

BURKINA FASO

Unity Progress Justice



**Program for Resilience and Local Governance for Basic Services
(PRE-GOLS)**

(P177875)

ENVIRONMENTAL AND SOCIAL SYSTEM ASSESSMENT REPORT

Report prepared with the support of the World Bank

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LIST OF ABBREVIATIONS AND ACRONYMS

| | |
|-------------|--|
| ANEVE | National Agency for Environmental Assessments |
| AID | International Development Association |
| WB | World Bank |
| CADL | Local Development Support Center |
| UNFCCC | United Nations Framework Convention on Climate Change |
| EAS | Sexual exploitation and abuse |
| ESIA | Environmental and Social Impact Assessment |
| ENA | National School of Administration |
| ERP | Establishment Receiving Public |
| ESSA | Environmental and Social Systems Assessment |
| ESSA | Environmental and Social Systems Assessment |
| FIDS | Simplified Diagnostic Sheet |
| PFM | Public Finance Management |
| GHG | Greenhouse Gases |
| GoBF | Government of Burkina Faso |
| HRM | Human Resources Management |
| HS | Sexual Harassment |
| LTD | Disbursement Related Indicator |
| MENAPLN | Ministry of National Education and Promotion of National Languages |
| MEFP | Ministry of Economy, Finance and Forecasting |
| MSHP | Ministry of Health and Public Hygiene |
| MTGES | Technical Manual of Environmental and Social Management |
| ESS | Environmental and Social Standard |
| ESIA | Environmental and Social Impact Assessment |
| NGO | Non-governmental organization |
| CAP | Action Plan |
| BY | Resettlement Action Plan |
| IDPS | Internally Displaced Persons |
| PEFSP | Public Finance Efficiency Program for Service Delivery |
| PforR | Program for Results (in French: PPR) |
| ESMP | Environmental and Social Management Plan |
| OGP | Open Government Partnership |
| SME | Small and Medium Enterprise |
| PNDES | National Economic and Social Development Plan |
| PPP | Public-Private Partnership |
| RPP | Results-Based Program Loan (<i>RBPL</i>) |
| PRE GOLS | Program for Resilience, Local Governance for Basic Services |
| GBV | Gender-based violence |
| STD | Decentralized Technical Services |
| SUPERMUNIOR | Municipal Performance Tracking |

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EXECUTIVE SUMMARY

The Environmental and Social Systems Assessment (ESSA) was conducted by the World Bank (WB) in preparation for the financing of the Program for Resilience and Local Governance for Basic Services in Burkina Faso (P177875). The US\$232.8 million program contributes to the objectives of the government's 2023-2028 transition program, which is based on the second National Economic and Social Development Plan (PNDES II, 2021-2025), the Decentralization Action Plan, the National Public Administration Modernization Strategy, the Conflict and Violence Prevention and Management Strategy, and the Model Municipalities Initiative (MMI).

A. PROGRAM OVERVIEW

The Program Development Objective (PDO) is to improve the delivery of basic services and the institutional performance of the target local public entities in the areas of education, health, justice and human resources management at the local level.

Unlike conventional investment programs or projects (IPFs), the PforR supports a government program, emphasizing the following objectives: (i) financing specific borrower expenditures; (ii) linking the disbursement of funds directly to the achievement of results; (iii) strengthening systems to ensure that funds are used appropriately; and (iv) building institutional capacity to achieve the expected results

The PforR includes two (2) outcome areas:

- Outcome Area 1: Improved Basic Service Delivery Targeting local public entities;
- Result Area 2: Improved institutional performance of target local governments.

The Ministry of Administration, Decentralization and Security (MATDS) will supervise the PforR and manage the Program Management Unit (PMU).

B. OBJECTIVES AND APPROACH OF THE ENVIRONMENTAL AND SOCIAL SYSTEMS ASSESSMENT (ESES)

The ESES examines the country environmental and social management systems associated with the Program to assess their compliance with the provisions of the WB's RPP policy. Thus, the World Bank (WB) team undertook the ESSA to assess the environmental and social (E&S) benefits of the program and the likelihood that it will achieve its E&S objectives. The major steps in this process are:

- Program Description (see Section I);
- Evaluation of the environmental and social effects of the Program (see section II);
- Evaluation of environmental and social management systems (see section III).

The assessment of the compliance of the E&S systems applicable to the Program's activities was then made on the basis of the six (6) fundamental principles of the PforR policy, namely: (i) E&S Assessment and Management, (ii) Natural Habitats and Physical Cultural Resources, (iii) Public and Worker Safety, (iv) Land Acquisition, (v) Indigenous Peoples and Vulnerable Groups, and (vi) Social Conflict.) As a result of this assessment, recommendations and an action plan were formulated to help the country achieve the program's objectives (see section IV).

C. POTENTIAL ENVIRONMENTAL AND SOCIAL (E&S) BENEFITS OF THE PROGRAM, NEGATIVE IMPACTS AND RISKS

- *Negative E&S impacts&risks during the preparation, construction and operation phases*

PforR activities focus on improving local public services (Justice/Civil Status, Health, Education) and improving the institutional performance of decentralized actors.

The rehabilitation of administrative infrastructure in the provinces (High Commissariats) and regions (Governorates), school infrastructure and health centers (Result Area 2) are likely to generate negative environmental effects.

During the preparation phase, the main risk is the omission or insufficient consideration of E&S aspects in the RFPs.

During the construction phase, the main negative E&S risks and impacts are related to the rehabilitation of buildings in the Governorates and High Commissions (Outcome Area 2): noise, dust, loss of vegetation, soil erosion and degradation, waste, restricted access, increase in the prevalence of HIV/AIDS and COVID19 with the presence of workers, damage to the health of workers and neighboring populations, etc.

In the operational phase, the main social risks to be considered are: (i) the failure of the General Directorate for the Modernization of the Civil State (DGMEC) to respect the confidentiality of data associated with the birth certificate diary, (ii) social exclusion resulting from the inefficiency of the birth registration process. The PforR will support the Directorate General of Vital Statistic to ensure enforcement of these provisions and prevent social exclusion by improving the birth registration processes. The PforR will support the Directorate General of Vital Statistic to ensure enforcement of these provisions and mitigate the risk of social exclusion.

The WB team has determined that the potential negative E&S risks and impacts are moderate and can be adequately controlled/managed by the country's existing laws and regulations. In general, the **moderate** level of negative environmental and social impacts of the Program is due to the following aspects:

- the nature of the PforR excludes investments with major environmental and social risks (i.e., projects rated as high risk by the WB).
- the fact that the PforR does not provide for any investment in new physical infrastructure. Only the rehabilitation of administrative infrastructure in the provinces (High Commissions) and regions (Governorates) is planned, security conditions permitting.
- the existence of specialized institutions (ANEVE), with the capacity to manage most of the environmental and social aspects of the Program.

▪ **Positive E&S impacts in the operation phase:**

The positive impacts of the RPP are related to the fact that the planned activities:

- will contribute to fighting poverty and improving access to and the quality of the delivery of basic social services (civil status, justice, health, education, etc.);
- will also contribute to improving the living conditions of the population, with particular attention to vulnerable groups, including internally displaced persons (IDPs) due to insecurity;
- Significant improvement of the presence of children in classrooms thanks to the provision of meals in school canteens and the availability of school supplies;
- reduction of community conflicts by bringing justice closer to the people;
- contribute to the improvement of the quality of human resources within local authorities through the diligent processing of career acts, the redeployment of staff in the regions.

▪ **Main E&S management measures**

The main E&S management measures recommended **during the preparation phase** consist mainly of :

- Screening of all sub-projects in the program, according to agreed parameters;
- Establish an E&S impact assessment form for activities before they are carried out;
- apply the principle of exclusion, particularly activities with high and substantial E&S risks and impacts in this PforR;
- insert in the tender specifications a section explicitly concerning compliance with environmental and social clauses (particularly hygiene, health and safety in the workplace).

This process is required upstream of the preparation of any activity and maintained throughout the implementation.

During the construction phase, public consultations on the potential risks/impacts of the subprojects will be held in an accessible location and in a form and language that can be understood by the affected or beneficiary local populations.

The PMU with the support of ANEVE and designated representatives (Focal Points) of the ministerial departments involved (Territorial Administration, National Education, Justice, Health, Civil Service) will ensure the application and strict monitoring of the implementation of mitigation measures prescribed in the Environmental and Social Management Plans (ESMP) that may be required.

- a. If the E&S risks are significant and the adverse impacts are irreversible and unprecedented (Category A), the subproject is not eligible based on the exclusionary principle (RPP policy).
- b. If the E&S impacts are moderate/medium, an E&S Impact Assessment (ESIA) including an Environmental and Social Management Plan (ESMP) will be prepared (see appendix for details), in accordance with the PforR policies, particularly with regard to public consultations with stakeholders, citizen engagement and the way complaints are handled. This will be done following an E&S screening whose report/fiche/categorization is validated by ANEVE.
- c. If there are few or no environmental/social impacts, Burkina Faso's regulations consider the subproject not to be subject to an E&S assessment procedure.
- d. If a subproject involves involuntary resettlement, a Resettlement Action Plan (RAP) must be prepared, in accordance with PforR policies. However, in relation to the main risks and adverse social impacts of the proposed RRP, it should be noted that the RRP investments will not require any form of land displacement or acquisition or significant access restrictions to economic resources.

D. THE ENVIRONMENTAL AND SOCIAL FRAMEWORK

Policies

The Burkinabe policy framework revolves around the National Economic and Social Development Plan (PNDES-II) adopted in July 2021 for the period 2021-2025, the National Sustainable Development Policy (PNDD, 2013), the National Public Health Policy (PNHP, 2003), the National Environment Policy (PNE, 2007) and the National Security Policy (PNS, 2021). These instruments will constitute reference frameworks for the consideration of environmental issues in the Program's activities.

Institutional framework

The institutional framework is organized around the Ministry of the Environment, Water and Sanitation (MEEA), which is the linchpin of the implementation and monitoring of the government's policy on the environment, water, and sanitation.

This Ministry relies on its specialized directorates and agencies, one of the most important of which is the National Agency for Environmental Assessments (ANEVE) and the Regional Environmental Directorates (DRE). ANEVE is the national institution responsible for coordinating environmental and social studies and monitoring ESMPs.

Legislative and regulatory framework

The legislative framework is organized around Law N°006-2013/AN of April 2, 2013 on the Environmental Code with its implementing decrees, in particular Decree N°2015-1187/PRES-TRANS/PM/MERH/MATD/MME/MS/ MARHASA /MRA/MICA/MHU/MIDT/MCT of October 22, 2015, on the conditions and procedures for carrying out and validating the Strategic Environmental Assessment (SEA) of the Environmental and Social Impact Study and Notice specifies the stages of the procedure for conducting the Strategic Environmental Assessment (SEA), the Environmental and Social Impact Assessment (ESIA) and the Environmental and Social Impact Notice (ESIN) in Burkina Faso. There is also Law No. 022-2005/AN of May 24, 2005, on the Public Health Code and Law No. 23/94/ADP of May 19, 1994 on the Public Health Code. Law n°001-2021 of March 30, 2021, on the protection of individuals with regard to the processing of personal data should be taken into account.

E. SCREENING OF SUB-PROJECTS OF THE E&S MANAGEMENT PROCEDURES

All sub-projects submitted under the PforR will be analyzed according to Burkina Faso's national procedures and environmental and social assessment steps, if necessary. These will be complemented by procedures in line with WB policies. To this end, the National Environmental Assessment Agency (ANEVE) will be responsible for verifying any application relating to a sub-project: this will enable a preliminary screening and classification of the sub-project according to existing categories A, B or C) in accordance with Decree 1187. The terms of reference of any study deemed necessary will be prepared by the PMU and approved by ANEVE.

The completed study will be validated in accordance with current national regulations. All E&S safeguard instruments prepared for moderate risk sub-projects are subject to public disclosure.

Any project classified in Category A of Executive Order 1187 and considered high risk by the World Bank is excluded from funding under the RPP.

F. RESTITUTION OF THE ELEMENTS OF THE DIAGNOSIS AND THE PRELIMINARY ACTION PLAN OF THE ESES

The preparation of the ESSA was carried out in a participatory manner, involving comments and contributions from the main stakeholders of the Program.

The draft and interim ESSA reports were shared in the form of feedback workshops with stakeholders involved in the program to gather their opinions/suggestions before preparing the final version.

- Consultation of decentralization actors, August 17, 2022, in Ouagadougou;
- Consultation with devolution stakeholders on August 23, 2022;
- Consultation of the Stakeholders involved in the E&S Safeguarding component of the Program on September 22, 2022;
- Consultation of the members of the management committees (COGES) of the school canteens and health structures, of the presidents of the special delegations of the communes of intervention of the Program, on December 8, 2022.

At the end of these consultations, several opinions and concerns from stakeholders were noted:

- The structures involved must, in advance, appropriate the national texts on environmental and social management, in particular Decree 11-87 on the conditions and procedures for carrying out and validating the strategic environmental assessment, the study and the environmental and social impact notice;
- Provide for the payment of study costs (ESIA), validation of reports, payment of certain fees, and monitoring of ESMPs;
- Capitalize on the experiences of PACT and PMAP;
- Take into account security aspects in the planning and execution of the Program's activities;

- Pay particular attention to the monitoring and communication aspects of the program's implementation;
- Define precisely the roles and responsibilities of the different actors involved in the implementation of the program;
- to consider the citizen watch in the GRM, etc.

G. ENVIRONMENTAL AND SOCIAL ACTION PLAN OF THE PforR

The Environmental and Social Action Plan outlines the planned actions, the measures by which the results will be evaluated, the responsible parties, the timelines and a budget. The main activities of the action plan are as follows:

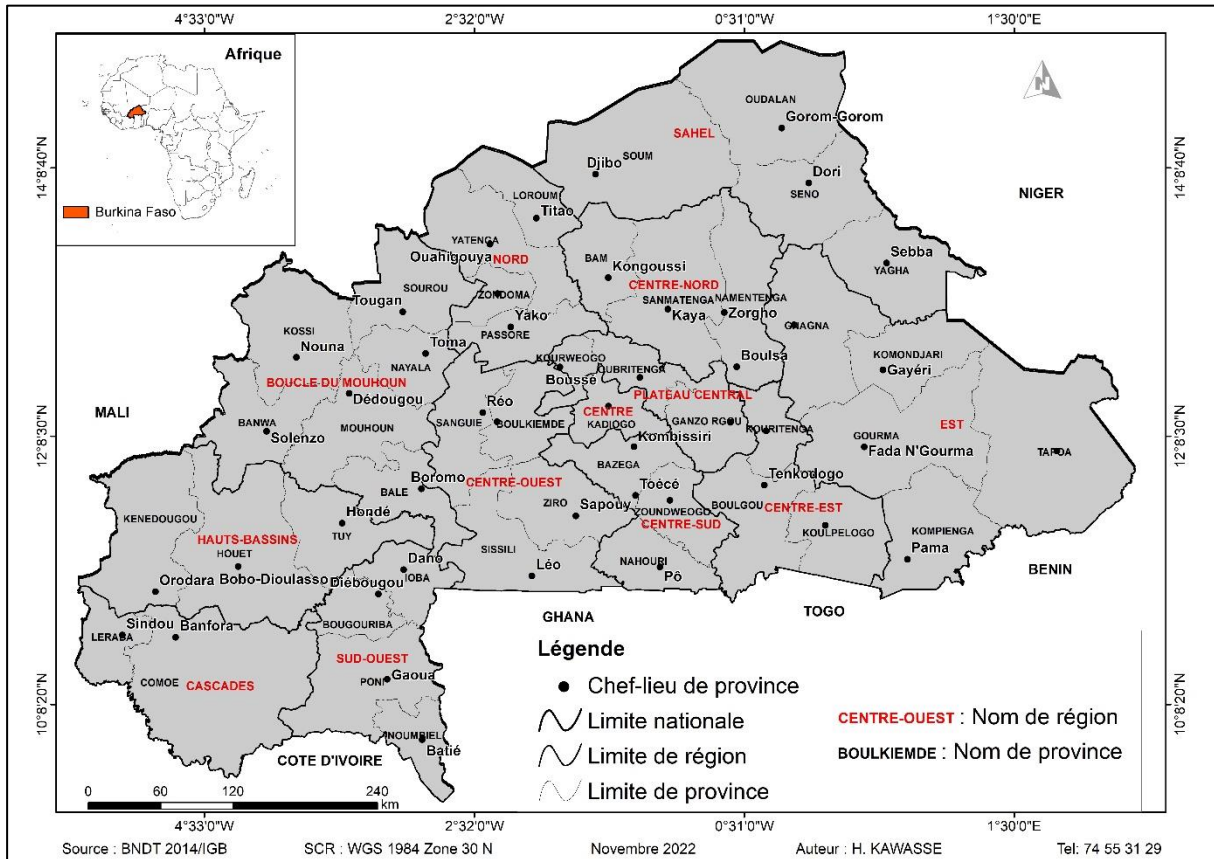
- The preparation of a Technical Manual for the Environmental and Social Management (TMSEM) of RPP investments for use by program stakeholders at the local and national levels;
- The preparation of an implementation manual that will provide information on the institutional arrangements to be put in place (attributions of the Focal Points of the ministerial departments, of the Environmental and Social Safeguards Specialists within the PMU, ANEVE, etc.); the elaboration of a complaints management mechanism for all citizens;
- The implementation of awareness and training actions for stakeholders;
- The application of monitoring & evaluation and reporting procedures.

