project design. Part of the sub-components is providing technical assistance for follow-up assessments where needed.	NRPB MHF Government of Sint Maarten Consultants
ESS 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement <u>Not Relevant</u>			
ESS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources <u>Not Relevant</u>			
ESS 7: Indigenous Peoples/ Sub-Saharan African Historically Underserved Traditional Local Communities <u>Not Relevant</u>			
ESS8 Cultural Heritage	Adverse impact on Cultural Heritage (+) (M) (2) (D&C&O)	NRPB has engaged a Cultural Heritage Consultant to conduct a cultural heritage assessment (CHA) of the proposed site for the construction of the new mental health facility. The assessment suggested that the original historical structures and slave dry-wall have been severely and/or completely damaged and as such would have minimal potential for preservation and are not suitable for potential restoration. Consultant has also drafted 'Chance Find Procedures' incorporated into this ESMP (see Annex 3) and will prepare a 'Chance Find Clause' to be incorporated into the Works contract(s). The Design Firm shall take under consideration the CHA and location of the features, and adjust if necessary, the building/plot layout accordingly, to ensure the preservation and avoid any further damage of the identified features.	NRPB, Cultural Consultant, Design Firm, Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>Contractor shall cordon-off and respect the boundaries of the identified features and take measures for not causing any accidental damage or other adverse impact.</p> <p>NRPB will disclose the Cultural Heritage Assessment as part of the ESMP and actively engage stakeholders to review and provide feedback.</p> <p>The Cultural Heritage Assessment and Chance Finds Procedure can be found under Annexes 2 and 3 respectively.</p>	
ESS8	<p>Encounter of previous unknown heritage during works</p> <p>(-&+) (M) (2) (C)</p>	<p>A Chance Finds Procedures (CFP) sub-plan shall be part of the C-ESMP prepared by Contractor. The Contractor's CFP shall be in line with the CFP that has been prepared by the Cultural Consultant and is attached in this ESMP (Annex 3).</p> <p>A chance find can be both a risk and an opportunity.</p>	Contractor
ESS 9: Financial Intermediaries			
<i>Not Relevant</i>			
ESS 10: Stakeholder Engagement and Information Disclosure	<p>Adequately identify the different stakeholders of the project, both project-affected parties and other interested parties.</p> <p>(-&+) (H) (1&2) (D&C&O)</p>	<p>NRPB has developed a draft Stakeholder Engagement Plan (SEP) and will seek the views of stakeholders on the SEP, through a public consultation process, in a timeframe as agreed in the ESCP.</p> <p>The draft SEP will be disclosed on the NRPB website prior to project appraisal for public review and comment. Targeted consultations requesting feedback on major project components and activities will be also arranged. Consultation outcome will be included in the SEP. More details are included in Section 6.6.</p> <p>Project is expected to have a positive impact compared to current stakeholder engagement practices in St. Maarten.</p>	NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
<p>ESS10</p>	<p>Sharing of adequate information to allow stakeholders to understand the risks and impacts of the project.</p> <p>(-&+) (M) (1&2) (D&C)</p>	<p>This draft ESMP will be disclosed (prior to project appraisal) on the NRPB social media, website and its availability communicated through notifications in the Daily Herald and in social media (including the Facebook pages of the NRPB and Government of Sint Maarten -GoSM).</p> <p>Project is expected to have a positive impact compared to current public information practices in St. Martin.</p>	<p>NRPB</p>
<p>ESS10</p>	<p>(-&+) (M) (1&2) (D&C)</p> <p>A lack of stakeholder and community knowledge about the project and mental health and inadequate engagement, consultation and dialogue with stakeholders and the project affected community.</p>	<p>Conduct Stakeholder Identification and Analysis.</p> <p>Develop and implement Stakeholder Engagement Plan and update with new information following consultations.</p> <p>Adequately document and keep records of stakeholder engagement, including a description of the stakeholders consulted, feedback received, how the feedback was taken into account, or the reasons why it was not.</p> <p>Reflecting relevant stakeholder inputs in social and environmental risk management instruments.</p>	<p>NRPB</p>
<p>ESS10</p>	<p>GRM.</p> <p>Stakeholders and members of the community may be dissatisfied or concerned with the project and related activities.</p> <p>(-&+) (M) (1&2) (D&C)</p>	<p>Have a mechanism to receive and facilitate the resolution of concerns and grievances from the project.</p> <p>The NRPB Grievance Redress Mechanism (GRM) is updated to be aligned with the ESF. It is active and will continue to be in place to process concerns and grievances which arise from the project, including the receiving of SEA/SH and anonymous grievances.</p>	<p>NRPB</p>

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		<p>NRPB’s GRM and complaints procedures can be found on the NRPB’s website: (https://nrpbsxm.org/complaints-procedure/)</p> <p>Contractors will be required to develop their GRM as part of the C-ESMP, following the guidelines provided by the NRPB and included in this ESMP. However, project related complaints lodged must be reported to the NRPB for management/resolution.</p> <p>The process is described in the NRPB GRM.</p> <p>The Grievance Redress Mechanism will be shared online as part of the SEP and consulted on during stakeholder consultations.</p> <p>Project is expected to have a positive impact compared to current grievance management in St. Maarten.</p>	
ESS10	Stigma and discrimination from members of the public. (-)(H)(2)(O)	Public consultations and awareness/information campaigns will be held during the project preparation and implementation as part of Component 1.	NRPB MHF
ESS10	Lack of information and awareness about mental health by the community, this could pose risks in terms of general support from the public for the project activities. (-)(H)(2)(C&O)	<p>Education and training will commence under the project in Component 1. Up to date, general support from the public is observed.</p> <p>Public consultations were included in the SEP and will be held prior to project commencement. Feedback from adjacent communities and stakeholders will be used to direct content and methods of public awareness and engagement.</p>	
ESS10	Risk that public meetings may lead to spreading of Covid-19 or other communicable disease within the community. (-)(L)(all)(D&C)	It will be ensured that consultations are planned bearing in mind COVID conditions at that time, and provide opportunities for online communication tools and design virtual meetings/consultations if required	NRPB

6.3 Cultural Heritage Assessment (CHA)

ESS8, Cultural Heritage, sets out measures designed to protect cultural heritage throughout the project life cycle. It recognizes that cultural heritage provides continuity in tangible and intangible forms between the past, present and future. People identify with cultural heritage as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions.

In order to meet ESS8's objectives of:

- (i) protecting cultural heritage from the adverse impacts of activities of the project;
- (ii) supporting the preservation of cultural heritage

and because of the integral part it plays in sustainable development, the NRPB hired a consultant to conduct a cultural heritage assessment (assessment completed, see [Annex 2](#)) of the new facility construction plot and to develop the relevant environmental and social risk management instruments to ensure compliance with ESS8 as necessary.

From the site inspections at the St. John's Ranch property, it is suggested that the original historical structures, the Boiling House and the Animal Treadmill, have absolutely minimal preservation, and as such would not be suitable for potential restoration. This is also in consideration, that there are so few image records of the site features to conduct reconstructions from. The minimal surviving dry-stone 'slave walls' evidence to the southeast of the property, are also of minimal quality for preservation and/or restoration. The complication of restoring such a 'slave wall' with minimal stone remains (both vertical and horizontal) present, is that it would then become a modern replica, with the quality limitations which that action may have. Such that the overall St. John's Ranch property has been almost completely altered with modern bulldozer activity, no other historical features are expected at this site.

In case of unforeseen structural features and/or artifacts, during development at this site, the Chance Find Procedures (see [Annex 3](#)) will be activated and an archaeologist should be brought in for observations.

6.4 Labour Management Procedures (LMP)

NRPB developed the Labour Management Procedures which outline the requirements for assessing and managing labour and working conditions for all components of the Project, including occupational health & safety risks associated with the construction of the new MH facility . During project implementation, the Labour Management Procedures will be updated as needed.

6.5 NRPB's E&S Consultants and Staff

NRPB E&S team currently consists of a team of six professionals, that is the Department's Head, three Environmental Specialists and two Social Specialists, while is in the process of hiring an additional Social Specialist. One Environmental and one Social Specialist are assigned to the MHP project for developing the E&S instruments and ensuring ESHS compliance throughout the project life cycle. Additional support, internal, or through external consultants, is seek, to provide needed

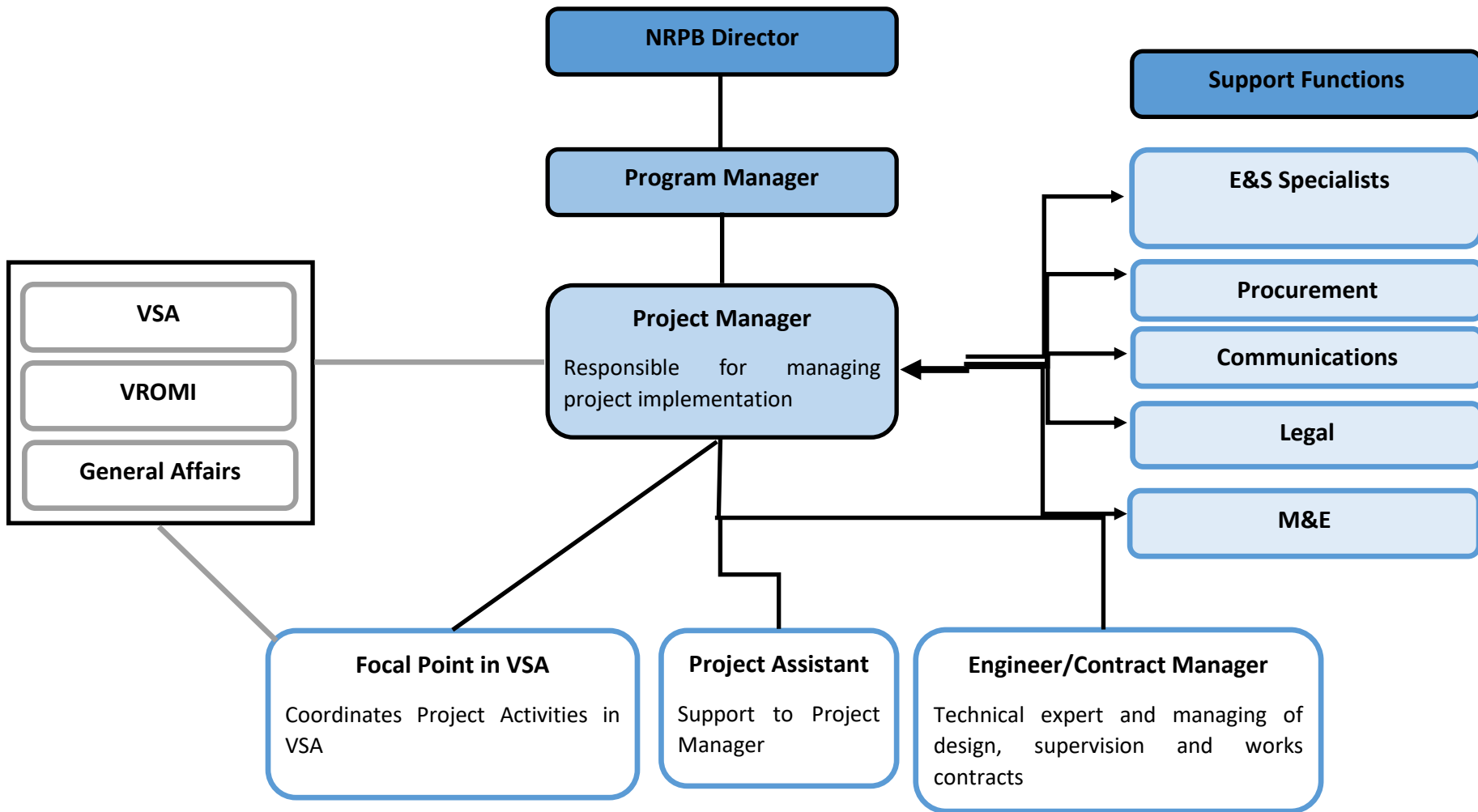
support on the core team whenever required. The E&S Specialists have developed the following Environmental and Social Risk Management instruments/documents applicable to the project:

- Environmental and Social Management Plan (ESMP)
- Environmental and Social Commitment Plan (ESCP)
- Stakeholders Engagement Plan (SEP)
- Labour Management Procedures (LMP)
- Terms of Reference for a Cultural Heritage ESS8 Specialist for the assessment and management of the potential cultural heritage aspect that might be located on project site

The NRPB will maintain an organizational structure with qualified staff and resources to support management of E&S risks and preparation and implementation of the Environmental and Social Risk Management instruments/documents needed for the Project. E&S team is also supported by the project manager, project coordinator, procurement specialists, communications, financial, legal and M&E departments.

Additionally, works Contractor and Supervisor are required to have ESHS Specialists as key personnel. NRPB shall hire and maintain at least one supervision firm for the works with at least one Environmental, Social, Health and Safety (ESHS) specialist as key personnel of the firm to be on island throughout the duration of the construction works. NRPB shall also require Contractors to hire and maintain throughout construction at least one Environmental, Social, Health and Safety (ESHS) specialist as key personnel. The Contractor's expert shall be on site during works implementation phase.

Figure 11: Mental Health Project Organizational Chart



6.6 Stakeholders Engagement Plan (SEP)

A draft Stakeholders Engagement Plan (SEP) has been prepared for the Project consistent with the World Bank's Environmental and Social Framework (ESF) and Environmental and Social Standards (ESSS) which both take into consideration the various levels of capacity of civil society actors and plans for consultations with all stakeholders as the intended beneficiaries throughout the project life cycle. The SEP indicates the key stakeholders, engagement approaches for consultations, grievance redress procedures, and proposed consultation dates.

The project has a broad range of stakeholders, who will be either directly or indirectly impacted by project activities. These stakeholders are broadly categorised in to two categories in accordance with ESS10. The stakeholders for this project are shown below in Table 6, in the following categories:

- (I) Project Affected Stakeholders
- (II) Project Interested Stakeholders.

Table 6: Categories of Project Stakeholders

Stakeholder Group	Specific Stakeholder	Categorization		Influence/Importance	
		Project Affected Stakeholders (a) (Beneficiaries)	Project Interested Stakeholders (b)	Influence (Power) High/Low	Importance (Interest) High/Low
Licensed Care Institutions	Mental Health Foundation (MHF) - <i>Also project partner</i>	x	x	High	High
	White and Yellow Cross Care Foundation (WYCCF)		x	Low	High
	Sint Maarten Medical Center		x	Low	High
	General Practitioners		x	High	Low
Foundations providing mental health or related services (substance use)	Turning Point Foundation (TPF)		x	Low	High
	Key to Freedom		x	Low	Low
	Ujima (Youth)		x	Low	High
Clients via Client Council or their representatives	Client Council MHF	x		Low	High
Government	Department of Public Health (PHD) - Ministry of Public Health, Social Development &	x		High	High

	Labour (VSA) - <i>Also project partner</i>				
	Collective Prevention Services (CPS) - Ministry of Public Health, Social Development & Labour (VSA)		x	High	High
	Department of Social Development (SDD) - Ministry of Public Health, Social Development & Labour (VSA) - <i>Also project partner</i>	x		High	High
	Community Development, Family and Humanitarian Affairs (CDFHA) - Ministry of Public Health, Social Development & Labour (VSA)		x	Low	High
	Social Services and Labor Affairs, Ministry of Public Health, Social Development and Labour (VSA)		x	Low	High
	Ambulance Service Sint Maarten (AMS)		x	Low	Low
	Council for Public Health		x	Low	Low
	Inspectorate of VSA (IVSA)		x	Low	High

	Public Prosecutor		x	High	High
	Policy Department - Ministry of Justice		x	High	Low
	Police Department - Ministry of Justice		x	High	Low
	Student Support Services, Ministry of Education, Culture Youth and Sports		x	Low	Low
	Ministry of Finance		x		High
	Ministry of VROMI			x	High
Judicial Institutions	Stichting Justitiele Inrichtingen Bovenwindse Eilanden/Sint Maarten (SJIB/SJIS)	x		Low	Low
	Voogdijraad/Court of Guardianship	x		Low	Low
Medical Associations	Association for Psychologists and Allied Professionals Sint Maarten (APAP)	x		Low	High
	Medical Specialists Association (MSA)		x	Low	Low
	Sint Maarten Medical Association (SMA)		x	Low	High
	Windward Islands Medical Association (WIMA)		x	Low	High
	Sint Maarten Foundation for Psychologists & 'Orthopedagogues' (SFPO)	x		Low	High

	Sint Maarten Social Workers Association (SSWA)		x	Low	Low
			x	Low	Low
Insurance	Sociale & Ziektekosten Verzekering (SZV) -	x	x	High	Low
	Private Insurances & brokers (i.e. Ennia, Nagico, Guardian, Henderson, Boogaard, ICWI, etc.)		x	Low	Low
International Support Organization	Pan American Health Organization (PAHO)	x		Low	Low
Surrounding Community	MAC Browlia Maillard School		x	Low	High
	St. Johns Estate NV	x		Low	Low
	Home Owners Association		x	Low	High
Surrounding Businesses	Wizard (IT Company)		x	Low	High
	Soil		x	Low	High
Co-financier			x	High	Low

The timing of consultations and the consultation approach with these groups are elaborated in the project's draft SEP. Consultations were held for the Situational Analysis and the Capacity Needs Assessment during project preparation, commencing in July 2022. The Ministry of Public Health in coordination with the NRPB conducted a Capacity Needs Assessment to inform the establishment of a new mental health care facility for the MHF and determine the footprint and required investments. The focus of consultations for the Situational Analysis were to assess the country's current mental health system. Further details are provided in Section 7.1 of the draft SEP developed for this project. During the design phase, as part of the implementation of the project, before plans are submitted for approval/clearance and before starting the bidding procedures for the construction of the new facility, consultations will be held with the potential users of the facility (staff and client council), and other interested parties, including the surrounding community, families and businesses (See Section 7.2 of the draft SEP - Stakeholder Engagement During Project Implementation).

