Sint Maarten

Wastewater Management Project - Network Expansion

Table of Contents for the

Environmental and Social Management Plan (ESMP)

July 2023

1st DRAFT for Appraisal

Contents

List of Tables

List of Figures

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
ESMP	Environmental and Social Management Plan
GBV	Gender Based Violence
GEBE	Gemeenschappelijk Electriciteitsbedrijf Bovenwindse Eilanden
GDP	Gross Domestic Product
GoSM	Government of Sint Maarten
GRM	Grievance Redress Mechanism
HIV	Human Immunodeficiency Virus
LMP	Labour Management Procedures
MECYS	Ministry of Education, Culture, Youth and Sport
MoGA	Ministry of General Affairs
MOJCS	Ministry of Justice,
MSIP	Management Strategies Implementation Plan
NRPB	National Recovery Program Bureau
NRRP	National Recovery and Resilience Plan
OHS	Occupational Health and Safety
PIU	Project Implementation Unit
PJIA	Princes Juliana International Airport
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	*het ministerie van Volkshuisvesting, Ruimtelijke Ordening, Milieu en Infrastructuur* 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
WSS	Water supply and sanitation

1 Executive Summary

This Table of Contents (ToC) for the Environmental and Social Management Plan (ESMP) was drafted to serve as a guide in the management of the Environmental and Social risks and impacts which may arise from the implementation of the "Sint Maarten Wastewater Management" Project, particularly Sub-component 1.1 related to the expansion of the sewerage network, and towards ensuring that the activities to be developed are in line with the national legal framework and the relevant World Bank's Environmental and Social Standards (ESS). This ESMP assesses the E&S risks and impacts of the proposed expansion of the sewer network and proposes risk management measures following the mitigation hierarchy. It does not assess the E&S risks and impacts of the Wastewater Treatment Plant (WWTP) upgrade and operation (Sub-component 1.2), which will be presented in a separate E&S instrument. The "Wastewater Management" Project aims to (i) increase access and improve sustainability and resilience of wastewater services in participating districts/neighbourhoods of Sint Maarten, and (ii) reduce risk of surface, ground and coastal water pollution.

The project is co-funded by the Sint Maarten Recovery and Reconstruction Trust Fund and the Government of Sint Maarten. 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: Wastewater infrastructure investment**

This component would finance all stages of infrastructure development, including identification, design, supervision, and construction of new or upgrade/rehabilitation of existing wastewater collection, treatment, and disposal infrastructure, including needs of on-site sanitation. Component 1 will include two sub-components:
Sub-component 1.1: Improving the coverage and resilience of wastewater collection through the:
(i)Expansion of the existing sewerage network to enable the connection for residents and commercial enterprises. The priority project areas that will be covered by the project include Greater Cul de Sac, and it could be extended in case of funds availability to other areas following the Government's priorities. (ii) Rehabilitation of critical parts of the existing sewage system to improve its climate resilience and operational efficiency. (iii) Management of fecal sludge from septic tanks.
Sub-component 1.2: Upgrade of existing A. T. Illidge Road WWTP. This sub-component will include the necessary rehabilitation and upgrade of the existing A. T. Illidge Road WWTP. This is required to bring treatment of both the flows from the existing network and additional wastewater flows that will be collected through the Project financed sewerage network expansion in line with the existing effluent discharge requirements.

(b) **Component 2: Policy and Institutional development and surface and sea water quality monitoring**

This component would include the following activities: (a) Capacity strengthening of the line Ministry (VROMI) for planning, regulation, and supervision of wastewater services through training, knowledge transfers, and IT support, (b) Strengthening of the legal and regulatory framework for sustainable wastewater service provision that would include: the identification and adoption of an optimal financially viable wastewater management model, and development and adoption of cost recovery principle, support for contracting the private sector for operation of the wastewater system, and establishing an enabling policy to cope with climate- and non-climate related disasters and shocks. (c) Development of a national wastewater management strategy for Sint Maarten and mid/long-term implementation plans for phased expansion of a wastewater

management system. (d) Establishment of a system for monitoring seawater quality in coastal areas/beaches and the surface water quality of inland ponds.

(c) **Component 3: Project management**

Under this Component, the Project will support the project management and coordination capacity of the NRPB as a Project Implementation Unit (PIU), including support to the PIU on: (i) project monitoring and evaluation activities; (ii) environmental and social risk mitigation measures; (iii) training of PIU and Gov staff; (iv) annual audits for the project and providers; and (v) establishment of citizen engagement measures and grievance redress mechanisms for the project activities.

Existing public sewerage network coverage is severely limited, and covers only a few districts and neighbourhoods of Sint Maarten, leaving significant areas and percentage of the population uncovered. Although GoSM has made several wastewater investments over the time, including the construction of a municipal WWTP and development of sewerage infrastructure in various residential and commercial districts, it is estimated that less than 11 percent of the properties in the country, corresponding to approx. 2,000 properties, are connected to the sewerage network

The location of the civil works under Component 1 are spread out in the neighbourhoods of greater Cul-de-Sac district at the Eastern Sint Maarten. Infrastructure to be developed would include sewerage pipelines and pumping stations with a total length of approximately 40 km, while it is expected that up to 10,500 people will be directly connected to expanded sewer system. This component will also fund potential upgrades for the A. Th. Illidge Road wastewater treatment plant (WWTP), to safely treat the additional wastewater load. Cul-de-Sac is mainly a residential area.

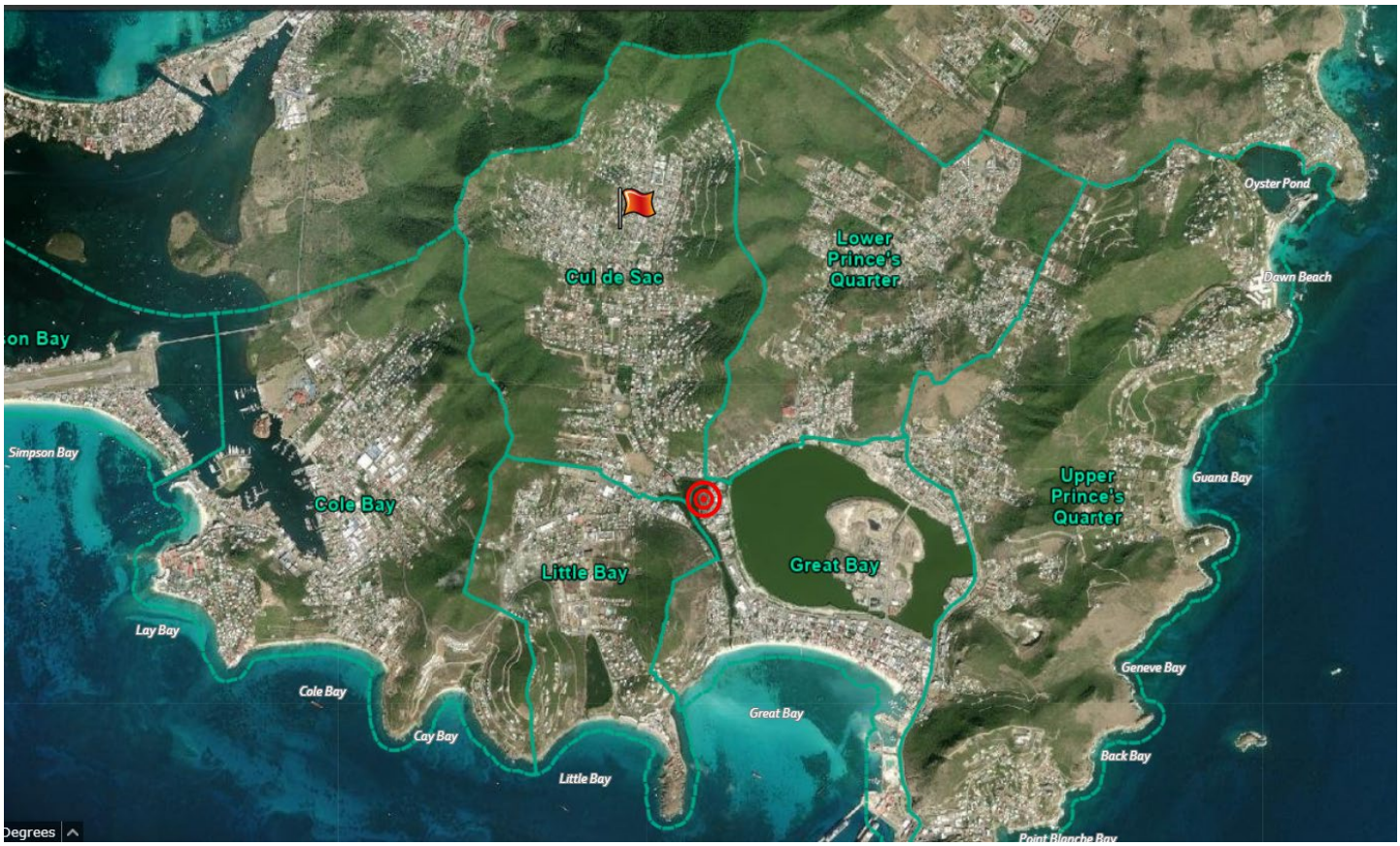


Figure 1: Overview of sewage network expansion area and location of the WWTP

The potential adverse risks and impacts on the environment during the implementation phase of project Component 1, specifically the first sub-component related to network expansion, will be temporary in nature and mainly localized around the project area of works. The environmental impact is mainly related to traffic hindrance, air emissions from vehicles, dust generation from earth works, construction waste/soil collection and disposal, wastewater collection and disposal, hazardous materials accidental spillage, stormwater runoff and noise pollution from construction activities which will potentially occur during works in the urban area where the works will take place. During operation phase, main environmental concerns are associated with indirect impacts from the operation of the WWTP, such as increased resources consumption, increased treated effluent disposal, and increased sludge production. Overall, the Project will have significant positive environmental impact on ground, surface and marine waters, recreation, tourism and public hygiene.

Occupational Health and Safety (OHS) risks associated with civil works and construction might also be considerable. Those risks are mainly associated with the possibilities of falling into trenches, electricity shock and caught-in/between accidents. Other health/safety factors may include dust inhalation, contact with sewage, noise, falling objects, etc.

Components 2 and 3 are expected to lead to environmental benefits and the negative environmental impacts are anticipated to be minimal/low.

The type of Social risks related to Component 1, network expansion, are likely to be: (1) potential temporary interruptions to the normal operation of businesses along planned civil works route while crews install connections; (2) potential land acquisition and/or temporary relocation and/or temporary interruption to access of businesses/residences along the planned civil works route; (3) cost implications for new residences and commercial businesses connections to the expanded service in those areas and the proposed tariffs; (4) noise, dust, influx of traffic and altered traffic patterns as a result of the civil works; (5) potential damage to residence and business infrastructure along the planned civil works route; and (6) the presence of workers in the identified neighbourhoods and typical Occupational Health and Safety (OHS) risks consistent with minor civil works.

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, challenges with attracting specialized consultants and coordination with Government. Those risks may affect the E&S footprint of the project, for example in case certain activities are not funded.

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 *(table to be completed when preparing the Preliminary ESMP. Indicative impacts are included)*

Potential Impacts (indicative)	**Mitigation Measures**
Physical changes in the area: Soil sealing may lead to additional rain runoff, vegetation cover striping may increase the silt washout and aesthetics may be impacted by new structures, e.g. pumping stations.	
Use of **natural resources**: *Energy & water usage will increase during construction and operation of the activity, affecting those natural resources*	

Potential Impacts (indicative)	Mitigation Measures
Solid waste: *Waste will be produced in the construction stage from excavation and construction materials, which may lead to pollution if not properly handled.*	
Air emissions: *Dust emission from demolition and construction works. Exhaust emissions from vehicles and machinery which may cause respiratory and ocular challenges and impact the surrounding natural environment.*	
Pollution: *Spills of sewage, fuels, engine oils, may be released during construction which can lead to soil and water contamination.*	
Wastewater: *Wastewater produced by construction workers which can lead to soil and water contamination if improperly handled.*	
Noise and vibration: *Noise and vibration levels will increase during construction activities which can impact workers and disrupt nearby communities, schools, businesses and services.*	
Occupational Health & Safety: *workers may be injured during the Construction activities.*	
Community Health & Safety: *There might be an impact on the immediate communities and commuters from additional noise, dust and traffic.. Open trenches may pose a fall hazard to pedestrians and especially children, elders and people with mobility issues.*	
Cumulative impacts: *Multiple roads will be trenched simultaneously, increasing the overall potential of community nuisance due to traffic, noise and dust*	
Traffic: *Traffic disturbance will be caused by the works. Road closure is possible.*	
Cultural resources: *Accidental damage to monuments/cultural sites due to proximity* and vibration. *Chance Finds are possible*	
Ecology and water resources: *Minimum impact is expected other than potential silt and hazardous materials runoff.* Overall, the impact will be positive.	
Access to houses/businesses: *Accessibility may be temporarily hindered.*	
Access to services: *Temporary interruption to services may be realized during excavation periods*	
Cost of Connections Cost of connection for some households and businesses may not be fully covered by the project, which may add a financial burden. Most homes are expected to be connected though, unless presenting unfavorable technical conditions.	
Infrastructure Maintenance. If left unattended the infrastructure will deteriorate over time, increasing the risk of accidental pollution, energy consumption and cost of operation	
Climate adaptation: Hurricanes/storms may cause flooding and sewage runoff into the water bodies. Seismic activity may affect the pipelines and pumping stations integrity, leading to accidental sewage release.	

Potential Impacts (indicative)	Mitigation Measures
Sensitive Receptors: *Sensitive receptors (schools, houses of worship, medical facilities, etc.) will be in proximity with works sites and may be impacted by nuisance and accessibility limitations.*	
Employment and/or Income Opportunities: *Construction works generally increase employment and income opportunities through job openings and construction materials selling.*	
Labor and Working Conditions: Fair payments and insurance may not always be guaranteed on construction works, especially for unskilled labor.	
SEA/SH, Substances, Criminality, Improper behavior. *Gender and sexual harassment or improper behavior is a possibility on/around construction sites.*	
Induced Disagreement: *Hindrance of traffic and accessibility may result in disagreement coming from local community.*	
Contractor's ESHS Compliance: *There is a risk that civil works contractors may not fully comply with the ESHS requirements of the project activity and thus increasing the potential of occupational injuries, community nuisance and hazards and environmental accidents.*	
Stakeholder Engagement: *Inadequate stakeholder engagement and information disclosure may hinder successful project design and implementation.*	
Project Management: *Project preparation and implementation may be hindered by lack of capacity, delays and budget restrictions, affecting the E&S footprint of the project activity.*	

2 Purpose and Contents of the Environmental and Social Management Plan (ESMP)

2.1 ESMP Table of Contents and Next Steps

This elaborated Table of Contents (ToC) of the ESMP for the proposed expansion of the sewer network is being prepared as an appraisal requirement of the project. The ToC lists the different chapters of the ESMP, the templates that will be used for the E&S screening, gives an overview of the potential risks and impacts and describes the general mitigation measures that NRPB applies to all construction works.