The costs of the action plan are related to the preparation of the technical manual and its implementation program, the establishment of the complaints management mechanism, the preparation of a memorandum of understanding with ANEVE, institutional and individual capacity building of stakeholders, and the monitoring and reporting of PforR activities. The budget for implementation of the action plan is estimated at **US\$640,000**.

INTRODUCTION

A. National Program Context

Burkina Faso is a West African country bordering Mali to the northwest, Côte d'Ivoire to the southwest, Ghana to the south, Togo and Benin to the southeast, and Niger to the northeast. It has no outlet to the sea. The country is divided into 45 provinces grouped into 13 regions. Each of these provinces is divided into several departments, for a total of 351 departments and 8,435 villages. The map below gives an overview of the 13 administrative regions of the country.



Burkina Faso has a tropical climate of the Sudano-Sahelian type with significant rainfall variations. In the north of the country, where the Sahel is located, there is little rain and temperatures vary between 15 and 45°. In the south, rainfall is more frequent and temperatures are slightly cooler. The dry season extends from October to April with heat peaks in March/April with temperatures approaching 40°C. During the rainy season, which lasts from May to September, temperatures approach 30°C and are accompanied by rain that falls in the form of thunderstorms.

According to the 2019 RGPH data, the 2019 resident population of Burkina Faso is 20,487,979. This population is composed of 51.7% women and 48.3% men. It is predominantly young and the under 15s represent 45.3% while 64.2% of the population is under 24 and 77.9% is under 35.

Burkina Faso is a low-income Sahelian country with limited natural resources. Its economy is based on agriculture, although gold exports are growing. More than 40 percent of its population lives below the poverty line. The 2021-2022 HDI report of the United Nations Development Program (UNDP), reveals that Burkina Faso was ranked 184th out of 191 countries.

B. Organization of basic public services

The decentralization process undertaken in recent years in Burkina Faso has produced tangible results that relate to the strengthening of the development planning process and the improvement of the regulatory and institutional framework. Regarding the strengthening of the planning process,

achievements include (i) the development of the National Decentralization Policy (2017-2026), and (ii) the updating of regional and communal development plans to consider the provision of quality and accessible local public services. At the regulatory level, the main texts adopted concern the transfer of powers and resources to local authorities, and the redefinition of the role of decentralized financial services, taking into account the principle of free administration of local authorities (abolition of a priori control in favor of a posteriori control). At the institutional level, the main achievements include: (a) the creation of municipalities across the country to bring citizens closer to the state, (b) the creation of the Local Government Development Agency (Agence de Développement des Collectivités Territoriales-ADCT) to improve local development, and (c) the operationalization of the Local Development Mining Fund to increase the investment capacity of local governments.

C. Problems with basic social services

Despite the many achievements made by the Government of Burkina Faso with the support of its partners, efficiency in the delivery of basic public services at the local level is hampered by highly centralized decision making and ineffective intergovernmental cooperation at the local level. As a result, weak service delivery has further deteriorated and is eroding social cohesion. As of September 30, 2022, more than 4,258 schools were closed, and 708,341 students were not in class. 186 health facilities were also closed and 378 were operating at minimum capacity, depriving approximately 2 million people of access to basic health care. The Sahel, East, and North Central regions were the most affected.

The quality of and access to key basic local public services (such as civil registration and education) remain a challenge in a deteriorating security context (Table 1). This is a result of shortcomings in service delivery processes at the local level and the impact of the massive influx of IDPs (10% of the total population, 62% of whom are concentrated in thirteen regional capitals). In addition to these causes, there are persistent structural challenges in the management of human and financial resources at the local level, including challenges related to transparency and accountability.

Table 1 Performance of essential basic public services¹ provided at the local level in Burkina Faso

| Civil Registration | Education |
|---|--|
| <ul style="list-style-type: none"> • Birth certificates: In 2020, only 54% of births were registered within the legal two-month period and about 42% of rural women did not have a birth certificate, compared to 10.7% of urban women². • Death certificates: Only 34% of deaths were registered. | <ul style="list-style-type: none"> • Minimum binder (school supplies): only 35% of schools received minimum binders before the start of school on October 1 • School canteens: 93 percent of school canteens received food for 3 months or less over a 9-month school year |

Source: PAD

Limited capacity and accountability to citizens in the management of public resources also affects local service delivery. The increase in the share of resources transferred to municipalities (from 3% in 2016 to 12% in 2021) has not translated into significant improvements in service delivery due to limited capacity and insufficient accountability.

The shrinking fiscal space also affects the level and predictability of financial transfers to municipalities, and thus the provision of local services. The target of 15% fiscal transfers to municipalities by 2020 has not been met, despite the country's efforts, due to the increase in the wage bill and security expenditures.

¹Municipal Performance Survey, Municipal Performance Monitoring (SUPERMUN), 2020 data

²ID4D Country Diagnostic: Burkina Faso, May 2017.

Burkina Faso is highly vulnerable to climate change (natural hazards, including droughts, floods, epidemics, heat waves, and windstorms), which underscores the need to strengthen institutions, resilience, and service delivery, especially at the local level.

As a result of the above obstacles, access to and quality of basic public services (civil registration, education, health, water, and sanitation) provided by municipalities as part of the decentralization process remain uneven. Indeed, in 2020, only 54 percent of births were registered within the legal timeframe of two months; only 35 percent of schools received stationery and other essential supplies before the start of the school year on October 1; 93 percent of school canteens received food for 3 months or less out of a 9-month school year; Skilled attendance at delivery and immunization of newborns were down; 19 percent of health centers did not receive an adequate supply of gas to maintain the cold chain; and 27 percent of the population did not have access to safe drinking water. In addition, ongoing data collected by the Office of the United Nations High Commissioner for Refugees (UNHCR) indicates a significant number of displaced persons without birth certificates.

D. Improving the quality of basic public services

Deconcentration and decentralization reforms continue to be a key priority of the GoBF's national development agenda to address the above challenges. The PNDES (2021-2025) and the five-year action plan (2022-2026) include strategic objectives on strengthening deconcentration of services, decentralization, and local governance. In his February 2021 keynote address to Parliament, the Prime Minister called for promoting dynamic complementarity between the processes of decentralization and devolution of public administration. GoBF also joined the Open Government Partnership (OGP) in 2016 with the aim of increasing its accountability to citizens.

Therefore, in response to humanitarian, development, and peacebuilding challenges, and with a view to addressing the drivers of conflict to foster resilience, the Government of Burkina Faso (GoBF) adopted a transition action plan in June 2022. This plan builds on (i) the new National Economic and Social Development Plan 2021 - 2025, (ii) the Action Plan on Decentralization, (iii) the National Strategy for the Modernization of Public Administration, (iv) the Strategy for the Prevention and Management of Conflict and Violence, and (v) the Model Communities Initiative (MCI) 6. Subsequently, the GoBF adopted a Government Program 2023-2028 to implement the Local Service Delivery Transition Action Plan program. The \$232.8 million program takes a citizen-centered approach to public service delivery, emphasizing performance and accountability for results of local government entities (LGEs). Its central objective is to improve local service delivery by: (i) improving process efficiency at the LG level, (ii) leveraging the SD to strengthen LG institutional capacity, and (iii) introducing performance-based grant. (PBG).

This Environmental and Social Systems Assessment (ESSA) was undertaken by the World Bank (WB) as part of the preparation of the Local Governance Program for Basic Services and Resilience in Burkina Faso (P177875), which will be implemented by the Ministry of Economy, Finance and Prospective (MEFP).

E. Methodology and objectives of the ESSA

Unlike conventional investment programs or projects, the RPP supports a government program, emphasizing the following objectives: (i) to finance specific program expenditures of the borrower; (ii) to link the disbursement of funds directly to the achievement of specific results; (iii) to use and, in this case, strengthen systems to ensure that funds are used appropriately, taking into account the environmental and social impact of the program; and (iv) to build institutional capacity to achieve the expected results

The WB team is responsible for preparing the ESSA, while the client (Burkinabè counterpart) will be responsible for assessing the impacts associated with the activities (investment projects) to be financed under the program.

The preparation of an PforR requires an assessment of the environmental and social system applicable to the program to ensure that the systems in place are adequate to identify and mitigate potential risks. In particular, the environmental and social systems assessment must serve to: (i) promote the environmental and social sustainability of the program; (ii) avoid, reduce, or mitigate any adverse environmental and social impacts; and (iii) support informed and participatory decision making.

The WB policy for PforR financing describes the basic environmental and social management principles that must be followed in the ESSA. The consistency of these principles takes into account: (i) the systems defined by laws, regulations, procedures, etc. (the system as defined); and (ii) the capacity of the program's institutions to effectively implement the systems (the system as applied in practice). The ESSA identifies and analyzes gaps between the country systems and the basic principles applying to the Program on both levels mentioned above. It should be emphasized that, by virtue of the nature of programmatic interventions, the ESSA focuses on the system as such, providing only indications of the type, nature and characteristics of the activities that will be implemented under the Program.

The ESSA is undertaken to ensure consistency with the six core principles outlined in paragraph 8 of the World Bank's Policy on Financing for Results to effectively manage program impacts and risks and promote sustainable development. The six core principles are described in the table below:

Table 2 Environmental and Social Core Principles

| World Bank PforR financing policies | Main guidelines |
|--|--|
| <i>Principle 1: General principle of E&S assessment and management</i> | |
| E&S management procedures and processes are designed to (a) promote E&S sustainability in program design (b) avoid, minimize, or mitigate adverse impacts, and (c) promote decision-making on the E&S effects of the program | <ul style="list-style-type: none"> ✓ Operate within an appropriate legal and regulatory framework to guide the program-wide E&S assessment. The exclusion principle will be followed to indicate activities with major E&S risks that will not be included in the program. ✓ Incorporate elements of E&S best practices, including (a) a preliminary review of potential impacts; (b) considering policy and technical implications, as well as potential cumulative and transboundary impacts; (c) identifying measures to mitigate undesirable E&S impacts that cannot be avoided or minimized; (d) articulating institutional responsibilities and resources to support implementation; and (e) ensuring responsiveness and accountability through stakeholder consultations and periodic program reporting. ✓ Establish a dispute management mechanism that focuses on (a) dispute resolution; (b) systematic recording of claims through appropriate channels; and (c) periodic reports on the status of claims management - specifying the nature of resolved claims and the status of unresolved claims - and the reasons why they are not resolved. ✓ Develop and implement a citizen engagement strategy to better involve stakeholders, particularly local actors, in E&S risk management. |

| World Bank PforR financing policies | Main guidelines |
|---|--|
| Principle 2: Natural Habitats and Physical Cultural Resources | |
| E&S management procedures and processes are designed to avoid or reduce adverse program impacts on natural habitats and physical resources. | <ul style="list-style-type: none"> ✓ Exclude all activities with substantial to major risks and impacts related to natural habitat and cultural physical resource safeguard standards. ✓ Include measures to identify and screen potentially important biodiversity resources and cultural sites. ✓ Support/promote the conservation, maintenance and rehabilitation of natural habitats. ✓ Avoid conversion or significant degradation of critical natural sites and, if not technically feasible, include measures to mitigate program impacts. ✓ Consider potential adverse effects on physical cultural assets and take steps to avoid or mitigate them. |
| Principle 3: Public and worker safety | |
| E&S management procedures and processes are designed to ensure public and worker safety from potential hazards associated with (a) construction and/or management of facilities or other operational practices developed under the program; (b) exposure to chemical materials or hazardous wastes; (c) reconstruction or rehabilitation of infrastructure in areas near natural hazard zones | <ul style="list-style-type: none"> ✓ Exclude activities with substantial risks/impacts related to the health and safety of local communities and workers. ✓ Promote community, individual, and worker safety through proper design, safe construction and maintenance of infrastructure and operations, and inspection or remediation of work where appropriate. ✓ Promote the use of good practices in the generation, management, storage, transportation and disposal of hazardous materials from construction or Program operations. ✓ Promote (a) the adoption of integrated pest management practices to control or reduce disease vectors and (b) training of workers involved in the production, procurement, storage, transportation, use and disposal of hazardous chemicals in accordance with international guidelines and conventions. ✓ Adopt measures to avoid or reduce risks to the community, individuals, or workers when program activities take place in areas affected by floods, hurricanes, earthquakes, and other severe weather events. |
| Principle 4: Land acquisition | |
| Land acquisition and loss of access to natural resources are managed to avoid or reduce displacement and to ensure that affected people receive assistance to improve or eventually restore their livelihoods and living conditions. | <ul style="list-style-type: none"> ✓ Exclude all activities with substantial risks and impacts related to safeguard standards on land acquisition, land use restrictions, and involuntary resettlement. ✓ Avoid or minimize land acquisition and associated negative impacts. ✓ Develop/implement resettlement plans to manage negative economic E&S impacts caused by land acquisition, land use restrictions, or involuntary resettlement (taking into account affected people who may not have legal rights to the assets or resources they use/occupy). |

| World Bank PforR financing policies | Main guidelines |
|---|---|
| | <ul style="list-style-type: none"> ✓ Provide sufficient compensation to purchase replacement assets of equal value to those lost and to cover transition expenses paid prior to land acquisition. ✓ Adopt additional measures to improve or restore livelihoods if land acquisition has resulted in the loss of income-generating opportunities (e.g., loss of agricultural production or employment). ✓ Restore or replace affected public infrastructure or community services. |
| Principle 5: Social Considerations for Indigenous Peoples and Vulnerable Groups | |
| <p>Special attention will be given to cultural relevance and equal access to program benefits, with particular attention to the rights and interests of vulnerable groups previously identified in the program.</p> | <p>:</p> <ul style="list-style-type: none"> ✓ Engage in free, prior and informed consultation if vulnerable groups are potentially affected (positively or negatively) to determine if the program includes a comprehensive component to support them. ✓ Ensure that indigenous peoples can participate in defining the opportunities that will result from the exploitation of customary resources or endogenous knowledge. ✓ Caring for vulnerable, disadvantaged or distressed groups, including the poor, disabled, women and children, the elderly or marginalized ethnic groups. ✓ If necessary, take special measures to promote equal access to program benefits. |
| Principle 6: Social considerations and conflicts | |
| <p>Avoid exacerbating social conflicts, especially in fragile states, post-conflict areas, or those subject to territorial disputes.</p> | <ul style="list-style-type: none"> ✓ Pay particular attention to conflict risks, including distributive equity and cultural sensitivities. |

In sum, the ESSA prepared according to the relevant principles of the six-core environmental and social principles presented in Table 1, aims to ensure that PforR operations are designed and implemented in a manner that maximizes E&S benefits and avoids, minimizes or mitigates any hazards. Its objective was to: (a) review government E&S management procedures and institutional responsibilities for implementing PforR; (b) expose gaps between national systems and the Program's principles; (c) assess agency capacity to manage potential risks and adverse E&S issues; (d) assess compliance with PforR policies; and (e) recommend actions to improve management capacity.