6.6.1 Access to Information

The NRPB is committed to providing information to direct stakeholders, government agencies, beneficiaries as well as the wider general public on Sint Maarten of on-going project activities. This will take place through regular updates via various media channels as listed in the SEP, through a variety of beneficiary feedback mechanisms. Finally, anyone can request specific feedback or post specific questions through a variety of social media and direct communication channels as listed in the SEP.

During the preparation of this project drafts of the E&S risk management documents will be publicly disclosed on the NRPB's social media and website and consultations will be held with stakeholders. These consultations will continue throughout the project life cycle at various levels, using the appropriate media.

6.6.2 Communications and Consultation Planning

The NRPB Communications Team, in collaboration with the E&S and Project Management Team will develop a Communications and Consultation Plan to guide the disclosure of the relevant E&S instruments with the stakeholders and the public for review and feedback. Additionally, the details of upcoming community consultations in the community, as per the SEP, will be published included.

The Communications and Consultation Plan will also make provisions for consultations with the various stakeholders to be held during the various phases of the project, as outlined in the SEP.

6.7 Grievance Redress Mechanism (GRM)

NRPB has a Grievance Redress Mechanism (GRM) in place and available for all stakeholders. The updated GRM was revised and cleared by the World Bank in October 2022 and is disclosed on NRPB's website at: **Complaints Procedure – National Recovery Program Bureau (nrpbxm.org)**

6.7.1 Scope

Definition of Complaint

A complaint is an issue, concern, problem (perceived or actual) which an individual, group or community wants addressed by the NRPB. This Grievance Redress Mechanism applies to complaints or grievances filed about services, products, impacts, or about employees and consultants at all levels within the Bureau. Note that this is limited to projects implemented by the NRPB. In case of doubt, the Complaints Officer will contact the complainant to clarify the merits of the request, report or complaint.

Complaints are to be distinguished from queries, requests for information and service, comments and suggestions. These will be referred to the appropriate internal or external partner. In this document, the term grievance is interchangeable with the term complaint.

6.7.2 Who can submit a complaint?

Complaints can be submitted by any member of the public, including individual or collective community members, project-workers, NRPB-staff and consultants. In accordance with the World Bank's Environmental and Social Standard 2, on labour management, this GRM functions as a GRM for labour related complaints for direct workers and workers from contracted third-parties.

It is preferred that persons submitting a complaint provide the following information:

- Personal and contact information: name, address (when applicable), phone number, email address. When the complaint is submitted anonymously (see below), this information does not need to be provided.
- Date the complaint is being submitted
- Date of the occurrence that led to the complaint or date the complaint was discovered
- Nature of the complaint: what happened, when it happened, who was involved
- The consequences of the occurrence: damage, or other grievance Suggestions regarding the proposed resolution or the assistance requested from the GRM are not required, but welcomed.

Complaints can be submitted via the following means:

1. NRPB's website
 - [Complaints Procedure – National Recovery Program Bureau \(nrpbsxm.org\)](https://nrpbsxm.org)
2. Telephone
 - +1(721) 542-8886/7
 - The complaint form will be completed for you during the phone call, providing your name and contact details is optional.
3. E-mail
 - Download and complete the complaint form at the link below:

[Complaint Form - Grievance Redress Mechanism \(nrpbsxm.org\)](https://nrpbsxm.org)

E-mail the completed form to complaints@nrpbsxm.org with "Complaint [name] Project" in the title of the e-mail. For example, "complaint Emergency Recovery Project I". Providing your name and contact details is optional.

4. Social Media – messages on the NRPB’s Facebook and LinkedIn Pages, respectively
 - SXM National Recovery Program Bureau (facebook.com)
 - <https://www.linkedin.com/company/sxmnationalrecovery/mycompany/>
5. By visiting the office during office hours
 - National Recovery Program Bureau
#57 Walter A. Nisbeth Road
Philipsburg
Sint Maarten
 - The complaint form will be provided, for completion, for further processing of the complaint

The NRPB will provide the necessary assistance in cases whereby complainants experience difficulty submitting a complaint. This could be, but is not limited to, recording the complaint (completing the form) for the individual.

6.7.3 Anonymous Complaints

Submitting anonymous complaints is possible. All complaints are handled in a confidential manner, including anonymous ones, meaning that the text of the complaint itself and the documentation relating to the complaint, is only accessible to the Complaints Officer and designated staff members that need to have access in order to address the complaint properly.

Naturally, NRPB’s abilities to inform complainant of the follow up, and to ensure the resolution is satisfactory, is limited if the complainant does not provide a name and contact details. Details of any complaint may be made available to the World Bank upon their request, if anonymity has been requested by the complainant, then this will be maintained by the NRPB.

6.7.4 When A Complaint is admissible

A complaint will be admissible if:

1. Complainant is impacted by a project or anticipates that they will be impacted by a project; there is an indication that the project has caused a negative economic, social, health or environmental impact on the complainant, their immediate surroundings or has the potential to cause such an impact.
2. The project is in preparation, under implementation, or has been closed no longer than 12 months.

A complaint is not admissible at the NRPB if:

1. complainant already filed a complaint about the same service, product or staff at the NRPB, which is at the time of re-submission, still being processed. Complainants will be provided with a status update of the complaint which was initially submitted. Follow-up complaints related to existing ones do not fall within this category.
2. the related event occurred, or concern arose, more than 12 months after the respective project was closed.
3. the complaint should be addressed to a different entity within government. In such an instance, the NRPB will receive the complaint and subsequently refer it to the right entity. Where necessary, the NRPB will monitor the addressal of the complaint and mediate where necessary, in order to ensure the complaint is being addressed.

4. the complaint is not about NRPB products, services, or conduct by staff or consultants of the NRPB; but the complaint is about personal and general conduct of one of the staff or consultants of the NRPB which occurred outside of the execution of their duties as staff or consultant of the NRPB.

Reference is made to Chapter 4 paragraph 4.2 of the GRM, for a description of the relation between admissibility at the NRPB's GRM and local complaint mechanisms, such as the Ombudsman and the Court.

The following grievances will generally fall outside of the scope of the GRM and will be referred to the dedicated channels and addressed accordingly.

- Procurement: any complaints regarding a procurement procedure fall outside of the scope of the GRM. The process by which complaints regarding procurement are handled, is described in the relevant bidding documents.

In the event a complaint regarding procurement is received through the GRM, it will be promptly forwarded and referred to the Procurement Department, at procurement@nrpbsxm.org, for it to be addressed in line with the relevant provisions of the procurement framework. Admissible grievances generally contain complaints about:

- Communications: information or consultation related issues
- Conduct of persons involved in the project, including SH/SEA during the execution of their duties as staff or consultant of the NRPB. These can be NRPB-staff, consultants, staff or consultants or project-workers (hired by a (sub-)contractor)
- Project performance and impacts
 - Any grievance related to the project description, for example the design or scope of the project
 - Environmental, social, health and safety concerns or harms generated by the project activities o Products provided by the project
 - Reported defects on any works carried out under the projects: any complaints regarding observed defects during the defects liability period will generally be handled by the project team, as these situations are foreseen in the works contract. In the event a complaint regarding a defect is received through the GRM, it will be promptly forwarded and referred to the respective project team, for it to be addressed in line with the relevant provisions of the contract. The complaint officer will monitor the progress and ensure that the complaint is being addressed.
 - Any grievance related to an alleged violation of the (local) legislation by the project or its personnel.

6.7.5 Levels of Complaints

Incoming complaints are categorized in three levels. As mentioned previously, requests for information and services, comments, suggestions and queries fall outside the scope of the GRM and are therefore not categorized.

The grievance levels are based on severity of the following criteria:

- Scale of the impact on the well-being of an individual or group and/or potential impact on the project, to include health and safety impacts
- Scope and irremediable character
- Impact on the environment and natural and cultural heritage
- Violations of the national legislation and applicable treaties
- Non-performance of contractual obligations

The table below provides an overview of the three levels of grievances, accompanied by a description of the internal response and the staff member(s) responsible for the management of the complaint.

Table 7: Levels of Complaints

Level	Description	Internal Response	Responsibility
1	The scale and scope are minor . Often related to minor non-performance of project obligations. The complaint is quickly remediable. When an answer can be provided immediately and/or NRPB is already working on a resolution.	Respond immediately to complainant. Record and report as part of overall reporting process. Does not require internal consultation.	Complaints Officer
2	The scope and scale are medium . It may relate to gross non-performance of project obligations or minor violations of the law. One-off grievance that requires considered response and actions/commitments to resolve complaint. The complaint is remediable but requires planned efforts.	Needs consultation or input from Project Team and/or Environmental and Social Specialists and/or Management Team	Complaints Officer
3	The scale and scope are medium to major . High risk of the complaint being of an irremediable character, e.g. severe health and safety issue and/or law violations. Complaint may be of repeated nature and/or affecting an extensive area or group of persons. May require significant, comprehensive action.	Needs extensive internal consultation and needs input from relevant ministries and/or external partners, including the WB.	Executive level - NRPB Management Team/Relevant Ministry

6.7.6 Guiding Principles

The guiding principles of the GRM are accessibility, transparency, fairness, efficiency, collaboration and confidentiality.

- **Accessibility:** the NRPB strives for an easily accessible mechanism for all stakeholders, which allows for multiple channels of uptake (see Chapter 3 of the GRM).
- **Transparency:** the system will be publicized to a broad audience (e.g. beneficiaries, general public, CSOs, the media, government officials) to ensure all stakeholders are aware of the existence of the system and they understand how to access it. Complainants are kept informed and aware of the steps in their grievance procedure. NRPB reports to the general public on the status of the GRM through the annual report.

- Fairness: the NRPB strives for an equitable, unbiased grievance process by ensuring that complainants have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms.
- Efficiency: responses will be provided as soon as possible and in accordance with the predetermined timeframes, to ensure predictability of the process.
- Collaboration: the NRPB strives to reach collaborative resolutions, in which dialogue with the complainant is sought and cooperation with relevant internal - and external parties is encouraged and facilitated.
- Confidentiality: the dialogue between the NRPB and affected stakeholders who submit a complaint, is confidential unless otherwise requested. The manner in which confidentiality is ensured, is outlined in Annex 2 of the NRPB GRM.

6.7.7 Grievance Management in Projects

Complaints can arise throughout all projects that are prepared or implemented by the NRPB. Throughout the various projects, external partners such as Contractors, may have existing complaint Procedures in place or specifically designed, to manage incoming complaints. Additionally, Contractors may be required to have a referral system, to ensure that complaints are referred to the NRPB's GRM for further handling, when necessary. The overall responsibility for complaint handling On projects implemented by NRPB, remains with NRPB. Incoming complaints at the Contractor's GRM, may be handled by the Contractor or by the NRPB.

There are three ways in which complaints are taken up by the NRPB.

- o An individual or group verbally expresses a complaint to an NRPB staff member or consultant.
- o An individual or group submits a complaint directly to the NRPB via one of the designated channels (phone, email, letter, website, office visit, social media)
- o An individual or group expresses a complaint verbally or in writing to (an employee or consultant of a Contractor, who reports to the NRPB, which takes up the complaint for processing.

The following factors guide whether the NRPB or the Contractor takes the lead in addressing the complaint. The details of the referral and reporting process from the Contractor to the NRPB is described in the respective project instruments, such as the CESMP and/or the LMP.

- (i) The sources of complaints: (sub-)contractors, (sub-)contractors' employees, beneficiaries, stakeholders, staff and consultants of the NRPB
 - o Contractors are generally required to have a labor-GRM in place to address worker complaints.
- (ii) The level of the complaint: Level 1, 2 or 3 as described in Chapter 3 of the GRM.
 - o Level 1 complaints might be resolved by the Contractor on the spot, where possible. The Contractor will consult NRPB's Complaints Officer when complaints cannot be resolved through the Contractor's GRM.
- (iii) The type of complaint (e.g. SEA/SH complaints)
 - o Complaints with a SEA/SH component are always referred to NRPB immediately.

6.7.8 NRPB's GRM

As the overarching GRM, NRPB's GRM is extended to receive complaints from any project affected individual or group, including workers affiliated with the project, such as staff and consultants of the NRPB and workers hired by a contractor or their sub-contractor. NRPB will follow the process described in Chapter 8 of the GRM and may coordinate with the Contractor to address the complaint.

6.7.9 The Contractor's GRM and its relationship to the NRPB's GRM

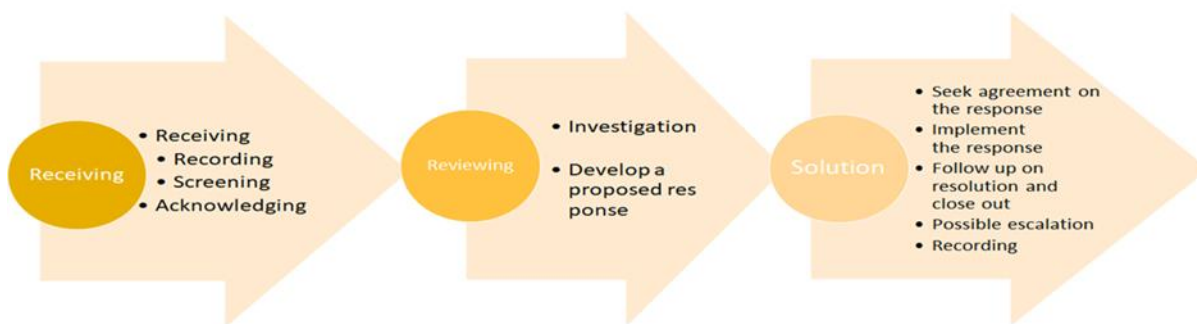
Contractors' GRMs are managed by the Contractor in collaboration with the NRPB. Contractors have a key role in identifying adverse impacts in the respective project area and in implementing resolutions. Furthermore, the Contractor's GRM should address labour complaints and, as such, be fully accessible and explained to the respective project workers. The requirements for the Contractor's GRM, and the referral process on an operational level, are mainly governed by the Safeguards/ESF Instruments designed for the respective project, such as the C-ESMP and accompanying documents, Labor Management Procedures (LMP) and a Stakeholder Engagement Plan (SEP).

Contractors are obligated to report all submitted complaints. For Level 2 and Level 3 complaints, incidental reports are required to be submitted to the NRPB within 24 hours of the occurrence. Additionally, regular reports on grievances received are expected in the Contractor's monthly ESHS reports to the NRPB. The NRPB's Complaints Officer instructs the Supervisor and Contractors on the operation of the Contractor's GRM with regards to the respective complaint and the Complaints Officer may take over The management of the complaint, if deemed necessary by the NRPB. Chapter 9 of the GRM provides further details on project worker complaints.

6.7.10 Processes of the GRM

This section provides a detailed description of the series of actions comprising the GRM from the moment a complaint is submitted to the eventual resolution and close out. Operating a Grievance Redress Mechanism requires a process with clearly defined steps, illustrated in the flowchart in Figure 12 and as explained in the complaint handling process presented subsequently.

Figure 12: The Complaint Handling Process



The Complaint Handling Process

Phase 1: Receiving, Recording, Screening and Acknowledging Complaints

- 1 Receiving

Complaints can be submitted via various channels, free of costs. Where possible, complaints will be resolved at first contact with the NRPB and handled by a designated Complaints Officer. Complaints that are submitted via the website or e-mail, are automatically sent to the second Complaints Officer within the NRPB, to ensure complaints are received and recorded. In the event of any conflict of interest, the person handling the complaint will excuse themselves.

2 Recording

NRPB will record the complaint and its supporting information and will assign a unique identifier to the complaint file. The complainant should only provide necessary information for the handling of his/her complaint, to prevent irrelevant personal data from being stored by the GRM.

The GRM stores the data provided by the complainant, or their authorized representative, in the e-mail box (complaints@nrpbxm.org) and in its Case Management System. The Case Management System is on a secure digital server in a folder with restricted access. Personal data is managed in a confidential manner and in accordance with the National Ordinance on Data Protection.

The record of the complaint will document:

1. the contact information of the person making a complaint (this will be left blank if the complainant wishes for anonymity)
2. issues raised by the person making a complaint and the outcome/s they propose
3. any other relevant documents or information that is provided and
4. any additional support the person making a complaint requires

3 Acknowledging

NRPB will acknowledge receipt of each complaint promptly within 5 working days. Communication will be made either verbally or in written form, or the Complainant's preferred contact method, as indicated by the complainant on the Complaint Form. If required, the acknowledgement provides an opportunity to ask for any additional information or to clarify any issues.

4 Screening

The GRM will typically generate three primary types of responses to complaints:

- Direct action to resolve the complaint: in case the complaint can be resolved quickly and easily, the NRPB will implement the resolution immediately and provide the complainant with reasons for the decision and a close out statement. These are generally level 1 complaints, as described in Table 11.
- Determination that the complaint is not admissible for the GRM, because it does not meet the basic admissibility criteria (described in Chapter 3.3 of the GRM).
- In complex complaints, further assessment and engagement will be initiated with the complainant and other stakeholders to jointly determine the best way to resolve the complaint. These are generally level 2 or 3 complaints, as described in Table 7.

After acknowledging receipt of the complaint, or simultaneously with acknowledging receipt, NRPB will confirm, within 10 days of receipt of the complaint, whether the issue(s) raised in the complaint is/are admissible.

NRPB will also consider the outcome(s) sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be addressed separately.

Conflicts of interest, whether actual or perceived, will be managed in a way that removes any person Within the NRPB from involvement in the complaint. Accordingly, if a complaint contains grievances directly related to a staff member or consultant of the NRPB, that respective person will be excused from having any responsibility in the complaint resolution process, other

than providing information to the person responsible for that process. For example, if a complaint contains grievances on the conduct of the Complaints Officer, the complaint will be handled by the second Complaints Officer or Legal Officer.