Once the ToC of the ESMP is cleared by the World Bank, the NRPB will develop the Preliminary ESMP for the network expansion, where all missing information and details will be filled in. The Preliminary ESMP shall be submitted for the World Bank's prior review and no objection and will be consulted and updated based on consultations, no later than 60 days after the Project effective date.

During the implementation phase of the project activity, the technical details of the works will be prepared, informing about the exact routing of the network expansion, type of materials/equipment to be used, bill of quantities and all other specifications that will help to better understand the scope details. Once those details are known, the NRPB will update the ESMP, reassess the E&S screening and proposed mitigation measures accordingly and, in case there are significant changes to the E&S risks, consult the updated ESMP with stakeholders. The updated document will be shared with the World Bank for approval, and thereafter will be considered as the Final ESMP and disclosed before the launch of the works tender.

The ESMP is intended to be a practical tool during project activity design, monitoring and implementation and describes the steps involved in identifying and mitigating potential negative environmental and social impacts induced by the Project activity related to the network expansion. The ESMP will include a detailed screening of the risks and impacts of the project's activity related to the network expansion, 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.

2.2 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 Project, background and cost.
- Section 4: Legal and Policy Framework. This section explains the relevant ESSs and the relevant 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 activity area.
- Section 6: Environmental and Social Risks and Mitigation Measures. This section describes the environmental and social setting of the project activity 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

The objectives of the Project are to (i) increase access to safely managed sanitation services; and (ii) improve sustainability and resilience of wastewater management.

The project will consist of three components:

1. Wastewater infrastructure investment
2. Policy and institutional development, and surface and sea water quality monitoring
3. Project management

While the direct project beneficiaries from new sewerage access will be around 10,500 people residing in the priority areas that are expected to be covered by the project financed sewerage expansion, the majority of Sint Maarten population will benefit from improved septic tanks management, more efficient WWTP operation, and safer environment and improved water quality on the island.

3.1 Project Components

The Project components are:

Component 1: Wastewater infrastructure investment (Tentative amount: US$20 million)

This component would finance all stages of infrastructure development, including identification, design, supervision, and construction of new or upgrade/rehabilitation of existing wastewater collection, treatment, and disposal infrastructure, including needs of on-site sanitation. The component would include the preparation of Feasibility Studies, Environmental Impact Assessments, and other project documentation necessary to secure required permits, detailed designs, bidding documents, supervision and contracting of construction works. Project will also finance on-site sanitation needs, including development and standardization of septic tanks manuals, licensing, monitoring and optimization of septic sludge collection. The Project will support providing more energy-efficient wastewater services to minimize energy costs of service provision, through decentralized wastewater management, including the introduction of appropriate individual and close-to-nature wastewater solutions in appropriate locations to avoid pumping where possible. The Project support will focus on the area where investments can deliver the biggest benefits to the population's health and safety, as well as protection of the environment especially in the area with high population density, low sewerage coverage, sources of pollution, and direct threat to surface and coastal waters.

Component 1 will include two sub-components:

Sub-component 1.1: Wastewater collection. This first sub-component aims at improving the coverage and resilience of wastewater collection. This will be done through the:

(i)Expansion of the existing sewerage network to enable the connection for residents and commercial enterprises. The priority project areas that will be covered by the project include Greater Cul de Sac, and it could be extended in case of funds availability to other areas following the Government's priorities. (ii) Rehabilitation of critical parts of the existing sewage system to improve its climate resilience and operational efficiency. (iii) Management of fecal sludge from septic tanks, including as considered necessary by GoSM – the review and development of locally appropriate standards for safe

containment, collection and treatment of fecal sludge; licensing, and monitoring and optimization of fecal sludge emptying service providers.

Sub-component 1.2: Upgrade of existing A. T. Illidge Road WWTP. This sub-component will include the necessary rehabilitation and upgrade of the existing A. T. Illidge Road WWTP. This is required to bring treatment of both the flows from the existing network and additional wastewater flows that will be collected through the Project financed sewerage network expansion in line with the existing effluent discharge requirements. The rehabilitation and expansion work will include upgrades of both wastewater treatment and sludge treatment lines, necessary upgrade of equipment needed for measurement and analysis of wastewater, improved energy efficiency, upgrade of SCADA, etc.

Concrete investments to be financed under above-mentioned sub-components have been preidentified during the Project preparation and will be confirmed in the initial stage of Project implementation. An assessment of the current situation (using the CWIS tools) will be conducted following the review of existing development plans, based on Government priorities, readiness for implementation, costs, and social and environmental impacts.

Component 2: Policy and institutional development and surface and sea water quality monitoring (Tentative amount: US$3 million)

Component 2 aims at creating the framework for the sustainable provision of efficient are resilient wastewater services in Sint Maarten. Sustainability is defined as the degree to which the system maintains levels of service in the long term while maximizing social, economic and environmental goals. Concept of resilience is defined as the degree to which the system minimizes level of service failure magnitude and duration over its design life when subject to exceptional conditions. The Component 2 would include the following activities:

a) Capacity strengthening of the line Ministry (VROMI) for planning, regulation, and supervision of wastewater services through training, knowledge transfers, and IT support

b) Strengthening of the legal and regulatory framework for sustainable wastewater service provision (building on existing plans and ordinances). This would include: the identification and adoption of an optimal financially viable wastewater management model, and development and adoption of cost recovery principle, support for contracting the private sector for operation of the wastewater system, and establishing an enabling policy framework that would enhance the service provider's operational, financial, and institutional capacity to cope with climate- and non-climate related disasters and shocks.

c) Development of a national wastewater management strategy for Sint Maarten and mid/long-term implementation plans for phased expansion of a wastewater management system. This country-wide sanitation strategy would include plans for safe management of sanitation for the entire population of Sint Maarten, especially those in the neighbourhoods that will take time to be connected, or will not be connected to the formal sewerage network. The project intends to promote decentralized, on-site sanitation approach where a safe septic tank is considered as good solution as a safe sewerage connection, geo-spatial mapping and examination of wastewater reuse options. The project will support sewerage connection program aligned with WB Citywide Inclusive Sanitation (CWIS) initiative's guide on connection programs, including developing social, financial, policy/institutional/regulatory and technical aspects that need to be factored in. Based on a pollution diagnostic assessment, options will be developed and advocacy activities will be carried out for safe emptying, transport, treatment, and reuse options for fecal sludge from onsite containment systems, along with improved monitoring.

d) Establishment of a system for monitoring seawater quality in coastal areas/beaches and the surface water quality of inland ponds. The objective of this activity is to establish a national and standardized system for seawater and surface water

quality monitoring, with a particular focus on bathing waters quality monitoring, which would provide adequate information on the status of Sint Maarten's coastal waters, and existing inner ponds (primarily Fresh Pond and Great Salt Pond).

Component 3: Project management (Tentative amount: US$2 million)

Under this Component, the Project will support the project management and coordination capacity of the NRPB as a Project Implementation Unit (PIU), including support to the PIU on: (i) project monitoring and evaluation activities; (ii) environmental and social risk mitigation measures; (iii) training of PIU and Gov staff; (iv) annual audits for the project and providers; and (v) establishment of citizen engagement measures and grievance redress mechanisms for the project activities.

3.2 Background of the Project

3.2.1 Wastewater Management in Sint Maarten

Sint Maarten experienced a rapid economic development along with population growth for a few decades, however, this growth was not followed by sufficient investment in the wastewater infrastructure. As a result, existing public sewerage network coverage is severely limited, and covers only some districts and neighbourhoods of Sint Maarten, leaving significant areas and percentage of population uncovered. Although the GoSM has made several wastewater investments over time including construction of wastewater treatment plant (WWTP) and development of sewerage infrastructure in various residential and commercial districts, it is estimated that less than 11% of the properties in the country, corresponding to approx. 2,000 properties are connected to the wastewater system.

The country's single municipal biological treatment plant is located on A. T. Illidge Road (originally constructed in 1992, reconstructed and enlarged in capacity in 2013) and is designed to service the eastern part of the island, including the Greater Philipsburg area, Cul de Sac, Upper Prince's Quarter and the Lower Prince's Quarter areas. The WWTP has the nominal capacity to treat 4750 m^3 of sewerage/day (up to 60,000 population equivalents) and is currently operating at approximately 50 percent of its design hydraulic load. An unknown part of these flows originates from the intrusion a of stormwater, and incidentally from cruise ships discharges that are docking at Sint Maarten. Additionally, it receives about 450 m^3/d of household septic sludge delivered by trucks to the plant. Treated wastewater is discharged into the Great Salt Pond which is connected to the Fresh Pond via a floodgate, a small water body further connected to the sea via a blocked canal that is occasionally used for water discharge during large rainfall events.

Climate-change exacerbated extreme weather events are contributing to direct or indirect discharge of untreated wastewater, leading to land, surface water and sea pollution. After storms and hurricanes, septic systems tend to overflow and sludge collection and transport to the country's wastewater treatment plant can eventually interrupt for a considerable period, leading to land, surface water, and coastal water pollution. Even without extreme weather events, in the most densely developed areas of Sint Maarten, significant amounts of septic systems are saturated, leading to groundwater pollution and sewage runover to public roads and private properties. Clean surface, coastal and bathing waters and rich biodiversity constitute the island's major assets, which are essential for the development of a tourism-based economy. However, this richness of nature is acutely threatened by the pollution created by these direct or indirect discharges of untreated wastewater.

The unsatisfactory status of wastewater management in Sint Maarten results from several socio-economic, technical, and institutional issues, including (i) budget deficits which leave no room for capital expenditures, or budget allocation prioritized for other projects; (ii) lack of a wastewater financing model and no tariff or billing system for the provision of public

wastewater services(currently there are no tariffs or connection fees being charged to the customers connected to the sewer system) ; (iii) absence of a formally adopted sewerage development master plan; (v) limited capacity - insufficient data, fragmented knowledge and lack of clearly defined roles and responsibilities among the main stakeholders active in the water sector; and (vi) limited public awareness regarding wastewater pollution, in part due to the absence of comprehensive and continuous water quality monitoring of surface waters (ponds, lagoons, and channels) and along Sint Maarten's beaches.

3.2.2 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.

The Steering Committee of the Sint Maarten Recovery Reconstruction and Resilience Trust Fund agreed on March 9, 2022, to allocate US$10M of funding for the improvement of wastewater services (co-financed by GoSM with an additional US$15M).

3.3 Technical Scope of Works

(Preliminary information only have been included)

The technical scope of works refers only the first sub-component of Component 1, i.e. the expansion of the sewer network. It does not refer to the upgrade and operation of the Wastewater Treatment Plant (second sub-component of Component 1), which will be addressed in a separate E&S instrument.

Component 1. Sub-component 1.1: Wastewater collection.

The proposed project activities consists of a sewerage expansion underground trenching program of approximately 40 km distributed over Cul-de-Sac district at Eastern Sint Maarten (Dutch Caribbean) geographical coverage. Main areas to be serviced by the expansion are the Greater Cul-de-Sac and it could be extended in case of funds availability to other areas following the Government's priorities. Project activity sites are located alongside the existing road infrastructure of the country and can be concluded to be mainly within the populated areas. As can be seen from image below, those neighbourhoods already have limited sewerage coverage and central pipelines connected to the WWTP, which can be expanded laterally into the neighbourhoods.

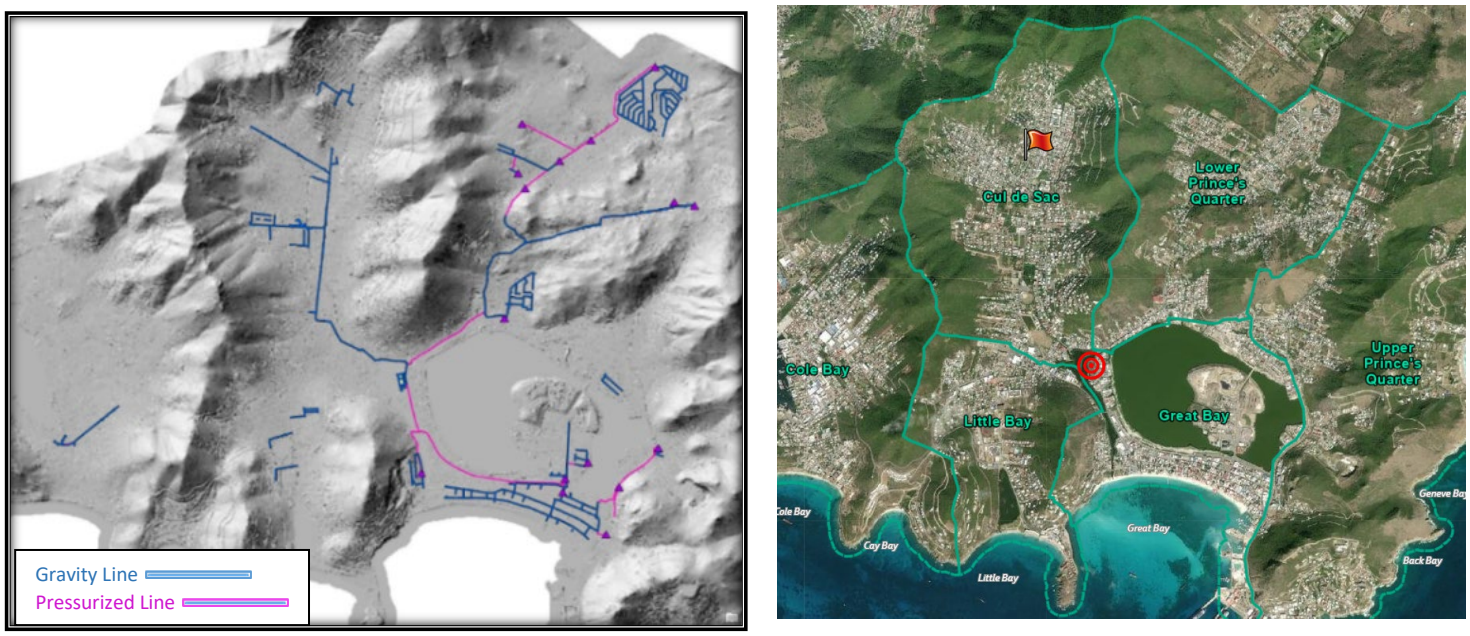


Figure 2: Current sewerage network

The major activities during above-mentioned scope of works consists of:

- Digging of test pits.
- Mobilization and clearance of Right of Way (RoW).
- Trenching works (removal and storage of soil, concrete, asphalt) and road crossings.
- Installation of sewerage pipelines.
- Installation of manholes.
- Earthworks (backfilling) and resurfacing.
- Demobilization.
- New connections of public sewage to private properties. This activity will take place at a next phase of this project, after public works are completed.