The program excludes all activities with significant, irreversible, and unprecedented adverse E&S risks and impacts (considered Category A investments), which require an in-depth E&S impact assessment according to national procedures.

The preparation of the ESSA and the development of measures to strengthen environmental and social management systems benefited from diverse information and a broad and inclusive consultation process, including:

- **The scoping meeting** with the World Bank experts allowed a better understanding of the terms of reference. On this occasion, relevant orientations were given to the Consultant for an efficient conduct of the study.

- **Review of available documents and data** on national environmental and social procedures and related regulatory frameworks, analysis of the environmental and social safeguards capacities of the institutions involved in the program; and review of WB documentation on RPPs and ESSAs.³

It also provided a literature review of the current policy, legal and institutional frameworks for environmental and social management, as well as laws and regulations related to local governance sectors for basic services and land resilience.

- **Interviews and working meetings** with representatives of state and non-state institutions involved in the program and key stakeholders (during the program preparation phase) and with the World Bank's Environmental and Social Safeguards. The consultations involved all actors at all levels (Technical Services, town halls, beneficiaries, etc.). Site visits to existing or future sub-projects were conducted.

These consultations allowed the Consultant:

- Assess the capacities of the actors consulted (MTEE, MATD, MFPTPS, etc.);
- Analyze the environmental and social management system in each of the two main implementation structures of the RPP in particular and Burkina Faso in general;
- Identify the strengths, weaknesses and shortcomings of the national SES;
- To make proposals for the environmental and social management of the project (institutional, organizational, technical aspects, etc.);
- Make specific, realistic, and achievable recommendations to improve identified deficiencies.

The effective involvement of all stakeholders allowed for the identification of the environmental and social issues of the program, the assessment of technical assistance and capacity building needs to improve the environmental and social management system of the RPP, and the development of a better understanding of the procedures, standards, and approach to be adopted with the technical staff of the concerned ministerial departments

- **Feedback workshops were** held on August 17 and 23, 2022 in Ouagadougou. The purpose of these workshops was to provide another forum for all stakeholders to express their views on the program. (See the minutes of these consultations in Annex 7).
- **Reporting:** Based on the information collected in the previous steps, the Consultant has developed :
 - An initial (inception) report including the work plan;
 - A descriptive and analytical report of the evaluation results with suggestions for appropriate actions and recommendations, including an overall timeline and a proposed budget for the actions to be taken (draft);
 - An amended report having integrated the observations and comments of the feedback workshops held on August 17 and 23, 2022 in Ouagadougou.

The final version of the ESSA will be made publicly available on the WB's external website as well as on the Ministry of Health's website before the program is submitted to the WB's Board of Directors. Public comments will be solicited during a defined period. The Program Procedures Manual will specifically address all aspects of environmental and social safeguards.

³ See Appendix 6 for a list of literature reviewed.

SECTION I. PROGRAM DESCRIPTION

I.1 Scope of the program

The PforR is aligned with the government program objective of "Improving basic service delivery and institutional performance of targeted local public entities. It is then aligned with the duration of the government program (2023-2028).

The program covers local authorities and STDs, i.e. nearly 30 regional and provincial capitals (secondary cities) targeted, representing 19% of the population and 37% of the IDPs. The duration of intervention is six (06) years (2023 - 2028). The PforR is also aligned with the geographic scope of the government program, which is local authorities and deconcentrated services in 30 regional and provincial capitals or secondary cities. Finally, at a cost of US\$222.3 million (IDA financing equivalent to US\$150.0 million), the PforR is aligned with the pillars of the Government's program with the exception of Pillar 3 "Strengthening Local Government Financial Resources", which will not be directly supported by the PforR. This pillar mainly covers reforms related to local revenue mobilization reforms. It is outside the scope of the PforR for the sake of selectivity and given the volatile security situation affecting revenue mobilization reforms at the local level.

GoBF resources will primarily fund school feeding and infrastructure in the education sectors, including the rehabilitation of governorates, high commissions and prefectures. PforR will target other program budget lines (including birth registration, minimum school bags, local justice, resilience activities, PBG and other institutional development reforms). However, reforms to improve school canteen governance and health center management are supported by PforR. The program's budget lines were identified after careful review to exclude overlap with other World Bank operations or other donors.

The program focuses on two (2) outcome areas:

- (i) Result Area 1 (RA1) will focus on improving the framework for targeted services, supporting their funding and streamlining their regulatory and operational processes; targeted services consist of key local services in the broader sectors of civil registration in relation to health centers, education, and justice.
- (ii) Results Area 2 (RA2) will focus on improving the institutional performance of the actors in charge of the targeted services.

The key result areas, as well as the main activities of the program, are shown in the table below.

Table 3 Program Outcome Areas and Activities

| | Result Area 1: Provision of basic public services (education, justice, health) to target Local Public Entities | Result Area 2: Improved institutional performance of target Local Government Entities |
|--|---|---|
| Targeted local authorities (30) | <p>Education: <i>Minimum binders:</i></p> <ul style="list-style-type: none"> Improved financial management and contracting processes (framework contract, bidding documents adapted to minimum binder contracts, updated price list) Revision of the minimum binder content order to provide optimal content quality and in line with state financial resources Citizen control for the improvement of the quality of the minimum schoolbag <p><i>School canteens :</i></p> <ul style="list-style-type: none"> Improved financial management and contracting processes (framework contract, tender documents adapted to school canteens, revised selection criteria for agri-food expertise to encourage competition, updated price list) Scaling up to endogenous canteen, fields/gardens Citizen control for the improvement of the quality of the minimum schoolbag | <ul style="list-style-type: none"> Reform of the intergovernmental transfer system, including the introduction of the performance-based grant Deployment of the simplified financial management tool in the SMCs and annual education and audit Monitoring, control and advisory missions by ADCT regional agencies and STDs for the benefit of target LCs Supervision missions of the education and health SDTs throughout the chain to the schools of the target LCs Improved efficiency of financial management and procurement at the local level (deployment of the integrated financial management system [STD: N@folo, CL: CICT]) Redeployment of staff from the center to the STDs (Education, Health, Justice and Finance) Deconcentration at the regional level and in the sectors of the management of administrative acts Building a critical mass of well-trained staff for the target LCs and STDs Deconcentration to the regional level of the recruitment of new civil servants and state employees (e-competition) Integration of IDP needs into local development plans Redeployment of internally displaced teachers and health workers and identification of community teachers to ensure continuity of educational services Support for the continuity of administrative districts (governorates, high police stations, prefectures) to strengthen the positive presence of the State Support for the continuity of administrative districts (governorates, high police stations, prefectures) to support the return of the state when security improves. |
| | <p>Birth Registration:</p> <ul style="list-style-type: none"> Health center with secondary civil status centers operational for the delivery of birth certificates Health workers and agents of target LCs certified in civil status (Number of which number of women) | |
| | <p>Justice / civil status :</p> <ul style="list-style-type: none"> Suppletive / declarative judgments / Digitization of departmental court records / Adoption of a statute for departmental court members / Staff training Access to and provision of local justice services (departmental courts) and alternative dispute resolution mechanisms as a factor in conflict mitigation and community resilience <p>Resilience: Management of temporary reception sites for displaced persons (registration of displaced persons, respect for human rights, community governance, awareness of living together in peace), kits of essential household items.</p> | |

Source: PAD, September 2022

PforR activities can be grouped according to the nature of each activity (e.g., rehabilitation works, implementation of institutional and regulatory reforms) to stimulate local service delivery, capacity building, etc.

Table 4 Details of activities by nature

| Nature of the activities | Details of activities |
|--|--|
| Construction/Rehabilitation/Infrastructure | Construction/rehabilitation of classrooms and health centers Rehabilitation of governorates, high commissions and prefectures Creation of new secondary civil status centers |
| Reforms to eliminate inefficiencies in procurement procedures, canteen management, human and financial resource management and accountability at the local level, the functioning of the Management Committees (COGES) of the education and health sectors, etc. | Improved governance of health centers and primary care through COGESs Implementation of a unique identifier system Revision of the ministerial order on the minimum school bag to optimize its content Revision of procurement procedures for canteen food control and certification Deconcentration of career management decisions in line ministries to the regional level |
| Capacity building | Training of health workers and civil registrars on birth registration |
| Supply of equipment and didactic materials | Acquisition of school supplies for the school bag |
| Supply of computer equipment/record keeping | Supply of computerized units for the digitization of civil records |
| Food supplies for school canteens | Supply of quality food for school canteens |
| Capacity Building: Awareness Raising Training | Awareness of living together in peace Civil status awareness campaigns with the support of community leaders (religious, village chiefs) |
| Recruiting | Recruitment of PMU staff: Coordinator, Monitoring and Evaluation Specialist, Financial Management Specialist, Procurement Specialist, Environmental Safeguards Specialist, Social Safeguards Specialist |
| Implementation of birth registration processes | Storage and handling of personal data at the DGMEC level |

I.2. Indicators related to disbursement and measures of change

Indicators will measure progress towards the achievement of the ODP. The proposed Disbursement-Linked Indicators (DLIs) focus on improving service delivery in the areas of education, local justice, and birth registration; and the institutional performance of LGs and ROs. Table 7 presents the six DLIs and the amount allocated to each DLI. All DLIs are based on robust measurement systems that allow for reliable verification.

The main indicators are given in the table below.

Table 5 Outcome Indicators

| Areas of Results | Indicators |
|--|--|
| Result Area 1: Improved delivery of basic public services (education, justice, health) in target Local Public Entities (LPEs) | <p>Rate of birth registration within the legal timeframe by the target LCs (of which % women) (%)</p> <p>Number of suppletive and/or declarative judgments established by the target departmental and/or high courts (of which % those established for women)</p> <p>Primary schools in target LCs with minimum binders at the beginning of the school year with content that meets national quality standards (%)</p> |
| Result Area 2: Improved institutional performance of target local governments | <p>Target LCs that met the minimum performance score and received the grant within the regulatory timeframe (%)</p> <p>Target DTS (education, health, justice and civil service) that have filled key positions based on HR needs mapping (%)</p> |

I.3 Stakeholders involved in the program

I.3.1. The ministerial departments

Several ministerial departments (*see Decree No. 2022-0026/PRES-TRANS/PM/SGG-CM on the powers of the members of the Government dated March 31, 2022*) are involved as actors and beneficiaries of the Program. These are the :

- ▶ The Ministry of the Economy, Finance and Forecasting (MEFP) is responsible for the development, implementation, monitoring and evaluation of government policy in the areas of economic steering, public finance, national land management, forecasting, planning, programming, sustainable development management and land use planning. The General Directorate of the Treasury and Public Accounting (DGTCP) will be responsible for opening a special Treasury appropriation account (CAST) where the program's funds, which will be allocated in the form of grants, will be housed.
- ▶ The Minister of National Education, Literacy and the Promotion of National Languages (MENAPLN) is responsible for implementing and monitoring the government's policy on preschool education, primary and secondary education, technical and vocational education and training (TVET), non-formal education and the promotion of national languages. The main structure involved is the Direction de l'Allocation des moyens Spécifiques aux Structures Educatives (DAMSSE) which manages the budgets associated with school canteen food and the minimum school bag for primary school.
- ▶ The Ministry of Territorial Administration, Decentralization and Security (MATDS) through the following structures according to the decree n°2022-0537/PRES-TRANS/PM/MATDS on the organization of MATDS dated July 25, 2022:
 - The mission of the Directorate General for the Modernization of Civil Status (DGMEC) is to: (i) develop, implement and monitor civil status policies; (ii) implement, monitor, evaluate and periodically update the national civil status strategy in Burkina Faso; (iii) modernize civil status in Burkina Faso; and (iv) create and implement a unique citizen identifier for civil status.
 - The Directorate General of Local Authorities (DGCT): the DGCT is responsible for implementing and monitoring national decentralization policy and strategies. Among other missions, it is responsible for (i) ensuring the exercise of administrative supervision over local authorities, (ii) promoting good governance in local authorities and supporting them in their missions of development and promotion of citizen participation in local governance, (iii) developing strategies for mobilizing the resources of local authorities and providing them with the advisory and technical support necessary for planning and mobilizing human, financial and material

resources for the management of local affairs and the promotion of local development, (iv) monitoring and evaluating the performance of local authorities, etc.

- The National Agency for Support to the Development of Local Authorities (ADCT). The ADCT is a structure attached to the General Secretariat of the MATDS and its mission is to contribute to the development of local authorities through the mobilization, centralization and provision of all financial and technical support intended for them.
- ▶ The Ministry of Justice and Human Rights, in charge of relations with institutions (MJDHRI) is responsible for implementing and monitoring the government's policy on justice, human rights and civic responsibility. The structures involved are
- The General Directorate of Judicial Administration (DGAJ) is responsible for, among other things (i) ensuring the organization and operation of the judicial system, (ii) monitoring the administration of justice in civil, commercial, criminal, administrative and social matters, (iii) controlling and monitoring civil status services, (iv) handling complaints and claims from users of the public justice service and giving opinions on complaints and claims files in collaboration with any interested service or jurisdiction, etc.
 - The Permanent Secretariat of the National Observatory for the Prevention and Management of Community Conflicts (SP/ONAPREGECC) is responsible for (i) coordinating the community conflict prevention and management activities of the office's branches and (ii) contributing to the prevention and management of community conflicts in relation to the relevant ministries.
- ▶ The Ministry of Health and Public Hygiene (MSHP) is responsible for implementing and monitoring the government's health and public hygiene policy through :
- The General Directorate of Health and Public Hygiene (DGSHP) is responsible for the implementation of all essential public health functions, including strategic analysis of the national health structure, disease prevention and control, health promotion and public hygiene, as well as the protection of the health of the population, communities, families and specific groups.
 - At the commune level, as part of the operational management of the civil registry, in addition to the main civil registry centers housed within the departments of the Mairie (civil registry departments), there are also secondary centers created within health facilities and which are responsible for: (i) receiving declarations of births and deaths, (ii) transcribing devices in the double registers, (iii) issuing full copies, (iv) declaring births and deaths by smartphones, (v) issuing ICIVIL cards with unique identifiers to the civil registry.
- ▶ The Minister of the Civil Service, Labour and Social Protection (MFPTPS) is responsible for implementing and monitoring the Government's policy on the civil service, labour, industrial relations, social dialogue and social protection through the following structures
- The General Directorate of the Civil Service (DGFP) recruits for the entire public administration and does not recruit at the local level, which is a competence of the territorial civil service; but it does redeploy staff according to the needs expressed at the level of the deconcentrated services of the State.
 - The Permanent Secretariat for the Modernization of the Administration and Good Governance (SP/MABG) is involved in: (i) the management of administrative acts, (ii) the rehabilitation of buildings, (iii) training, (iv) the reinforcement of administrative deconcentration, (v) the preparation/implementation of tools for forecasting needs and the number of staff to be redeployed (digitalization).

- The Directorate General of Labor (DGT) through the labor inspectorate of each intervention zone for the management of issues related to the social protection of sub-project workers.

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complaints and claims from users of the public service of justice and giving opinions on the files of complaints and claims in collaboration with any interested service or jurisdiction, etc.

- The Permanent Secretariat of the National Observatory for the Prevention and Management of Community Conflicts (SP/ONAPREGECC) is responsible for (i) coordinating the community conflict prevention and management activities of the office's branches and (ii) contributing to the prevention and management of community conflicts in relation to the relevant ministries.
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 - At the commune level, as part of the operational management of civil status, in addition to the main civil status centers housed within the departments of the Mairie (civil status departments), there are also secondary centers created within health facilities and which are responsible for: (i) receiving declarations of births and deaths, (ii) transcribing devices in the double registers, (iii) issuing full copies, (iv) declaring births and deaths by smartphones, (v) issuing ICIVIL cards with unique identifiers to the civil registry.
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 - The General Directorate of the Civil Service (DGFP) recruits for the entire public administration and does not recruit at the local level, which is a competence of the territorial civil service; but it does redeploy staff according to the needs expressed at the level of the deconcentrated services of the State.
 - The Permanent Secretariat for the Modernization of the Administration and Good Governance (SP/MABG) is involved in: (i) the management of administrative acts, (ii) the rehabilitation of buildings, (iii) training, (iv) the reinforcement of administrative deconcentration, (v) the preparation/implementation of tools for forecasting needs and the number of staff to be redeployed (digitalization).
 - The Directorate General of Labor (DGT) through the labor inspectorate of each intervention zone for the management of issues related to the social protection of sub-project workers.