The NRPB will advise complainants within 10 days after receipt of the complaint, when it is not possible to deal with any part of a complaint. Advice will be provided about where such issues and/or complaints may be directed (if known and appropriate).

The Complaints Officer will conduct the initial assessment to determine whether the grievance is Level 1, 2 or 3 as described in Chapter 3 of the GRM. If it is suspected that it may be a Level 2 or 3 grievance, the relevant parties will need to be included in further analysis of the grievance.

Phase 2: Reviewing Complaints

5 Investigation

To investigate a complaint, the NRPB may:

1. Gather information from the person, group or institution making a complaint
2. Gather information about the product, area or from the person that the complaint is about
3. Review other sources of information, as relevant.

The investigation phase will lead to an assessment of the following:

- The issues and events that have led to the complaint
- The stakeholders involved in those issues and events
- The stakeholders' views, interests, and concerns on the relevant issues
- Whether key stakeholders are willing and able to engage in a joint, collaborative process (which may include joint fact finding, dialogue and/or negotiation) to resolve the issues
- How the stakeholders are represented, and what their decision-making authority is
- What work plan and time frame the stakeholders could use to work through the issues
- What resources they will need, and who will contribute them

The NRPB will keep the complainant updated on the progress, particularly if there are any delays. Time frames for progress updates will depend on the nature of the complaint. Situations where complaints are complicated, or require extensive investigation, will result in extended time for the provision of updates. However, a maximum of an initial ten (10) working days from the date of submitting the complaint is allowed for the provision of updates, regardless of the nature of the complaint. The update will include the time frame within which a response can be expected. Actions decided to be taken will be tailored to each case. Each complaint will be assessed on its merits and involve the person making the complaint and/or their representative, in the process, as far as possible.

The NRPB will assess and prioritize complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security, the response will be immediate and will be escalated to NRPB Management, according to the Level 3 complaint process described in Chapter 3 of the GRM. When similar complaints are made by related parties, the NRPB intends to communicate with a single representative of the group, if the parties agree to this.

Where a complaint involves multiple organizations, the NRPB will work with the other organization(s) Where possible, to ensure that communication with the complainant and/or their representative is clear and coordinated. Subject to privacy and

confidentiality considerations, communication and information sharing between the parties will also be organized to facilitate a timely response to the complaint.

6 Develop a proposed response

After the investigation of the complaint, NRPB will consider how to address it. Complaints will be addressed as soon as possible, in any case within six (6) weeks, with an extension possibility for complex cases. The complainant will be informed accordingly. If a person prefers or needs another person or organization to assist or represent them in the making and/or resolution of their complaint, NRPB will communicate with them through their representative if this is their wish. NRPB will take all reasonable steps to ensure that persons making complaints are not adversely affected because a complaint has been submitted by them or on their behalf.

When determining how a complaint will be addressed, NRPB will consider:

- a. How serious, complicated or urgent the complaint is
- b. Whether the complaint raises concerns about people's health and safety
- c. How the person making the complaint is/has been affected
- d. The risks involved if resolution of the complaint is delayed, and
- e. Whether a resolution requires the involvement of other organizations

Phase 3 – Resolving Complaints

7 Communicate and seek agreement on the response

The NRPB will communicate the outcome of the investigation and proposed response using the most Appropriate medium. Telephone or in person conversations held throughout the process, will be followed up with a summary via e-mail, where reasonable and possible. The final response will always be communicated to the complainant in writing (e-mail or letter).

Where the complainant has difficulty reading the final response, an authorized representative will be provided with the written response on the complainant's behalf, if such a representative is not available or does not exist, a verbal explanation will also be given by the NRPB to the complainant.

Following consideration of the complaint and any investigation into the issues raised, the NRPB will contact the complainant and advise them of:

1. the outcome of the investigation
2. the reason(s) for the decision
3. the remedy or resolution(s) that have been proposed or put in place

If during an investigation, any adverse findings about a particular individual are discovered that might be considered of a sensitive or confidential nature, the NRPB will consider any applicable privacy obligations under the National Ordinance on Data Protection and any applicable exemptions in or made pursuant to that Ordinance, before sharing the findings with the person making the complaint.

8 Implement the response

The Complaints Officer will inform the respective Project Manager and/or Program Manager within the NRPB and/or the respective external Project Manager of the resolution to be implemented. The Complaints Officer will monitor the implementation of the resolution and coordinate where necessary.

9 Close out and follow up

As a final step in the process, the complaint will be closed.

What constitutes a resolution?

NRPB follows the prescribed procedure and comes to a resolution that is accepted by the complainant. In complex cases, a written statement from the complainant may be requested, in which it is confirmed that the resolution is satisfactory. If an agreed upon resolution is not achieved in the regular process, the Complaints Officer will escalate the complaint to the Review Panel.

Criteria for Escalation and Who Can Escalate a Complaint

If the complainant does not agree with the NRPB's decision to deem their complaint inadmissible or if the complainant is not satisfied with the provided resolution, the complainant may escalate the complaint internally to NRPB's Review Panel, by sending an e-mail to info@nrpbxsm.org.

The Complaints Officer will accommodate the escalation by sending the Review Panel an escalation report, containing the following.

- Summary of the complaint
- Summary of the communication with the complainant and course of action undertaken
- Any suggestions provided by the complainant in order to reach a satisfactory resolution

Purpose of Escalation

Escalation takes place when the complainant is not satisfied with NRPB's decision or does not agree with the proposed actions and requests further handling of the matter. The Review Panel will review if the procedures of the GRM were properly followed. Subsequently, the Review Panel will assess the complaint and the action taken. The Panel will review the course of events and decide if, and what kind of, follow up actions are required to resolve the complaint.

A report will be provided to the Complaints Officer, with a summary of the review and the proposed course of action. The Complaints Officer will communicate the results of the review with the Complainant via letter and/or e-mail.

The Composition of the Review Panel

The Review Panel will consist of Senior Management, as follows:

- Program Manager
- Environmental and Social (Team) Coordinator
- Legal Officer
- External Expert (such as a government official) and
- Any other NRPB Management Team member, upon request of the Panel (e.g Communications or Finance).

The External Expert is dependent on the nature of the complaint and will be selected based on the needs of the situation.

The principle regarding (perceived) conflict of interest will lead the composition of the Review Panel. In other words, if a person on the Review Panel has a direct stake in the resolution of the complaint, the Review Panel will appoint a substitute to temporarily replace the excused individual. After the complaint is addressed and resolved, the NRPB closes the complaint.

This may be done by the Complaints Officer by phone but must be followed by written notification to the complainant, of the said closure.

In situations where an escalated complaint is not settled by the NRPB Senior Management or the Review Panel, the complainant may seek, at any point, redress through alternative complaint mechanisms, such as the National Ombudsman or the World Bank's Grievance Redress Service. If the NRPB's GRM, in the regular process or by the Review Panel, was not able to resolve a complaint, the NRPB may close the complaint and refer the complainant to the aforementioned alternatives for recourse. The NRPB's GRM remains open for the complainant in case they wish to revisit the initial decision to refuse the proposed resolution.

6.7.11 Specific procedure for complaints regarding SEA/SH

The specific nature of SEA/SH requires tailored measures for the reporting, and safe and ethical handling of such allegations. Any such complaints will be handled by NRPB's Grievance Committee for SEA/SH, consisting of two management team members and the Complaints Officer of the NRPB. The Grievance Committee for SEA/SH will be represented by diverse genders.

Key definitions and concepts:

- Sexual exploitation and abuse (SEA): Any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
- Sexual harassment (SH): Any unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature.
- Confidentiality and informed consent: the information contained as a product of this procedure is reserved and confidential; therefore, the persons involved in the procedure will take the necessary actions to guarantee the confidentiality of the case and, above all, the identity of the person who is the victim of SEA/SH. Confidentiality is essential throughout the entire process. Otherwise, the survivor runs the risk of retaliation and of losing her/his physical and psychosocial safety.
- Survivor-centered: Approach considerations related to SEA/SH prevention, mitigation and response through a survivor-centered lens,5 protecting the confidentiality of survivors; recognizing them as principal decision-makers in their own care; and treating them with agency, dignity and respect for their needs and wishes.

The Grievance Committee follows the general process described in Chapter 7 of the GRM. The process is guided by the circumstances of each individual case and the needs of the survivor who is submitting the complaint.

Complaints will be dealt with a survivor-centered approach to ensure that anyone who has been the target of SEA/SH is treated with dignity, and that the person's rights, privacy, needs and wishes are respected and prioritized in any and all interactions. Any cases of SEA/SH brought through the GRM will be documented but remain closed/sealed and filed in a safe location to maintain the confidentiality of the survivor. SEA/SH cases will be reported to the WB, while ensuring confidentiality

A list of GBV service providers will be kept updated and made available to the survivor by the project. The NRPB will inform the complainant of available services that might be applicable to the individual circumstances, such as the Police Department, Governmental social services, such as the Women's Desk, and relevant NGO's, such as the women's shelter Safe Haven. Where needed, the Complaints Officer will provide assistance in establishing communication between the complainant and the relevant service provider, in order to ensure a proper transition of the case.

In case the complaint is inadmissible, the complainant will be referred to the local authorities, if so desired by the complainant and/or if so mandated by law.

In case of a suspicion of a serious violation of relevant criminal law, the complaint will be reported to authorities. The NRPB reports to the police when this is legally required and when the complainant wishes for the authorities to be reported to. The local authorities have a mandate to investigate and, if applicable, prosecute any GBV-related criminal offenses.

If a complaint falls within the scope of the mandate of the Inspectorate of Labor of the Ministry of Public Health, Social Development and Labor, the complaint will be shared with the Inspectorate for further handling, while maintaining the anonymity of the complainant, if so desired. In this case, the NRPB will proceed to follow up on the resolution of the complaint and closure thereof, as described in Chapter 7.

6.7.12 Roles and Responsibilities

Internal Roles and Responsibilities

The resolution of a complaint is a joint effort between NRPB team members, and where applicable, Contractor’s team members and the Government of St. Maarten as an implementing partner. The GRM requires the description of the internal process between these internal stakeholders, with clear communication, monitoring and reporting lines. Table 8 below provides an overview of the roles and responsibilities.

NRPB Internal Operation for Complaint Handling

For the internal operation of the GRM, at least one staff member is designated as Complaints Officer and, as such, this person is responsible for operating the GRM. The Complaints Officer coordinates the steps described in the GRM process. A second Complaints Officer may be designated if the volume and complexity of the incoming grievances require this.

Potential conflicts of interests, whether actual or perceived, will be managed responsibly. The person handling the complaint is different from any staff member whose conduct or service is related to the complaint. Individual team members may be requested to contribute to ad-hoc tasks in the process, depending on the requirements of the specific complaint.

The project team members, project managers, program managers and legal officer might have a role in the investigation and implementation of the resolution of a complaint. Furthermore, individual team members of the NRPB and external individuals may be requested to take part in an ad-hoc or permanent Review Panel, which is described in Chapter 7 of the GRM. In case resolution of a complaint cannot be reached through the regular GRM process, the complaint may be escalated to the Review Panel. In this capacity, individual senior team members may have a role in designing and implementing the resolution of an escalated complaint.

Table 8: Roles and Responsibilities

Role	Responsibility
Complaints Officer	<ul style="list-style-type: none"> • Monitor the various channels for the receipt of grievances • Acknowledge receipt of the complaint • Investigate the grievance and liaising with stakeholder/s. • Develop resolutions and actions to remediate any issues • Inform the respective project manager of the submission of a complaint within the respective project • Draft advice for the respective project manager; assessment of the complaint and proposed resolution, accompanied by a draft letter to be sent out to the complainant to formally offer the resolution.

	<ul style="list-style-type: none"> •Coordinate inter-departmental communication on the proposed resolution •Follow up and track progress of grievance •Document any interactions with stakeholders. •Monitor the grievances and assign a safeguard specialist to support when necessary. •Facilitate meeting(s) with complainant in case there are any challenges in finding agreement on a proposed resolution • Call to form a GRM Review Panel or SEA/SH committee when needed •Make sure the grievance mechanism procedure is being adhered to and followed correctly. •Maintain grievance register and monitor any correspondence •Socialization of GRM; raise internal awareness of the grievance mechanism among contractors, employees and consultants of contracted firms and relevant stakeholders. •Provide training to the Contractors on the Grievance Redress Mechanism, to include use of the Grievance Forms • Prepare reports on the GRM implementation to NRPB’s management and W
Second Complaints Officer	<ul style="list-style-type: none"> •Take note of incoming complaints •Take over handling of complaint in the event of a conflict of interest on the Complaints Officer’s end
Environmental and Social Specialists	<ul style="list-style-type: none"> •Provide information and assistance in developing a response and close out of a grievance upon request of the Complaints Officer • Ensure all safeguards documents for all projects implemented by NRPB, are in accordance with the GRM • Monitor the operation of the GRM, to ensure environmental and social impacts are addressed properly. • Support the Complaints Officer in identifying and managing any trends in social risks emerging from the GRM
Project Manager with support of project team	<ul style="list-style-type: none"> • Identify any complaints regarding the project and refer the complainant to the NRPB’s GRM. Provide assistance where needed, e.g. provide the webpage or phone number. • Provide information and assistance in developing a response and close out of a grievance. •Develop resolutions and actions to rectify any issues. •Complaints Officer consults the Program Manager at a later stage to ensure the proposed resolution fits within the framework of the project, unless this is required sooner due to the level and nature of the complaint
Program Manager	<ul style="list-style-type: none"> •Provide information and assistance in developing a response and close out of a grievance. •Develop resolutions and actions to remediate any issues, based on the Complaints Officer’s advice. •Receives and follows up on guidance from the WB, in case a complaint is submitted at the GRS •Update the Complaints Officer on the resolution of the complaint • Assume role as GRM Review panel member or SEA/SH committee member when needed
Internal experts (e.g. Legal, Procurement - or Finance department)	<ul style="list-style-type: none"> •Provide information and assistance in developing a response and close out of a grievance. •Develop resolutions and actions to remediate any issues.
Review Panel	<ul style="list-style-type: none"> •Review escalated complaints by assessing documentation, events and actions leading to and following the escalation, legal requirements •Call meeting(s) when necessary, to finalize review • Provide a report to Senior Management of NRPB containing the proposed course of action

Monitoring and Evaluation Specialist	<ul style="list-style-type: none"> • Support in creating a Case Management System (including the ability to digitally produce reports) • Support in analyzing the collected data and interpreting with the Complaints Officer
Contractors	<ul style="list-style-type: none"> • Report grievance to the project manager or complaint officer. • Understand the process and communicate to stakeholders when asked. • Explain the mechanism to their employees and consultants and ensuring they all understand how to receive and report grievances and how to submit grievances themselves. • Operate the Contractor's GRM; receive and respond to complaints. Maintain a grievance register. • Report regularly, in accordance with respective safeguards tools, to NRPB's Complaints Officer • Consult NRPB's complaint officer when complaints can not be resolved through the Contractor's GRM • Socialization of the GRM; raise internal awareness of the grievance mechanism among employees and consultants of contracted firms and relevant external stakeholders. • Provide information and training to their employees on the Contractor's GRM, to include use of the Complaint Form.

6.8 Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) Response Framework

In relation to this project there are a range of specific actions that will be in place to both mitigate against the risk of SEA/SH on the project and to respond if identified. These are detailed in Table below.

Table 9: Provisions for the Mitigation of Risks Associated with SEA/SH

Mitigation Measure	Details
NRPB Code of Conduct	The NRPB Code of Conduct for Construction outlines the obligations on all the Contractor's staff with regard to SEA/SH, that all workers are expected to adhere to. Quote from NRPB Staff Code of Conduct "Be intolerant of ... inhumane treatment, sexual activity with children, sexual harassment..." (See full Code of Conduct in Annex 5)
Contractors' Code of Conduct	All workers are required to sign the CoC prior to starting any work. Clause from Code of Conduct which workers are expected to sign "Not engage in any act of sexual harassment (whether through use of language or behavior, towards men or women or children, that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate)" (See minimum requirements for Contractor Code of Conduct in Annex 6 ".
Contractors' Staff Training	Workers must follow the Contractor's Training which shall include SEA/SH related topics. SEA/SH sensitisation training can also be repeated when necessary, particularly where an incident of non-compliance has occurred.
Contractors' Environmental and Social Management Plan (C-ESMP)	Contractors' Response Plan for Management of SEA/H Incidents/Complaints.
NRPB GRM Contractor GRM (Project Level GRM)	NRPB's GRM includes specific procedures for handling SEA/SH allegations. Details can be found under "Chapter 7.2: Specific Procedures for Complaints regarding SEA/SH". The person responsible for the implementation of the GRM is also trained to respond to SEA/SH with a survivor centered approach.
Contractors' ESHS Monthly Reports	For incident reporting to include SEA/SH incidents
SEA/SH service provider.	Cases will be referred to local service providers, when required (e.g. Safe Haven)

6.8.1 SEA/SH Guidelines for Works Contractors for the development of the C-ESMP

Contractors shall prepare a plan and implement appropriate activities to reduce SEA/SH risks prior to civil works commencing and during execution such as:

- Have project workers undergo training and sensitization on SEA/SH. Describe the training program in detail. First training should be prior to, or combined with, signing the Code of Conduct. The training should be provided in the respective languages of the workers.

- Describe how the understanding of SEA/SH after the training, is being assessed.
- Describe how compliance with the Code of Conduct, with respect to SEA/SH, is being monitored.
- Describe how aspects that need more attention, will be identified and how these will be addressed.
- Have separate, safe and easily accessible facilities for women and men working on the site. Locker rooms and/or latrines should be located in separate areas, well-lit and include the ability to be locked from the inside.
- Visibly display signs around the project site (if applicable) that signal to workers and the community that the project site is an area where SEA/SH is prohibited.
- Monitor SEA/SH incidents using a simple tracking system to document events staff hear about and observe. This entails developing a simple, anonymous and confidential tracking system that staff can use to document when they observe/hear about SEA/SH incidents, in the program context.