This subcomponent is planned to be implemented within a period of 3 years. The planning is summarized in the Table below and the details are included in **Annex xx**.

Table 2: Overview of project activity sites and implementation frame (to be elaborated in the ESMP)

Implementation year	Neighborhood	Length (in m)
2024		
2025		

	Private Connections	
Total Length		

3.4 Cost of the Project

The Sint Maarten Wastewater Management Project is co-funded by the Trust Fund and Government and is estimated to cost a total of US$25m, distributed across three components.

4 Legal and Policy Framework

4.1 World Bank Environmental and Social Standards (ESSs)

The Work 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 (ESS) which set out the requirements that apply to Borrowers and Beneficiaries.

The ESSs set out the requirements for Borrowers and Beneficiaries 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: Labour 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 following ESSs were determined to be relevant to the Project activity:

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) will be 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 will be 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 Grievance Redress Mechanism (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 project. The arrangements for handling project-worker complaints will be 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.

There are potential sources of pollution from the construction and operation of the project activities under component 1. 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, releasing dust to air and creating nuisance to sensitive receptors.

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

ESS5 is not considered relevant. Impacts covered under ESS5 during the civil works associated with the expansion and rehabilitation of the sewer network will be part of the exclusion list to be included in the ESMP. Locations requiring purchase of land or resettlement will not be selected for intervention under the project activity.

ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources

ESS6 recognizes that protecting and conserving biodiversity and sustainably managing living natural resources are fundamental to sustainable development and it recognizes the importance of maintaining core ecological functions of habitats, including forests, and the biodiversity they support.

The wastewater from the expanded sewerage network will be directed to the existing WWTP and the treated wastewater will be discharged into the Fresh Pond. The Fresh Pond has a relatively lower salinity compared to other water bodies and a 2007 assessment by BirdLife International designated it as an Important Bird Area due to six bird species that are either globally threatened or range-restricted. The WWTP related impacts will be assessed in an Environmental and Social Assessment (ESA) and a separate ESMP will be prepared acccordingly.

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.

ESS8 is relevant to the project activity since chance finds are possible during the excavation works. The trenching works might take place in proximity to cultural heritage sites. Those sites will be identified when the technical designs are completed and will be listed in the Final ESMP. Provisions for managing potential impacts to cultural heritage, consistent with ESS8, will be included in the Preliminary and Final ESMP.

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 Stakeholders Engagement Plan (SEP) will be developed for the project, that will be publicly disclosed and consulted upon, which includes a schedule for engagement with the stakeholders as plans for civil works 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 project are summarised in Table 3 below, with a brief gap analysis.

Table 3: 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.	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).	There is not an adequate legal and regulatory framework to guide environmental and social impact assessments. There are a limited number of elements that meet environmental and social assessment good practice.
ESS2: Labour and Working Conditions	Labour Legislation of St Maarten **National ordinance concerning safeguarding labor in enterprises a.k.a. Safety Ordinance** (AB 2013, GT no. 438). **Safety Decrees I-III** (AB 2013 GT no. 348; no. 280; no. 350) A National HIV and AIDS Workplace Policy (2012)	The current labour legislation covers the topics of minimum wages, employee dismissal, prohibition of child labor, occupational injury, holidays and special leaves etc; however, there is no specific section on potentially vulnerable workers such as women, persons with disabilities, children of working age, migrant workers, contracted workers, and community workers.
ESS3: Resource Efficiency and Pollution Prevention Management	**National Energy Policy (2014)** The current **Electricity Concessions Ordinance (AB 2013, GT no. 147)** and the Electricity Concession of N.V. GEBE **Waste Ordinance** (AB 2013, GT no. 135). National Ordinance Wastewater (AB 2013, GT no. 142) The National Ordinance for Nature Protection and Management (AB 2013, GT no. 809) The National Ordinance for the Prevention of Pollution from Ships (AB 2013, GT No. 298) National Ordinance Clearance of Ships and Wrecks (AB 2013, GT no. 314) Environmental Norms for Air & Sound, Water & Wastewater, Waste Article 28 A of the National Ordinance Spatial Development Plan (AB 2013 GT no.144)	Policies and ordinances are in place to promote sustainable water and energy use. There are gaps with regard to pollution emission and discharges standards: • Lack of regulations on the disposal of sludge produced by water treatment plants. • The current Waste Ordinance does not address management, storage and transport of hazardous materials, chemicals and pesticides.
ESS4: Community Health and Safety	**Hindrance Ordinance** and derivative regulations. (AB 2013 GT nr. 139 and AB 2013 GT nr. 140). **National Ordinance Public Health** (AB 2018, 20).	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.

	National Decree of the Governor of Sint Maarten Concerning Public Health Rules National Decree on Public Health (AB 2017, GT No. 33).	
ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources	**National ordinance, concerning management of nature and protection of the prevalent fauna and flora** (AB 2013, GT no. 809). **National Decree, entailing general measures, concerning management and protection of flora and fauna as well as nature parks** (AB 2013, GT no. 143). 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). Temporary Fishing Prohibition Cartilage Fish Decree (AB 2011, no. 35). Fisheries Land Decree (AB 2013, GT no. 405). Fisheries Products National Decree (AB 2013, GT no. 354). **National Nature Conservation Ordinance – Ao2001, No. 41;** **Nature Conservation Ordinance St, Maarten- AB2003, No. 35** **St Maarten Proposed Land Parks Management Plan (2009);** **Sint Maarten Nature Policy** has been drafted; but not yet finalized.	Measures to protect, conserve, maintain and restore natural habitats and biodiversity have been proposed; however, it has not been legalized. Although there are laws regarding development activities impacting critical habitats and biodiversity, degradation continues because of the lack of enforcement. There is not an adequate legal and regulatory framework to guide environmental and social impact assessments. 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.
ESS8: Cultural Heritage.	The Philipsburg Declaration and Action Plan (2015) Integrated Cultural Policy Framework of St. Maarten (2007) National decree, entailing general measures of the execution of the Monuments ordinance (AB 2013, GT no. 50). National decree pertaining to the criteria for the designation and protection of monuments (AB 2013, GT no. 46). National decree monuments register (AB 2013, GT no. 49). National Ordinance laying down new rules regarding the foundations for the preservation of monuments (AB 2013, GT no. 336) National Ordinance laying down rules on the management of maritime areas in Sint Maarten (AB 2013, GT no. 851) National Decree on the design and working methods of the Monument Council (AB 2013, GT no. 47) NATIONAL ORDINANCE containing rules with regard to the import and export of goods (AB 2014, GT no. 6)	Comprehensive regulation addressing potential adverse impacts on cultural property requires additional formulation. Legal protection relating to commercial use of cultural heritage remains ambiguous.

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 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.

- MARPOL convention
  https://www.imo.org/en/About/Conventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-(MARPOL).aspx

  The International Convention for the Prevention of Pollution from Ships (MARPOL) is the main international convention covering prevention of pollution of the marine environment by ships from operational or accidental causes.

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

The World Bank Group Environmental, Health and Safety Guidelines (EHSGs) 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 EHSGs are available at:

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

For this project activity, the applicable guidelines are:

- General EHS Guideline
- Water and Sanitation 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)
- United Nations Sustainable Development Goal #6: Clean Water and Sanitation[1]

  "Ensure availability and sustainable management of water and sanitation for all"

[1] THE 17 GOALS | Sustainable Development (un.org)

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 1995 (Category 4), Lenny (1999), Gonzalo 2014 (Category 2-3) 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, Sint Maarten 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 found[2].

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 U$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 immigrants, 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%.

2 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 civil works under Component 1 are spread out in the neighbourhoods of Cul-de-Sac district at the Eastern Sint Maarten. Infrastructure to be developed would include sewerage pipelines and pumping stations with a total length of approximately 40 km. This component will also fund potential upgrades for the A. Th. Illidge Road wastewater treatment plant (WWTP), to safely treat the additional wastewater load. Cul-de-Sac is mainly a residential area.

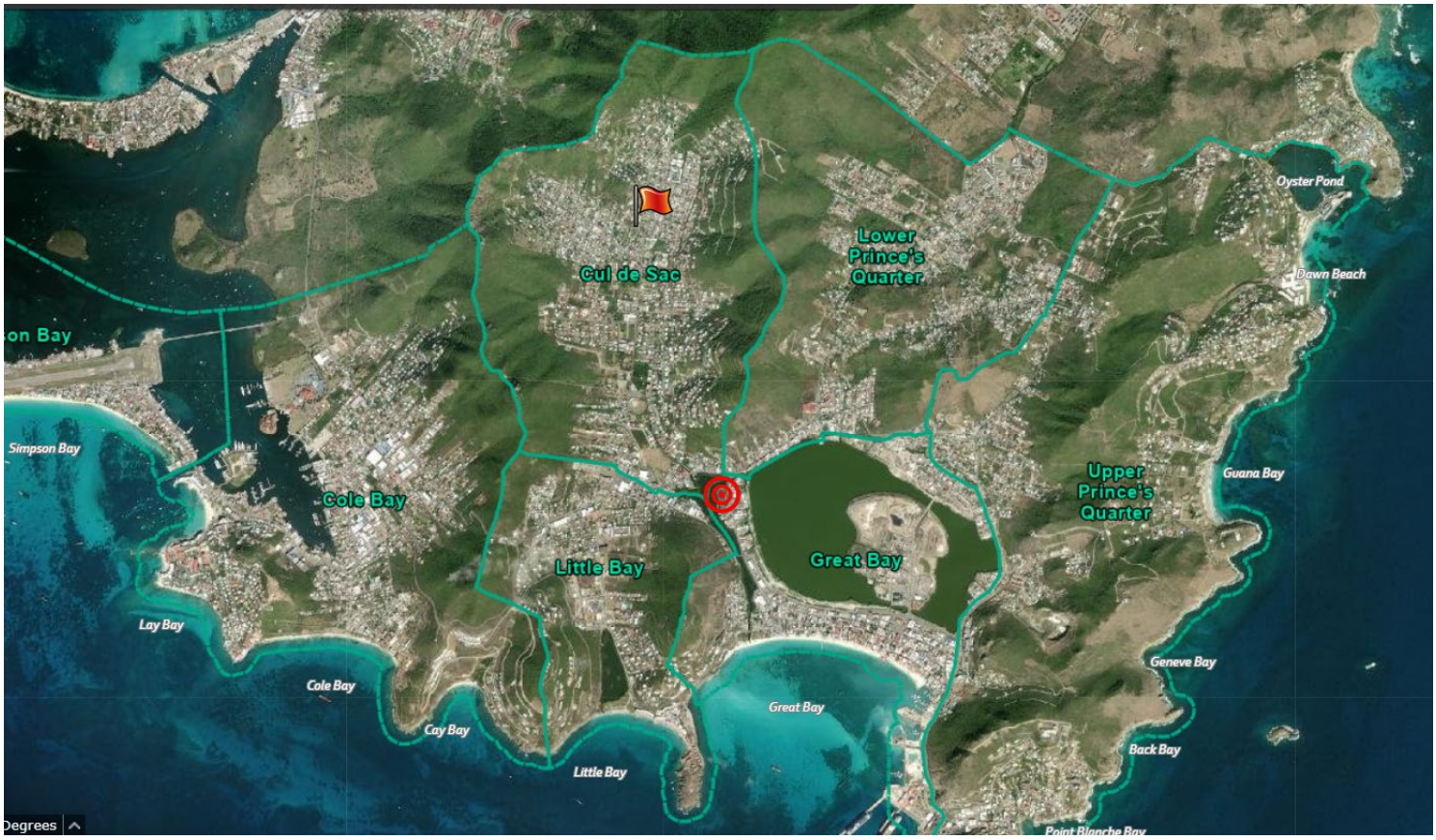


Figure 3: Overview of sewage network expansion area and location of the WWTP

The neighborhoods are mainly residential with commercial activity mainly observed along the main roads. In addition, these areas are characterized by the presence of facilities such as: (pre) schools, sports and recreational facilities, medical facilities, pharmacies, community centers, hurricane shelters, churches, grocery stores, and other types of commercial activities such as salons, restaurants/bars, gas stations and car shops/garages.

The roads in the residential areas are in general narrow and works will hinder traffic, also because most of the parking is done either along the roadside or on the road shoulders. The district of Cul de Sac is known as an area with traffic congestions. There is limited to no vegetation present on the shoulders, but pedestrians may be hindered. In addition, accessibility to certain facilities either by car or on foot may also be affected during project execution. No changes on locality is expected and it is assumed that the project activities will not affect future development.

Amongst others project affected people also include vulnerable groups such as the elderly, low income households, children, people with disabilities, women and potentially marginalized immigrant groups.

Figure 4: Narrow Street within the residential area of Cul de Sac

Some project sites may be in close proximity to the natural environment, which consists of protected areas and areas of scenic value, such as 51 designated monuments, mangrove wetlands, hillsides, beaches, lagoons, and the many valleys in the interior for example in Cul-de-Sac:

1. Mary's Fancy Plantation which is a designated monument
2. Dutch Reformed Cemetery which is a designated monument
3. Emilio Wilson Estate monument

The natural environment (hills, ponds, lagoons, beaches etc. and associated Flora and Fauna) and undeveloped land are scarce resources for St Maarten, but these are not likely to be affected by the project activities. There is minimum vegetation observed in the project sites and significant wildlife is also not commonly present in the residential areas (with the exception of domestic animals). Effects on vegetation and wildlife are thus negligible. Sint Maarten has a tropical climate with an average annual rainfall of 1045 mm. The official Hurricane season starts in June and ends in November making the project sites susceptible to potential flooding, subsidence, landslides, erosion and other adverse climate conditions. In addition, the project site is also susceptible to seismic activity.