I.3.2. The other structures

Other national and local institutions involved in a more or less direct way in the implementation of the program are

- ▶ The Mediator of Faso for the management of certain complaints: Article 1 of organic law n°22/94/ADP of 17 May 1994 on the institution of a Mediator of Faso stipulates that: "...the Mediator is an intercessor between the Public Administration and the citizens" while article 2 specifies that: "...the Mediator of Faso is an independent authority. Within the limits of his attributions, he does not receive instructions from any authority". Finally, article 29 of the law provides that "Any natural or legal person who considers, in a case concerning him or her, that an organization referred to in article 11 of this law has not functioned in accordance with its public service mission, may, by means of an individual or collective complaint or through the intermediary of a member of parliament or a local elected official, request that

the matter be brought to the attention of the Mediator of Faso. This free recourse is offered to PAPs and beneficiaries within the framework of program implementation.

- ▶ The Court of Auditors for the certification of accounts :
- ▶ The ASCE-LC for the certification of results and the management of complaints related to corruption: According to article 2 of the organic law n°082-2015/CNT on the attributions, composition, organization and functioning of the Superior State Control and Anti-Corruption Authority (ASCE-LC), the ASCE-LC is the supreme body for internal administrative control and the fight against corruption in Burkina Faso. It ensures the implementation of the national anti-corruption policy.

Article 5 stipulates that "the ASCE-LC's general remit is to prevent and combat corruption and related offences with a view to promoting integrity and probity in the management of the public and private sectors and in civil society. It is also in charge of monitoring public services to ensure compliance with laws and regulations, as well as optimizing the performance of these services.

According to Article 9, in the fight against corruption and related offenses, the ASCE-LC is responsible for (i) gathering evidence on all alleged acts of corruption and similar offenses, upon denunciation or on its own initiative, using all techniques, means and procedures provided for by the texts in force; and (ii) bringing to justice all acts of corruption and similar offenses committed in the public, private and civil society sectors.

- ▶ The Public Procurement Regulatory Authority (ARCOP) for the management of complaints relating to public procurement management: according to Decree n°2017/0050 PRES/PM/MINEFID of February 01, 2017 on the attributions, organization and functioning, the ARCOP's missions include the regulation of public procurement and public service delegations (art 2). It is also in charge of discipline and the non-judicial settlement of disputes relating to the award and execution of public contracts, public service delegations and public-private partnerships.
- ▶ The Center for Democratic Governance (CGD) and certain CSOs such as the National Anti-Corruption Network (REN-LAC) for the good governance and accountability component.

I.4 Audit procedures

Each DLI will be based on a verification protocol, defined by a specific measurement and verification methodology. Data collection is the responsibility of the different entities directly responsible for the Program's activities aimed at achieving Program results. They will each provide data on results as part of the program's monitoring and evaluation system. The PMU will consolidate the DLI data into the overall program monitoring and evaluation system (which also tracks and measures intermediate outcome indicators) and support the Verification Officer throughout the verification process. The verification of progress toward program objectives will be conducted by ASCE-LC, which has developed strong expertise in such an assignment. The entity successfully completed the DLI audit of the Public Sector Modernization PforR (P132216), which closed in December 2020. The Direction Générale des Collectivités Territoriales (DGCT) will verify the performance assessment of local governments based on the agreed terms of reference. In accordance with the local government performance assessment framework, this entity will collect and compile the data, ensure integrity, and share the score with the special delegation presidents for cross-checking before submitting it to MATDS for PBG processing.

SECTION II. ANTICIPATED ENVIRONMENTAL AND SOCIAL EFFECTS OF THE PROGRAM

Under the World Bank's RPP Policy, activities "deemed likely to have significant adverse impacts that are sensitive, diverse, or unprecedented on the environment and/or affected people are not eligible for financing and are excluded from the Program."

Activities to be funded under the Government's program must, by their nature, characteristics, and size, generate low to moderate environmental and social (E&S) impacts and generally provide beneficial and positive E&S impacts.

For example, the RPP excludes any investments with major environmental and social risks (i.e., activities that are classified as high risk by the World Bank). It does not include investments in new physical infrastructure projects.

II.1 Environmental effects

II.1.1. Summary of the negative environmental effects

PforR activities focus on improving local public services (Justice/Civil Status, Health, Education) and improving the institutional performance of decentralized actors.

The rehabilitation of administrative infrastructure in the provinces (High Commissariats) and regions (Governorates), school infrastructure and health centers are likely to generate negative environmental effects.

Any physical works that may be required during the implementation of the PforR will be supported, financed, and executed by the GoBF and their E&S impacts will be managed, financed, and executed by the relevant national institutions (ANEVE) in accordance with the country's national laws and regulations.

- ▶ ***During the preparation phase***, the main risk is that environmental and social aspects are insufficiently (or not at all) taken into account in the preparation of the CADs or in the execution of the technical studies. This risk can be aggravated in cases where technical alternatives for project design have not been considered rigorously and aspects related to public information and participation are not taken into account in a culturally appropriate and socially acceptable way. The ***level of this impact is low to moderate***.

The main mitigation measures recommended in this phase are to screen all physical investments (rehabilitation works) according to agreed parameters, to introduce an E&S impact assessment form for activities before they are carried out, and to include a section in the tender specifications explicitly addressing compliance with environmental and social clauses (including hygiene, health and safety in the workplace).S impacts of activities before they are carried out and inserting a section in the tender specifications that explicitly addresses compliance with environmental and social clauses (including hygiene, health and safety in the workplace), strict monitoring of the implementation of mitigation measures prescribed in the Environmental and Social Management Plans (ESMP) that may be required.

- ▶ ***During the construction phase***, the main risks to be considered are mainly related to the rehabilitation of infrastructure: (i) deterioration of air quality, noise pollution, production of construction site waste (waste, rubble, paint remains, false ceilings, etc.), water and soil pollution, and damage to the health of workers and neighboring populations. Also, the non-respect of safety instructions on the building sites can lead to accidents for the workers of the companies in charge of the works, the personnel and the users of the infrastructures to be rehabilitated. The contractors awarded the works have the obligation to prepare and implement solid and liquid

waste management plans in accordance with national directives and international standards. ***The risks (contamination and damage to the health of employees and neighboring populations) associated with the various wastes produced on construction sites are moderate.***

The health risks for employees and local populations are related to the increase in air pollution (dust emissions and exhaust gases from construction vehicles). Contractors will be required to comply with contractual E&S clauses on the worksites. ***The level of risk ranges from low to moderate.***

Other risks may appear during the construction phase:

- (i) it is likely that work-related accidents involving employees or neighbouring populations will occur if safety instructions are not followed. ***The level of this risk is moderate.***
- (ii) The lack of hygiene on construction sites can lead to health and safety problems. Contractors are obliged to develop a Health and Safety plan and to ensure their application. ***The level of this risk is moderate.***
- (iii) The jobs that will be created within the framework of the program, particularly those at the level of the companies that will be awarded work contracts, could be a source of employment of underage children or forced labor on the various construction sites. Risks of exploitation and sexual abuse/sexual harassment (EAS/HS) and gender-based violence (GBV) should be taken into consideration between employers and employees or between employees. The same applies to the exclusion of certain vulnerable groups such as women, displaced persons and migrants.

During the operating phase, the negative environmental effects are related to the operation of the health facilities with the production of hospital waste of all kinds which, if not properly managed, could be a source of health risks and environmental pollution. Producers of this type of waste must comply with Decree No. 2008-009/PRES/PM/MS/MECV of January 10, 2008 on the organization of biomedical and similar waste management. This text specifies that the producer of biomedical waste is responsible for sorting, collection, transport and elimination.

The following table presents a summary of the negative environmental effects of the program .

Table 6 Summary of Adverse Environmental Effects of the Program

| Nature of the activities | Details of activities | Negative environmental effects | Level of impact/risk |
|---|--|---|---|
| Construction and/or Rehabilitation of infrastructures | <ul style="list-style-type: none"> ▪ Construction/rehabilitation of classrooms and health centers ▪ Rehabilitation of governorates, high commissions and prefectures ▪ Creation of new secondary civil status centers | <ul style="list-style-type: none"> ▪ Insufficient (or no) consideration of environmental and social aspects in the preparation of CADs or during the execution of technical studies ▪ Degradation of local air quality ▪ Soil and water pollution related to the production of construction waste ▪ Destruction of trees and shrubs | <ul style="list-style-type: none"> ▪ Low to moderate |

| Nature of the activities | Details of activities | Negative environmental effects | Level of impact/risk |
|--|--|---|--|
| Reforms to eliminate inefficiencies in procurement procedures, canteen management, human and financial resource management and accountability at the local level, the functioning of the Management Committees (COGES) of the education and health sectors, etc. | <ul style="list-style-type: none"> ▪ Improved governance of health centers and primary care through SMCs ▪ Implementation of a unique identifier system ▪ Revision of the ministerial order on the minimum school bag to optimize its content ▪ Revision of procurement procedures for canteen food control and certification ▪ Deconcentration of career management decisions in line ministries to the regional level | <ul style="list-style-type: none"> ▪ Increase in the amount of biomedical waste ▪ Risks of pollution by biomedical waste ▪ Risks of contamination of agents by biomedical waste in case of inadequate management | <ul style="list-style-type: none"> ▪ Lowa to moderate |
| Capacity building | Training of health workers and civil registrars on birth registration | - | |
| Supply of equipment and teaching materials | Acquisition of school supplies for the school bag | - | |
| Supply of computer equipment/digitization of documents | Supply of computerized units for the digitization of civil status records | - | |
| Food supplies for school canteens | Supply of quality food for school canteens | <ul style="list-style-type: none"> ▪ Risks of contamination of students in case of acquisition of poor quality food or poor storage conditions in the stores | <ul style="list-style-type: none"> ▪ Moderate |
| Capacity Building: Awareness Raising Training | <ul style="list-style-type: none"> ▪ Awareness of living together in peace ▪ Civil status awareness campaigns with the support of community leaders (religious, village chiefs) | - | |
| Recruiting | Recruitment of PMU staff: Coordinator, Monitoring and Evaluation Specialist, Financial Management Specialist, Procurement Specialist, Environmental Safeguards Specialist, Social Safeguards Specialist | - | - |

II.1.2. Environmental mitigation measures

The following table describes the mitigation measures to be applied for each environmental effect.

Table 7 Potential Environmental Risks/Impacts and Mitigation Measures

| Nature of the activities | Details of activities | Negative environmental effects | Mitigation measures |
|---|--|---|--|
| Construction and/or Rehabilitation of infrastructures | <ul style="list-style-type: none"> ▪ Construction/rehabilitation of classrooms and health centers ▪ Rehabilitation of governorates, high | <ul style="list-style-type: none"> ▪ Insufficient (or no) consideration of environmental and social aspects in the preparation of CADs or during the | <ul style="list-style-type: none"> ▪ Require contractors to adopt health, safety and security plans for work sites. ▪ Provide health, safety and environmental personnel |

| Nature of the activities | Details of activities | Negative environmental effects | Mitigation measures |
|--|--|---|---|
| | commissions and prefectures <ul style="list-style-type: none"> ▪ Creation of new secondary civil status centers | execution of technical studies <ul style="list-style-type: none"> ▪ Degradation of local air quality ▪ Soil and water pollution related to the production of construction waste | among company supervisors who can adopt safety measures. <ul style="list-style-type: none"> ▪ Inform/train workers on work-related hazards. ▪ Ensure that workers comply with protection rules. ▪ Have workers insured by service providers. ▪ Inform staff and users of the infrastructure to be rehabilitated of the risks and post information in the work areas. ▪ Carry out compensatory reforestation ▪ Collect, store and properly dispose of solid and liquid waste generated |
| Reforms to eliminate inefficiencies in procurement procedures, canteen management, human and financial resource management and accountability at the local level, the functioning of the Management Committees (COGES) of the education and health sectors, etc. | <ul style="list-style-type: none"> ▪ Improved governance of health centers and primary care through SMCs ▪ Implementation of a unique identifier system ▪ Revision of the ministerial order on the minimum school bag to optimize its content ▪ Revision of procurement procedures for canteen food control and certification ▪ Deconcentration of career management decisions in line ministries to the regional level | <ul style="list-style-type: none"> ▪ Risks of pollution by biomedical waste ▪ Risks of contamination of agents by biomedical waste in case of inadequate management | <ul style="list-style-type: none"> ▪ Collect, store and properly dispose of solid and liquid waste generated ▪ Train staff on biomedical waste management |
| Capacity building | Training of health workers and civil registrars on birth registration | - | |
| Supply of equipment and teaching materials | Acquisition of school supplies for the school bag | - | |
| Supply of computer equipment/digitization of documents | Supply of computerized units for the digitization of civil status records | - | |
| Food supplies for school canteens | Supply of quality food for school canteens | <ul style="list-style-type: none"> ▪ Risks of contamination of students in case of acquisition of poor quality food or poor storage conditions in the stores | <ul style="list-style-type: none"> ▪ Raise awareness/train SMC members on the safe and healthy management of school canteens ▪ Inspect food storage facilities regularly |
| Capacity Building: Awareness Raising Training | <ul style="list-style-type: none"> ▪ Awareness of living together in peace ▪ Civil status awareness campaigns with the support of community leaders (religious, village chiefs) | - | |

| Nature of the activities | Details of activities | Negative environmental effects | Mitigation measures |
|--------------------------|---|--------------------------------|---------------------|
| Recruiting | Recruitment of PMU staff: Coordinator, Monitoring and Evaluation Specialist, Financial Management Specialist, Procurement Specialist, Environmental Safeguards Specialist, Social Safeguards Specialist | - | - |

II.2 Potential adverse social effects and mitigation measures

II.2.1. Main risks and negative social effects

With respect to the main potential adverse social effects and risks, it should be noted that the PforR investments will not require any form of land displacement or acquisition or significant restrictions on access to economic resources. All activities that may require the physical displacement of people are excluded.

However, there are some social risks and potentially negative effects that could occur. These key social risks and potentially adverse effects include:

- Increased incidence of STI/HIV/AIDS and COVID 19 with the influx of workers on construction sites;
- Increase in cases of gender-based violence (GBV), sexual exploitation and abuse (SEA) and sexual harassment (SH) of women and girls due to the presence of rehabilitation sites;
- increase in forced child labor due to non-compliance with child labor laws;
- emergence of cases of conflict between workers and local communities regarding the relationship between workers and women/girls;
- COVID19 risks during field missions;
- corruption risks in procurement procedures ;
- non respect of the confidentiality of the data associated with the diary of the birth certificates;
- risk of social exclusion resulting from inefficient birth registration processes.

The table below presents a summary of the risks and negative social effects of the PforR.