6.9 Incidents & Accidents Reporting

6.9.1 Contractor Responsibilities

Despite significant efforts to manage environmental and social risks associated with project activities, incidents may occur. Contractors must have a written/documentated procedure for the managing of incidents and accidents related to the project. The incident management and reporting process may comprise below steps.

- ✓ Step 1 Initial Communication – notify the relevant authorities, Supervisor and NRPB
- ✓ Step 2 Classification – identify how serious is the incident
- ✓ Step 3 Investigation – conduct root cause analysis (RCA) and identify necessary set of measures to as appropriate to address the root causes (aka corrective action plan (CAP))
- ✓ Step 5 Response – implement corrective actions
- ✓ Step 6 Follow Up – completion of corrective actions and develop necessary preventive actions to prevent similar incidents occurring in the future

Contractor shall report any accidents/incidents to the NRPB in writing within 24 hours after the incident, and immediately after the occurrence via email. Incidents/accidents to be reported include, but are not limited to, the following:

- i. Inspection, investigation by, or warning or official order from, government regarding a (possible) violated policy, permit or legislation or permit conditions.
- ii. Any work-related fatality;
- iii. Report accidents requiring medical treatment, in case of hospital admittance, in case of medical leave days, in case permanent complete or partial invalidity of an employee, fractured or cracked bones or teeth, punctured eardrums or hearing loss;

- iv. Near miss events, that are legally required to be reported by the Contractor to the Labor Department immediately, no later than three days; following the [NATIONAL REGULATION laying down provisions for the security of work in enterprises \(overheid.nl\)](#).
- v. A significant environmental incident as a consequence of which major pollution (air, water, noise, or land) or a significant adverse environmental impact (wildlife or local habitat) has occurred, is occurring, or is likely to occur;
- vi. Any allegation of gender based violence (GBV), sexual exploitation or abuse, sexual harassment or sexual misbehavior, rape, sexual assault, child abuse, or defilement, or other violations involving children.
- vii. Suspected Code of Conduct violations in regard to human rights, discrimination against workers, drugs or other illegal activities, fraud & corruption, and conflict of interest;
- viii. Significant adverse effects or damage to private property (e.g., vehicle accident, damage from fly rock, working beyond the boundary);
- ix. Damage to cultural heritage, artifacts, monuments, sacred grounds, etc.;
- x. Encroachment on private property, burglary or theft of assets;
- xi. Any confirmed Covid-19 case;
- xii. Incidents related to child labor or forced labor.

The initial report from Contractor shall address the following questions.

- What was the incident? What happened? To what or to whom?
- Where and when did the incident occur?
- What is the information source? How did you find out about the incident?
- Are the basic facts of the incident clear and uncontested, or are there conflicting versions?
- What were the conditions or circumstances under which the incident occurred?
- Is the incident still ongoing or is it contained?
- Is the loss of life or severe harm involved?
- How serious was the incident? How is it being addressed?

After the initial written reporting, the Contractor shall undertake a root cause analysis and propose appropriate measures to avoid future incidents. A detailed report shall be submitted in writing, for NRPB’s approval, within 3 days. After the Contractor’s initial reporting on the root cause analysis (RCA) and corrective action plan (CAP), the Contractor should also report the completion of corrective actions and possible preventive actions. In case of a SEA/SH incident, the Contractor follows the instructions from the NRPB.

A root-cause analysis of an incident reports the sequence of events and factual circumstances. The analysis identifies what failing(s) led to the accident, what safety measures were in place, and the risk information/training provided to workers on site. The level of supervision of unskilled labor should also be assessed. A root-cause incident investigation report for the accident, including corrective measures is expected to improve OHS conditions at the given site.

Below is a sample corrective action plan template.

Table 10: Simple Corrective Action Plan Template

Accident	Root Cause	Corrective Action	Preventive Action
Accident #	Reason (s) for the accident.	Immediate and long term actions taken; where; when; to whom; by whom to correct the action/root cause. E.g. placing of a warning light	Immediate and long term actions taken; where; when; to whom; by whom to prevent the accident or similar near misses from occurring or

		recurring. E.g. H&S training, practice drills
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6.9.2 NRPB Responsibilities

NRPB shall promptly notify the World Bank, no later than 72 hours after learning of the incident or accident, of any incident or accident related to or having an impact on the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including, inter alia, cases of SEA/SH, and accidents that result in death, serious or multiple injury. in accordance with the ESCP, the instruments referenced therein and the ESSs.

A subsequent report will be submitted to the Bank in a timeframe acceptable to the Bank. The report will include a description of such Significant Event, and the measures, if any, that the Recipient is taking or plans to take to address such Significant Event and to prevent any future similar event.

The description of the Event shall address the following questions (if possible and relevant).

- What was the incident? What happened? To what or to whom?
- Where and when did the incident occur?
- What is the information source? How did you find out about the incident?
- Are the basic facts of the incident clear and uncontested, or are there conflicting versions?
- What were the conditions or circumstances under which the incident occurred?
- Is the incident still ongoing or is it contained?
- Is the loss of life or severe harm involved?
- How serious was the incident? How is it being addressed?

The report will contain a Root Cause Analysis (RCA), highlighting the reasons that lead into this incident. The Event description and RCA analysis will be shared with the World Bank preferably within 10 days after the occurrence of the Event. The RCA will be discussed with the Bank and agreements will be made on the corrective actions.

An Action Plan will be submitted which will describe the set of measures (short, medium, long term), responsibilities and timelines for implementation, as appropriate to address the root causes to help prevent any recurrence of the incident and discuss this plan with the Bank; and NRPB will keep the World Bank informed of the on-going implementation of the said measures and plans.

6.10 ESHS Monitoring Plan

NRPB will monitor the implementation of the proposed Mitigation Measures applicable to the construction works. Table 11 indicates the monitoring parameters that the NRPB's, Supervisor's and Contractor's Environmental and Social risk management specialists will apply.

Table 11. ESHS Monitoring Plan for Construction Works

Monitoring Parameter/Activity	Means of Monitoring	Compliance Indicator / Threshold Limits	Responsibility & Frequency
Jobsite General			
1. Clean and tidy jobsite	Visual inspection	Worksites shall be kept clean and free of garbage. Materials shall be stored without obstructing passageways.	NRPB: monthly Supervisor: twice weekly Contractor: daily

Monitoring Parameter/Activity	Means of Monitoring	Compliance Indicator / Threshold Limits	Responsibility & Frequency
2. Posters and safety signs in place	Visual Inspection	Shall be easily visible by all and posted on key locations within the site.	NRPB: quarterly Supervisor: monthly Contractor: weekly
3. Emergency phone numbers posted	Visual Inspection	Shall be easily visible by all and posted on key locations within the site.	NRPB: quarterly Supervisor: monthly Contractor: weekly
Community Safety			
4. Barriers to prevent unauthorized access	Visual Inspection	The perimeter of the site shall be fenced and no-entry signs placed at key points.	NRPB: quarterly Supervisor: monthly Contractor: weekly
5. Debris netting or other measures for falling objects	Visual Inspection	All scaffolds shall have toe-boards and netting shall be installed wherever necessary according to the C-ESMP.	NRPB: monthly Supervisor: twice weekly Contractor: daily
6. Safe pedestrian walkways	Visual Inspection	All pedestrian walkways shall be safe from hazards and not obstructed.	NRPB: monthly Supervisor: twice weekly Contractor: daily
7. No obstruction on roads and sidewalks	Visual Inspection	All roads shall be open at all times except if otherwise approved by the Police Department and according to the C-ESMP	NRPB: monthly Supervisor: twice weekly Contractor: daily
8. Traffic signs are placed wherever required	Visual Inspection	According to the approved C-ESMP and Police Department waiver. Traffic shall be smooth and flag person assigned as necessary.	NRPB: monthly Supervisor: twice weekly Contractor: daily
Work Hazards & Occupational Health			
9. Personal Protective Equipment (hard hats, goggles, respirators, boots, gloves, hearing protection)	Visual Inspection and Inventory List review	PPEs shall be provided to all workers. All workers shall use the appropriate PPEs for the tasks they perform.	NRPB: monthly Supervisor: twice weekly Contractor: daily
10. Scaffold barriers for > 1.8m	Visual Inspection	All scaffold higher than 1.8m shall be equipped with mid-rails and top-rails.	NRPB: monthly Supervisor: twice weekly Contractor: daily
11. Safety harness for >1.8m	Visual Inspection	If railing cannot be placed, then safety harnesses shall be used by all for working at height safety.	NRPB: monthly Supervisor: twice weekly Contractor: daily
12. Stable surface for scaffolds and ladders	Visual Inspection	The footing of scaffolds and ladders shall be on firm surface.	NRPB: monthly Supervisor: twice weekly Contractor: daily
13. First Aid kit	Visual Inspection	Worksite shall have adequate well stocked first aid kits	NRPB: monthly Supervisor: weekly Contractor: daily
14. Access to areas for rest (canteen)	Visual Inspection	Sheltered areas and sitting for all workers shall be provided for resting and having lunch.	NRPB: monthly Supervisor: weekly Contractor: weekly
15. Hygiene facilities	Visual Inspection	Portable toilets and hand washing stations shall be provided onsite according to workforce number and being cleaned regularly.	NRPB: monthly Supervisor: twice weekly Contractor: daily
16. Drinking water supply	Visual Inspection	Sufficient quantity of potable cool water shall be available for all workers.	NRPB: monthly Supervisor: twice weekly Contractor: daily
Solid Waste			
17. Sufficient waste bins/skips in place	Visual Inspection	Number and type of bins/skips according to the C-ESMP. Non overfilled bins.	NRPB: monthly Supervisor: twice weekly

Monitoring Parameter/Activity	Means of Monitoring	Compliance Indicator / Threshold Limits	Responsibility & Frequency
			Contractor: daily
18. Rain and wind protection	Visual Inspection	All bins and skips shall be covered with tarpaulin	NRPB: monthly Supervisor: twice weekly Contractor: daily
19. Segregate materials for recycling	Visual Inspection & Waste chain of custody records	Metals, wood and concrete shall be separated and send for recycling.	NRPB: monthly Supervisor: twice weekly Contractor: daily
Dust			
20. Covered loose material stockpiles, waste skips and trucks	Visual Inspection	All loose material shall be covered with tarpaulin when not used	NRPB: monthly Supervisor: twice weekly Contractor: daily
21. Watering for dust prevention	Visual Inspection	Soil shall feel damp to the touch before excavation and soil movement works	NRPB: monthly Supervisor: twice weekly Contractor: daily
Wastewater			
22. Collection, storage and disposal in authorized facility	Visual Inspection and Disposal records	All wastewater produced from site shall be disposed at authorized facilities as per the C-ESMP.	NRPB: monthly Supervisor: twice weekly Contractor: daily
23. Silt stormwater runoff	Visual inspection	Silt fences shall be placed to prevent silt runoff, according to the C-ESMP	NRPB: monthly Supervisor: weekly Contractor: daily
Noise			
24. Noise level at site boundaries <70dBA	Spot checks and statistical analysis	90% of daytime measured noise hourly values shall be below 70dBA	NRPB: monthly Supervisor: weekly Contractor: daily
25. Noise level at site boundaries with sensitive receptors <55dBA	Spot checks and statistical analysis	90% of daytime measured noise hourly values shall be below 55dBA	NRPB: monthly Supervisor: weekly Contractor: daily
26. Workers noise exposure <85dBA	Visual inspection	100% of workers operating power tools shall have ear protection on.	NRPB: monthly Supervisor: twice weekly Contractor: daily
Hazardous Materials			
27. Stored inside covered premises and on impermeable surface	Visual Inspection	Measures shall all be in place according to the approved C-ESMP	NRPB: monthly Supervisor: twice weekly Contractor: daily
28. Use of secondary spill containment equipment	Visual Inspection	Secondary spill containment shall be used for all onsite hazardous fluids storage and power generators, according to the C-ESMP.	NRPB: monthly Supervisor: twice weekly Contractor: daily
29. Availability of absorption materials	Visual Inspection	Absorption materials and tools shall be onsite to respond in any accidental release, as per approved C-ESMP.	NRPB: monthly Supervisor: twice weekly Contractor: daily
30. Safe storage of used oils and paint buckets	Visual inspection and records review	All empty containers of hazardous substances shall be returned to supplier.	NRPB: monthly Supervisor: twice weekly Contractor: daily
Fire & Electrical Safety			
31. Fire extinguishers number and type according to Fire Safety Plan	Visual Inspection	100% of fire extinguishers to be present and not expired	NRPB: monthly Supervisor: twice Contractor: weekly

Monitoring Parameter/Activity	Means of Monitoring	Compliance Indicator / Threshold Limits	Responsibility & Frequency
32. Flammable materials (fuel, waste, etc) are safely stored	Visual Inspection	Materials shall be protected from sun, away from heat sources and not stockpiled, as per approved C-ESMP.	NRPB: monthly Supervisor: weekly Contractor: daily
33. Use of electrical equipment that is RCD-protected	Visual Inspection and inventory check	All electrical equipment/power tools on site shall be RCD-protected.	NRPB: monthly Supervisor: weekly Contractor: daily
34. Electrical equipment shall be in good working condition.	Visual Inspection	Electrical equipment (including cords and leads) will be checked for faults and visible signs of damage. Faulty parts shall be replaced immediately.	NRPB: monthly Supervisor: twice weekly Contractor: daily
35. Electrical equipment is protected from weather	Visual Inspection	All equipment shall be stored inside when not in use.	NRPB: monthly Supervisor: twice weekly Contractor: daily
Social Considerations			
36. Number of workers that signed the CoC	Record review	100% of workers shall have the CoC explained to them and have it signed.	NRPB: monthly Supervisor: weekly Contractor: weekly
37. Workers' salary and insurance contribution shall be paid by employer	Record review	100% of workers shall be paid according to local labor legislation	NRPB: monthly Supervisor: weekly Contractor: daily
38. Complaints reports (from the community and workers)	Record review and project meetings	Records are up to date and complaints are satisfactorily addressed by contractor within 15 days. If not, they should be escalated to NRPB.	NRPB: monthly Supervisor: weekly Contractor: daily
Covid-19			
39. Posts with hygiene practices on site	Visual Inspection	Not currently applicable	n/a
40. Face masks provided by employer and used when necessary	Visual Inspection	Not currently applicable	n/a
41. Thermometer and Sanitizer on site	Visual Inspection	Not currently applicable	n/a
42. Social distancing adhered to (2m)	Visual Inspection	Not currently applicable	n/a
Files, Plans & Records			
43. Non-Conformances are logged	Record review	100% of non-conformances are logged in the online database	NRPB: monthly Supervisor: twice weekly Contractor: daily
44. Monthly Reports are submitted	Record review	100% of monthly ESHS reports are submitted within 2 weeks after the end of the month.	NRPB: monthly Supervisor: weekly Contractor: weekly
45. Workers are properly trained, including the Induction training before mobilization to site.	Record Review	100% according to the approved training plan in the C-ESMP	NRPB: monthly Supervisor: weekly Contractor: weekly
46. C-ESMP updates	Record Review	Updated C-ESMP is received at least every 3 months.	NRPB: monthly Supervisor: bi-weekly Contractor: bi-weekly
47. Equipment/Vehicles maintenance	Record Review	All vehicles/equipment shall be regularly maintained.	NRPB: monthly Supervisor: weekly Contractor: weekly

6.11 Expected Costs Of Mitigation Measures

The costs to mitigate the social and environmental risks are outlined in Table 12 below. The cost of the delivering of the ESHS requirements shall be a subsidiary obligation of the Contractor and no separate payments will be made for implementation of ESHS requirements. Other costs include the engagement of the external consultant that carried out the cultural assessment of the plot, costs related to stakeholder engagement (publications, gatherings, etc.).

Table 12: Costs of Environmental and Social Risks Mitigation Measures

Description	USD\$	Component
ESHS mitigation measures related to construction works	n/a — (part of Contractor's bidding price)	2
Environmental and Social Risk Management specialists ⁵	150 000	All
ESS8 Consultant (task completed)	5 000	2
Stakeholders Engagement and Consultations during implementation	10 000	All
Training ⁶	5 000	All
Total⁷	170 000	

⁵ Cost includes NRPB's input on E&S/Procurement integration (ToRs drafting and bids evaluation) and E&S monitoring.

⁶ Training other than what is expected as part of the project components

⁷ Cost is indicative. Most E&S aspects costs will be part of the project deliverables and unit prices of works bids.

6.12 Supportive Assessments

- ❖ **Situational Analysis of the National Mental Health System.** To inform the updating of the National Mental Health Plan and the details of the proposed Project design, VSA has undertaken a situational analysis consisting of two parts: 1) the mapping of the supply chain of mental health care services and a gap assessment followed by 2) with the assistance of PAHO, the carrying out of an analysis to identify and understand the associated root causes of these gaps. This analysis will include a mapping of mental health services both formal and informal, conducting surveys, interviews and organizing focus groups amongst service providers (supply side) and their clients and care takers (demand side). The documented output of the situational analysis is expected to inform the national mental health sector and strategic planning, and provide input for legislative and policy reform, strengthen interdisciplinary and cross sectoral protocols and (referral) procedures, and provide an evidence-informed basis for the Project design and its implementation thereof. Part 1 is relevant for the Project design and is conducted over the Q3-Q4 2022, while part 2 is relevant for the implementation phase of the Project and is planned for March 2023.
- ❖ **Capacity Needs Assessment.** Given that MHF is in urgent need of a new facility to continue its operations, VSA is conducting a capacity needs assessment to inform the establishment of a new mental health care facility for the MHF. The capacity needs assessment, completed in Q4 2022, will be the basis to inform on the size and differentiation in functionalities of the new mental health facility by assessing the facility's current capacity, gaps in capacity, and delivering scenarios for the new building based on future projections. Findings will also be used as a basis for developing the Terms of Reference for the structural design of the building. The new lot acquired by MHF in 2021 is in proximity to other key service providers in the community.
- ❖ **Organizational/Financial Assessment.** Considering that sustainability of MHF is a pre-requisite for the proposed sub-component 2.2 (Improving access to MHF mental health services), the WB is conducting an organizational/financial assessment of the MHF. This assessment reviews the current operating financial model of MHF including MHF's financial capacity to repay loans. The assessment will use the current financial model, along with findings from the organizational review examining both operational and financial gaps/challenges to project financial and operational scenarios with an outlook of ten years. The financial model and predicted scenarios will be used to inform on MHF's capacity to deliver current and planned services over the next decade. While the capacity needs assessment aims to inform the design of the proposed building, the organizational/financial assessment aims to assess the mid to long term sustainability of MHF through a financial and operational lens in order to support a financial sustainable business model for the future.