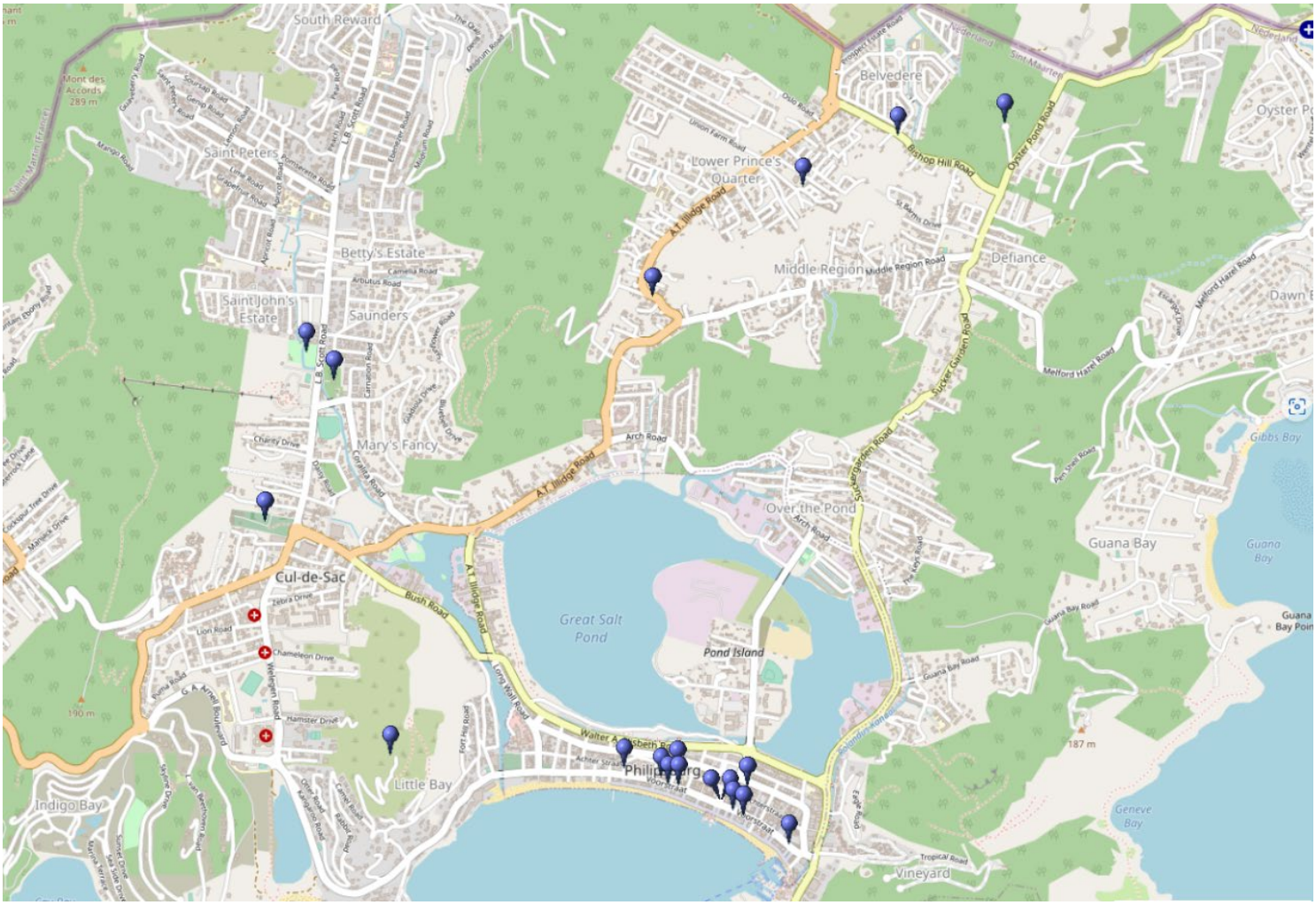


Figure 5: Map of listed monuments (incomplete)

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 Matrices presented below (Table 4 & Table 5) help identify the key aspects that need to be further examined and managed, outlining the depth of environmental and social mitigation which may be required. Those Tables will be completed as part of the Preliminary ESMP development.

The information collected will inform the actions of the project towards eliminating, reducing or mitigating potential negative environmental and social 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 Low, Moderate, Substantial 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 S-Substantial H-High	1 Civil Works (Network) 3 Project 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 4. Environmental Screening Matrix (to be completed)

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.)?		
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?		

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
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?		
4. Will the works require asbestos removal or extensive mold remediation actions?		
5. Will the proposed works produce solid waste during construction or operation or decommissioning?		
6. Will the proposed works release pollutants or any hazardous, toxic or noxious substances to air?		
7. Will the proposed works cause excessive noise and vibration or release of light or heat energy?		
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?		
9. Will the proposed works lead to risks of water borne disease due to surface waters or seawater contamination from pollutants or pathogens?		
10. Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?		
11. 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?		
12. 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?		
13. 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?		
14. 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?		
15. Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?		
16. Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?		

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
17. 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?		
18. 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?		
19. Is the project in a location where it is likely to be highly visible to many people?		
20. Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?		
21. Are there potential for chance finds which could be affected by the project?		
22. Is the project located in a previously undeveloped area where there will be loss of greenfield land?		
23. 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?		
24. Are there any plans for future land uses on or around the location which could be affected by the project?		
25. Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?		
26. 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?		
27. 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?		
28. 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?		
29. 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?		

Screening Questions	Yes/No/? Describe the likelihood of a significant effect	Rating
30. Will pesticides, rodenticides or any other vector control products be used during any stage of project implementation and operation?		

Table 5. Social Screening Matrix (to be completed)

Screening Questions/Statements	Yes/No Describe the likelihood of a significant effect	Rating
Resettlement Impacts		
1. Do the works require temporary or permanent physical displacement of people from their current settlement/homes?		
2. Do the works require land acquisition?		
3. Will the works cause temporary or permanent disruption of access to homes or businesses?		
4. Will the work reduce the employment opportunities for the surrounding communities?		
5. Will the work cause limits to people's access to the water, public services or other resources that they depend on?		
6. Will there be a reduction in income for the communities?		
Community Health and Safety		
7. Is there a chance that the work will cause labour influx[3] to the area?		
8. Is there a possibility that the work will cause student delinquency, tardiness and disruptions to schools' regular schedules?		
9. Is there a risk that the project will lead to gender disparity?		
10. Is there a risk that the project will lead to Sexual Harassment (SH) and Sexual Exploitation and Abuse (SEA)?		
11. Is there a possibility that there will be an increased exposure of the community to communicable diseases and other public health concerns?		

[3] Labor Influx is the rapid migration to and settlement of workers and followers in the project area.

Screening Questions/Statements	Yes/No Describe the likelihood of a significant effect	Rating
12. Is there a risk that there will be increased health and safety risks or concerns for the Community during civil works		
13. Is there a vulnerable population affected (children, disabled, elderly, minority group etc.) requiring temporary relocation as a result of civil works?		
Labor Issues		
14. Are there potential hazards to the workers?		
15. Will the work interfere with the health and safety of the worker/employee of the contractor?		
16. Is there a risk that the workers will not receive the proper PPEs from the contractor?		
17. Are there going to be workers housing facilities?		
18. Is there a concern that emergency situations procedures for the project site will not be incorporated?		
19. Is there a risk that children will be employed or engaged to work on the project?		
20. Will workers practice behaviours which cause discomfort for other workers or members of the project communities?		
Community Engagement		
21. Are there concerns that sewerage connections will not be equally accessible to all?		
22. Is there a potential for the work to induce disagreements?		

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

Table below provides details about the mitigation measures, plans and instruments for preventing and minimizing any adverse environmental and social impacts/risks of the Project activity related to the network expansion (subcomponent 1.1) and

responsibilities for the implementation of those measures. The mitigation measures are listed according to the relevant 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. *(Table to be completed in the preliminary ESMP. Some standard and generic mitigation measures have been already included. The rest will be specific to activities related to subcomponent 1.1 on the sewer network. Table will be aligned with the ESCP)*

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 S-Substantial H-High	1. Civil Works (Network) 2. Project Management	D-Design C-Construction or Implementation O-Operation
Example: (-) (L) (1&2) (C&O) (Negative impact) (Low impact) (Component 1&2) (Construction & Operation phase)			

Table 6: 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) (D&C&O)	E&S assessment throughout project life cycle. NRPB will screen the project subcomponent 1.1 and include the screening findings and proposed mitigation measures as part of the ESMP. NRPB will continue screening any proposed activity related to subcomponent 1.1 throughout the project life cycle in accordance with the ESCP, and, thereafter, further develop, adopt, and implement mitigation measures, as required under the ESCP and in line with the ESMP.	NRPB
ESS1	Risk: Environmental and social risks	Develop and implement an ESMP. The NRPB will develop, disclose and implement an Environmental and Social Management Plan, based on this Table of Content.	NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS1	Risk: Environmental and social risks	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, as will be agreed on the ESCP and Grant Agreement, 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
ESS1	Risk: Lack of Environmental and Social expertise/capacity for implementation of the project	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 NRBP E&S staff appointed for the project.	NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS1	Risk: Contractor does not engage the services of qualified ESHS personnel.	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 island 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.	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 in place throughout the duration of the construction works.	Supervisor, NRPB

ESS1	Risk: Contractor does not have an organized plan to manage and comply with ESHS requirements during the life of the project.	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, ESCP, the ESMP and World Bank EHS guidelines. The C-ESMP shall be approved by NRPB, after Supervisor's review, before commencement of works. ✓ ESHS Mobilization Strategy; ✓ Traffic Management Plan; ✓ Code of Conduct including Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) prevention and response action plan; ✓ OHS Workers Health & Safety Plan; ✓ A 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, chemicals and other hazardous substances management plan; ✓ Chance Find Procedures; ✓ Emergency preparedness plan (Hurricane, Fire and Earthquake). For details on the content of those sub-plans, Contractor shall refer to the mitigation measures described in the ESMP document and the C-ESMP general guidelines that will be part of the tender	Contractor (Supervisor, NRPB to approve)

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		package. The Contractor shall also prepare Job Safety Assessments for the different works under the project.	

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS1	Risk: Contractor does not comply with the ESHS contractual obligations.	Contractor Reporting & Monitoring: 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 will be developed to aid Contractors in fulfilling their monthly reporting obligations. 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.	Contractor

ESS1	Risk: Project Management Team are not made aware of Incidents and accidents which occur at the project site or project related activities.	Contractor reporting on incidents/accidents: 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. (a) Inspection, investigation by, or warning or official order from government regarding a (possible) violated policy, legislation or permit conditions. (b) Any work-related fatality; (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; (d) Near miss events; that are legally required to be reported by the Contractor to the Labor Department immediately, no later than three days . (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. (f) Any allegation of sexual exploitation or abuse, sexual harassment or sexual misbehaviour, rape, sexual assault, child abuse, or defilement, or other violations involving children. (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;	Contractor (Supervisor, NRPB to monitor)

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		(h) Significant adverse effects or damage to private property (e.g., vehicle accident, damage from flying debris, working beyond the boundary); (i) Damage to cultural heritage, artifacts, monuments, sacred grounds, etc; (j) Encroachment on private property, burglary or theft of assets; (k) Incidents related to child labor, forced labor or migrant workers Further instructions in incidents/accidents reporting can be found in Section 6.9. The Supervision Consultant shall investigate all incidents reported by Contractor. The NRPB Environmental and Social officers will monitor the reporting procedure and interject as necessary. The Contractor shall implement the recommendations of the Supervision Consultant and NRPB to avoid recurrence of these incidents.	

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS1		NRPB reporting on incidents/accidents: *(language will be aligned with the ESCP)* 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. 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. Subsequently, as per the World Bank's request, prepare a report on the incident or accident and propose any measures to prevent its recurrence.	NRPB
ESS1	Risk: Civil works and design does not comply with the relevant local legislation and guidelines	to be confirmed if an excavation permit is required.	NRPB, Design Firm

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS1	Risk: Potential temporary loss of income by business due to possible accessibility restrictions	The risk will be managed by measures to: ○ Minimize the duration of traffic disturbance ○ Working on shorter sections of the roads for expediting the trenches closing ○ Provide safe crossings for pedestrians and cars while trenching works take place to facilitate customers mobility. ○ Avoid the closure of roads for traffic Further measures will be elaborated in the Preliminary ESMP.	
ESS2 Labour and Working Conditions	Risk: Laborer's, contractors and sub-contractors hired to work on the project are subjected to poor working conditions. Contractor does not comply with local and international labor policies and legislation.	Develop and implement Labor Management Procedures applicable to the Project. The NRPB will develop, disclose and implement Labor Management Procedures applicable to the project, in a timeframe as agreed in the ESCP. The Project will not employ any workers under the age of 18. 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.	NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS2	Risk: Workers aggrieved by the project have no formal means of reporting or lodgeing concerns. This includes contractors, subcontractors and other members of the public who provide labour to the project.	A grievance mechanism will be provided for all project workers to raise workplace concerns. The LMP for this project will have a GRM for project workers, which is included in the NRPB institutional GRM. The NRPB's Labour GRM has been updated in October 2022 and is available for project workers under the whole portfolio. NRPB's GRM and complaints procedure can be found on the website: Complaints Procedure – National Recovery Program Bureau (nrpbsxm.org)	NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS2		The NRPB will require the contractor to include, for NRPB's approval, a Workers' GRM as part of the LMP within the C-ESMP, for the workers on the project site to file labour complaints, during the implementation of the works. 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: ✓ 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. Further instructions in developing the Contractor's GRM can be found in Project's LMP.	Contractor (NRPB to approve)

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS2	Risk: Workers' behaviors 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.	Code of Conduct (CoC) for works Contractor: 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 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 will be included in the ESMP. The CoC shall be explained to workers and signed by them before mobilization to site.	Contractor (NRPB to approve)