Table 8 Summary of risks and negative social effects

| Nature of the activities | Details of activities | Negative social effects | Level of impact/risk |
|--|--|---|---|
| Construction and/or Rehabilitation of infrastructures | <ul style="list-style-type: none"> ▪ Construction/rehabilitation of classrooms and health centers ▪ Rehabilitation of governorates, high commissions and prefectures ▪ Creation of new secondary civil status centers | <ul style="list-style-type: none"> ▪ Workplace accidents ▪ Damage to the health of workers and neighbouring populations ▪ Risks of GBV/EAS/HS and ECV ▪ Noise pollution | <ul style="list-style-type: none"> ▪ Low to moderate |
| Reforms to eliminate inefficiencies in procurement procedures, canteen management, human and financial resource management and accountability at the local level, the functioning of the Management Committees (COGES) of the education and health sectors, etc. | <ul style="list-style-type: none"> ▪ Improved governance of health centers and primary care through SMCs ▪ Implementation of a unique identifier system ▪ Revision of the ministerial order on the minimum school bag to optimize its content | <ul style="list-style-type: none"> ▪ VBG/EAS/HS ▪ Risks of exclusion of vulnerable people (e.g. IDPs and their families) | <ul style="list-style-type: none"> ▪ Moderate |

| Nature of the activities | Details of activities | Negative social effects | Level of impact/risk |
|--|--|---|---|
| | <ul style="list-style-type: none"> ▪ Revision of procurement procedures for canteen food control and certification ▪ Deconcentration of career management decisions in line ministries to the regional level | | |
| Capacity building | Training of health workers and civil registrars on birth registration | Risk of blackmail and exclusion of agents | Moderate |
| Supply of equipment and teaching materials | Acquisition of school supplies for the school bag | Corruption risks | Moderate |
| Supply of computer equipment/digitization of documents | Supply of computerized units for the digitization of civil status records | Risks of corruption in procurement | Low |
| Food supplies for school canteens | Supply of quality food for school canteens | <ul style="list-style-type: none"> ▪ Risks of corruption in procurement | <ul style="list-style-type: none"> ▪ Moderate |
| Capacity Building: Awareness Raising Training | <ul style="list-style-type: none"> ▪ Awareness of living together in peace ▪ Civil status awareness campaigns with the support of community leaders (religious, village chiefs) | Risks of blackmail and exclusion of vulnerable people | Moderate |
| Recruiting | Recruitment of PMU staff: Coordinator, Monitoring and Evaluation Specialist, Financial Management Specialist, Procurement Specialist, Environmental Safeguards Specialist, Social Safeguards Specialist | <ul style="list-style-type: none"> ▪ Risk of suspension/stop of Bank financing in case of financial and/or environmental and social mismanagement of the Project ▪ Risk of various conflicts ▪ Risks of GBV/ASR/HS ▪ COVID19 risks (field missions) ▪ Corruption risks | <ul style="list-style-type: none"> ▪ Low |
| Birth Registration Process | Storage and handling of personal data at the DGMEC level | <ul style="list-style-type: none"> ▪ Failure to respect the confidentiality of the data associated with the birth certificate calendar; ▪ Social exclusion resulting from inefficient birth registration processes | <ul style="list-style-type: none"> ▪ Low to moderate |

II.2.2. Measures to mitigate risks and negative social effects

The following table describes, according to the nature of the activities, the risks and negative social effects as well as the mitigation measures to be applied.

Table 9 Potential Social Risks/Impacts and Mitigation Measures

| Nature of the activities | Details of activities | Risks and negative social effects | Mitigation measures |
|---|--|--|---|
| Construction and/or Rehabilitation of infrastructures | <ul style="list-style-type: none"> ▪ Construction/rehabilitation of classrooms and health centers | <ul style="list-style-type: none"> ▪ Workplace accidents ▪ Damage to the health of workers | <ul style="list-style-type: none"> ▪ Staffing and awareness on the effective use of PPE ▪ Raising awareness of employers, workers |

| Nature of the activities | Details of activities | Risks and negative social effects | Mitigation measures |
|--|--|--|--|
| | <ul style="list-style-type: none"> ▪ Rehabilitation of governorates, high commissions and prefectures ▪ Creation of new secondary civil status centers | <ul style="list-style-type: none"> and neighbouring populations ▪ Risks of GBV/EAS/HS and ECV ▪ Noise pollution | <ul style="list-style-type: none"> and the population on GBV/ASL/HS and ECV ▪ Develop and implement a PMM ▪ Information-training of workers and populations on the PGM ▪ Carry out site work according to authorized schedules |
| Reforms to eliminate inefficiencies in procurement procedures, canteen management, human and financial resource management and accountability at the local level, the functioning of the Management Committees (COGES) of the education and health sectors, etc. | <ul style="list-style-type: none"> ▪ Improved governance of health centers and primary care through SMCs ▪ Implementation of a unique identifier system ▪ Revision of the ministerial order on the minimum school bag to optimize its content ▪ Revision of procurement procedures for canteen food control and certification ▪ Deconcentration of career management decisions in line ministries to the regional level | <ul style="list-style-type: none"> ▪ VBG/EAS/HS ▪ Risks of exclusion of vulnerable people (e.g. IDPs and their families) | <ul style="list-style-type: none"> ▪ Raising awareness of employers, workers and the population on GBV/ASL/HS and ECV ▪ Develop and implement a PMM ▪ Information-training of workers and populations on the PGM |
| Capacity building | Training of health workers and civil registrars on birth registration | Risk of blackmail and exclusion of agents | <ul style="list-style-type: none"> ▪ Develop and implement a PMM ▪ Information-training of workers and populations on the PGM |
| Supply of equipment and teaching materials | Acquisition of school supplies for the school bag | Corruption risks | <ul style="list-style-type: none"> ▪ Strict application of financial, environmental and social management rules |
| Supply of computer equipment/digitization of documents | Supply of computerized units for the digitization of civil status records | Risks of corruption in procurement | <ul style="list-style-type: none"> ▪ Develop and implement a procedure manual for the management of the Project |
| Food supplies for school canteens | Supply of quality food for school canteens | <ul style="list-style-type: none"> ▪ Risks of corruption in procurement | <ul style="list-style-type: none"> ▪ Strict application of financial, environmental and social management rules ▪ Develop and implement a procedure manual for the management of the Project ▪ |
| Capacity Building: Awareness Raising Training | <ul style="list-style-type: none"> ▪ Awareness of living together in peace ▪ Civil status awareness campaigns with the support | Risks of blackmail and exclusion of vulnerable people | <ul style="list-style-type: none"> ▪ Develop and implement a PMM ▪ Information-training of workers and |

| Nature of the activities | Details of activities | Risks and negative social effects | Mitigation measures |
|----------------------------|---|---|--|
| | of community leaders (religious, village chiefs) | | populations on the PGM |
| Recruiting | Recruitment of PMU staff: Coordinator, Monitoring and Evaluation Specialist, Financial Management Specialist, Procurement Specialist, Environmental Safeguards Specialist, Social Safeguards Specialist | <ul style="list-style-type: none"> ▪ Risk of suspension/stop of Bank financing in case of financial and/or environmental and social mismanagement of the Project ▪ Risk of various conflicts ▪ Risks of GBV/ASR/HS ▪ COVID19 risks (field missions) ▪ Corruption risks | <ul style="list-style-type: none"> ▪ Strict application of financial, environmental and social management rules ▪ Develop and implement a procedure manual for the management of the Project ▪ Sensitization of PMU agents on GBV/ASR/HS and ECV ▪ Raising awareness of COVID among workers and the population19 ▪ Implementation of barrier measures against COVID19 |
| Birth Registration Process | Storage and handling of personal data at the DGMEC level | <ul style="list-style-type: none"> ▪ Failure to respect the confidentiality of the data associated with the birth certificate calendar; ▪ Social exclusion resulting from inefficient birth registration processes | <ul style="list-style-type: none"> ▪ Support to DGMEC to ensure: (i) the application of the provisions of the Family Code and the Data Protection Act relating to confidentiality and data protection; and (ii) the prevention of social exclusion by improving birth registration processes. |

II.3. Employee benefits

The benefits that accrue from PforR operations are significant and are presented in the following table:

Table 10 Potential Social Benefits of the PforR

| Sector | Activities | Positive social effects (benefits) |
|---------------------|--|--|
| Health/civil status | Local health centers will be assigned the functions of a secondary vital statistics center | <p>Significant decrease in the number of unregistered births</p> <p>Improved access to civil status services for citizens, including internally displaced persons (IDPs)</p> |
| Justice | The operation of the departmental courts will be ensured | Reduction of community conflicts through the implementation of alternative conflict resolution mechanisms |

| Sector | Activities | Positive social effects (benefits) |
|---|---|---|
| Education | <p>Revision of the ministerial order on the minimum school bag to optimize its content</p> <p>Introduction of the framework contract in the acquisition of the minimum binder for its availability at the beginning of the school year</p> <p>Revision of procurement procedures for the control and certification of canteen food, towards greater competition to speed up the distribution of food in school canteens.</p> <p>Promote the scaling up of endogenous canteens</p> | <p>Improved efficiency of resources transferred to local authorities</p> <p>More students will benefit from the minimum school bag</p> <p>Facilitation of the supply of quality food in school canteens</p> <p>Emulation and better organization of local providers to supply school canteens</p> |
| Decentralization/Local Finance/Intergovernmental Transfers | Introduction of the performance-based grant (PBG) principle for local governments | <p>Improved management among local communities</p> <p>Improved predictability and transparency</p> |
| Civil Service/Deconcentration/Career management of civil servants | Deconcentration of career management decisions in line ministries to the regional level | <p>Strengthening the monitoring and evaluation process for public servants</p> <p>Acceleration of processing times</p> |

II.4. Security risks

Since 2016, Burkina Faso has been subject to terrorism-related security threats that have intensified with attacks in most regions of the country. Changes in political regimes twice in less than a year have also led to increased social tensions. Security risks could directly affect the achievement of program results.

The country's security risk assessment indicates a high level.

To mitigate this risk, the program will use an agile approach by targeting secondary cities where the security situation is relatively stable due to the presence of the state through governors, high commissioners, prefects and special delegations as well as security forces. The proposed PforR is expected to mitigate security risk by helping to address the underlying factors of fragility, i.e., access to service delivery in underserved areas. By supporting alternative justice mechanisms, local dialogues and reconciliation committees, and conflict prevention and management initiatives, the PforR will greatly contribute to the implementation of the Government's strategy to prevent and address fragility in the country. Also, the stakeholder consultations initiated under the PforR, which will continue to ensure broad consensus, are a key measure to mitigate this risk. Finally, a security risk assessment will be conducted in the target LGs before the launch of the core activities such as tribunal hearings, learning and teaching materials distribution, and storage of foods in the schools' canteens. The PforR will support the implementation of the security risk assessment.

Overall, for the Program, while not all adverse environmental and social effects are permanent (many will end at the end of construction), some long-term effects may persist. These may come from solid waste and spills of oil and grease from machinery if activities and site closures are not accompanied by environmental compliance procedures.

Thus, the nature, characteristics, and size of the PforR activities are expected to generate low to moderate E&S impacts and provide beneficial and positive E&S impacts.

SECTION III. EVALUATION OF ENVIRONMENTAL AND SOCIAL MANAGEMENT SYSTEMS

III.1 Environmental management systems applicable to the program

In Burkina Faso, environmental protection is **a priority area** of public policy.

III.1.1. Framework policies

- ▶ **The National Sustainable Development Policy (PNDD, 2013) and the National Environment Policy (PNE, 2007)** will constitute reference frameworks for the consideration of environmental issues in the Program's activities. They imply an obligation to follow up on the implementation of E&S measures selected as a result of environmental assessments. One of its principles is dedicated to
- ▶ **The National Security Policy (PNS, 2021)**. The security risk is of importance in the implementation of the Program. This policy establishes the correlation between security and development. In this context, the PMU will comply with the provisions of this policy in the planning and implementation of the Program's activities in the field.
- ▶ It aims to create a.
- ▶ **The National Public Health Policy (PNHP, 2003)**. This policy will be the counterpart to (i) prevent diseases and intoxications related to the consumption of food from school canteens and (ii) guarantee comfort and happiness for students in rural areas.

III.1.2. Procedures

Burkina Faso has an important legal arsenal for environmental management. The most relevant texts to the program are the following:

- ▶ **The Constitution of Burkina Faso (1991 amended in November 2015):** .
 - It recognizes (article 29) the right of Burkinabe citizens to a healthy environment, while indicating that "the protection, defense and promotion of the environment are a duty for all".
 - In addition, Article 14 states that natural resources "belong to the people" and "shall be used for the improvement of their living conditions. It is on the basis of these provisions that many policies and strategies have been developed for the protection of the environment.
- ▶ **Law No. 024-2018/AN of May 28, 2018 on the Orientation Law on Territorial Planning and Sustainable Development** sets the fundamental principles of territorial planning and sustainable development.
- ▶ **Law N°006-2013/AN of 02 April 2013 on the Environment Code** defines the rules relating to the fundamental principles of environmental preservation which are, among others, the fight against desertification, sanitation and the improvement of the living environment of the populations. Article 25 provides that "activities likely to have a significant impact on the environment are subject to the prior opinion of the minister in charge of the environment. The opinion is established on the basis of a Strategic Environmental Assessment (SEA), an Environmental Impact Assessment (EIA) or an Environmental Impact Statement (EIS). **Law n°23/94/ADP of 19 May 1994 on the Public Health Code**. This law is particularly interested in the sanitary protection of the environment (air and water pollution) and provides for a battery of measures to prevent the pollution of water supplied for consumption due to the poor management of waste of all kinds and the insalubrity of the towns.
- ▶ **The main objective of Law n° 022-2005/AN of May 24, 2005 on the Public Health Code is to preserve and promote public health.**

In operational terms, the environmental assessment and the tools that make it up are the subject of specific regulatory texts, namely

Decree N°2015-1187/PRES-TRANS/PM/MERH/MATD/MME/MS/MARHASA/MRA/MICA/MHU/MIDT/MCT of October 22, 2015, on the conditions and procedures for conducting and validating the Strategic Environmental Assessment (SEA), the Environmental and Social Impact Study and Notice specifies the stages of the procedure for conducting the SEA, ESIA/NIES. These main stages are: (i) preliminary screening - project categorization, (ii) scoping, development of terms of reference, (iii) study execution, (iv) report review, (v) decision making, (vi) implementation, (vii) monitoring and control.

- ▶ Article 4 specifies that works, structures, developments and activities likely to have significant direct or indirect impacts on the environment are classified into three (03) categories as follows: (i) Category A: Activities subject to an Environmental and Social Impact Assessment (ESIA), (ii) Category B: Activities subject to an Environmental and Social Impact Statement, (iii) Category C: Activities subject to Environmental and Social Prescriptions (ESP).
- ▶ Article 10 specifies the conditions for carrying out the Environmental and Social Impact Assessment (ESIA) in accordance with the Environmental Code within the framework of the present program.
- ▶ Articles 12 to 27 deal with the procedure for carrying out the strategic environmental assessment, the study and the environmental and social impact notice.
- ▶ Articles 28 to 33 deal with the procedure for the review and validation of strategic environmental assessment reports, environmental and social impact studies and notices.
- ▶ Articles 34 to 36 are devoted to the procedure of strategic environmental follow-up and monitoring, environmental and social impact studies.

It should be noted that these procedures are complemented by Decree No. 2001-185/PRES/PM/MEE of May 7, 2001, setting standards for the discharge of pollutants into the air, water and soil.

III.1.3. Institutional arrangements

The main national institutions directly involved in the environmental management and activities of the program are

- ▶ **The Minister of the Environment, Water and Sanitation (MEEA) is responsible** for implementing and monitoring the Government's policy on the environment, water and sanitation
- ▶ **The National Agency for Environmental Assessments (ANEVE)** is the armed wing for the application of environmental assessment procedures. It will be in charge of the following missions within the framework of the Program :
 - Supervise the environmental screening of the Program's activities;
 - Validate the Environmental and Social Impact Assessment (ESIA) reports;
 - Issue environmental requirements for Category C activities;
 - Ensure the follow-up and monitoring of the environmental aspects of the Program's activities in support of the Focal Points of the ministries involved;
 - Prepare draft environmental feasibility opinions for signature by the Minister of the Environment;
 - Prepare monitoring reports on ESMP implementation;
 - Participate in capacity building of the actors involved, etc.
- ▶ The General Directorate for the Preservation of the Environment (DGPE) for the coordination of the implementation and the follow-up of the national policy in terms of improvement of the living environment, environmental education, fight against pollution and various nuisances and landscaping;
- ▶ The Regional Environmental Directorates (DRE) provide technical assistance for external monitoring in the administrative regions and ensure environmental monitoring of the Program's activities in conjunction with ANEVE;

- ▶ **The Ministry of Health and Public Hygiene (MSAHP)** will be responsible for implementing and monitoring the government's health and public hygiene policy;
- ▶ **The Program Management Unit (PMU)** for monitoring the operational implementation of ESMP measures and preparing monitoring reports;
- ▶ **The environmental units** of the ministerial departments involved through their Focal Points; they will intervene in terms of awareness, information and monitoring of the implementation of environmental measures.