The upcoming situational analysis of the national mental health system and the capacity needs assessment to be carried out by VSA, together with the organizational/financial assessment led by the Bank, is expected to provide the necessary inputs to not only further inform the proposed Project design, but also assist in the formulation of a **Business Plan** for the MHF.

7 Implementation Schedule for Environmental and Social Risk Management Instruments

In order to mitigate the risks, specific instruments have been prepared as a guide and plan for action during project execution as outlined in Table 13 below. Some of these instruments (e.g., ESMP, SEP) will be available for public review for comments and feedback. Where necessary, public opinion will be considered in project design and mitigation of social and environmental risks. The preparation and disclosure of these instruments will be synchronised with the project's overall timeline.

Table 13: Implementation Schedule

Instrument	Timeline	Responsibility	Component
ESCP	Draft by appraisal and finalized during negotiations.	NRPB	All
ESMP	Draft prior to project appraisal. Final submitted to the WB before launching the new facility works tender.	NRPB	All
SEP	Draft prior to project appraisal. Final submitted to the WB within 30 days of project effectiveness.	NRPB	All
LMP	Draft prior to project appraisal. Final submitted to the World Bank within 30 days of project effectiveness	NRPB	All
GRM for Project Workers	n/a. GRM is operational	NRPB	All
Cultural Heritage Assessment	Prior to appraisal - finalized	ESS8 Consultant	2
Contractor – MSIP	During Bidding Stage	Contractor	2
Final Approved Contractor-ESMP	Before commencement of works	Contractor	2
ESHS Reporting to WB	Bi-annually	NRPB	All
ESHS Reporting for Contractor	Monthly	Contractor	2

8 Project Institutional Arrangements and Capacity

8.1 Institutional Arrangements for ESMP Implementation

The National Recovery Program Bureau will act as the Project Implementation Unit (PIU) for the MHP and ultimately the implementation of the ESMP. The collaboration between the NRPB and the related Government Ministries (see section 8.3 to 8.7) will continue as the project proceeds throughout the project life cycle. The specialist within the Environmental and Social Risk management Unit of the NRPB has developed instruments to guide the execution of the project while mitigating the identified social and environmental risks.

Each ministry has oversight and will contribute efforts and resources to ensure that the requirements of the ESMP are met, but the NRPB is accountable for the commitments in the ESMP. This section of the ESMP and Table 14 below outlines the responsibilities across the NRPB, the supervisor, and the contractor in the fulfilment of the terms of this ESMP.

Table 14: Roles and Responsibilities for Environmental and Social Management of the Project

Organization	Responsibilities
NRPB	<ul style="list-style-type: none"> ✓ Overall oversight of ESMP implementation of the project ✓ Periodic monitoring and reporting of ESCP (every 6 months). ✓ Ensure that the Labour Management Procedures (LMP) that have been developed for the project are implemented

	<ul style="list-style-type: none"> ✓ Investigate and report all significant incidents related to environmental, social and health aspects. Carry out root cause analysis for all major incidents, and recommended actions to be taken to rectify the failure that led to these incidents. ✓ Prepare and submit to the Bank bi-annually monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including, the implementation of the ESCP and the ESMP, stakeholder engagement activities, status of complaints received by the grievance mechanism(s), and other aspects of monitoring ESHS as detailed in the ESMP. ✓ Promptly notify the Bank of any incident or accident related to the project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, such as possible impact of natural hazards during Project implementation or any violations of the Code of Conduct. ✓ Carry out periodic site inspections to ensure ESHS compliance in workplaces. ✓ Review and approve the Contractor's ESMP and monthly ESHS Reports. ✓ Manage the grievance mechanism for the project. ✓ Review tender documents and ensure compliance with the ESMP.
Supervisor	<ul style="list-style-type: none"> ✓ Supervise ESHS compliance of Contractor ✓ Provide guidance to the contractor on implementation of ESHS aspects and provide training to the contractor's staff ✓ Review Contractor's ESMP and advise NRPB on compliance. ✓ Review Contractor's monthly ESHS Reports and advise NRPB on compliance. ✓ Carry out regular site inspections to ensure ESHS compliance in workplaces. ✓ Engage an ESHS Specialist responsible for environmental and social risk compliance ✓ Report and Investigate all incidents as listed in 6.9.1. Carry out root cause analysis for all incidents, and advise on the recommended actions to be taken to rectify the failure that led to these incidents.
Contractor	<ul style="list-style-type: none"> ✓ Draft a Contractor's Environmental and Social Management Plan (C-ESMP) prior to works commencement for NRPB's approval. The C-ESMP will include ES action plans with site-specific mitigation measures. ✓ Implement mitigation and monitoring measures proposed in the C-ESMP, ESMP and World Bank Group EHS Guidelines ✓ Review the C-ESMP periodically, at least quarterly, and update in a timely manner. ✓ Prepare for approval of a Job Safety/Hazard Analysis at the beginning of construction works. ✓ Prepare monthly ESHS reports ✓ Promptly notify NRPB & Supervisor for accidents or incidents related to environmental, social and health aspects. ✓ Engage an ESHS Specialist responsible for Environmental and Social compliance ✓ Report and Investigate all incidents as listed in 6.9.1. Carry out root cause analysis for all incidents, and recommend actions to be taken to rectify the failure that led to these incidents

8.2 Institutional Arrangements for Project Implementation

The NRPB will be the implementing agency for the project. NRPB will be responsible for reporting and monitoring and evaluation, financial management, contracts management, Environmental and Social risk management oversight, and procurement processing. Execution of activities for the MHP will be carried out by the NRPB, VSA and MHF, with the support from the World Bank.

8.3 Ministry of Public Health, Social Development and Labour (VSA)

VSA is a Project partner and responsible for health sector policy and strategic direction and for the implementation of the national mental health strategic plan, which will be supported by the Project. It is also responsible for legislative reform in the health sector. A recently hired consultant has been designated as the focal point for VSA for all matters pertaining to mental health. The Ministry of VSA amongst other aspects is responsible for Labour conditions/regulations during construction, for the public health at the work site.

The mission of the Ministry of VSA is:

- to promote a healthy and social supportive community.
- to prevent unhealthy living conditions, protect socially vulnerable groups, promote employment opportunities and the general wellbeing of St. Maarten's society.
- to promote the general wellbeing and quality of life of our population by means of services such as of health protection, health promotion, labor mediation, labor & dismissal licenses, emergency medical services, social security, community development and social work & counseling and supervision.
- to secure accessibility to health insurance and social security systems.

VSA Departments relevant for this project are:

- Department of Public Health (PHD)
- Collective Prevention Services (CPS)
- Social Development Department (SD)
- Community Development, Family and Humanitarian Affairs (CDFHA)
- Social Services and Labor Affairs
- Inspectorate of VSA (IVSA)

SZV: The Social and Health Insurances Implementing Body of Sint Maarten (SZV) is an independent administrative body that was established on October 10, 2010, and is charged with the implementation of a number of social insurances established by national ordinance AB2010, GT no.59. SZV is responsible and accountable to the Minister of Public Health, Social Development and Labor (VSA) for the overall management of the organization. SZV is a Project partner and will be supported for the establishment of a sustainable payment mechanisms for mental health services.

8.4 Ministry of Public Housing, Spatial Planning, Environment and Infrastructure (VROMI)

The activities of VROMI are especially aimed at, but not necessarily limited to the areas of management of the natural resources and environment and the development and management of a robust public infrastructure and public spaces.

The Ministry of VROMI Departments relevant for this Project are:

- **Infrastructure & Management**
This department will be involved in case there are works that need to take place in public spaces (road trenching, etc).
- **New Works**
This department will be involved if existing water, wastewater and electricity lines need to be updated and/or relocated or new ones need to be installed and if an excavation permit is required. New Works would coordinate the projects further within VROMI pertaining to required permits.
- **Permits**

The Permits Department is responsible for Building Permits and will therefore be the department where the plans for this project will have to be submitted to.

- **Inspection**

During any construction activities under this project the Inspection Department would have the responsibility to ensure that all being constructed is in accordance with applicable legislation pertaining to the Building Codes being followed during construction; Environmental Regulations being followed subsequent to operations starting and Electrical Inspections being up to code.

8.5 Ministry of Education, Culture, Youth and Sport (MECYS)

The Department of Culture within the MECYS has the mission to develop, promote and safeguard the Tangible and Intangible Cultural Heritage of St. Maarten. The Cultural Heritage Assessment that was carried out for the development plot will be shared with MECYS for their information and feedback. Also, if during construction, there are chance finds, the Ministry will be notified and advised.

8.6 Ministry of Justice

The Police Force of Sint Maarten (KPSM) falls under the responsibility of the Ministry of Justice. The Traffic Department of the Police will need to be informed in case of traffic safety related issues and permits relevant to the works execution.

8.7 Ministry of General Affairs

The Fire Department falls under the Ministry of General Affairs. Their role is to ensure that the Fire Safety Aspects, i.e. the Fire Safety stations etc., of the to be constructed/renovated structures, in conjunction with the Ministry of VROMI the Permits Department and Inspection, is in accordance.

8.8 Coordination between Ministries

In principle most indicated Ministries play a different role in the project and operate separately. However, the Ministry of VROMI (Permits Department) collaborates with the Ministry of General Affairs (Fire Department) when it pertains to the fire safety aspect of requested Building Permits and on (external) safety with requested Hindrance (environmental) Permits.

Additionally, there are focal points from the various Ministries in contact with the NRPB, as central contact point, pertaining to their part/relation in and to the project.

9 Annexes

Annex 1 – Census Survey and Cut Off Date

Project Site Visit - Census Survey

Project Title: Improving Mental Health in Sint Maarten

Date of Census/Cut-off Date: 2nd June, 2022

Site Location: St. John's Estate Road in St. John's neighbourhood, Sint Maarten

Data Collector: Rueben Thompson

Position/Title: Head of NRPB's Safeguards Department

Purpose of the Census Survey:

To determine the number of human occupants on the site and their related assets

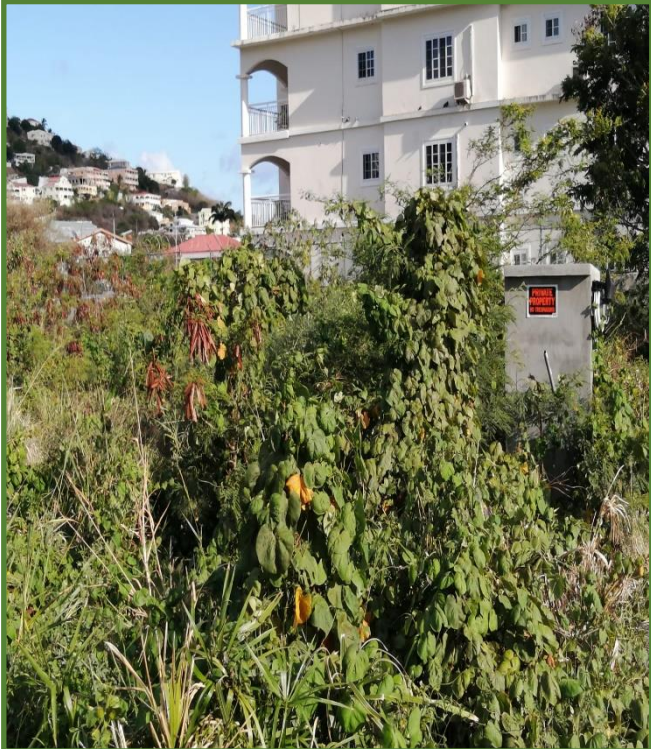
To confirm the structures and other fixed assets on the site

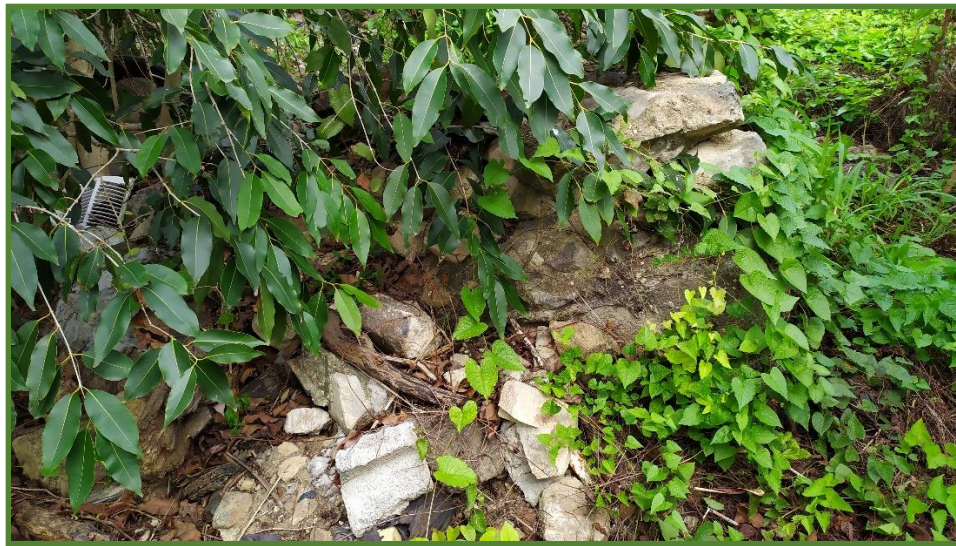
To confirm any activity occurring on the site which may potentially be affected by project implementation

Occupants/Assets	Number	Description/Details
People	Nil	
Building Structures	Nil	
Trees/Crops/Animals	Nil	Site covered with brush and no economically valuable crops. No animals tethered.
	5	Five midsized trees
Other	2	There are remnants on the site of a structure, of which the use and historic value is yet to be precisely determined, and a small section of a potential historic rock wall.

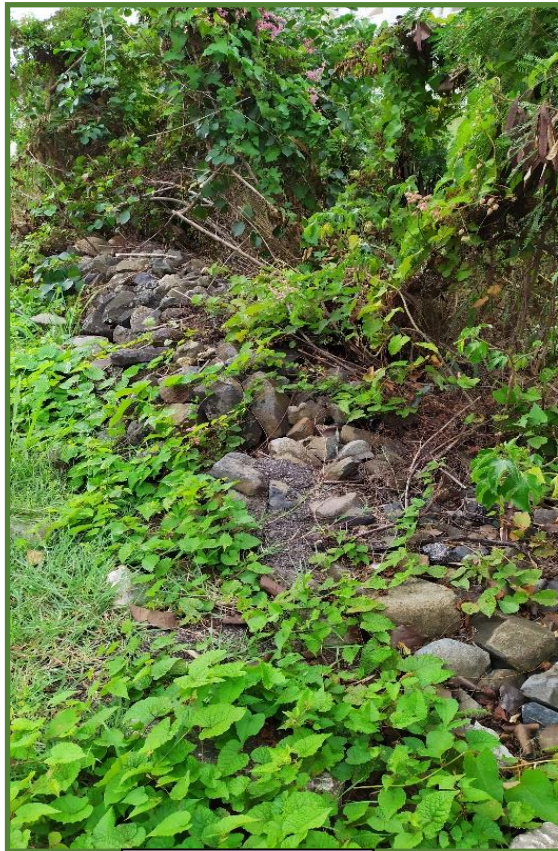
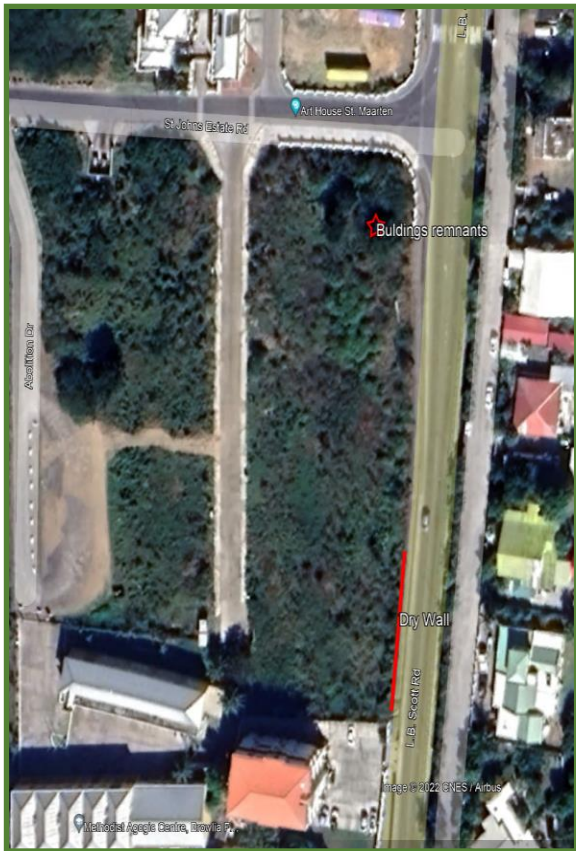
Signage Placed: Yes No (If yes, please attach photos of signs placed on the site)

Summary/Comments: _____





Building remnant



Dry wall remnant

Annex 2 – Cultural Heritage Assessment Report

18 September 2022

Assessment including site inspection, historical documents/feature observations, and initial recommendations for the St. John's Ranch property at the Great Cul-de-Sac, Sint Maarten.