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS2	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.	*OHS* *(Occupational Health & Safety)* 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 Hazard Assessment (CHA) 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 JHA shall be submitted for NRPB's approval before works commencement.	Contractor (Supervisor, NRPB to approve)
ESS2	Risk: Workers are exposed to hazards at the project site due to a lack of protective gear.	*OHS* - Availability of Personal Protective Equipment (PPEs) and First Aid Kits Contractor shall provide, and ensure usage of, appropriate personal protection equipment (PPE) for workers, such as safety boots, helmets, masks, gloves, protective clothing, goggles, body harness, and/ or ear protection as needed based on the work	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		requirements and will have First Aid Kits available to address immediate/minor needs.	
ESS2	*OHS* Working at Heights related risks (falling)	*Ladders:* ✓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. *Scaffolds:* ✓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. *Personal Fall Protection:* ✓A fall arrest system shall be used any time when working at an elevated level and exposed to a fall hazard;	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		✓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	*OHS* Electricity related risks (electric shock)	✓ 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; ✓ Unless de-energized and visibly grounded, maintain proper distance from overhead	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		electrical power lines (at least 3 m) and/or provide insulating barriers.	
ESS2	*OHS* Risks: Danger of falling into trenches, trench collapse, and safe egress for the workers.	✓ 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	*OHS* Moving machines. Caught in between or run over risks.	✓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	*OHS* Poor or no sanitation facilities, no drinking water, inadequate rest. Poor working/labor conditions.	The contractor shall: ✓ Arrange safe drinking water to workers; ✓Provide adequate sanitation facilities (toilets and washing areas); ✓ Shade/rain protection and sitting for all personnel.	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS2	*OHS* Unavailability of safety related equipment.	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.	Contractor
ESS2	*OHS* Lack of proper OHS training.	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: o Knowledge of materials, equipment, and tools o Known hazards in the operations and how they are controlled o Potential risks to health o Precautions to prevent exposure	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		o Hygiene requirements o Wearing and use of protective equipment and clothing o Appropriate response to operation extremes, incidents and accidents	
ESS2 & ESS4	Lack of proper planning for emergency situations	Contractor shall develop an Emergency sub-plan as part of the C-ESMP, for responding to the following events: Fire, Flood, Hurricane, Worker accident, Environmental accident. 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. Particularly for hurricane preparedness, the plan shall include actions for: o Monitoring the weather conditions o Notifying workers o Securing jobsite materials o Securing hazardous materials o Plan for water removal o Ensure the security of the structure o Assess the post-storm damage and plan for recovery actions	Contractor
	Exposure of workers to infectious diseases	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 infection by existing diseases, and planning what to do if either project	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		workers become infected or the workers come in contact with affected community members.	
ESS3 Resource Efficiency and Pollution Prevention and Management	Natural resources consumption.	Selection of pumps with optimized energy consumption and sizing according to the expected hydraulic flow.	NRPB, Design Firm
ESS3 & ESS4	Release of air pollutants. Construction dust and vehicles exhaust emissions.	Contractor will be responsible for minimizing dust emission as a result of works activities, monitoring dust levels, comply with WB EHS limits and apply mitigation measures. Those measures may include among others: ✓ 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 be regulated and truck routes should avoid residential areas. ✓ Vehicles and heavy equipment should follow the recommended maintenance schedule to ensure exhaust emissions are within the acceptable limits of the manufacturer. ✓ Inform the community of planned activities which may cause dust emissions in a timely manner.	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		✓ 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	Release of wastewater.	Measures to include: 1. Accidental release of sewage during pipe works 2. Chemical toilets 3. Treated wastewater release in Fresh Pond during operation	Contractor
ESS3	Solid waste disposal.	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. 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: o 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; o Definition of opportunities for source reduction, as well as reuse and recycling;	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		○ 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; ○ Keep sites clean and tidy at all times.	
ESS3	Fuels, pesticides and other hazardous substances use and/or accidental release.	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: ○ 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 ○ Characteristic(s) that make(s) the Hazmat hazardous (e.g. flammability, toxicity) Contractor shall ensure that the following key points are considered: ○ The Material Safety Data Sheets (MSDS) shall be kept on site for inspection.	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		○ 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. ○ 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. 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	

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		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. 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).	
ESS3	Silt runoff release into waterbodies	o Contractor shall monitor the weather and cover the open trenches or use flood barriers along the open trenches, before any storm event hits the island, to prevent soil flushing. o Direct discharge from trenches in the event of flooding, towards the existing drainage system (silt control measures need to be considered such as silt bags or a collection tank for sedimentation, prior to discharge.) o Soil pilling next to the trenches shall be limited and removed daily from the site	Contractor
ESS3	Trees cutting and vegetation clearance	Contractor will need to inform NRPB for any trees that may interfere with the works and propose measures to work around the obstacle. Trees will only be allowed to be cut down with NRPB's and VROMI's prior approval.	NRPB, Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS4 **Community Health and Safety**	Hurricane Preparedness	Contractor shall prepare and implement an Emergency Response Plan, including hurricanes and storms.	NRPB, Designer, Contractor, Supervisor,
ESS4	Risk of excluding households from the sewer network due to the selection criteria for the new connections		NRPB
ESS4	Ensure the sustainability of the investment		NRPB, GoSM
ESS4	Danger to members of the community/pedestrians (particularly children, the elderly and people with disabilities falling into open trenches and being hurt as a result of loose/uncovered excavated materials.	Contractor shall: ○ 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. ○ 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; ○ Remove excavation soil daily from the site. ○ Ensure that all adjacent buildings/structures or surface obstructions (e.g., trees, large rocks) near the trench are supported or removed.	Contractor

ESS4	Traffic and road safety related risks	The Contractor shall: ✓ 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). ✓ 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.	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS4	Unauthorized access to the construction site. Risk of accident.	Open trenches will be barricaded and warning signs/bands will be placed to prevent accidents. The site shall be equipped with signage that informs all workers of the regulations, hazards and site or job specific safety equipment required. Warning for unauthorized access shall be visible at the entrance. Contractor will need to specify type, dimensions and number of signs used per site. Signage shall be posted for community members with information on different channels available to submit a complaint.	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS4	Flooding risk of construction site	Those measures will be elaborated in the Preliminary ESMP	

ESS4	Nuisance to the Community due to noise.	The Contractor shall: √ 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. IFC International Finance Corporation Environmental, Health, and Saf GENERAL EHS GUIDELINES: ENVIRO NOISE MANAGEMENT **Table 1.7.1- Noise Level Guidelines[54]** One Hour L_{Aeq} (dBA) Receptor / Daytime 07:00 - 22:00 / Nighttime 22:00 - 07:00 Residential; institutional; educational[55] / 55 / 45 Industrial; commercial / 70 / 70	Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS4	Community nuisance from dust and exhaust emissions into the air	See ESS3 above for dust and exhaust emissions avoidance and mitigation measures.	Contractor
ESS4	Exposure of community to Covid-19 in case the epidemic changes significantly and government is implementing measures	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.	NRPB, Contractor, Supervisor,
ESS4	Nuisance to sensitive receptors due to construction activities	The mitigation measures for minimizing noise, dust and traffic disturbance described above should prevent any significant negative impact. 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 disproportionally affected by construction nuisance. Receiving of complaints is another channel for identifying people requiring special attention.	Contractor, NRPB
ESS4	Cumulative impact from other construction activities	**N**RPB is funding numerous civil works in the greater Cul De Sac area, but the chance of overlapping is minor 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 Contactors who may be required to adjust their C-ESMP accordingly.	NRPB, Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
ESS4	Community risks from emergency situations on the construction site (fire, flying objects, flood, etc.)	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	SEA/SH	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. 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. 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. The Contractor shall include in the C-ESMP, a section on investigation of possible violations and the consequences thereof. Disciplinary sanctions are firstly governed by the country's labour legislation and secondly by the contract specific arrangements. 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. SEA/SH training shall also be repeated regularly (monthly) and particularly where an incident of non-compliance has occurred. Contractor will conduct Toolbox Trainings for staff prior to commencement of works, and regularly (weekly) during construction phase. This will include sensitization on SEA/SH and the Code of Conduct, which provides guidelines specific to these issues. Supervisors/Relevant Personnel (ESHS Officers) will be hired to deal with matters related to these	Contractor, NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		infractions, based on procedures described in the CoC and the Contractors' GRM.	
ESS4	Gender equality	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.	
ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement *Not Relevant*			
ESS5	Land acquisition and resettlement	An exclusion list will be prepared to screen out any activities with potential impacts covered under ESS5.	
ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources	Not relevant for this activity Accidental release of sewage into water bodies is discussed under ESS3		
ESS 7: Indigenous Peoples/ Sub-Saharan African Historically Underserved Traditional Local Communities *Not Relevant*			
ESS8 Cultural Heritage	Adverse impact on Cultural Heritage	The contractor shall: ○ Adhere to the St. Maarten regulations concerning archaeological, historic and cultural heritage. ○ Carry out a survey prior to works commencement and identify any monuments or sites of cultural importance, in vicinity with the works	NRPB, Contractor

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		○ Carry out the works in a manner that monuments will not be affected by vibrations and vehicle/equipment collision. ○ Set a buffer zone between monuments and road works. ○ Contractor will need to elaborate on site/job specific monuments protection measures in the C-ESMP A 'Chance Find Procedures' (CFP) will be annexed in the ESMP (Annex 1) applicable to the Works contract(s).	
ESS8	Encounter of previous unknown heritage during works	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 is attached in this ESMP. A chance find can be both a risk and an opportunity.	Contractor
ESS 9: Financial Intermediaries *Not Relevant*			
ESS 10: Stakeholder Engagement and Information Disclosure	Adequately identify the different stakeholders of the project, both project-affected parties and other interested parties.	NRPB is developing a 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. 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.	NRPB
ESS10	Sharing of adequate information to allow stakeholders to understand the risks and impacts of the project.	The draft Preliminary ESMP will be disclosed on the NRPB social media, website and its availability	NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		communicated through notifications in the Daily Herald and in social media (including the Facebook pages of the NRPB and Government of Sint Maarten (GoSM). This is for the purposes of consultations. The final ESMP will also be disclosed once cleared by the WB.	
ESS10	A lack of stakeholder and community knowledge about the project and inadequate engagement, consultation and dialogue with stakeholders and the project affected community.	Conduct Stakeholder Identification and Analysis. Develop and implement Stakeholder Engagement Plan and update with new information following consultations. 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. Reflecting relevant stakeholder inputs in social and environmental risk management instruments.	NRPB
ESS10	GRM. Stakeholders and members of the community may be dissatisfied or concerned with the project and related activities.	Have a mechanism to receive and facilitate the resolution of concerns and grievances from the project. 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 SEA/SH and anonymous grievances. NRPB's GRM and complaints procedures can be found on the NRPB´s website: Complaints Procedure – National Recovery Program Bureau (nrpbsxm.org)	NRPB

Relevant ESSs	Main E&S Impacts, Risks or Requirements, plus Categorization	Mitigation Measures	Responsibility
		Contractors will be required to develop their GRM as part of the C-ESMP, following the guidelines provided by the NRPB which will be included in the ESMP. However, project related complaints lodged must be reported to the NRPB for management/resolution. The process is described in the NRPB GRM. The GRM will be shared online as part of the SEP and consulted on during stakeholder consultations.	

6.3 Labour Management Procedures (LMP)

NRPB is developing 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 works under Component 1. A draft LMP will be developed prior to appraisal which will then be updated, submitted for WB clearance and redisclose as final. During project implementation, the Labour Management Procedures will be updated as needed.

6.4 Stakeholders Engagement Plan (SEP)

A Stakeholders Engagement Plan (SEP) is being 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 draft SEP, once cleared by the WB as draft, will be disclosed and consulted. It will later be updated based on the results of consultations, submitted to the WB for clearance and re disclosed as final.

The project has a broad range of stakeholders, who will be either directly or indirectly impacted by project activities. These stakeholders are broadly categorised into two categories in accordance with ESS 10. Details can be found in the SEP.

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

The timing of consultations and the consultation approach with these groups are elaborated on in the project's draft SEP.

6.4.1 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.

6.4.2 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, as per the SEP, will be included and the ESMP will be updated based on the results of these community consultation.

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.

6.5 Grievance Redress Mechanism (GRM)

The NRPB has an existing GRM in place to fairly, efficiently and effectively handle concerns and grievances received from the Project's stakeholders. The NRPB's GRM is currently being updated and will be used in this project. The system is well established and provides a credible avenue for all Project beneficiaries and stakeholders to file their complaints during the Project's implementation.

NRPB's GRM can be found on the website: Complaints Procedure – National Recovery Program Bureau (nrpbsxm.org)

Complaints received by the NRPB will be reviewed and managed by the Complaints Officer at the NRPB. Complaints received by the contractor in relation to the project will be handled in the following manner:

> Contractors are obligated to report any submitted complaints, depending on the nature. Incidental reports are required to be submitted within 24 hours of the occurrence, depending on the level of urgency. Additionally, regular reports 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 their Project-level 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.

The GRM is described in more detail in the Stakeholder Engagement Plan.

Channels to Submit Grievances

The contact details for filing complaints will be posted at the Public Service Centers in Phillipsburg and Simpson Bay, and are:

- Via an online form available on the NRPB's website: Complaints Procedure – National Recovery Program Bureau (nrpbsxm.org): By email to complaints@nrpbsxm.org with the complainant's project name "Fostering Resilient Learning Project" as the email's subject.
- By mail to: National Recovery Program Bureau

  #57 Walter A. Nisbeth Road, Philipsburg, Sint Maarten

  Telephone Number: +1(721) 542-8886/7
- In person at the address above where the person will be given complaints form to complete.

Labour Grievance Redress Mechanism for Workers (Labour GRM)

Contractors are required to develop their own labour grievance redress procedures, to manage concerns from their employees.

Further details on the requirements for the Contractor's GRM are available in the Labour Management Procedures (LMP) developed for this project. The LMP also addresses Occupational Health and Safety and other relevant labour issues. The Contractor is required to include a complaint handling procedure for workers' complaints in the C-ESMP.

Labour GRM for NRPB Staff and other project workers.

The NRPB's GRM is referred to as the Program-level GRM. As the overarching GRM it is opened to receive complaints from any project affected individual or group. In addition the GRM contains a Labour GRM which is open to project workers, such as staff and consultants of the NRPB and project-workers hired by a contractor or their sub-contractor. Refer to Chapter 6 of the NRPB GRM.

6.6 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 7 below.

Table 7: 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 NRPB and 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 4). NRPB will promote and facilitate SEA/SH training for its staff.
Contractors' Code of Conduct	All workers are required to sign the CoC prior to starting any work. (See minimum requirements for Contractor Code of Conduct in Annex 5".
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). A list of service provider will be developed and available to NRPB and contractors' appointed person.