III.2 Social management systems applicable to the program

In terms of the management of social issues, in particular social assessments for cases of loss of economic assets, several legal provisions in Burkina Faso manage these aspects. The main provisions are as follows:

III.2.1. Policies and strategies

Burkina Faso has adopted several policies and strategies in various areas that contribute to the smooth implementation of the program:

- ▶ ***The National Social Protection Policy (PNPS, 2012)***. To the extent that vulnerable groups (IDPs in particular children) may have limited access to program information and benefits (e.g., birth certificates, food at school canteens), the principles of this policy will need to be respected: National solidarity, participation, ownership, alignment, equity, respect for human rights and dignity, anticipation, transparency, empowerment, and subsidiarity.
- ▶ ***The National Food and Nutritional Security Policy (PNSAN, 2013)***. This policy focuses on improving the nutritional status of the population and strengthening governance in the area of food and nutritional security. It will apply to the operation of school canteens in order to ensure the quality of the food acquired and the nutritional quality of the food prepared.
- ▶ ***The National Policy for Securing Land in Rural Areas (PNSFMR)***. The application of this policy will make it possible to ensure land tenure security for the various rehabilitated infrastructure sites (e.g.: cases of regularization of site status after work). It also aims to ensure that all rural actors have equitable access to land, guarantee their investments and effectively manage land disputes, in order to contribute to poverty reduction, the consolidation of social peace and the achievement of sustainable development.
- ▶ ***The National Justice Policy (NJP, 2010-2019)***. Its general objective is to make justice more efficient, more accessible and more protective of rights and freedoms. Within the framework of the Program, the public service of justice will have to get closer to the citizens in order to anticipate and settle possible community conflicts.

III.2.2. Procedures

Several legislative and regulatory texts contain relevant provisions that will frame the implementation of the Program's activities.

- ▶ ***The constitution of Burkina Faso*** stipulates that all Burkinabè are equal, prohibits discrimination, particularly on the basis of gender, and guarantees the right to property for all.
- ▶ ***Law n°006-2013/AN of April 2, 2013 on the Environment Code***. This law, through the definition of the environment, explicitly includes the social dimension in the process of realization of the NIES with social measures.
- ▶ ***Law n°015-2019/AN of May 2, 2019 on the organization of the judiciary in Burkina Faso of May 2, 2019 (Art.87)*** establishing departmental courts. This law empowers the departmental courts to issue civil status documents (e.g. supplementary judgments) and to draft judgments in the management of litigation. Thus, the increase in the number of suppletive judgments would mean that newborns are less likely to have a birth certificate, and this is even more true for IDP children. The program's activities will aim to reverse this negative trend.
- ▶ ***Law No. 028 -2008/AN of May 13, 2008 on the Labor Code***. Because of the rehabilitation work sites and the workplaces of the workers involved in the Program, this policy is important

in that it deals with matters such as hygiene, safety and health at work, prohibits sexual harassment at work among colleagues, suppliers or clients (Articles 37 and 422) and frames the working conditions through its provisions relating (Articles 149 and 153) to the prohibition of discrimination in employment and work as well as the worst forms of child labor.

- ▶ **Law N°004-2021/AN on the social security regime applicable to salaried and related workers in Burkina Faso.** This law allows the prevention and treatment of professional risks, the complementary old age insurance for the benefit of the categories of workers who will be recruited within the PMU.

Law 061-2015/CNT of September 6, 2015 on the prevention, repression and reparation of violence against women and girls and the care of victims. The implementation of this law will help prevent and protect victims of GBV and cases of sexual violence. III.2.3. Institutional provisions

Several institutional arrangements are in place that allow for the social management of the Program's activities:

- ▶ the Mediator of Faso (see law n°2011-18 of August 8, 2011 2008) is an independent authority that receives, under the conditions set by this law, complaints concerning the functioning of State administrations, local authorities, public establishments and any other body entrusted with a public service mission, in their relations with citizens;
- ▶ local authorities (communes). Within the framework of the law on decentralization, they exercise transferred competencies in the management of the environment and natural resources (Ministry of Territorial Administration, Decentralization and Security);
- ▶ The National Environmental Assessment Agency (ANEVE) of the Ministry of the Environment, Water and Sanitation is the institutional guarantor for the preparation of the social screening, the elaboration of the NIES and the follow-up of their implementation;
- ▶ The Department for the Allocation of Specific Resources to Educational Structures (DAMSSE) and the Management Committees (COGES) of school canteens at the communal level (Ministry of National Education, Literacy and Promotion of National Languages): they ensure the provision of healthy food and its preparation in hygienic conditions for the benefit of the pupils;
- ▶ The General Directorate of Health and Public Hygiene (DGSHP) and the COGES of the health centers at the communal level (Ministry of Health and Public Hygiene) ensure the protection of the health of the population in accordance with the national health policy defined by the Government;
- ▶ The General Directorate of Civil, Commercial, Administrative and Social Justice (DGJCCAS) within the Ministry of Justice will be involved in the management of litigation associated with the implementation of the Program;
- ▶ The Ministry of Solidarity, Humanitarian Action, National Reconciliation, Gender and Family for the management of GBV and ASR/HS cases within the framework of the program;
- ▶ The environmental units of the ministerial departments will play a role in raising awareness, providing information and monitoring the implementation of environmental and social measures within the framework of the Program;
- ▶ **Local communities** represented by:
 - **The Village Development Committees (VDCs)** will participate in raising awareness among the population, in social mobilization activities and in the local monitoring of the implementation of the ESMP measures.
 - **The customary authorities** are traditionally responsible for managing land, natural resources and water in a spirit of equity and without speculation. They thus play the role of facilitators and regulators of tensions and conflicts within the framework of the implementation of the program.

III.3 Assessment of the compliance of the E&S systems applicable to the Program's activities with the fundamental principles of the PforR policy

The assessment of the compliance of the E&S systems applicable to the Program's activities with the core principles of the PforR policy is made on the basis of the six (6) PforR principles.

III.3.1. Fundamental Principle No. 1: Protection of the environment and promotion of development

All the laws, regulations and instruments governing investments and activities in Burkina Faso are in place. In particular, Law No. 006-2013/AN of 02/04/2013 on the Environmental Code sets out the fundamental principles of environmental assessment and takes into account the NIES and environmental and social requirements. In terms of expertise, this law provides that consultants or consultancy firms be recruited to carry out the NIES on an independent basis. There are several consulting firms and consultants with references in this area and good capacities in the field of environmental management and social studies. Despite these achievements, several observations can be made:

- ▶ Most of the institutions involved (ANEVE, Environmental Units, Special Delegations) are in place and their mandate has been defined, but they have limited human resources (e.g., Environmental Units) with a strong need for capacity building. They do not have sufficient financial resources (Special Delegations and Environmental Units) to function properly. Although the deployment of ANEVE in the regions is planned, it is not effective to date. The Regional Environmental Directorates (DRE) are trying to make up for this shortcoming, but they do not have all the capacities required to oversee the implementation of E&S procedures.
- ▶ ANEVE/DRE/Special Delegations actions sometimes lack coordination in the field and require corrective action to meet this challenge.
- ▶ The absence of a technical E&S manual detailing all the procedures for anchoring an adequate E&S management system in the daily life of these structures.
- ▶ The diagnosis made during the consultations with stakeholders also highlighted the low level of ownership of important E&S themes: gender-based violence (GBV), PMM, E&S screening and ESMP.
- ▶ Insufficient communication to anticipate and change people's behavior to improve E&S aspects.
- ▶ Weaknesses in monitoring and evaluation capacities at the level of environmental units, special delegations and ministerial departments involved.
- ▶ To adequately address the E&S aspects, it will be necessary to recruit an environmental and social safeguards specialist within the PMU to ensure the screening of activities and the implementation and monitoring of E&S measures of the PforR. This specialist will have to work in synergy with the ministerial departments involved through a resource person to be designated (Focal Points) to ensure the implementation and monitoring of E&S measures.

III.3.2. Key Principle 2: Natural Habitats and Cultural Resources

Burkina Faso has appropriate legal instruments for the protection of biodiversity (Law No. 003-2011/AN of April 5, 2011, on the Forestry Code) and the protection of cultural heritage (Law No. 024-2007/AN of November 13, 2007, on the protection of cultural heritage). Also, the Decree N°20151187/PRES/TRANS/PM/MERH/MATD/MME/MS/MARHA/MICA/MHU/MIDT/MCT on the conditions and procedures for carrying out and validating the strategic environmental assessment, the study and the environmental and social impact notice of December 31, 2015, prescribes the prior realization of an ESIA before the start of works and activities likely to have harmful impacts and risks.

RRP activities are classified as moderate effect (B or C) and do not require an ESIA (Category A). RRP activities are not expected to occur in protected areas.

As far as cultural heritage is concerned, the planned infrastructure rehabilitation work will be carried out on existing sites without necessarily involving earthworks. However, it will be necessary to foresee monitoring tools in relation to the procedure of fortuitous discovery of physical cultural goods before the launching of possible excavations.

III.3.3. Fundamental Principle No. 3: Public and worker safety

Several laws exist in Burkina Faso dealing with issues of safety, health, hygiene, child protection, etc. These include Law No. 022-2005/AN of May 24, 2005 on the Public Health Code, Law No. 23/94/ADP of May 19, 1994 on the Public Health Code, Law No. 028-2008/AN of May 13, 2008 on the Labor Code, Law No. 004-2021/AN on the social security system applicable to salaried and related workers in Burkina Faso, Law No. 061-2015/CNT of September 6, 2015 on the prevention, repression and reparation of violence against women and girls and the care of victims, etc. The consultations conducted with the stakeholders highlighted several observations:

- ▶ Although structures are committed to the implementation of these various legal texts, the technical and financial means are generally limited to carry out periodic controls and monitoring in the field. These texts also provide for prior consultation of the public.
- ▶ Also, in some cases, the general public or people living near project sites do not have enough information on the risks involved and the means to prevent them. It is necessary to strengthen information and awareness-raising activities among local authorities and local populations.

III.3.4. Fundamental Principle No. 4: Land Acquisition

The program does not fund any activities that require the acquisition of land or the displacement of populations.

III.3.5. Core Principle #5: Rights and Interests of Indigenous Peoples/Traditional Local Communities in Sub-Saharan Africa that are Historically Underserved and the Needs or Concerns of Vulnerable Groups.

Burkina Faso has developed institutional capacities to care for vulnerable people through the Ministry of Solidarity, Humanitarian Action, National Reconciliation, Gender and Family and its regional, provincial and communal branches. Also, as part of the implementation of the National Social Protection Policy (PNPS, 2012), a strategy for targeting vulnerable people has been put in place in order to better address the social risks/impacts to which these people are subject.

III.3.6. Fundamental Principle No. 6: Social Conflict

Burkina Faso is classified as a Fragile Conflict and Violence (FCV) country in FY 2020 due to increasing insecurity.

The PforR intends to contribute to the reduction of the FCV through the improvement of public service delivery in civil registry in relation to health centers, education and local justice for both host populations and displaced persons. This contribution will mitigate the risk of social conflict.

However, during consultations with stakeholders, it emerged that local beneficiaries (Presidents of special delegations, canteen and health facility management committees) lack information on the commitments contained in the E&S safeguard instruments (GRM, ESIA, etc.).

At the institutional level, the departmental courts instituted by Law n°015-2019/AN of May 2, 2019 on the organization of the judiciary in Burkina Faso (Art.87), play an appreciable role in cases of prior conciliation and mediation, but also in the management of certain litigation cases. However, there are

still difficulties in accessing justice for ordinary citizens and even more so for IDPs. Therefore, the limitation of their capacities (technical capacities, financial means for operation, training) is a concern to be taken into account in the framework of the PforR.

In the same vein, several local actors (Special Delegations, Village Development Councils, people living near work sites, etc.) have limited capacity to anticipate and better manage complaints related to the implementation of PforR activities.

III.4 Institutional Performance Assessment

This section assesses the adequacy of the systems and capacities of the institutions in charge of implementing the activities planned under the PforR in terms of environmental and social management. This section also describes the performance of the program's implementing agencies in adequately implementing the PforR.

III.4.1. Adequacy of the environmental management system

The national EIA system has been in place since 2001 and has been strengthened several times over the past 20 years. It is now well established, integrated into the decision-making process and ensures that the environmental risks of projects subject to EIA are properly addressed. Indeed, the environmental and social assessment and the tools that make it up are the subject of a law, the Environmental Code of Burkina Faso. This Environmental Law of April 2, 2013 is governed by Decree No. 2015-1187/PRES-TRANS/PM/MERH/ MATD/MME/MS/MARHASA/MRA/MICA/MHU/MIDT/MCT of October 22, 2015 on the conditions and procedures for conducting and validating the strategic environmental assessment, the study and the environmental and social impact notice. This decree mentioned above in its Annex I targets the programs, projects and activities subject to the environmental impact study/notice.

The erection of the BUNEE into an Agency (Agence⁴ National des Evaluation Environnementale) by Decree No. 2020-0632/PRES/PM/MINEFID/MEEVCC of July 16, 2020, increases its capacity to monitor the implementation of environmental and social measures. The organization of ANEVE includes the creation of a Directorate in charge of communication, partnership, and public participation, which is an opportunity to boost the capacities of the communes and the populations in order to increase their participation in the process of realization and implementation of environmental assessments.

The regional and provincial directorates and departmental services in charge of the environment have limited competencies to ensure the monitoring of the implementation of the environmental and social measures contained in the ESMPs.

In addition, in terms of national expertise, there are several consulting firms and consultants with references and good capacities in the field of environmental assessments and social studies.

In terms of health and safety at work, Law No. 028-2008/AN on the labor code in Burkina Faso gives pride of place to the field of health and safety at work. However, it turned out that the existing legal framework could not guarantee sufficient and effective protection against occupational hazards, given the lack of cohesion of the legislative texts and their dispersion. To this end, a new Labor Code is in the making and a draft law was adopted by the Council of Ministers in its session of Wednesday, September 22, 2021.

This new labor code will fill the existing gaps in the field of health and safety protection of workers.

With regard to the fight against COVID-19, the Government of Burkina Faso has a revised COVID-19 preparedness and response plan. This plan will enable the country to respond effectively to this pandemic through effective communication, prevention, proper case management and good coordination. It is intended to be a tool for responding to SARS-CoV-2 infection through increased mobilization of stakeholders and technical and financial partners.

⁴ The specific statutes of the Agency were adopted by decree n°2020-0664/PRES/PM/MEEVCC/MINEFID of July 28, 2020.

III.4.2. Adequacy of the Social Management System

Burkina Faso has laws, regulations, procedures, institutions and practices related to social management. These provisions are regularly updated to meet the requirements of current social challenges. However, it is clear that this regulatory and institutional arsenal has not yet provided the country with a homogeneous and effective system for managing the social risks and impacts to which development projects expose the population. As a result, the social management system in Burkina Faso is only partially in line with the provisions of the Bank's Policy on Programs for Results.

At the legislative level, Burkina Faso has a relatively extensive legal and regulatory framework for social management. The Constitution of June 2, 1991 and its amendments promote a vision of development with a systemic scope articulated around the notion of sustainability and integrating the economic, environmental, social and cultural dimensions. It also makes equality between men and women, the right to property, the right to participation, the right to independent recourse and the right of vulnerable social categories to equitable treatment guaranteed fundamental rights.

However, this Burkinabe legislative framework for social management has some shortcomings in terms of citizen and stakeholder engagement and complaint management.