Summary

From the site inspections at the St. John's Ranch property, carried out between January and September 2022, it is suggested that the original historical structures, i.e. the Boiling House and the Animal Treadmill, have absolutely minimal preservation, and as such would not be suitable for potential restoration. The structures have been significantly damaged and/or removed. What is also in consideration is the fact that there are so few image records of the site features to conduct reconstructions from.

The minimal surviving dry-stone 'slave walls' evidence to the southeast of the property, are also of minimal quality for preservation and/or restoration. The complication of restoring such a 'slave wall' with minimal stone remains (both vertical and horizontal) present, is that it would then become a modern replica, with the quality limitations which that action may have. Such that the overall St. John's Ranch property has been almost completely altered with modern bulldozer activity, no other historical features are expected at this site.

Historical Observations

The St. John's Ranch (Figure 1) is located in the Cul-de-Sac district of St. Maarten. It has served various functions through time, primarily as a animal husbandry space for cattle and goats, a private residency, and for a short period as a Primary School from the early 20th century until its decline in use in the mid-20th century. Although not on the official registered Monuments List for St. Maarten, nor on the 2006 PREAM historic monuments listing, this property has been recognized by the Cul-de-Sac community as an historical feature of the Cul-de-Sac landscape (see Figure 1). In the historical references to the Cul-de-Sac valley, the St. Johns Ranch site is minimally discussed, perhaps due to its apparent limited basic function as an agricultural/animal husbandry use (see Voges 2006; Barka 1993; Sint Maarten Archival documents 2021).

Through oral history interviews with such community leaders as Mr. Mathias Voges, who wrote the book of *Cul-de-Sac Valley People* in 2006, and a review of the official kadastral records on this property (Register C, deel 74-26, and associated subsequent transfers), we see that such prominent St. Maarten families, as: van Romondt, Beuperthuy, Richardson, Arrindell, Buncamper, and Henriquez, were at some point part owners of the property, prior to acquisition by the *Mental Health Foundation* in 2021.

The oldest indication of the St. John's property on an historic map, dates to 1883, with a map by J. Dornseiffen (Figure 2). Other historic maps of this site area from 1791, 1817 and 1864, indicate the valley/roadway, but not the structural features

location of this plantation site (Figure 3). It is curious that on the 1791 map by van Keulen, it refers to the Cul-de-Sac as the 'Grote Blinde Straat' ('Big Blind Street'), perhaps in reference to its isolation from the town of Philipsburg. Among the noted historical maps, it is the 1916 Werbata Map which provides the best data for archaeological features at this site (Figure 4). The Werbata maps, produced between 1906-1916, are among the best reference maps for the Dutch Caribbean islands, including St. Maarten, such that they provide detailed information regarding archaeological features. Noted on the 1916 Werbata map are two stone structures at this site, both of these two structures still had remnants at the property into the mid-20th century (see Figure 1), however they are no longer present. It is further important to also note, that no graves are indicated on the Werbata map, at this site.

One of the key factors that gives this St. John's Ranch site a potential historical significance, is its strategic location within the Great Cul-de-Sac valley, where numerous of the oldest and largest colonial plantations were established on the Dutch side, from the 17th century (Figures 5-7). The initial function of this site was identified by archaeological survey in 1993, as an early sugar plantation (Barka 1993), including the original boiling house and animal tread structures, used for sugar production (Figure 8). In Figure 1 can be clearly seen, the original structural features of the sugar plantation, with the stone-mortar boiling house/animal tread to the left, of the modern additions to the structures on the center-right. What was typical of these Cul-de-Sac valley early plantations, was their small scale and size, as more family run operations, rather than large-scale production factories (Haviser et al. 2007).

As for daily life, the St. John's Ranch was part of the Cul-de-Sac community from its very beginning in the 18th century with the sugar factory, and eventually evolved into having more emphasis on agriculture and animal husbandry, and into the early-20th century as a small primary school. As can be seen in Figure 9, the Cul-de-Sac valley had the largest number of plantations (and the largest number of cattle plantations), as well as the largest amount of cultivators for the Dutch-side employment in 1902 (Voges 2006). The first primary school for the Cul-de-Sac valley folk, was at Little Bay, and Voges (2006) has documented the pupils of that school in 1914, many of which are prominent citizens of St. Maarten today (Figure 10).

With the initialized collapse of the sugar plantations due to a labor shortage after 1863, by 1897, sugar production stopped on St. Maarten (Johnson 1987). Agriculture and animal husbandry became increasingly important for the folk to survive, raising cattle, goats, and planting cassava, arrowroot, yams, tania, plantain, pigeon peas, etc. (Glascock 1985) (see Figure 11). The St. John's Ranch seems to have had such a transformation as well, and by 1942, the 'Colony Government' took over many closed plantations in the Cul-de-Sac, including St. John's, as agriculture and cattle production, for export to Curacao, however this Agricultural Service ended in 1962 (Johnson 1987).

An interesting social phenomena also occurred which related to the Cul-de-Sac valley, and it did affect the St. John's Ranch. This phenomena occurred after the dramatic island population increase from 1960-1977 (from 2728 to 11,371 people), which included an increase of cars on the island (from 77 in 1952 to 3900 in 1977) that allowed town folk to easily access the countryside (re. Cul-de-Sac) (Hartog 1981). Beginning at Saunders in 1963, and followed by Cay Hill in 1967, the first 'suburban' districts were established with private dwellings built, often as country-houses for the town folk (Hartog 1981). In the same year of 1977, the Cul-de-Sac valley population increased to 3000, while the Philipsburg population declined by 1700 people (Hartog 1981).

Site Inspection and Observations

I visited the St. John's Ranch property on four occasions between January and September 2022, for both surface and exposed feature observations. What follows here are brief descriptions of the observed historical features noted at the site.

From the perspective of historic natural features, on the site photo image (Figure 1) we see two large trees adjacent to the historical structures, however neither of these trees are still present at the site. The remainder of the property is covered with secondary-growth, small bush/scrub, and further showed evidence of both extensive and recent bulldozer activity over most of the site, including adjacent to the location where the older ruins should be.

At the immediate entrance to this property from L.B. Scott Road, a modern ornamental property border wall has been constructed, which would have replaced any dry-stone 'slave walls' at that location. The only surviving dry-stone 'slave walls' noted, were adjacent the L.B. Scott roadway to the very southeast of the property (Figure 12). The preservation condition of this limited section of surviving 'slave walls' on the property, is very poor, with only a few stones still evident having a minimal height. When compared to the well-intact 'slave wall' nearby at the Golden Rock Plantation (Emilio Wilson Park), this damaged wall section at the St. John's Ranch, has minimal value.

Utilizing the Werbata 1916 map as a basis, there are two rectangular historical buildings noted at this property, neither with indications of use for these structures (Figure 4). Upon site inspection of these two site features, I observed that both have been severely and/or completely damaged by bulldozer activity. The smaller structure (Feature A) has been reduced to almost ground level, with only about 40cm height of scattered stone foundations and twisted iron railing still present (see Figure 13). It is of significance to note that there is a slight curvature to the surviving segment of the Feature A stone-mortar wall, which could correlate to the animal treadmill noted by Barka. Furthermore, in the image of the site (Figure 1) can be seen a iron railing atop this Feature A structure. In 1993 already, Barka noted significant alterations to all the original structures at this site, being both the Boiling House and the Animal Treadmill, for the expansion of a small school operating there. During my inspections, the entire Boiling House structure (which would be Feature B) seems to have been significantly damaged and/or removed (Figure 14). No graves were noted at this site, during the field inspections.

To the southwestern area of the property, the land has been extensively bulldozed, and having a lower elevation, seems to have been a water catchment area for quite some time, perhaps for animals. A modern-cut drainage trench has been made through this low ground area.

As for artifact collections at this property, it was apparent that due to the extensive bulldozer activity at the site, and later modern trash disposal from both the roadside and other areas, only modern trash was noted. The one and only exceptional artifact find, was a whole conch shell (Figure 15).

Recommendations

From these site inspections at the St. John's Ranch property, it is suggested here that the original historical structures have absolutely minimal preservation, and as such would not be suitable for potential restoration. This is also in consideration, that there are so few image records of the site features to conduct reconstructions from.

The minimal surviving dry-stone 'slave walls' evidence to the southeast of the property, are also of minimal quality for preservation and/or restoration. The complication of restoring such a 'slave wall' with minimal stone remains (both vertical and horizontal) present, is that it would then become a modern replica, with the quality limitations which that action may have.

Such that the overall St. John's Ranch property has been almost completely altered with modern bulldozer activity, no other historical features are expected at this site.

In the event of Chance Finds, such as unforeseen structural features and/or artifacts, during development at this site, an archaeologist should be brought in for observations, and if necessary collection or mitigation.

This Assessment is submitted as Archaeological observations.

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Figures



Figure 1. St. John's Ranch in the 1960s (top), with original sugar factory structures to the left, and the modern school additions to the right; (bottom) view of the Cul-de-Sac valley, with the St. John's property at the middle-right.



Figure 2. First mention of St. John's on an historic map from 1883, by J. Dornseiffen (from Coomans et al. 2000)

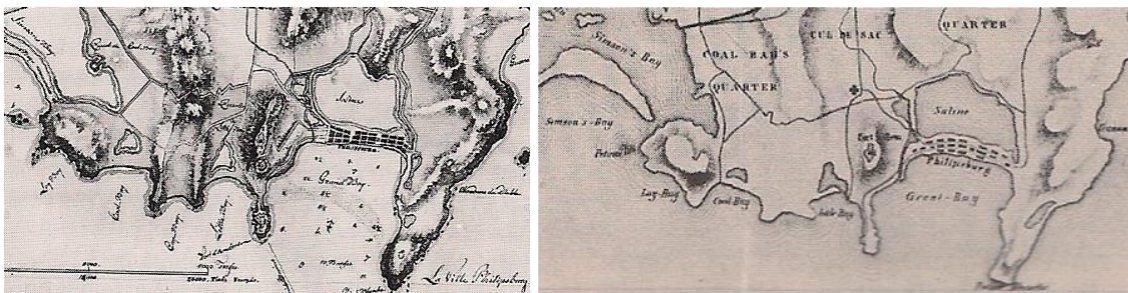


Figure 3. Historical maps of the Cul-de-Sac valley area, from 1817 (Blanken) and 1864 (Slotemaker).

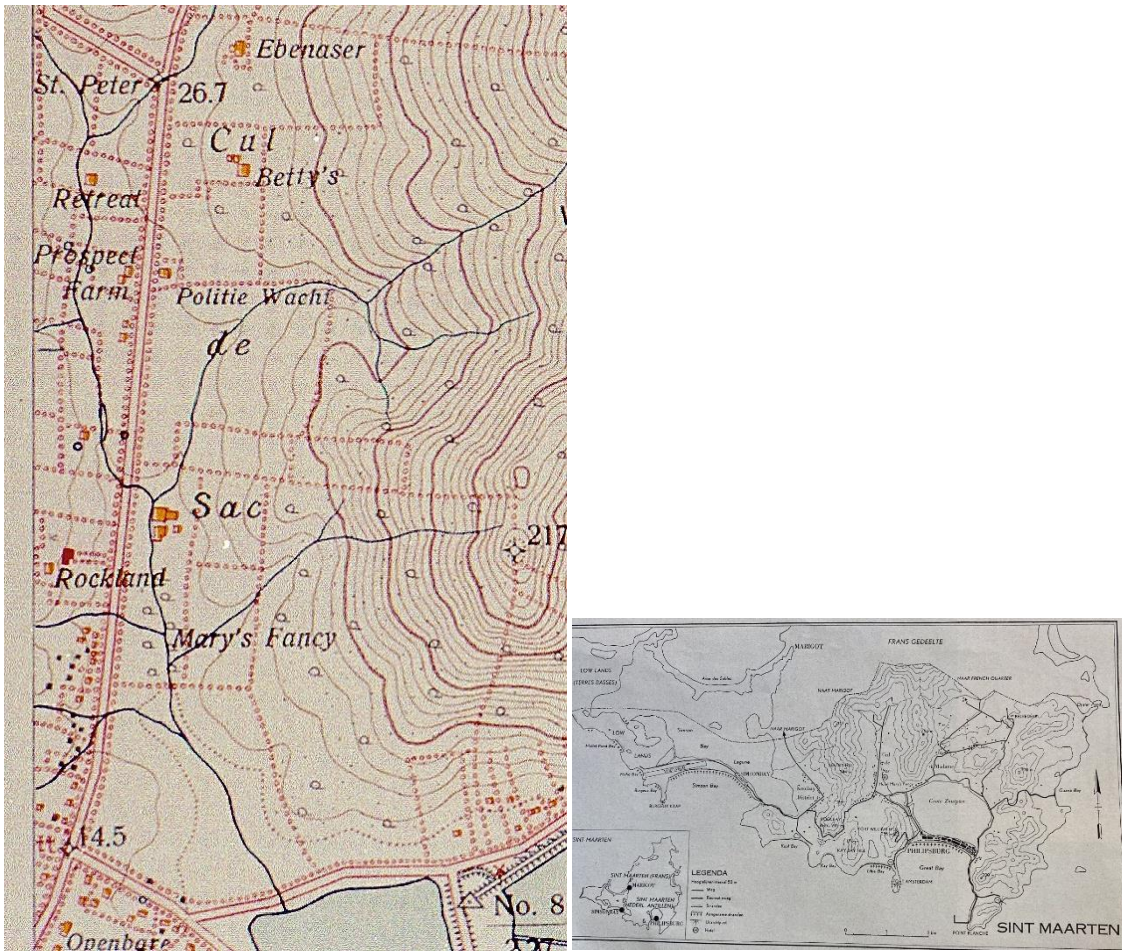


Figure 4. Werbata map of 1916; and a 1965 roadmap of the Cul-de-Sac valley.

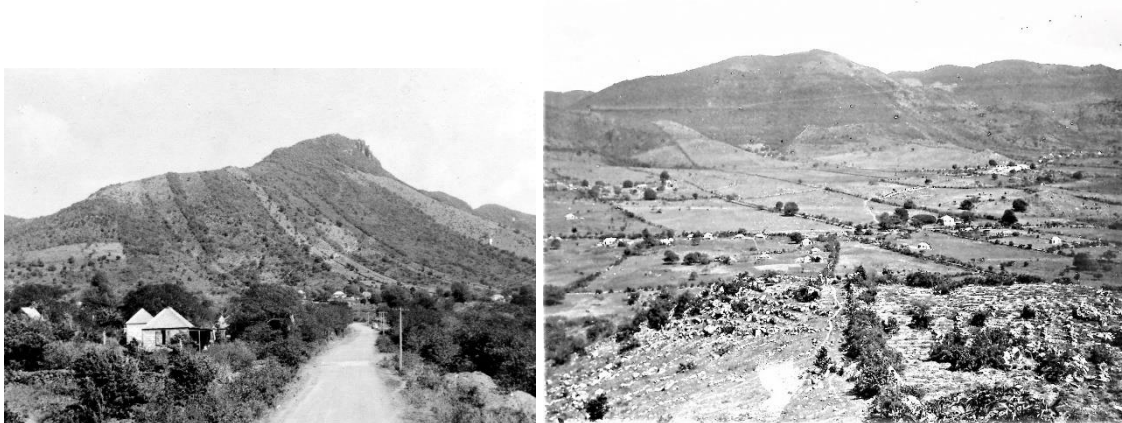


Figure 5. Early views of the Cul-de-Sac valley, 1916 and 1920s views.



Figure 6. The Dutch Cul-de-Sac valley in 1964 (left), and in 1978 (right).

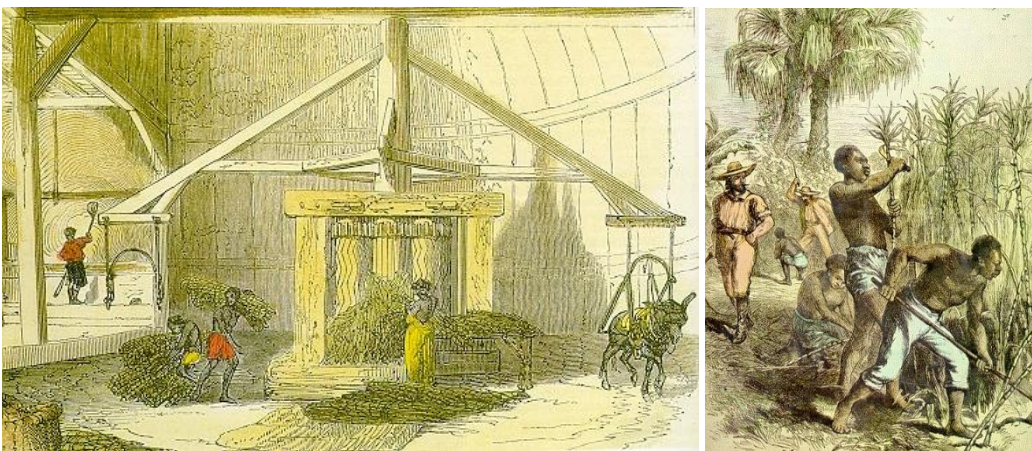
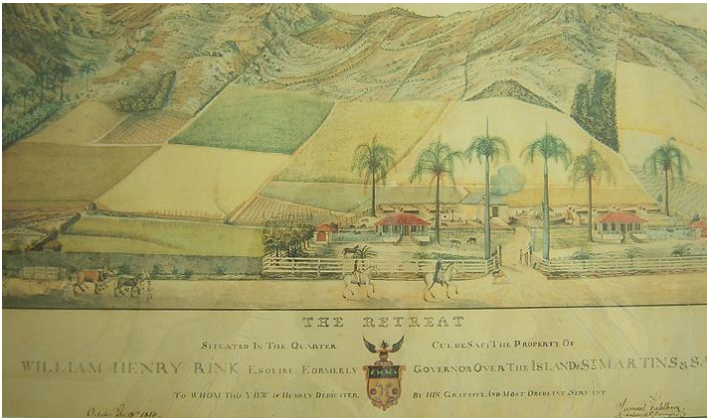


Figure 7. Small-scale Sugar Plantation landscape example (top) at Retreat Plantation (adjacent to St. John's); with animal treadmill (left) and enslaved African laborers (right).