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.

6.7 Incidents & Accidents Reporting

6.7.1 Contractor Responsibilities

Despite significant efforts to manage environmental and social risks associated with project activities, incidents may occur. Contractors must have a written/documented 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:

1. Inspection, investigation by, or warning or official order from, government regarding a (possible) violated policy, permit or legislation or permit conditions, as per the ESMP.
2. Any work-related fatality;
3. Accidents requiring medical treatment, in case of hospital admittance, in case of medical leave days, in case of permanent complete or partial invalidity of an employee, fractured or cracked bones or teeth, punctured eardrums or hearing loss;
4. Near miss events, which are legally required to be reported by the Contractor to the Labor Department immediately, no later than three days; following the NATIONAL REGULATIONS containing (general) measures (provisions) for the security of work in enterprises (overheid.nl).
5. 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;
6. Reported Code of Conduct violations in regard to human rights, discrimination against workers, drugs or other illegal activities, fraud & corruption, and conflict of interest;
7. Significant adverse effects or damage to private property (e.g., vehicle accident, damage from flying rock, working beyond the boundary);
8. Discovery and/or damage to cultural heritage, artifacts, monuments, sacred grounds, etc.;
9. Significant encroachment on private property
10. Displacement Without Due Process: The permanent or temporary displacement against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection and/or in a manner that does not comply with an approved resettlement action plan.

11. Burglary or theft of assets
12. Any confirmed Covid-19 case, or other infectious disease
13. Indication or incidents of child labor, forced labor or undocumented workers.
14. Sexual Orientation and Gender Identity (SOGI) related violence or discrimination incidents.
15. Any indication 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.
16. Acts of Violence/Protest: Any intentional use of physical force, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, deprivation to workers or project beneficiaries, or negatively affects the safe operation of a project worksite.

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?

For the initial report, depending on the nature of incident/accident, the Contractor shall use the reporting forms attached in Annex 3.

After the initial written reporting, the Contractor shall undertake an investigation and 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 Contactor should also report the completion of corrective actions and possible preventive actions. In case of a GBV 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.

For the root cause analysis and Corrective Action Plan, depending on the nature of incident/accident, the Contractor shall use the reporting forms attached in Annex 3.

6.7.2 NRPB Responsibilities

NRPB shall promptly notify the World Bank, within 72 hrs 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, in accordance with the ESCP, the instruments referenced therein and the Environmental and Social Standards. The Incident Forms Part B (see Annex 3) template will be used for reporting according to the incident category.

The following are incident types to be reported using the environmental and social incident response process:

i. **Fatality**: Death of a person(s) that occurs within one year of an accident/incident, including from occupational disease/illness (e.g., from exposure to chemicals/toxins).

ii. **Lost Time Injury**: Injury or occupational disease/illness (e.g., from exposure to chemicals/toxins) that results in a worker requiring 3 or more days off work, or an injury or release of substance (e.g., chemicals/toxins) that results in a member of the community needing medical treatment.

iii. **Acts of Violence/Protest**: Any intentional use of physical force, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, deprivation to workers or project beneficiaries, or negatively affects the safe operation of a project worksite.

iv. **Disease Outbreaks**: The occurrence of a disease in excess of normal expectancy of number of cases. Disease may be communicable or may be the result of unknown etiology.

v. **Displacement Without Due Process:** The permanent or temporary displacement against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection and/or in a manner that does not comply with an approved resettlement action plan.

vi. **Child Labor:** An incident of child labor occurs: (i) when a child under the age of 14 (or a higher age for employment specified by national law) is employed or engaged in connection with a project, and/or (ii) when a child over the minimum age specified in (i) and under the age of 18 is employed or engaged in connection with a project in a manner that is likely to be hazardous or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development.

vii. **Forced Labor**: An incident of forced labor occurs when any work or service not voluntarily performed is exacted from an individual under threat of force or penalty in connection with a project, including any kind of involuntary or compulsory labor, such as indentured labor, bonded labor, or similar labor-contracting arrangements. This also includes incidents when trafficked persons are employed in connection with a project.

viii. **Unexpected Impacts on heritage resources**: An impact that occurs to a legally protected and/or internationally recognized area of cultural heritage or archaeological value, including world heritage sites or nationally protected areas not foreseen or predicted as part of project design or the environmental or social assessment.

ix. **Unexpected impacts on biodiversity resources**: An impact that occurs to a legally protected and/or internationally recognized area of high biodiversity value, to a Critical Habitat, or to a Critically Endangered or Endangered species (as listed in IUCN Red List of threatened species or equivalent national approaches) that was not foreseen or predicted as part of the project design or the environmental and social assessment. This includes poaching or trafficking of Critically Endangered or Endangered species.

x. **Environmental pollution incident**: Exceedances of emission standards to land, water, or air (e.g., from chemicals/toxins) that have persisted for more than 24 hrs or have resulted in harm to the environment.

xi. **SEA/SH**: Sexual Exploitation: Any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes. Sexual Abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

xii. **SOGI**: Violence on the basis of SOGI or Discrimination on the basis of SOGI.

xiii. **Other**: Any other incident or accident that may have a significant adverse effect on the environment, the affected communities, the public, or the workers, irrespective of whether harm had occurred on that occasion. Any repeated non-compliance or recurrent minor incidents which suggest systematic failures that the task team deems needing the attention of Bank management.

A subsequent report after investigation 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. In case the accident resulted in fatality/injury for worker or member of the public, then the accident Form Part C (Annex 3) template will be used for reporting. In case of SEA/SH and SOGI incidents then the corresponding Part C forms shall be used (also in Annex 3).

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.

NRPB will prepare a Corrective Action Plan 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. The Corrective Action Plan should be based around a summary table, with additional supporting text and information to adequately describe the measures and how they will achieve the corrective actions to address the immediate, underlying, and root causes identified in the investigation report. The Corrective Action Plan template found under Annex 3 should be used.

NRPB will keep the World Bank informed of the on-going implementation of the said measures and plans.

Incidents that do not require immediate WB reporting (based on requirement) will be still included in the semi-annual project reports, in agreement with NRPB.

6.8 E&S Survey of Roads

This section provides a guidance to be used by Contractor for assessing the basic E&S conditions of each road where sewage pipelines will be placed. This survey shall be carried out before commencing the works. This survey will feed the C-ESMP and help in proposing site-specific mitigations measures based on the current site conditions.

Risk	Notes
1. Proximity to sensitive receptors	Sensitive receptors may include schools, day-care centres, hospitals, worship places. Contractor shall indicate such receptors located directly on road to be trenched or in such proximity that may be affected by nuisance (traffic, noise, dust, etc)
2. Proximity to environmental features	Such features may include ponds, beaches, rainwater trenches, vegetation, parks. Contractor shall indicate such features located directly on the roads to be trenched or in such proximity that may be affected by rainwater runoff.
3. Proximity to cultural heritage monuments	Contractor shall indicate any registered monuments located on the roads to be trenched.
4. Obstacles that may affect works	Such obstacles may include abandoned vehicles, trees, low hanging cables.
5. Will the road need to be closed for traffic	Contractor shall assess narrow streets and propose if a road can remain open or shall be closed for safety reasons during works execution.

6.9 Exclusion List

6.9.1. Exclusion list related to resettlement or land acquisition.

Resettlement and land acquisition will be avoided. NRPB has prepared a preliminary exclusion list to screen out any activities with potential impacts covered under ESS5 and act proactively to prevent any complications that may impact project schedule.

The following activities/impacts will be excluded:

- Involuntary resettlement[4] or displacement of people and businesses.
- Land acquisition[5].
- Property expropriation.
- Restrictions on land use[6].
- Restrictions on land and other resources accessibility.
- Right of way exercised on private roads.
- Right of way exercised on private property.

6.9.2. Exclusion list related to cultural heritage

Similarly, NRPB will avoid any negative impact on cultural heritage, in line with ESS8 requirements, by excluding the following activities:

- Works located within a legally protected cultural heritage area or a legally defined buffer zone.
- Works where there is evidence or high probability of past human activity in the area.
- Relocation, conservation or rehabilitation of Built heritage.

This preliminary exclusion list will be updated during the preparation of the Preliminary ESMP.

6.10 ESHS Monitoring Plan

NRPB will monitor the implementation of the proposed Mitigation Measures applicable to the construction works under Component 1. Table 8 indicates the monitoring parameters that the NRPB's, Supervisor's and Contractor's Environmental and Social risk management specialists will apply. **Table 6***(to be revised and completed in the ESMP)*

[4] Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.
[5] Land "acquisition" refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way.
[6] "Restrictions on land use" refers to limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project.

Table 8. ESHS Monitoring Plan for Construction Works

Monitoring Parameter/Activity	Means of Monitoring	Compliance Indicator / Threshold Limits	Responsibility & Frequency
Jobsite General			
1. Clean and tide 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
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

Monitoring Parameter/Activity	Means of Monitoring	Compliance Indicator / Threshold Limits	Responsibility & Frequency
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 gender and being cleaned regularly.	NRPB: monthly Supervisor: twice weekly Contractor: daily
16. Drinking water supply	Visual Inspection	Enough 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 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
20. Waste chain of custody records	Visual inspection of records	All waste loads shall be recorded and disposed at approved locations, by licensed haulers.	NRPB: monthly Supervisor: twice weekly Contractor: daily
Dust			
21. 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
22. 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			
23. 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
24. 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			
25. 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
26. 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
27. Workers noise exposure <85dBA	Visual inspection	100% of workers operating power tools shall have ear protection on.	NRPB: monthly Supervisor: twice weekly Contractor: daily

Monitoring Parameter/Activity	Means of Monitoring	Compliance Indicator / Threshold Limits	Responsibility & Frequency
Hazardous Materials			
28. Stored inside covered premises and on impermeable surface	Visual Inspection	Measures shall all be in place be according to the approved C-ESMP	NRPB: monthly Supervisor: twice weekly Contractor: daily
29. 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
30. 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
31. 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			
32. 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
33. 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
34. Use of electrical equipment that is RCD (Residual Current Device)-protected	Visual Inspection and inventory check	All electrical equipment/power tools on site shall be RCD-protected.	NRPB: monthly Supervisor: weekly Contractor: daily
35. 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
36. 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
Labor Management			
37. 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
38. 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
39. 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 NRBP.	NRPB: monthly Supervisor: weekly Contractor: daily
Covid-19			
40. Posts with hygiene practices on site	Visual Inspection	Not currently applicable	n/a
41. Face masks provided by employer and used when necessary	Visual Inspection	Not currently applicable	n/a
42. Thermometer and Sanitizer on site	Visual Inspection	Not currently applicable	n/a

Monitoring Parameter/Activity	Means of Monitoring	Compliance Indicator / Threshold Limits	Responsibility & Frequency
43. Social distancing adhered to (2m)	Visual Inspection	Not currently applicable	n/a
Files, Plans & Records			
44. Non-Conformances are logged	Record review	100% of non-conformances are logged in the online database	NRPB: monthly Supervisor: twice weekly Contractor: daily
45. 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
46. 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
47. C-ESMP updates	Record Review	Updated C-ESMP is received at least every 3 months.	NRPB: monthly Supervisor: bi-weekly Contractor: bi-weekly
48. 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 9 below. The cost of the delivering of the ESHS requirements will be a subsidiary obligation of the Contractor and no separate payments will be made for implementation of ESHS requirements. The Contractor is also responsible for informing their subcontractors of the E&S requirements which they will need to adhere to and share the C-ESMP with them. Other costs include the engagement of an external consultant to carry out the cultural assessment, costs related to stakeholder engagement (publications, gatherings, etc.). *(information to be updated and completed)*

Table 9: 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)	1
Environmental and Social Risk Management specialists of NRPB[7]	150 000	All
Stakeholders Engagement and Consultations during implementation	75 000	All
Training	5 000	All

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

Total[8]	230 000	

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 10: 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 to be completed according to ESCP agreements)*

Table 10: Implementation Schedule

Instrument	Timeline	Responsibility	Component
ESCP	Draft by Appraisal and finalized during Negotiations	NRPB	All
ESMP - Network	Table of Contents prior to project appraisal. Preliminary within 60 days of project effectiveness. Final approved by the WB before launching the works tender.	NRPB	1.1, 3
ESA/ESMP - WWTP	Terms of Reference prior to project appraisal. Final approved by the WB before completing the design phase.	NRPB	1.2, 2, 3
SEP	Draft prior to project appraisal. Final submitted to the WB within 60 days of project effectiveness.	NRPB	All
LMP	Draft prior to project appraisal. Final submitted to the World Bank within 60 days of project effectiveness	NRPB	All
GRM for Project Workers	n/a. GRM is operational	NRPB	All
Contractor – MSIP	During Bidding Stage	Contractor	1
Final Approved Contractor-ESMP	Before commencement of works	Contractor	1
ESHS Reporting to WB	Bi-annually	NRPB	All
ESHS Reporting for Contractor	Monthly	Contractor	1

8 Project Institutional Arrangements and Capacity

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

8.1 Institutional Arrangements for ESMP Implementation

The National Recovery Program Bureau will act as the Project Implementation Unit (PIU) for the project 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 NRPB is developing 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 11 below outlines the responsibilities across the NRPB, the supervisor, and the contractor in the fulfilment of the terms of this ESMP.

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 Wastewater project for developing the E&S instruments and ensuring ESHS compliance throughout the project life cycle. Additional support, internal, or through external consultants, will be sought, to provide needed support on the core team whenever required.

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.