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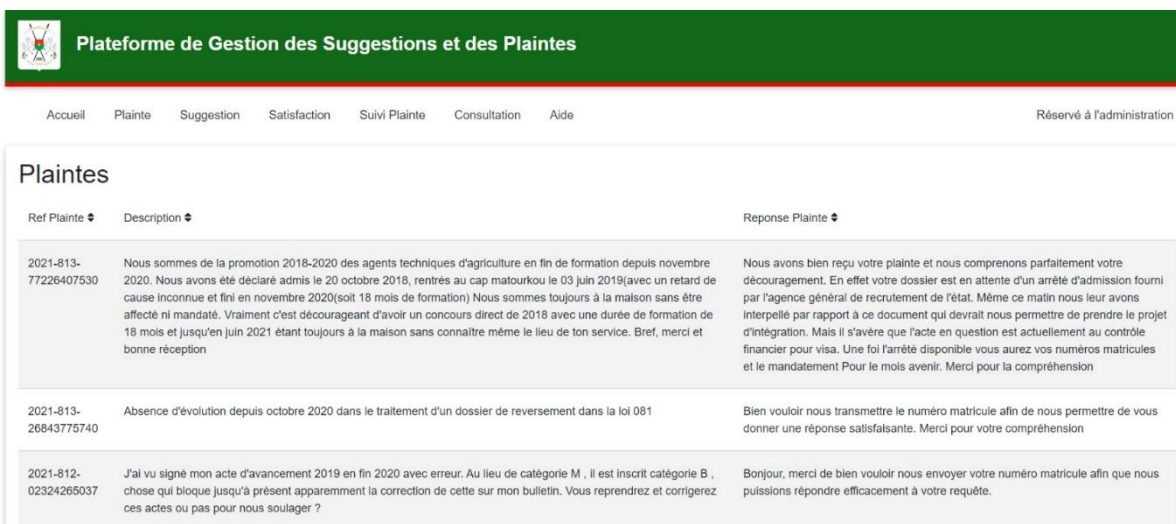
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SOUMETTRE



Plateforme de Gestion des Suggestions et des Plaintes

Accueil Plainte Suggestion Satisfaction Suivi Plainte Consultation Aide Réservé à l'administration

Plaintes

| Ref Plainte | Description | Reponse Plainte |
|----------------------|---|--|
| 2021-813-77226407530 | Nous sommes de la promotion 2018-2020 des agents techniques d'agriculture en fin de formation depuis novembre 2020. Nous avons été déclaré admis le 20 octobre 2018, rentrés au cap matourkou le 03 juin 2019(avec un retard de cause inconnue et fini en novembre 2020(soit 18 mois de formation) Nous sommes toujours à la maison sans être affecté ni mandaté. Vraiment c'est décourageant d'avoir un concours direct de 2018 avec une durée de formation de 18 mois et jusqu'en juin 2021 étant toujours à la maison sans connaître même le lieu de ton service. Bref, merci et bonne réception | Nous avons bien reçu votre plainte et nous comprenons parfaitement votre découragement. En effet votre dossier est en attente d'un arrêté d'admission fourni par l'agence général de recrutement de l'état. Même ce matin nous leur avons interpellé par rapport à ce document qui devrait nous permettre de prendre le projet d'intégration. Mais il s'avère que l'acte en question est actuellement au contrôle financier pour visa. Une fois l'arrêté disponible vous aurez vos numéros matricules et le mandatement Pour le mois avenir. Merci pour la compréhension |
| 2021-813-26843775740 | Absence d'évolution depuis octobre 2020 dans le traitement d'un dossier de reversement dans la loi 081 | Bien vouloir nous transmettre le numéro matricule afin de nous permettre de vous donner une réponse satisfaisante. Merci pour votre compréhension |
| 2021-812-02324265037 | J'ai vu signé mon acte d'avancement 2019 en fin 2020 avec erreur. Au lieu de catégorie M , il est inscrit catégorie B , chose qui bloque jusqu'à présent apparemment la correction de cette sur mon bulletin. Vous reprendrez et corrigerez ces actes ou pas pour nous soulager ? | Bonjour, merci de bien vouloir nous envoyer votre numéro matricule afin que nous puissions répondre efficacement à votre requête. |

Measures are being taken to improve the efficiency of complaints management. In this regard, within the framework of the Open Government Program (OGP), it is planned to set up a system for registering and processing complaints within ministerial departments. A study visit to learn about the management of a complaints registration and handling system in Morocco, which has already implemented such a system, in order to understand the strengths, difficulties and solutions provided by the country in question. The idea is therefore to allow a sharing of experience between peers on the national portal of complaints of Morocco "Chikaya" which aims to receive complaints and grievances of citizens and ensure their treatment and follow-up; to answer their questions; to present solutions to the problems of citizens as well as to receive their observations, proposals and remarks was conducted.

To address these deficiencies, the Program will need to implement the following measures:

- ÷ The systematization and formalization of the inclusive participation of populations, including vulnerable categories and IDPs, and grassroots community organizations in decision-making processes;
- ÷ Establishing or improving systematic complaint management and redress mechanisms that are easily accessible to the population that is likely to use them and that are appropriate to their linguistic, cultural and educational characteristics;

The inclusion of commitments to respect legal and regulatory provisions guaranteeing the rights to decent work, health and safety at work and prohibiting child labor in all work contracts related to the Program.

There is also the prohibition of GBV in the implementation of the program's activities.

III.4.3. Adequacy of institutional capacity and coordination mechanisms

The Department of the Environment is responsible for managing the environmental and social assessment procedure and, through ANEVE, has the necessary experience and skills, particularly in the area of reviewing ESIA reports, monitoring project implementation and monitoring the environment (air, water, soil). The Laboratoire d'analyse de la qualité de l'Environnement (LAQE) and the Agence nationale de sécurité alimentaire, de l'environnement, de l'alimentation et du travail (ex LNSP) also contribute their expertise in validating ESIA and monitoring the implementation of ESMPs.

Consultations with the various entities (DAMSSE, DGMEC, DGCT, ADCT, DGSHP, DGFP) that will be involved in the Program have shown limited capacities in the application of E&S procedures (screening, preparation of TORs for E&S studies, implementation of E&S measures, monitoring). Therefore,

without practical training, these structures will not be able to operationalize the E&S procedures within the framework of the Program.

The Program will identify the organization to be put in place (designation of E&S focal points at the level of each entity) as well as the training and capacity building plan for E&S management based on the E&S Technical Manual to be developed by the PMU.

SECTION IV. RECOMMENDATIONS AND ACTIONS

IV.1 Summary of the evaluation of the systems applicable to the program

Although the environmental and social risks of the activities under this Program are characterized as low to moderate, the Program offers an opportunity to both strengthen the shortcomings mentioned and to sustainably improve the overall system in three areas: (i) strengthening the environmental and social management system; (ii) establishing good environmental and social management practices; and (iii) monitoring and evaluating environmental and social management.

To this end, the Program will support specific measures to strengthen the performance of the environmental and social management system of the various institutions involved in the program. These measures will be implemented through :

- the implementation of simple tools for environmental and social diagnosis and monitoring;
- the designation of Environmental and Social Focal Points who will be formed ;
- capacity building of the actors involved in this program.

All of these actions are documented in the ESSA Action Plan.

IV.1.1. Environmental management system

The analysis of the regulatory and institutional frameworks that constitute the national environmental management system has shown their adequacy with the PforR Policy. The gaps identified must be taken into consideration and concern: i) the integration of social aspects in impact studies, ii) the conduct of public consultations involving stakeholders and parties affected by the program, the integration of ESMPs in impact studies, the documented monitoring and evaluation of mitigation measures.

The analysis of the capacities of the institutions involved in the Program has revealed a good capacity of the Ministry in charge of the environment in environmental and social management. However, the institutions involved show shortcomings in terms of (i) impact identification and assessment, (ii) environmental control and monitoring of activities covered or not covered by the national EIA/ESIA system, and (iii) organization with the necessary capacities for the implementation of an environmental management system.

These findings justify the need to operationalize a training module focused on the development and implementation of environmental management systems that will enable the PMU and its stakeholders to operate in compliance with national environmental management regulations.

This training module for PMU E&S focal points and stakeholder focal points should focus on the following elements

- ÷ Regulatory requirements for environmental management;
- ÷ Identification and assessment of environmental impacts;
- ÷ Categorization of funded activities according to their potential to generate impacts;
- ÷ Identification of good environmental practices and impact mitigation measures;

- ÷ Monitoring and reporting tools on the implementation of mitigation measures including any incidents/accidents that occurred during the implementation of program activities.

Staff who have completed this training will be equipped and trained to perform the tasks listed in the position's mission statement (see Appendix 3). Screening tools and a simplified ESMP template will be provided. The implementation and monitoring of mitigation measures during the construction and operation phase of these activities will be carried out by the focal points of the institutions involved, in coordination with the PMU's environmental and social safeguards.

IV.1.2. Social management system

The social management system with its laws, regulations, institutions, procedures, and practices, as analyzed in this ESSA, is broadly consistent with the World Bank's Policy and Guidance on Programs for Results. The gaps that the analysis identified and assessed relate mainly to stakeholder engagement and complaints management, and monitoring and evaluation of the implementation of measures to mitigate risks and negative impacts.

As for the institutions that will implement the Program's activities, their capacities in environmental and social assessment and management are uneven. Some have one or more experiences in environmental and social assessment and management in accordance with the provisions of the national system and sometimes in accordance with international standards. But the analysis of the adequacy of their capacities with the requirements of the World Bank Policy and Directive on PforRs highlights some gaps including limitations in human resources and experience in the field of environmental and social management.

These findings justify the steps taken to strengthen the country systems applicable to the Program in terms of building the capacity of existing resources, developing practical E&S management tools for the Program, and taking steps to close the gaps between the systems applicable to the Program and the requirements of the World Bank PforR Policy and Directive.

In conclusion, the environmental and social management system applicable to the Program is generally in line with the PforR Policy. The environmental and social risks are characterized as "low to moderate" and are considered acceptable. To mitigate these risks, the Program will strengthen environmental and social capacities at the Program level through adequate organization, ongoing training, the establishment of mechanisms and tools (trained focal point, screening and monitoring sheets, land management procedure, ESMP) and environmental and social management performance indicators and regular monitoring and evaluation.

To this end, the ESSA action plan, which will be an integral part of the Program's action plan, includes specific measures to strengthen the quality and performance of the environmental and social management system of all stakeholders.

IV.2 ESSA Action Plan

To assist the ministries and institutions involved in implementing the program and managing the program's E&S impacts, a technical manual will be created. It will be consistent with national E&S assessment procedures and PforR policies.

The technical manual will also describe how to accomplish the following:

- ÷ Fill out the activity selection form;
- ÷ Develop the ESIA according to national procedures (with sections on the ESMP, holding public consultations, complaints management, consideration of vulnerable groups, prevention and management of GBV/EAS-HS/VAC risks, and protection against child and forced labor);

- ÷ Prepare a simple ESMP form for sub-projects with moderate or low E&S impacts;
- ÷ Prepare a RAP for subprojects with moderate resettlement impacts;
- ÷ Develop standard clauses (E&S clauses, minimum staffing levels, tariff headings) for contracts with construction companies and construction supervision offices;
- ÷ Determine roles/responsibilities of implementing agencies;
- ÷ Describe the procedures for implementing FMP activities;
- ÷ Organize training and capacity building for key stakeholders such as members of the Ministry of Health E&S unit;
- ÷ Develop grievance reporting processes, including roles/responsibilities;
- ÷ Develop procedures for managing waste, including roles and responsibilities, and create contracts for regular waste audits.

The manual will include E&S requirements for contracts with service providers and contractors, as well as templates for various documents such as ToRs, checklists, and non-conformance forms. The manual will be used by all program stakeholders.

The World Bank will support the Government on E&S issues during the PforR operation. This will be :

- ÷ Review progress on implementation and achievement of outcomes and LIDs, including E&S enhancement measures;
- ÷ Assist the client in resolving implementation issues and conducting capacity building;
- ÷ Monitor the evolution of the Program's risks as well as compliance with the provisions of the legal clauses;
- ÷ Adapt management practices (working with the client) to improve the program or respond to unforeseen problems.

The World Bank is responsible for organizing public consultations with stakeholders, civil society organizations and the private sector to present and discuss the ESSA project. Thereafter, Burkina Faso staff will organize consultations for specific investment sub-projects. The final revised ESES will be made public on the World Bank's external website and on the website of the Ministry in charge of the Economy and Finance.

The table below summarizes the contributions to the action plan, which is part of the overall program action plan (PAP). The cost of inputs will be covered by the program budget while the cost of E&S remediation (to mitigate risks and negative impacts) will be covered by the investment activity budgets. The cost of outreach/training activities will be covered by the PforR operating budget.

The table below shows the content of the measures planned in the action plan as well as their costs.

Table 11 Summary of measures and costs of the action plan.

| | Actions | Implementation measures | Responsible Parties | Period of implementation | Budget (USD) |
|---|--|---|---|--|--------------|
| 1. Improvement of the environmental and social management system (E&S) | | | | | |
| 1.1 | Preparation of a technical manual for the program | -TORs are drafted and a consulting firm is selected to write the manual -The manual is available and complies with the TORs -The manual is validated | MATDS/UGP | No later than three months after the program comes into effect | 10 000 |
| 1.2 | Preparation of a Technical Manual implementation program | ESMPs and specific plans (e.g., GBV risk mitigation plans) are implemented. | MATDS/UGP Work companies | Throughout the implementation of the program | PM |
| 1.3 | Updating/strengthening the Government's complaint management mechanism | -The action plan to strengthen the collection, collection, processing mechanism is operationalized | MATDS/UGP Mediator of Faso ASCE-LC Special delegations | Throughout the program | 50 000 |
| 1.4 | Preparation of the Memorandum of Understanding with ANEVE | An institutional agreement is signed with ANEVE to study and obtain the environmental compliance certificates within the deadlines prescribed by Decree No. 2015-1187 of 22 October 2015 | PMU ANEVE | During the first quarter after the start of the program | 20 000 |
| 2. Institutional capacity building | | | | | |
| 2.1 | Establishment of the institutional mechanism for program management | -Recruitment of Environmental and Social Safeguards Specialists -Designation of the focal points of the ministries and institutions involved | MATDS/UGP ANEVE Ministries involved ⁵ | At the beginning of the program implementation | 160 000 |
| 2.2 | Capacity building of relevant stakeholders, including subcontractors | -Development of a training module on environmental and social management including monitoring tools, complaint management, etc. -Organization of training sessions for environmental and social safeguard specialists, focal points, | PMU ANEVE Ministries involved | At the beginning of the program implementation | 50 000 |

⁵ Ministries: Health, Justice, Territorial Administration, Public Service and Education.

| | Actions | Implementation measures | Responsible Parties | Period of implementation | Budget (USD) |
|---|---|--|--|--|----------------|
| | | companies/subcontractors and control missions. | | | |
| 2.3 | Training for health and civil status agents | Training of health workers and civil registrars on birth registration | PMU Departmental Focal Points Parties concerned Special delegations | Sessions begin in the first half of the year following program implementation. | 50 000 |
| 2.4 | Organization of awareness campaigns on civil status | Awareness campaigns for mass registrations with the support of community leaders (religious, village chiefs) | PMU Departmental Focal Points Parties involved Special delegations | Sessions begin in the first half of the year following program implementation. | 100 000 |
| 2.5 | Awareness campaigns on living together | Awareness campaigns for the population to live together in peace | PMU Departmental Focal Points Parties involved Special delegations | Sessions begin in the first half of the year following program implementation. | 100 000 |
| 2.6 | Capacity building for securing individual data | Support to DGMEC to ensure the application of the provisions of existing laws relating to the confidentiality of individual data | PMU MATDS DGCEM | At the beginning of the program implementation | 50 000 |
| 3. Monitoring and Reporting System | | | | | |
| 3.1 | Tracking System | Implementation of the monitoring system | PMU Departmental Focal Points | From the beginning of the program | 50 000 |
| 3.2 | Reporting | How the reporting system works | PMU Departmental Focal Points | In the first quarter of the program and after the PMU is established | 50 000 |
| | TOTAL | | | | 690 000 |

APPENDICES

APPENDIX 1: International Conventions applicable to the Program ratified by Burkina Faso