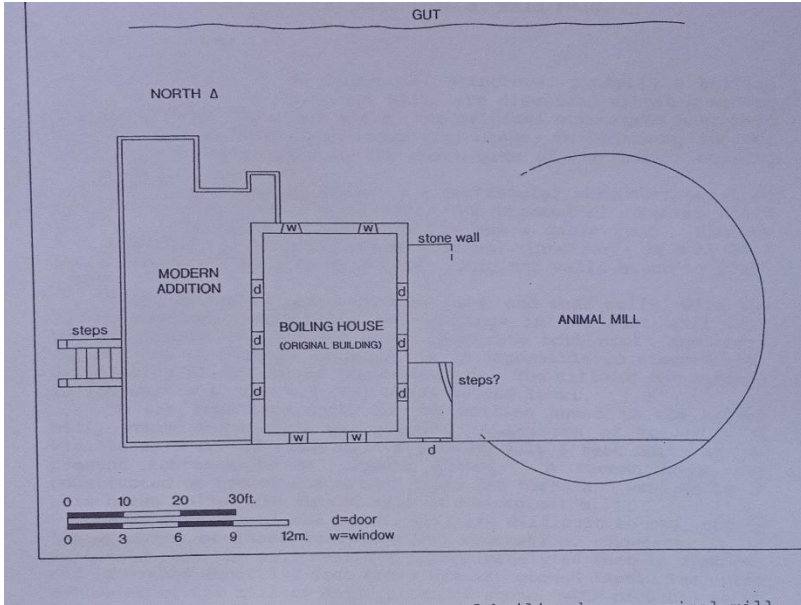


Figure 8. St, John's Ranch, Sugar factory ruins recorded in 1993 by Barka.

NUMBER OF HOUSES AND PLANTATIONS PER DISTRICT IN 1902

DISTRICT	HOUSES	SUGAR PLANTATION	CATTLE PLANTATION
Philipsburg	369	—	—
Simpson Bay	58	—	—
Cole Bay	84	—	1
UPQ	130	2	2
LPO	21	—	2
Cul-de-Sac	165	2	5
Point Blanche	3	—	—
Total	930	4	10

Source: Old archives of Dutch St. Martin

LIST OF OCCUPATIONS PER DISTRICT DURING 1902

	P'BURG	U.P.O.	L.P.O.	CUL-DE-SAC	COLEBAY	S'BAY
CULTIVATORS	—	26	27	41	14	—
PLANTERS	—	1	—	—	—	—
CARPENTERS	18	2	2	1	1	1
CABINETMAKERS	1	—	1	—	—	—
MASONS	1	—	—	2	1	—
BLACKSMITHS	5	1	—	—	—	—
TINSMITHS	2	—	—	—	—	—
SHOEMAKERS	6	—	—	—	—	—
SAILORS	18	2	2	—	—	—
PORTERS	7	1	—	—	—	—
BOATMEN	8	2	1	—	—	—
FISHERMEN	6	—	—	—	—	41
GOLDSMITHS	2	—	—	—	—	—
TAILORS	5	1	—	—	—	—
PAINTERS	3	—	—	—	—	—
COOKS	13	1	—	4	—	—
WASHWOMEN	6	8	9	12	2	—
CIVIL SERVANTS	31	—	—	—	—	—
IRONERS	14	2	1	—	2	—
MERCHANTS	10	—	—	—	—	—
SHOPKEEPERS	13	—	—	1	—	—
SEAMSTRESSES	44	4	7	4	6	29
BAKERS	18	—	1	2	2	—

Source: Old archives Dutch St. Martin

Figure 9. Plantations and labor occupations of the very early 20th century in the Cul-de-Sac valley, are indicated in these tables from Voges 2006.

Students attending Little Bay Public School, January 1914 <i>(According to the principal Fred Labega)</i>	
Name student	Name Parents/Guardians
Boys: 36	
Lionel Wilson	Ann Mary Wilson
Iantje Flanders	Rosalie Flanders
Peter William Bryson	Daniel Bryson
Edward Hazel	Andrew Hazel
Austin Holman	Celia Holman
Albert Hazel	Andrew Hazel
Cecil Gibbs	Amede Gibbs
Eugene Arrindell	Charlotte Arrindell
Victor Richardson	Timoleon Richardson
Willfred Larmonie	Philogene Larmonie
Cornelius Bart	Catherine Steward
Evariste Arrindell	Edith Arrindell
Lucius Richardson	Timoleon Richardson
Nathaniel Hazel	Catherine Steward
Otto Meyers	Theodore Meyers
William Bryson	Daniel Bryson
Alexander Richardson	Caroline Richardson
Charles Richardson	Caroline Richardson
Nathan Hazel	Hartie Dollison
Lionel Hazel	Hartie Dollison
Arnold Steward	Margaret Steward
Godfrey Steward	Margaret Steward
Irad Wilson	Charlotte M. Wilson
Joseph Owen	Joseph Owen
Reuben Meyers	Caroline Richardson
Alexander Reid	Sophia Reid
Johan Larmonie	Philogene Larmonie
William Richardson	Katie Richardson
Leopold Arrow	Judiana Arrow
Joseph Fleming	Ann Lucinda Fleming
James Hazel	Candace Arrindell
Crispin Dunker	Catherine Sophia Dunker
Granville E. Wilson	Hannah Wilson
Gustavus A. Nisbet	Jacob Alexander Nisbet
Charles Cooks	Ann Lucinda
Leonard Marlin	Martha Arrindell
Girls: 38	
Susan Wilson	James Wilson
Eloirene Dunker	Elvi Dunker
Margaret Gibbs	Amede Gibbs
Constance Dunker	Eliza Dunker
Maria Wilson	Catherine Wilson
Maria Weinum	Charlotte Weinum
Sylvia Dunker	Elvi Dunker
Ernesia Larmonie	Philogene Larmonie
Masita Patterson	Joseph Patterson
Marlou Steward	Catherine Steward
Vanetia Washington	Albert Washington
Nan Bryson	Daniel Bryson
Eudora Weinum	Charlotte Weinum
Aletta Meyers	Theodore Meyers
Christina Nisbet	Jacob Alexander Nisbet
Charlotte Hazel	Andrew Hazel
Vanetia Reid	Sophia Reid
Maud Washington	Jane Ann Buncamper
Evana Washington	Albert Washington
Esther Arrindell	Victoria Arrindell
Margarita Arrindell	Victoria Arrindell
Olive Bryson	Daniel Bryson
Florrie Nisbet	Jacob A. Nisbet
Aletta Washington	Albert Washington
Eleazar Blijden	Emma Blijden
Aletta Weinum	Alexandrine Weinum
Elise Weinum	Charlotte Weinum
Eva Owen	Joseph Owen
Josephine Addie Dunker	Elvi Dunker
Nathalie Dunker	Catherina S. Dunker
Alberta Cox	Eliza Cox
Norah Cox	Edith Cox
Lucia Meyers	Maria Meyers
Margarita Dunker	Alexandrine Dunker
Ernestine Cox	Isoline Cox
Sigrid Loretta Proctor	Otelia Proctor
Carmelita Holman	Celia Holman
Elsie Marlin	Beatrice Marlin



Figure 10. School Students in 1914, at Little Bay School (which served the Cul-de-Sac valley) from Voges 2006 (many are prominent citizens today); and an example of a St. Maarten old school house of the 1920s.

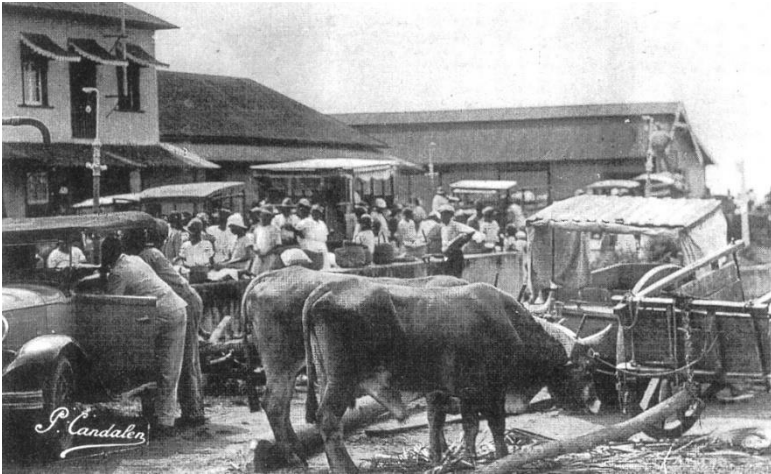


Figure 11. Life in the countryside of the Cul-de-Sac valley; with farming and animal husbandry.

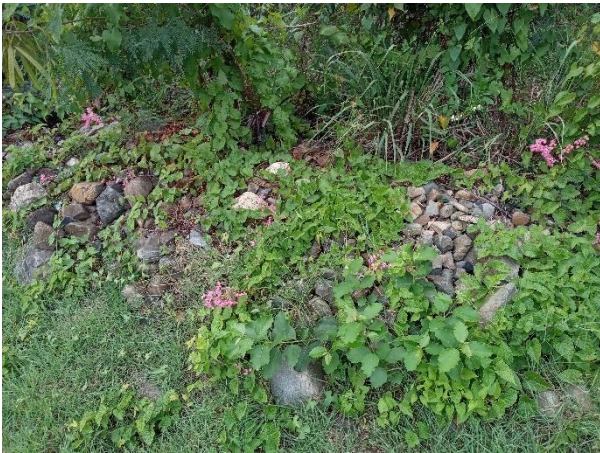


Figure 12. Ruins of the limited section of dry-stone 'slave walls' at the St. John's Ranch property; and (right) an example of a well-preserved 'slave wall' at the nearby Golden Rock plantation.



Figure 13. Some of the very few historic features noted at the St. John's Ranch property; Top is Feature A (probable part of the animal treadmill from the sugar factory) with original stone-mortar wall curvature, and below, the iron railing added in modern times. In the old photo of the structures, can be seen this curved wall section and the modern iron railing atop it (center).



Figure 14. Building materials rubble, and other debris are piled around the property, evidence of the extensive bulldozer activities at the site. These have become disarticulate features, and as such, of minimal historical value. It may be during construction, that as Chance Finds some historic artifacts are identified in these rubble piles, then an archaeologist should be called for the collection and documentation of their recovery.



Figure 15. The only significant artifact recovered in this assessment survey, was a whole conch shell. These conchs were used primarily for food, yet also placement of the shells for symbolic purposes at important heritage sites, often at graves. This single object was found atop the dry-stone 'slave wall' segment, adjacent to the main roadway, thus it cannot be completely certain it is from the site itself.

Annex 3 – CHANCE FINDS PROCEDURE

Table of Contents

Abbreviations and Acronyms	2
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Introduction	3
Schematic overview Chance Finds Procedure	5
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CFP Registration Form	7

Abbreviations and Acronyms

CFP Chance Finds Procedure
ESMP Environmental and Social Management Plan
GoSM Government of Sint Maarten
MECYS Ministry of Education, Culture, Youth and Sport
PCR Physical Cultural Resource

Glossary¹

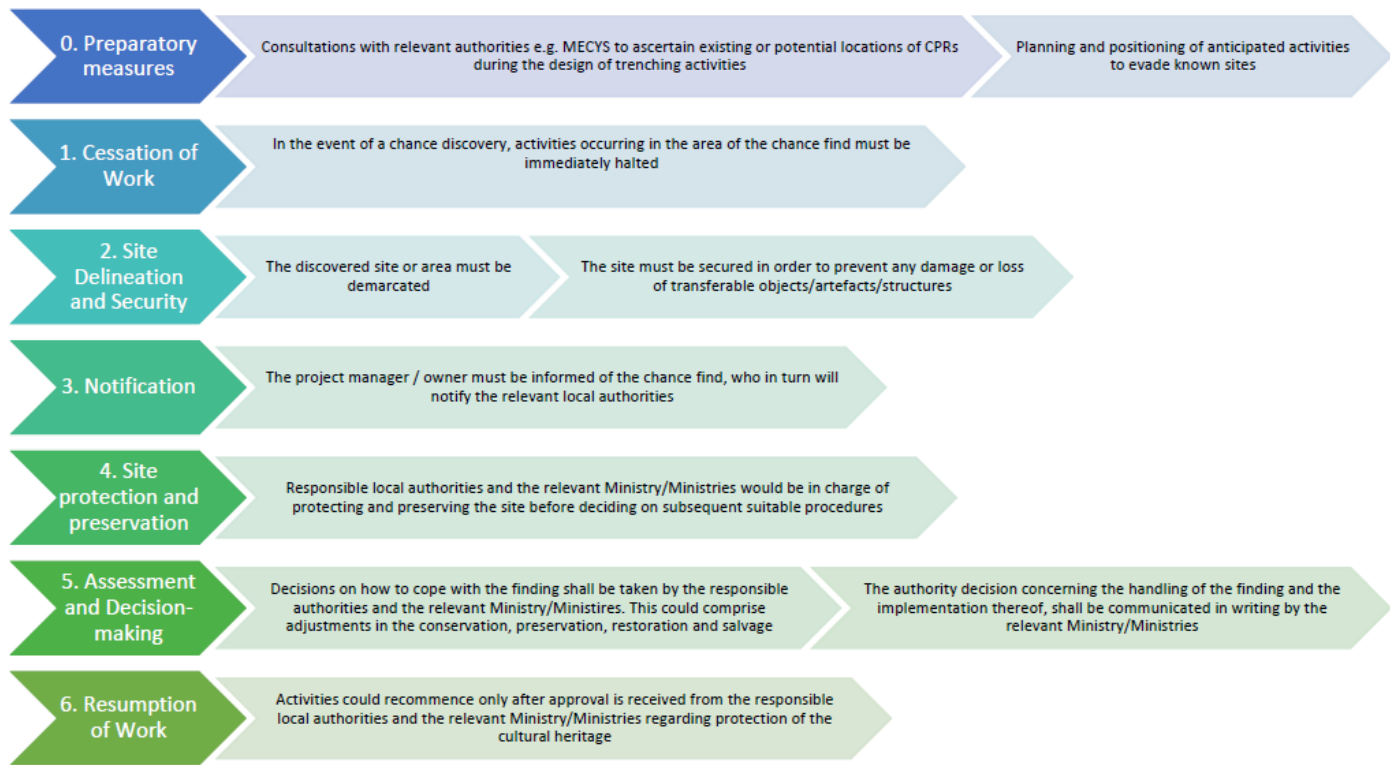
Term	Definition
Community	Usually defined as a group of individuals broader than the household, who identify themselves as a common unit due to recognised social, religious, economic or traditional government ties, often through a shared locality
Physical Cultural Resources	Movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Physical cultural resources may be located in urban or rural settings, and may be above or below ground, or under water. Their cultural interest may be at the local, provincial or national level, or within the international community

This CFP pertains to physical cultural resources located on land that may include movable or immovable objects, (groups of) structures, and sites and natural features/landscapes having archaeological, historical, religious, or other cultural significance or value.

¹Source:

The World Bank <http://documents.worldbank.org/curated/en/630381549872057906/pdf/Indigenous-and-Tribal-Peoples-Planning-Framework.pdf> ;
<http://documents.worldbank.org/curated/en/538931468079135118/pdf/SFG2052-EA-P155087-Box394883BPUBLIC-Discovered-4->

Schematic overview Chance Finds Procedure



Roles and responsibilities

Roles and responsibilities attributed to the following actors under the Chance Finds Procedure (CFP) are:

Actor	Role(s) and/or responsibility/(ties)
Contractor	<ul style="list-style-type: none"> • Consultations with relevant authorities to ascertain existing or potential locations of CPRs, during the design of activities • Planning and positioning of anticipated activities to evade known sites • Empower staff to stop works on (chance) discovery of artefacts • In the event of a chance discovery, activities occurring in the area of the chance find must be immediately halted • The discovered site or area must be demarcated and secured in order to prevent any damage or loss of transferable objects / artefacts / structures; no archaeological or historical object may be removed from the site without prior authorization issued by the Government • The project manager / owner must be informed of the chance find • If requested by authorities, permit an archaeologist to be present for monitoring purposes, especially in areas where the chance of finding historical objects is greater, e.g. in the vicinity of Mary's Fancy Plantation. • Permission must be sought of the Project owner, before works can be resumed • Monitoring of community issues
Supervision Consultant	Will notify the responsible local authorities e.g. MECYS, SIMARC etc.
NRPB	<ul style="list-style-type: none"> • Advisory role to the other government entities and contractor with regard to the location of within the project area and the planning of activities. • Supporting role to the GoSM with regard to the protection and preservation of the site where the chance find occurred
MECYS	<ul style="list-style-type: none"> • Protecting and preserving the site before deciding on subsequent suitable procedures in consultation with other relevant local authorities • Assessment and Decision-making on how to cope with the finding in relation to conservation, preservation, restoration and salvage of the find • Communicating the outcome of the assessment in writing to the contractor • Providing permission to the contractor for resumption of work.
VROMI	Supporting/advisory role to the other government entities in particular concerning the conservation, preservation, restoration and salvage of the find
SIMARC	Supporting/advisory role to the other government entities in particular concerning the conservation, preservation, restoration and salvage of the find

Chance Finds Procedure Registration Form

Record Date (day-month-year): _____ 202...