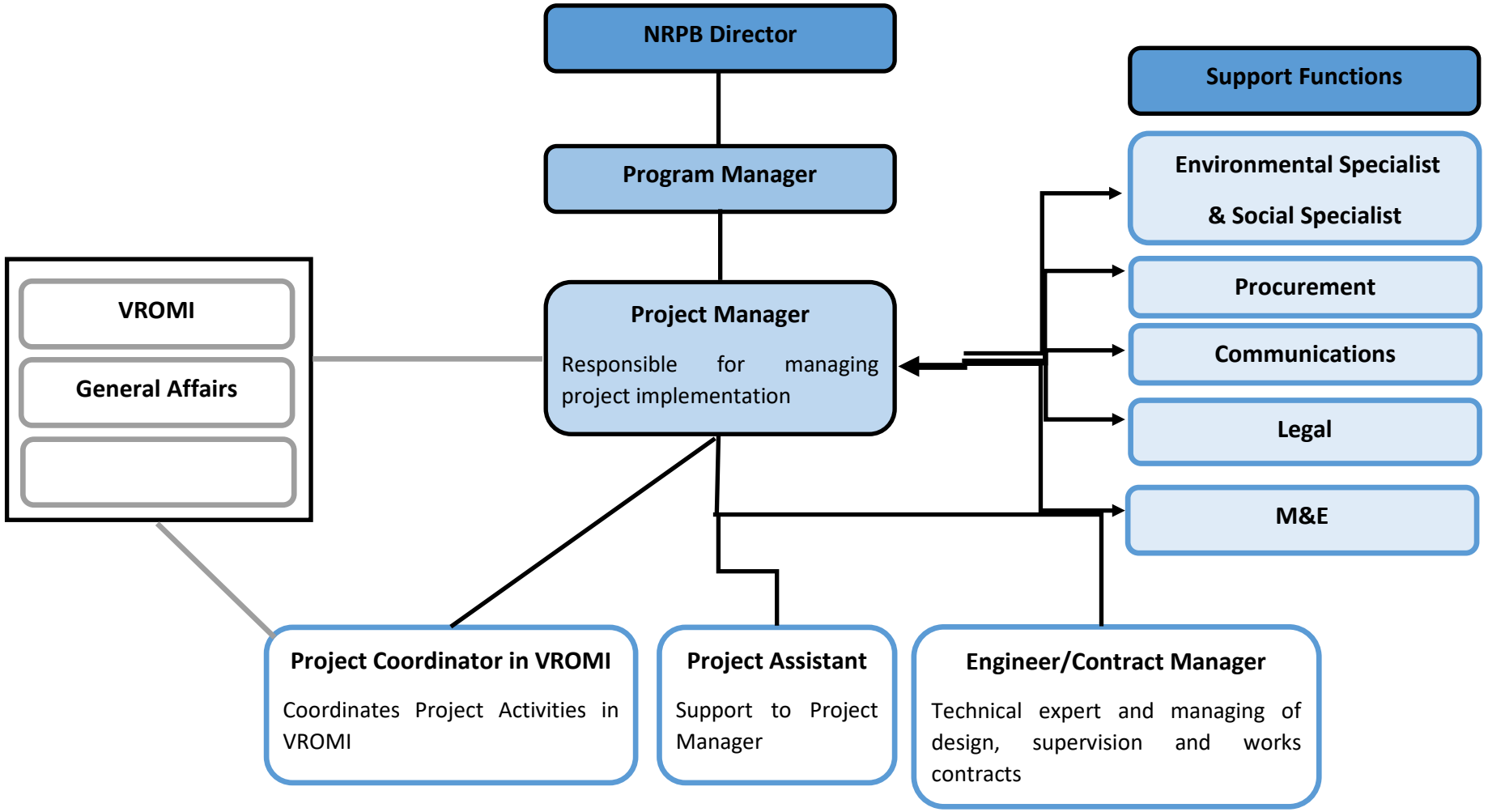
Additionally, works Contractor and Supervisor are required to have ESHS Specialists as key personnel. NRPB shall hire and maintain at least one supervision firm for the works with at least one Environmental, Social, Health and Safety (ESHS) specialist as key personnel of the firm to be on island throughout 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.

Table 11: Roles and Responsibilities for Environmental and Social Management of the Project

Organization	Responsibilities
NRPB	✓ 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. ✓ Ensure that the Stakeholders Engagement Plan (SEP) that has been developed for the project is implemented. ✓ 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. 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 ✓ 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, as described in the SEP. ✓ Review tender documents and ensure compliance with the ESMP. ✓ Develop the Terms of References for activities under Component 2.
Supervisor	✓ 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 6.7.1. 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	✓ 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 EHSGs. ✓ 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 6.7.1. Carry out root cause analysis for all incidents, and recommend actions to be taken to rectify the failure that led to these incidents

Figure 6: Wastewater Project Organizational Chart *(draft)*



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 project will be carried out by the NRPB in collaboration with VROMI, with the support from the World Bank.

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

VROMI will be responsible for making policy decisions and providing technical input during project design and implementation. NRPB will work closely with VROMI to ensure that the technical input and policy advice from VROMI is properly incorporated into the project implementation.

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 for the 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.

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

The Ministry of VSA amongst other aspects is responsible for Labour conditions/regulations during these works, 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.

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. 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 review and approve road traffic safety related issues applicable to trenching works.

8.7 Ministry of General Affairs

The Fire Department falls under the Ministry of General Affaires. Their role is to ensure that the Fire Safety Aspects, 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 – Chance Finds Procedure

Table of Contents

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
TCR Tangible Cultural Resource

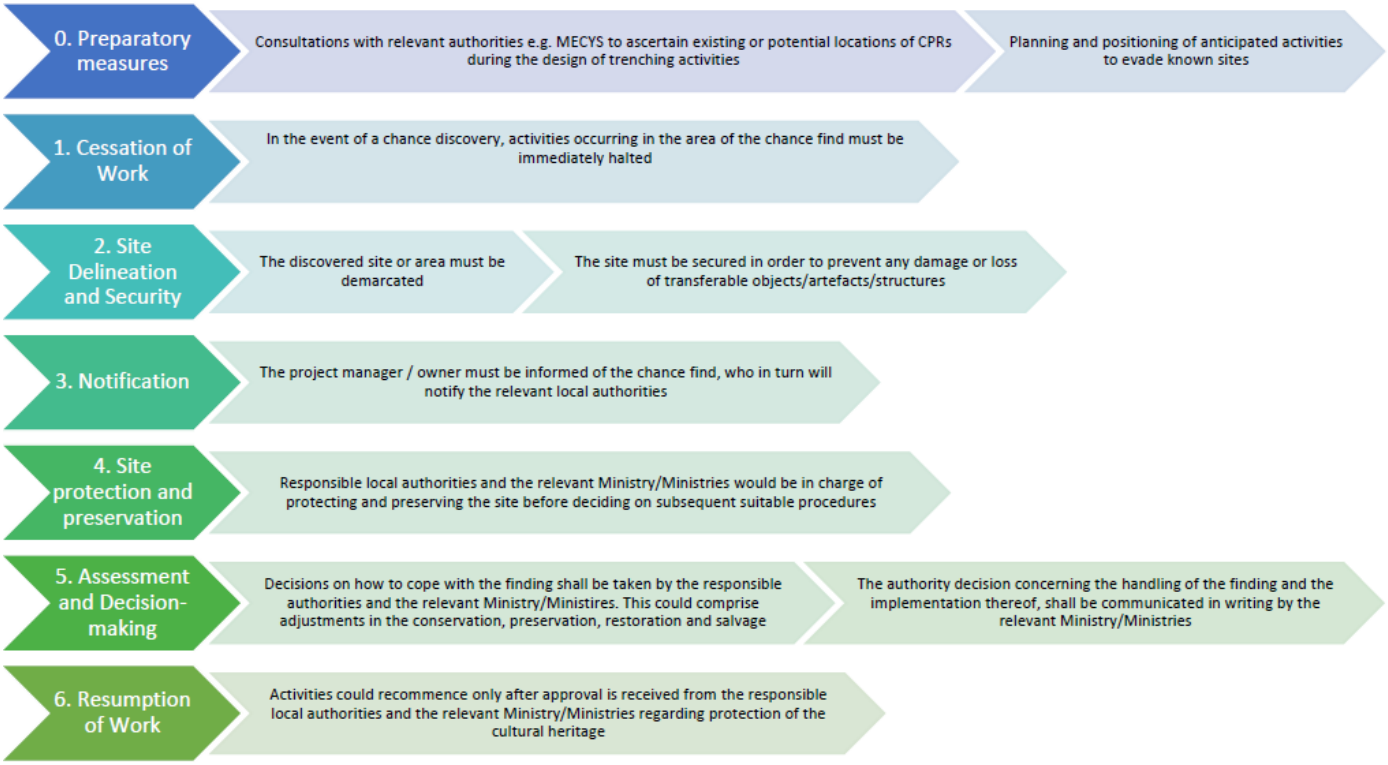
Glossary[1]

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
Tangible 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.

[1]Source:
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-Disclosed-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	• 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 Estate. • 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	• 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	• 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 Find 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 2 - 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								

Mold or Asbestos Assessment and Remediation

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
Slips, trips and falls						
Work at height, use of ladders and scaffolding						
Work near existing services						
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
6. 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. 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)				

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 tide jobsite	1 to 10	
2. Posters and safety signs in place	%	
3. Emergency phone numbers posted	%	
Community Safety		
4.Barriers to prevent unauthorized access and fall in risks	%	
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)	%	

	Percentage or Score	Comments
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	%	
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	%	

	Percentage or Score	Comments
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	%	

Annex 3 - Incidents and Accidents Reporting Forms

Part B: To be completed within 24 hours

B1: Incident Details			
Date of Incident:	**Time:**	**Date Reported to PIU:**	**Date Reported to WB:**
Reported to PIU by:	**Reported to WB by**:	**Notification Type**: Email/'phone call/media notice/other	
Full Name of Main Contractor:		**Full Name of Subcontractor**:	

B2: Type of incident (please check all that apply)[1]

Fatality ☐ Lost Time Injury ☐ Displacement Without Due Process ☐ Child Labor ☐ Acts of Violence/Protest ☐ Disease Outbreaks ☐
Forced Labor ☐ Unexpected Impacts on heritage resources ☐ Unexpected impacts on biodiversity resources ☐
Environmental pollution incident ☐ Dam failure ☐ Other ☐

[1] See Annex 1 for definitions

B3: Description/Narrative of Incident

Please replace text in italics with brief description, noting for example:

I. *What is the incident?*
II. *What were the conditions or circumstances under which the incident occurred (if known)?*
III. *Are the basic facts of the incident clear and uncontested, or are there conflicting versions? What are those versions?*
IV. *Is the incident still ongoing or is it contained?*
V. *Have any relevant authorities been informed?*

B4: Actions taken to contain the incident

Short Description of Action	Responsible Party	Expected Date	Status

For incidents involving a contractor:
Have the works been suspended (for example, under GCC8.9 of Works Contract)? Yes ☐; No ☐;
Trading name of Contractor (if different from B1):
Please attach a copy of the instruction suspending the works.

B5: What support has been provided to affected people

Annex 1: Incident Types

The following are incident types to be reported using the environmental and social incident response process:

Fatality: Death of a person(s) that occurs within one year of an accident/incident, including from occupational disease/illness (e.g., from exposure to chemicals/toxins).

Lost Time Injury: Injury or occupational disease/illness (e.g., from exposure to chemicals/toxins) that results in a worker requiring 3 or more days off work, or an injury or release of substance (e.g., chemicals/toxins) that results in a member of the community needing medical treatment.

Acts of Violence/Protest: Any intentional use of physical force, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, deprivation to workers or project beneficiaries, or negatively affects the safe operation of a project worksite.

Disease Outbreaks: The occurrence of a disease in excess of normal expectancy of number of cases. Disease may be communicable or may be the result of unknown etiology.

Displacement Without Due Process: The permanent or temporary displacement against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection and/or in a manner that does not comply with an approved resettlement action plan.

Child Labor: An incident of child labor occurs: (i) when a child under the age of 14 (or a higher age for employment specified by national law) is employed or engaged in connection with a project, and/or (ii) when a child over the minimum age specified in (i) and under the age of 18 is employed or engaged in connection with a project in a manner that is likely to be hazardous or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development.

Forced Labor: An incident of forced labor occurs when any work or service not voluntarily performed is exacted from an individual under threat of force or penalty in connection with a project, including any kind of involuntary or compulsory labor, such as indentured labor, bonded labor, or similar labor-contracting arrangements. This also includes incidents when trafficked persons are employed in connection with a project.

Unexpected Impacts on heritage resources: An impact that occurs to a legally protected and/or internationally recognized area of cultural heritage or archaeological value, including world heritage sites or nationally protected areas not foreseen or predicted as part of project design or the environmental or social assessment.

Unexpected impacts on biodiversity resources: An impact that occurs to a legally protected and/or internationally recognized area of high biodiversity value, to a Critical Habitat, or to a Critically Endangered or Endangered species (as listed in IUCN Red List of threatened species or equivalent national approaches) that was not foreseen or predicted as part of the project design or the environmental and social assessment. This includes poaching or trafficking of Critically Endangered or Endangered species.

Environmental pollution incident: Exceedances of emission standards to land, water, or air (e.g., from chemicals/toxins) that have persisted for more than 24 hrs or have resulted in harm to the environment.

Dam failure: A sudden, rapid, and uncontrolled release of impounded water or material through overtopping or breakthrough of dam structures.

Other: Any other incident or accident that may have a significant adverse effect on the environment, the affected communities, the public, or the workers, irrespective of whether harm had occurred on that occasion. Any repeated non-compliance or recurrent minor incidents which suggest systematic failures that the task team deems needing the attention of Bank management.

Part C: To be completed following investigation

C1: Investigation Findings
Please replace text in italics with findings, noting for example: *I. where and when the incident took place,* *II. who was involved, and how many people/households were affected,* *III. what happened and what conditions and actions influenced the incident,* *IV. what were the expected working procedures and were they followed,* *V. did the organization or arrangement of the work influence the incident,* *VI. were there adequate training/competent persons for the job, and was necessary and suitable equipment available,* *VII. what were the underlying causes; where there any absent risk control measures or any system failures,*

C2: Corrective Actions from the investigation to be implemented (To be fully described in Corrective Action Plan)		
Action	**Responsible Party**	**Expected Date**

Part C cont.: To be completed following investigation

C3a: Fatality/Lost time Injury information

Immediate cause of fatality/injury for worker or member of the public (please check all that apply) [2]:

1. Caught in or between objects ☐ 2. Struck by falling objects ☐ 3. Stepping on, striking against, or struck by objects ☐
4. Drowning ☐ 5. Chemical, biochemical, material exposure ☐ 6. Falls, trips, slips ☐ 7. Fire & explosion ☐
8. Electrocution ☐ 9. Homicide ☐ 10. Medical Issue ☐ 11. Suicide ☐ 12. Others ☐
***Vehicle Traffic:* 13. Project Vehicle Work Travel ☐ 14. Non-project Vehicle Work Travel ☐**
15. Project Vehicle Commuting ☐ 16. Non-project Vehicle Commuting ☐ 17.Vehicle Traffic Accident (Members of Public Only) ☐

Name	Age/DOB	Date of Death/Injury	Gender	Nationality	Cause of Fatality/Injury	Worker (Employer)/Public

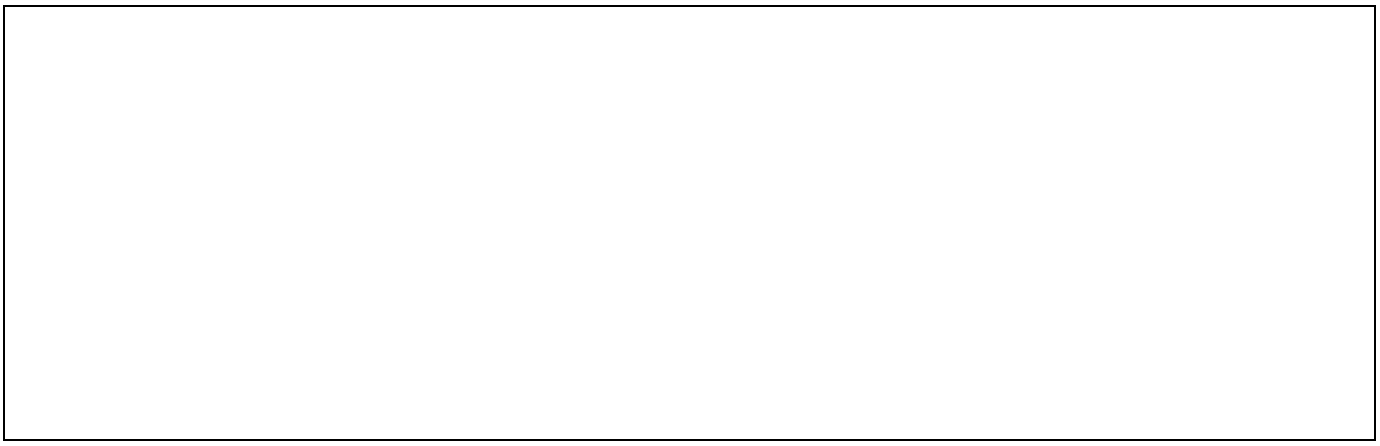
[2] See Annex 2 for definitions

C3b: Financial Support/Compensation Types (To be fully described in Corrective Action Plan template)

1. Contractor Direct ☐ 2. Contractor Insurance ☐ 3. Workman's Compensation/National Insurance ☐
4. Court Determined Judicial Process ☐ 5. Other ☐ 6. No Compensation Required ☐

Name	Compensation Type	Amount (US$)	Responsible Party

C4: Supplementary Narrative



Annex 2: Definition of fatality/injury immediate causes

1. **Caught in or between objects:** caught in an object; caught between a stationary object and moving object; caught between moving objects (except flying or falling objects).
2. **Struck by falling objects:** slides and cave-ins (earth, rocks, stones, snow, etc.); collapse (buildings, walls, scaffolds, ladders, etc.); struck by falling objects during handling; struck by falling objects.
3. **Stepping on, striking against, or struck by objects:** stepping on objects; striking against stationary objects (except impacts due to a previous fall); Striking against moving objects; Struck by moving objects (including flying fragments and particles) excluding falling objects.
4. **Drowning:** respiratory impartment from submersion/emersion in liquid.
5. **Chemical, biochemical, material exposure:** exposure to or contact with harmful substances or radiations.
6. **Falls, trips, slips:** falls of persons from heights (e.g., trees, buildings, scaffolds, ladders, etc.) and into depths (e.g., wells, ditches, excavations, holes, etc.) or falls of persons on the same level.
7. **Fire & explosion:** exposure to or contact with fires or explosions.
8. **Electrocution:** exposure to or contact with electric current.
9. **Homicide:** a killing of one human being by another.
10. **Medical Issue:** a bodily disorder or chronic disease.
11. **Suicide:** the act or an instance of taking, or attempting to take, one's own life voluntarily and intentionally.
12. **Others:** any other cause that resulted in a fatality or injury to workers or members of the public.

Vehicle Traffic

13. **Project Vehicle Work Travel:** traffic accidents in which project workers, using project vehicles, are involved during working hours and which occur in the course of paid work.
14. **Non-project Vehicle Work Travel:** traffic accidents in which project workers, using non-project vehicles, are involved during working hours and which occur in the course of paid work.
15. **Project Vehicle Commuting:** traffic accidents in which project workers, using project vehicles, are involved while travelling to (i) the worker's principal or secondary residence; (ii) the place where the worker usually takes his or her meals; or (iii) the place where he or she usually receives his or her remuneration.
16. **Non-project Vehicle Commuting:** traffic accidents in which project workers, using non-project vehicles, are involved while travelling to (i) the worker's principal or secondary residence; (ii) the place where the worker usually takes his or her meals; or (iii) the place where he or she usually receives his or her remuneration.
17. **Vehicle Traffic Accident (Members of Public Only):** traffic accidents in which non-project workers/members of the public are involved in an accident while travelling for any purpose.

Part B: To be completed within 24 hours - SEA/SH

B1: Incident Details		
Date of incident intake by the project/GM:	**Date Reported to PIU:**	**Date Reported to WBG:**
Reported to project/GM by: ☐ Survivor ☐ Third party ☐ Other: _____ **Is a record of this incident in GM?** Yes ☐ No ☐	**Reported to PIU by**: ☐ GM operator ☐ Directly, by Survivor ☐ Directly, by third party ☐ Other: _____	**Reported to WBG by**: ☐ PIU ☐ Directly, by Survivor ☐ Directly, by third party ☐ Other: _____

B2: **Incident type (please check all that apply)** See Appendix 1 for definitions
Sexual exploitation ☐ **Sexual abuse** ☐ **Sexual harassment** ☐

B3: Provide the following details from the GM record	
Age of survivor (if recorded in GM):	Have the national legislation or mandatory reporting requirements been followed? Yes ☐ No ☐
Sex of survivor (if recorded in GM): Male ☐ Female ☐ Other ☐	Was the survivor referred to service provision?[9] Yes ☐ No ☐
Is the survivor employed by the project (as indicated by the survivor or complainant and reported in the GM)? Yes ☐ No ☐	Is the alleged perpetrator employed by the project (as indicated by the survivor or complainant and reported in the GM)? Yes ☐ No ☐

B4: Basis for further action	
a. Has the complainant provided informed consent to lodge a formal complaint? Yes ☐ No ☐	c. Has the survivor provided informed consent to be part of an investigation into misconduct? Yes ☐ No ☐
b. Does the employer have a suitable administrative process and capacity in place to investigate misconduct relating to SEA/SH in a survivor-centered way? Yes ☐ No ☐	d. Has the complaint been filed anonymously or through a third party? Yes ☐ No ☐
If the answer to any of these questions is no, has the GM assessed the risks and benefits of carrying out an investigation into the alleged misconduct, taking into account the survivor's safety and wellbeing? Yes ☐ No ☐	
Will an investigation into misconduct be undertaken in addition to an investigation into adequacy of project systems, processes or procedures? Yes ☐ No ☐	

Appendix 1: Incident Types

Incident Type	Example

[9] When a complaint is filed by a third party, or the survivor has not reached out to the project, the project may not be able to confirm this information. In these cases, it may not be advisable for the project GM to attempt to reach the survivor, as this may jeopardize confidentiality, safety, and agency. Projects may attempt to find safe ways to pass information indirectly (such as through broad efforts to inform) about services available.

Sexual Exploitation: 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. In Bank financed operations/projects, sexual exploitation occurs when access to or benefit from a Bank financed Goods, Works, Non-consulting Services or Consulting Services is used to extract sexual gain.	• A community member is promised employment on the World Bank financed project site in exchange for sex • A member of the project team connecting water lines to homes requests a sexual favor for access to water connection • A project worker denies passage of a woman through the worksite unless she performs a sexual favor
Sexual Abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. In Bank financed operations/projects, sexual abuse occurs when a project related worker (contractor staff, subcontractor staff, supervising engineer) uses force or unequal power vis a vis a community member or colleague to perpetrate or threat to perpetrate an unwanted sexual act.	• A project worker abuses a community member • A project worker has a sexual relationship with a child • A project worker befriends a child, supporting her and/or her family in exchange of sexual favors • A project worker stays in the cafeteria after dinner and sexually assaults a kitchen staff member • A project worker touches an administrative staff member's body. • A supervisor for a subcontractor asks his female colleague to join him for a business dinner with the main contractor. After dinner he asks her to entertain "the boss" in his room as an appreciation for the contract and her work.
Sexual Harassment: Any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment. In Bank financed operations/projects, sexual harassment occurs within the context of a subcontractor or contractor and relates to employees of the company experiencing unwelcome sexual advances or requests for sexual favor or acts of a sexual nature that are offensive and humiliating among the same company's employees.	• A worker sends sexually explicit text messages to a coworker • A colleague leaves an offensive picture that is sexually explicit on a co-worker's desk • A project worker asks all female employees to great him with a kiss on the cheek every day before work. • A project worker compliments his co-worker's body. • A project worker continuously invites a co-worker out for drinks or dinner after being told that they are not interested.

Part C: To be completed following investigation – SEA/SH

C1: Findings of the investigation	
Have sanctions against a perpetrator been recommended as part of an investigation into misconduct? Yes ☐ No ☐	Has an investigation into adequacy of project systems, processes or procedures been undertaken? Yes ☐ No ☐

C2: Corrective actions to be implemented (To be fully described in Corrective Action Plan)		
Short Description of Action (SEA/SH examples)	**Responsible Party**	**Timeline for completion/Status**
Referral of Survivor to holistic care services		
Undertake disciplinary investigation in accordance with GM timelines and confirmed process		
Disciplinary actions, including sanctions, to be applied following misconduct investigation by Employer		
Increased training on Codes of Conduct (CoC)		
Audit of implementation of SEA/SH safety mitigation		
Strengthened awareness training on project-related risks, CoC and how to report incidents for project-affected community		
Training for project supervisors on the need to follow guidelines of behaviour in CoC and their supervisory responsibilities		
Plan to improve coverage/quality of service provision		
Any other system strengthening measures or corrections for system failures that are necessary		

C3: For incidents involving a Contractor:
Has the incident been referred to the DAAB? Yes ☐ No ☐

Part B: To be completed within 24 hours - SOGI

B1: Incident Details		
Date of incident intake by the project/GM:	**Date Reported to PIU:**	**Date Reported to WBG:**
Reported to project/GM by: ☐ Victim[1] ☐ Third party ☐ Other: _____	**Reported to PIU by**: ☐ GM operator ☐ Directly, by victim[1] ☐ Directly, by third party ☐ Other: _____	**Reported to WBG by**: ☐ PIU ☐ Directly, by victim[1] ☐ Directly, by third party ☐ Other: _____

1. If reporting is by victim care must be taken to adhere to any requests for anonymity.

B2: **Incident type requiring confidentiality (please check all that apply)**
Violence on basis of SOGI ☐ Discrimination on basis of SOGI ☐ See Appendix 1 for definitions

B3: Basis for further reporting	
a. Has the victim provided informed consent for this incident to be reported? Yes ☐ No ☐	b. Does national legislation or mandatory reporting apply to this case? Yes ☐ No ☐ c. If yes, has it been reported? Yes ☐ No ☐
If the answer to both a. & b. questions is NO, further reporting of this allegation is not required. However, further measures to strengthen SOGI prevention and mitigation on the project should be provided below.	

Further measures to strengthen SOGI prevention and mitigation		
Short Description of Action (*Examples: Please replace text in italics below with brief description of actions to be taken*)	**Responsible Party**	**Expected Date**
Increased training on Codes of Conduct (CoC) and non-discrimination on the basis of SOGI		
Safety audit of project site focussing on SOGI		
Verification all employees sign and understand CoC		
Strengthened awareness on project-related risks, CoC and how to report incidents for project-affected community		
Active outreach to local civil society organisations working with social and gender minorities to ensure continuous risk monitoring and adaptation		
Training for project supervisors on the need to follow guidelines of behaviour in CoC and their supervisory responsibilities		
Plan to improve coverage/quality of service provision		
Additional training for GM focal points		
Other (please detail)		

B4: If consent has been provided or national legislation mandates reporting of the incident as indicated in B3, provide the following details from the available GM record	
Age of victim (if recorded in GM):	
Sex of victim (as recorded in GM):	Male ☐ Female ☐ Other ☐
Has the victim self-identified as sexual or gender minority or are there indications that the case is related to SOGI (i.e., use of homo- or transphobic language)?	Yes ☐ No ☐
Was the victim referred to service provision?	Yes ☐ No ☐
Is the alleged perpetrator employed by the project (as indicated by the victim and reported in the GM)?	Yes ☐ No ☐

B5: Basis for investigation	
Has the victim provided informed consent for this incident to be investigated?	Yes ☐ No ☐
If the answer to this question is yes, complete part C below using the results of the investigation	

Appendix 1: Incident Types

Violence on the basis of SOGI:

The threat or use of physical force that injures or abuses a person, or damages or destroys property, and that is motivated in whole or in part by the victim's real or perceived sexual orientation, gender identity, gender expression, or sex characteristics.

Discrimination on the basis of SOGI:

Discrimination means creating a distinction, exclusion, or restriction which has the purpose or effect of impairing or excluding a person based on their real or perceived sexual orientation, gender identity, gender expression, or sex characteristics from being on an equal basis with others.

Part C: To be completed following investigation where further reporting is permitted (see Incident Form SOGI Part B)

C1: Corrective actions from the investigation to be implemented (to be fully described in Corrective Action Plan)		
Short Description of Action (*Examples: please replace text in italics below with brief description of actions to be taken*)	**Responsible Party**	**Expected Date**
Referral of victim to holistic care services		
Disciplinary actions, including sanctions, to be applied following misconduct investigation		
Measures to prevent similar instances from happening in the future		
Measures to address gaps in procedural manuals or implementation of procedures that contributed		
Measures to change/modify program practices to prevent recurrence		
Where additional training might be needed		

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 4 - NRPB Code of Conduct

NRPB
NATIONAL RECOVERY PROGRAM BUREAU

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.

info@nrpbsxm.org www.nrpbsxm.org +1 (721) 542-8887 #57 Walter J.A. Nisbeth Road, Philipsburg, St. Maarten

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.)*

oct 2 2019

Claret Connor
Director
National Recovery Program Bureau

Annex 5 - 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