Record Time: _____

Record Location: _____

Contact Information Key Informant

Name: _____

Phone: _____

Email: _____

Occupation / function: _____

Chance Find Details

1. Date of Chance Find (day-month-year): _____ 202...

2. Time of Chance Find: _____ AM / PM

3. Location of Chance Find (provide as much details as possible):

4. Nature of Chance Find

(Please check / tick the correct box)

- object
- structure
- group of structures
- site
- natural landscape
- skeletal remains

5. Has the Project Manager been notified by the contractor of the Chance Find?

- YES
- NO

6. Has the Project Manager notified relevant authorities? If YES, which authority was notified and when?

- NRPB. Date: _____ and Time: _____
- MECYS. Date: _____ and Time: _____
- VROMI. Date: _____ and Time: _____
- Police Department. Date: _____ and Time: _____

7. If NO, why was the authority not notified?

Delineation and security of the area of the Chance Find

8. How was the area of the Chance Find delineated and secured? [*Suggestion to also use photographic evidence*]

Assessment and Decision-making

8. a. Was an assessment/investigation carried out by responsible local authorities?

- YES
- NO

8.b. If YES, what was the outcome of the assessment conducted by the responsible local authorities?

8.c If NO, when can a final decision be expected?

9. Permission of responsible local authorities received on (*date*): _____

10. Resumption of activities on (*date*): _____

Annex 4 - Contractors' Reporting Template

Environmental, Social, Health & Safety Monthly Report Template

(*contractor to adjust content according to project specific requirements)

Cover Page

- Project Title
- Contractor's/Company's Name, Contact Information, Address
- Site Location
- Reporting Period
- Date of Report
- ESHS manager name
- ESHS Supervisor consultant name

Table of Contents

Project Progress Status

Brief Description of Project Progress Status

Accidents and Incidents

- ✓ Environmental incidents or non-compliances with contract requirements, including contamination, pollution or damage to ground or water supplies;
- ✓ Health and safety incidents, accidents, injuries and all fatalities that require treatment;
- ✓ Near miss events
- ✓ Covid-19 confirmed cases

Date of Incident/Accident/Non-Compliance	Description	Results (Injuries, Fatalities, Treatment)	Current Status/Update

Inspection Schedule

(List ESHS site inspection dates of current and coming month)

Site Description	Date	Date	Date	Date	Date	Date	Date	Date
ESHS Inspector Name								

GRM

Workers and community complaints and actions

Date of Lodging of Complaint	Site/Location of Complaint and Person Receiving	Nature of Complaint (Brief Description)	Action Taken to Resolve the complaint. If not resolved, state current status of the complaint, including follow-up actions

Training Overview

Training Topic	Date	Location	hrs	Instructor	Participants	% of Workers
Covid-19						
PPE use						
Working on Heights						
Scaffolds & Ladders						
Solid waste						
Wastewater, fuel, paints/solvents						
Fire extinguishing						
Code of Conduct and SEA/SH						
GRM						
Asbestos						

(Training topics list is not inclusive. Please adjust according to project specific requirements)

Toolbox Topic	Date	Location	min	Instructor	Participants	% of Workers
Covid-19						
Slips, trips and falls						
Work at height, use of ladders and scaffolding						
Work near existing services						
Roofing						
Manual handling						
Electrical hazards						

Working in confined spaces						
Falling objects						
Fire safety						
Traffic safety						
Construction plant, equipment and tools						
Excavation						
Hazardous materials						
Eye protection, head protection, hearing protection and so on						
Materials storage						
Behaviour in accordance with the CoC						
.....						

(Toolbox topics list is not inclusive. Please adjust according to project specific requirements)

Future Actions & C-ESMP Updates

Describe lessons learned, coming month initiatives for improvement and necessary future updates of the C-ESMP based on past experience.

Non-Conformances

Date	Site	Inspector	Description of Non-conformance	Corrective actions	Date of Implementation & Responsibility	ESHS ID

--	--	--	--	--	--	--

ESHS ID

1. PPE’s use and signage.
2. Covid-19 measures (masks, social distancing, disinfectants, etc) and signage.
3. Working on Heights (scaffolding, ladders, harnesses, lanyards, etc)
4. Community health & safety (Security fencing and signage, noise, safe pedestrian walkways, no road obstructions, traffic signs, etc)
5. Occupational health & safety (toilet, washing station, resting room, drinking water, first aid kit, emergency phone numbers, valid fire extinguisher, etc)
6. Solid waste management, including dust prevention and a tide jobsite (skips, bins, tarps, recycling, etc)
7. Wastewater management
8. Hazardous materials. Mold management. Asbestos management. Fuels, paints, thinners, etc, storage & disposal.
9. Electrical hazards
10. Code Of Conduct violation, GRM/SEA/SH management, Accidents or Incidents reporting
11. Plans, Files and Records (C-ESMP reporting/updates, Permits/Licenses, Vehicles motor test/maintenance, training records, etc)

Metrics

Men Hours		Environmental Incidents		H&S Accidents		Near misses		Medical Leave days ¹		ESHS Meetings		ESHS Inspections		ESHS Manager hrs	
Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date
Non-Conformances (NCs)		Open NCs		Closed NCs		Stop Work Exercised		Warnings Given		Workers Removed from Site		CoC Violations		Grievances Submitted	
Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date
Grievances Resolved		Waste Produced		Waste Recycled		Water Consumption		Wastewater production		Fuel Consumption		Mold remediated area (m2)		Asbestos remediated area (m2)	
Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date	Current month	To date

1. Caused by accident or occupational illness

Non-Conformances Statistics

ESHS ID	Explanation	Non-Conformances (Current Month)		Non-Conformances (Up to Date)	
		Total	Open	Total	Open
1.	PPE's use and signage.				
2.	Covid-19 measures (masks, social distancing, disinfectants, etc) and signage.				
3.	Working on Heights (scaffolding, ladders, harnesses, lanyards, etc)				
4.	Community health & safety (Security fencing and signage, noise, safe pedestrian walkways, no road obstructions, traffic signs, etc)				
5.	Occupational health & safety (toilet, washing station, resting room, drinking water, first aid kit, emergency phone numbers, valid fire extinguisher, etc)				
6.	Solid waste management, including dust prevention and a tide jobsite (skips, bins, tarps, recycling, etc)				
7.	Wastewater management				
8.	Hazardous materials. Fuels, paints, thinners, etc, storage & disposal.				
9.	Electrical hazards				
10.	Code Of Conduct violation, GRM/SEA/SH management, Accidents or Incidents reporting				
11.	Plans, Files and Records (C-ESMP reporting/updates, Permits/Licenses, Vehicles motor test/maintenance, training records, etc)				

Files & Records

Minimum Records to keep

- Updated MSIPs or CESMP
- Permits and licenses as applicable to the project
- Accidents and Incidents

- Non-conformances and corrective actions database
- GRM records
- Employees work permits
- Signed Code of Conduct by all workers
- Training records (training dates, training place, name of instructor, training duration, name of participants, signatures of participants)
- Toolbox briefings (training dates, training place, name of instructor, training duration, name of participants, signatures of participants)
- Warnings given and workers removed from site
- Drivers licenses
- Vehicles motor test records
- Equipment maintenance records

Mitigation Measures Implementation & Performance

(Note: Contractor should include photographs to record onsite mitigation activities as applicable.)

(Minimum mitigation measures are described below. Contractor to further elaborate based on C-ESMP)

	Percentage or Score	Comments
Jobsite General		
1. Clean and tidy jobsite	1 to 10	
2. Posters and safety signs in place	%	
3. Emergency phone numbers posted	%	
Community Safety		
4. Barriers to prevent unauthorized access	%	
5. Debris netting or other measures for falling objects	%	
6. Safe pedestrian walkways	%	
7. No obstruction on roads and sidewalks	%	
8. Traffic signs are placed wherever required	%	
9. Smooth traffic flow	1 to 10	
Work Hazards & Occupational Health		
10. Personal Protective Equipment (hard hats, goggles, respirators, boots, gloves, hearing protection)	%	
11. Scaffold barriers for >2m	%	
12. Safety harness for >2m	%	
13. Stable surface for scaffolds and ladders	%	
14. First Aid kit	%	
15. Access to area's for rest (canteen)	%	
16. Hygiene facilities	%	

	Percentage or Score	Comments
17. Drinking water supply	%	
Solid Waste		
18. Sufficient waste bins/skips in place	%	
19. Rain and wind protection	%	
20. Segregate metal parts for recycling	%	
Dust		
21. Covered loose material stockpiles, waste skips and trucks	%	
22. Watering for dust prevention	%	
Wastewater		
23. Collection, storage and disposal in authorized facility	%	
Noise		
24. Noise level at site boundaries <70dBA	%	% of measured values below 70dBA
25. Workers noise exposure <85dBA	%	
Hazardous Materials		
26. Stored inside covered premises and on impermeable surface	%	
27. Use of secondary spill containment equipment	%	
28. Availability of absorption materials	%	
29. Safe storage of used oils and paint buckets	%	
Covid-19		
30. Posts with hygiene practices on site	%	
31. Face masks provided by employer and used when necessary	%	
32. Washing facilities and/or Sanitizer on site	%	
33. Social distancing adhered to(2m)	%	
Fire & Electrical Safety		
34. Fire extinguishers number and type according to Fire Safety Plan	%	
35. Flammable materials (fuel, waste, etc) are safely stored	1 to 10	
36. All electrical equipment on site is RCD-protected	%	
37. Electrical equipment (including cords and leads) checked for faults and visible signs of damage	%	
38. Electrical equipment is protected from weather	1 to 10	
Social Considerations		
39. Number of workers that signed the CoC	%	
40. Number of workers with employment permit	%	



COMPLAINTS FORM

This objective of this complaint form is to ensure that the National Recovery Program Bureau handles complaints fairly, efficiently and effectively. The Bureau aims to provide quick and effective resolution to concerns and complaints.

Our complaint procedure intends to:

1. respond to complaints in a timely and cost-effective way
2. boost public confidence in our work and administrative processes, and
3. enhance and give a quality impulse to our products and services.

Filing this complaint is free of charge.

Personal and contact information

Please provide your EMAIL ADDRESS:

Please provide your FIRST and LAST name:

Please provide your PHONE NUMBER (this should be a number were can reach you, if needed):

Please provide your ADDRESS:

Information about the complaint

When did the issue you are complaining about take place? (mm/dd/yyyy)

What is the nature of your complaint?

- I have a complaint regarding a staff of NRPB
- I have a complaint regarding a service provided by NRPB
- I have a complaint regarding a product from NRPB
- Other:

Please describe what happened.

Did the occurrence lead to any damage to your property?

- Yes
- No

If the occurrence led to any damage to your property, please attach pictures to document the damage (maximum of three pictures).

Annex 5 - NRPB Code of Conduct



NRPB Code of Conduct Environmental Social Health and Safety Management

The NRPB acknowledges that the overall wellbeing of Sint Maarten's population, the sound management of the man-made environment, the responsible use of our natural resources and the protection of our cultural heritage are key factors in the development of a more resilient and sustainable Sint Maarten. Social and environmental safeguards are, as such, a cornerstone of all our activities including, but not limited to, office management and the preparation, coordination, execution and evaluation of the recovery projects financed by the Sint Maarten Recovery, Reconstruction and Resilience Trust Fund.

The NRPB therefore strives to:

- Provide for, manage and maintain a safe working environment;
- Establish, implement and review internal and external environmental policies;
- Maintain sound environmental practices as an integral component of our daily activities;
- Minimize negative social and environmental impacts of all aspects of our operations;
- Minimize the generation of solid waste, prevent pollution and conserve natural and cultural resources;
- Conduct all our activities in compliance with applicable best practices, policies, local and international legal requirements;
- Apply applicable health and safety requirements as an essential component of all our programs and projects;
- Continuously improve our Occupational Health and Safety performance;
- Maintain respectful and productive interactions with members of the general public and other stakeholders;
- Respect, promote and protect applicable human rights;
- Promote gender equality and empowerment of women;
- Be intolerant of discrimination against any worker, consultant, individual or community (for example on the basis of family status, ethnicity, race, gender, sexuality, religion, language, marital status, birth, age, disability, or political conviction);
- Be intolerant of Gender Based Violence (GBV), inhumane treatment, sexual activity with children*, sexual harassment, use of illegal drugs and other illegal activities;
- Ensure that employees and contractors are qualified for the tasks they will be performing;
- Avoid conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, direct family, or personal connection);
- Actively engage with external consultants, contractors and other business relations to foster support for and adherence to the NRPB Environmental Social Health and Safety (ESHS) Policies and procedures, best practices, local and international legal requirements;
- Integrate ESHS requirements into procurement documents for works and supervision thereof;
- Encourage individuals to report violations of this Code as a duty;
- Ensure protection against retaliation for all who report violations of this Code, if that report is made in good faith.

A handwritten signature in blue ink, appearing to be a stylized 'A' or similar character, located at the bottom right of the page.

The NRPB requires external- consultants, contractors and other business relations to:

- Protect the health, safety and welfare of all their staff, subcontractors and communities possibly affected by works and projects;
- Carry-out works in such a manner that minimizes negative impacts on communities, the environment, natural and cultural heritage;
- Commit to an NRPB approved Code of Conduct regarding Environmental, Social, Health and Safety (ESHS) matters;
- Appoint a person responsible for monitoring and reporting on matters related to ESHS;
- Submit to NRPB audits and reviews regarding ESHS and adherence to the approved Code of Conduct;
- Inform staff and consultants of, and allow access to, a Grievance Redress Mechanism without fear of reprisals.

(for the purpose of the policy statement, the term "child" / "children" refers to any person(s) under the age of 18 years.)*


Claret Connor
Director
National Recovery Program Bureau

Annex 6 - Contractors' Code of Conduct minimum content

We are the Contractor, [enter name of Contractor]. We have signed a contract with [enter name of Employer] for [enter description of the Works]. These Works will be carried out at [enter the Site and other locations where the Works will be carried out]. Our contract requires us to implement measures to address environmental and social risks related to the Works, including the risks of sexual exploitation, sexual abuse and sexual harassment.

This Code of Conduct is part of our measures to deal with environmental and social risks related to the Works. It applies to all our staff, labourers and other employees at the Works Site or other places where the Works are being carried out. It also applies to the personnel of each subcontractor and any other personnel assisting us in the execution of the Works. All such persons are referred to as “**Contractor’s Personnel**” and are subject to this Code of Conduct.

This Code of Conduct identifies the behavior that we require from all Contractor’s Personnel.

Our workplace is an environment where unsafe, offensive, abusive or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

REQUIRED CONDUCT

Contractor’s Personnel shall:

1. carry out his/her duties competently and diligently;
2. comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor’s Personnel and any other person;
3. maintain a safe working environment including by:
 - a. ensuring that workplaces, machinery, equipment and processes under each person’s control are safe and without risk to health;
 - b. wearing required personal protective equipment;
 - c. using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d. following applicable emergency operating procedures.
4. report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
5. treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
6. not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with other Contractor’s or Employer’s Personnel;
7. not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another;
8. not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
9. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;

10. complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
11. report violations of this Code of Conduct; and
12. not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer, or who makes use of the grievance mechanism for Contractor’s Personnel or the project’s Grievance Redress Mechanism.

RAISING CONCERNS

If any person observes behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly. This can be done in either of the following ways:

1. Contact [*enter name of the Contractor’s Social Expert with relevant experience in handling sexual exploitation, sexual abuse and sexual harassment cases, or if such person is not required under the Contract, another individual designated by the Contractor to handle these matters*] in writing at this address [] or by telephone at [] or in person at []; or
2. Call [] to reach the Contractor’s hotline (*if any*) and leave a message.

The person’s identity will be kept confidential, unless reporting of allegations is mandated by the country law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. We take seriously all reports of possible misconduct and will investigate and take appropriate action. We will provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate.

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

Any violation of this Code of Conduct by Contractor’s Personnel may result in serious consequences, up to and including termination and possible referral to legal authorities.

FOR CONTRACTOR’S PERSONNEL:

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [*enter name of Contractor’s contact person(s) with relevant experience*] requesting an explanation.

Name of Contractor’s Personnel: [insert name]

Signature: _____

Date: (day month year): _____

Countersignature of authorized representative of the Contractor:

Signature: _____

Date: (day month year): _____

ATTACHMENT 1: Behaviors constituting Sexual Exploitation and Abuse (SEA) and behaviors constituting Sexual Harassment (SH)

ATTACHMENT 1 TO THE CODE OF CONDUCT FORM

BEHAVIORS CONSTITUTING SEXUAL EXPLOITATION AND ABUSE (SEA) AND BEHAVIORS CONSTITUTING SEXUAL HARASSMENT (SH)

The following non-exhaustive list is intended to illustrate types of prohibited behaviors

(1) **Examples of sexual exploitation and abuse** include, but are not limited to:

- A Contractor's Personnel tells a member of the community that he/she can get them jobs related to the work site (e.g. cooking and cleaning) in exchange for sex.
- A Contractor's Personnel that is connecting electricity input to households says that he can connect women headed households to the grid in exchange for sex.
- A Contractor's Personnel rapes, or otherwise sexually assaults a member of the community.
- A Contractor's Personnel denies a person access to the Site unless he/she performs a sexual favor.
- A Contractor's Personnel tells a person applying for employment under the Contract that he/she will only hire him/her if he/she has sex with him/her.

(2) **Examples of sexual harassment in a work context**

- Contractor's Personnel comment on the appearance of another Contractor's Personnel (either positive or negative) and sexual desirability.
- When a Contractor's Personnel complains about comments made by another Contractor's Personnel on his/her appearance, the other Contractor's Personnel comment that he/she is "asking for it" because of how he/she dresses.
- Unwelcome touching of a Contractor's or Employer's Personnel by another Contractor's Personnel.

A Contractor's Personnel tells another Contractor's Personnel that he/she will get him/her a salary raise, or promotion if he/she sends him/her naked photographs of himself/herself

Annex 7 - Details of Publications of the ESMP for Public Review

To be completed after the public consultation