Main international conventions related to the PforR

| Name of the agreement | Concerns about the Local Governance for Basic Services and Resilience Program in Burkina Faso | Ratification dates |
|---|---|--------------------|
| African Convention of Algiers for the Conservation of Nature and Natural Resources | Ensure the conservation and sustainability of species and species | 29-08-1969 |
| Rio Convention on Biological Diversity | <p>Protection of biological diversity and endangered species. This convention stipulates in its article 14 paragraphs a and b that each Contracting Party to the convention shall, as far as possible, "(a) adopt procedures to require the assessment of the environmental impacts of its proposed projects that are likely to have significant adverse effects on biological diversity, with a view to avoiding and minimizing such effects, and, where appropriate, allow for public participation in such procedures ; (b) take appropriate measures to ensure that the environmental effects of its programs and policies that are likely to have significant adverse effects on biological diversity are duly considered.</p> <p>The implementation of the Program could result in a loss of specific biodiversity, hence the need to comply with this Agreement.</p> | 02-09-1993 |
| International Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification | Fight against abusive deforestation and protection of local species. The Program should take into account its requirements. | 26-01-1996 |
| United Nations Framework Convention on Climate Change | In the operational phase, some activities of the Program contribute more to the concentration of greenhouse gases in the atmosphere, the cited convention has a direct link to the Program and calls for the adoption of practices to prevent dangerous anthropogenic disturbance of the climate system. | 02-09-1993 |
| Paris Convention concerning the Protection of the World Cultural and Natural Heritage | The realization of the Program, in that it will consist in making rehabilitations, could allow the discovery of invaluable cultural and natural patrimony of universal scope hidden. The convention will be applied in taking care of such situation. The Program presents risks of encroachment on the existing cultural heritage of the site. | 03-06-1985 |
| Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal | The Project will incorporate environmentally sound waste management so as not to be at odds with the spirit of the Basel Convention. | 04/11/1998 |
| Bamako Convention on the Ban of the Import into Africa of Hazardous Wastes and on the Control of Transboundary Movements | The Program will take steps to prevent the movement of waste to and from any country on the continent. | 16/6/1993 |

| Name of the agreement | Concerns about the Local Governance for Basic Services and Resilience Program in Burkina Faso | Ratification dates |
|--|---|--------------------|
| Minamata Convention on Mercury | Its objective is to protect human health and the environment from anthropogenic emissions and discharges of mercury and mercury compounds. In its various activities, mercury compounds may be used. It is therefore essential to comply with this agreement. | April 10, 2017 |
| The Cartagena Protocol on Biosafety | To take appropriate measures to avoid as much as possible biological and technological risks that may occur during the operation. | October 31, 2005 |
| Minimum Age Convention, 1973 (No. 138) Specified minimum age: 15 years | The work of any child under 15 years of age is forbidden on construction sites and any company at fault will be sanctioned according to the spirit of the convention. | July 25, 2001 |
| Worst Forms of Child Labour Convention, 1999 (No. 182) | All forms of child labor shall be punished in accordance with the spirit of this convention | |

Source: Consultant, August 2022

APPENDIX 2: Set of legislative texts concerning environmental and social management Legislation applicable to the Program

- **The Constitution of Burkina Faso**

The constitution of Burkina Faso recognizes (article 29) the right of Burkinabe citizens to a healthy environment, while indicating that "the protection, defense and promotion of the environment are a duty for all".

- **The Environmental Code**

The Environment Code (Law No. 006-2013/AN of 02/04/2013) enacts the rules relating to the fundamental principles of environmental preservation which are:

- the fight against desertification ;
- sanitation and improvement of the population's living environment;
- preservation of biological diversity;
- prevention and management of technological risks and disasters and ;
- the implementation of international agreements ratified by Burkina Faso on environmental preservation, prevention and management of natural and man-made disasters .

Article 25 of the Code provides that activities likely to have significant impacts on the environment are subject to the prior opinion of the Minister responsible for the environment. The opinion is established on the basis of a Strategic Environmental Assessment (SEA), an Environmental Impact Assessment (EIA) or an Environmental Impact Statement (EIS).

To date, several texts implementing the Environmental Code have been adopted by the Government. Thus, Decree N°2015-1187/PRES-TRANS/PM/MERH/MATD/MME/MS/MARHASA /MRA/MICA/MHU/MIDT/MCT of October 22, 2015, on the conditions and procedures for carrying out and validating the SEA, the Environmental and Social Impact Assessment and Notice, in its Article 5, classifies projects in three (03) categories:

- Category A: Activities subject to an Environmental and Social Impact Assessment (ESIA);
- Category B: Activities subject to an Environmental and Social Impact Statement;
- Category C: Activities subject to Environmental and Social Requirements (ESR).

- **The Forestry Code**

The Forestry Code defined by Law No. 003-2011/AN of April 5, 2011, prescribes in its Article 4 that "Forests, wildlife, fisheries resources are natural resources and are as such integral parts of the national heritage. The sustainable management of these resources is a duty for all. It implies the respect of the regulation in force as regards protection, exploitation and development of the forest, fauna and fishery heritage. This management contributes to the production of environmental goods and services, to the preservation of the natural environment, to the conservation of biological diversity, to the adaptation to climate change,

to the mitigation of greenhouse gases and to the fight against desertification while ensuring the satisfaction of the socio-economic and cultural needs of present and future generations.

- **The law of orientation relative to pastoralism**

Law n°034-2002/AN of November 14, 2002 defines the principles and modalities of sustainable management of pastoral and agro-sylvo-pastoral activities. In doing so, it obliges the State and communities to ensure "pastoralists' right of access to pastoral areas, the right to equitable use of natural resources and herd mobility. Thus, any activity likely to cause pollution, as well as the dumping of toxic products in an animal watering place, is prohibited. This prohibition also takes into account any clearing in the direct vicinity of these watering points.

- **The Orientation Law on Sustainable Development**

Law N°008-2014/AN on the Orientation Law on Sustainable Development in Burkina Faso was adopted on April 08, 2014 and its purpose is to:

- create a unified national reference framework to ensure the coherence of the actors' interventions through appropriate legal, political and institutional reforms;
- ensure economic efficiency, environmental sustainability and social equity in all development actions.

- **The Water Management Orientation Law**

The Law N°002-2001/AN relating to the orientation of water management of February 6, 2001 and texts of application provides in article 39 for the Environmental and Social Impact Assessment (ESIA) or the Environmental and Social Impact Notice (NIES) before the issuance of authorization for the realization of installations, works, or works likely to present dangers for public health and safety, to reduce the water resource, to substantially modify the level, the mode of flow or the regime of water.

- **The Cultural Heritage Protection Act**

The Law N°024-2007/AN of November 13, 2007 on the protection of cultural heritage, aims at making the national cultural heritage one of the pillars of the development of Burkina Faso. Indeed, Article 1 of this law stipulates that: "This law sets the rules for the protection of cultural heritage in Burkina Faso.

In addition, Article 2 states that: "The protection of cultural heritage is aimed at its safeguarding and promotion".

Concerning article 3, it specifies that: "Under the terms of this law, cultural heritage is understood to mean all cultural, natural, movable, immovable, intangible, public or private, religious or secular property, the preservation or conservation of which is of historical, artistic, scientific, legendary or picturesque interest.

Finally, Article 5 states that: "The protection and safeguarding of cultural heritage shall be ensured by the State and its agencies and to a certain extent by the local populations concerned.

- **The General Code of Local Authorities**

It should be noted that Law No. 055-2004/AN of December 21, 2004 on the General Code of Territorial Authorities (CGCT), together with its amendments, enshrines the full communalization of the territory with the appearance of rural commune councils and village development councils (CVDs) in the institutional landscape, which have an important role in land management and land use planning. In fact, the territorial authorities, including the rural communes, have their own land domain, consisting of the parts of the national land domain ceded as property by the state. The land of the rural communes is subdivided into three areas, namely (i) residential areas, (ii) production areas and (iii) conservation areas.

Article 32 stipulates that: "The local authorities contribute with the State to the administration and planning of the territory, to economic, social, educational, health, cultural and scientific development, as well as to the protection and management of natural resources and the improvement of the living environment.

- **The Labour Code**

Law N° 028 -2008/AN of May 13, 2008, on the Labor Code in Burkina Faso, according to its Article 1, is applicable to workers and employers exercising their professional activity in Burkina Faso. As an illustration of the content of this Code, the following articles can be quoted.

Article 4: Discrimination in employment and occupation is prohibited.

Article 21: State public establishments, enterprises with public participation and projects financed from public funds are required to publish job vacancies and organize recruitment tests.

Also, according to article 36 of this same law, the employer is obliged on the construction site, "to conform the health and safety conditions to the standards provided by the regulations in force".

In addition, articles 37 and 422 of the Labor Code prohibit sexual harassment in the workplace between colleagues, suppliers or customers.

- **Law 061-2015/CNT on the prevention, repression and reparation of violence against women and girls and the care of victims**

Articles 11 and 36 define the facts of guilt in sexual harassment and specify how these facts give rise to an award of damages by the civil court, the amounts of which are determined according to the harm caused.

Regulatory texts applicable to the Program

Several regulatory texts are applicable to the Project. These are the following regulations:

- ***The ESIA/NSIA Decree***

According to the decree n°2015-1187/PRES-TRANS /PM /MERH /MATD /MME /MS /MARHASA /MRA /MICA /MHU/MIDT/MCT of October 22, 2015 on the conditions and

procedures for the realization and validation of the strategic environmental assessment, of the environmental and social impact study and notice, the project is classified as category B in accordance with its Annex 1 "*list of works, structures, developments, activities and planning documents subject to the environmental impact study or notice*".

- ***The Decree on environmental auditing in Burkina Faso***

Decree N°20151200/PRESTRANS/PM/MERH/MME/MICA/MS/MIDT/MCT of October 28, 2015 on the modalities for conducting the environmental audit. It determines the modalities for conducting the environmental audit in accordance with the provisions of Law 0062013/AN of April 02, 2013 on the environmental code in Burkina Faso.

- ***The Decree on the setting of standards for the discharge of pollutants***

The decree n°2001-185/PRES/PM/MEE of May 07, 2011 fixing the standards of discharge of pollutants into the air, water and soil sets the standards and conditions of discharge of wastewater into the receiving environments in application of the provisions of the Environmental Code.

The use of chemical products in the framework of productive development will be done according to the rules of good agro phytosanitary practices, so as to avoid soil, water and air pollution.

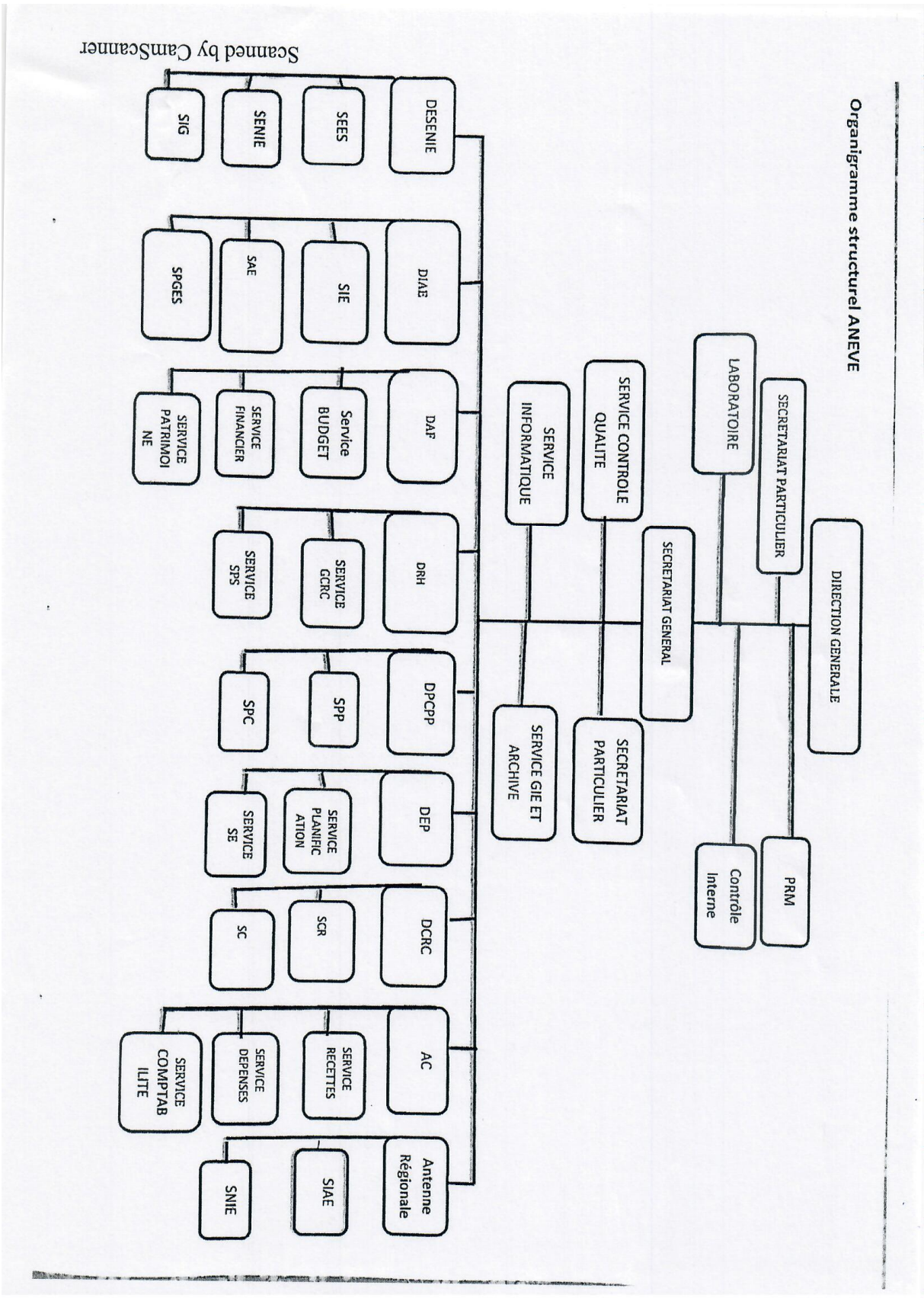
- ***Decree N°2015-1470/PRESTRANS/PM/MEF/MARHASA of December 7, 2015 determining the rates and collection modalities of the raw water withdrawal tax***

This decree determines the rates and the modalities of collection of the raw water withdrawal tax in application of articles 8 and 11 of law n°0582009/AN of December 15, 2009 establishing a parafiscal tax for the benefit of the water agencies called "Financial Contribution for Water" in short CFE. This tax concerns the following uses: (i) drinking water production, (ii) mining and industrial activities, (iii) civil engineering works, (iv) agricultural, pastoral and fish farming activities.

- Decree N°2015- 1205 IPRES-TRANS/PMI MERH IMEF/MARHASA/MS/MRA/MICAI MME/MIDT/MATD of October 28, 2015 on standards and conditions for wastewater discharges;
- Decree N°2015- 798 /PRES- TRANSIPM/ MERH of July 3, 2015 concerning contraventions and administrative fines applicable to packaging and plastic bags;
- Decree No. 98-481 /PRES/PM/MCIA/AGRI of December 9, 1998, setting the conditions for issuing approval for the import, sale, offering for sale, possession, free distribution or provision of services relating to pesticides;
- Decree No. 2007-4233/PRES/PM/MAHRH/MEF/MECV/MATD/M S/SECU/MJ/MRA/MCE of July 10, 2008 on the definition, organization, powers and operation of the water police. - July 10, 2008;
- Decree n°2006-590/PRES/PM/MAHRH/MECV/MRA on the protection of aquatic ecosystems;

- Decree No. 98-322/PRES/PM/MEE/MIHU/MATS/MEF/MEM/MCC/MCIA of July 28, 1998, which establishes the conditions for opening dangerous, unhealthy and inconvenient establishments;
- Decree N°2016-504/PRES/PM/MFPTPS/MFSNF of June 09 determining the list of dangerous work prohibited to children;
- Order No. 2004-019/MECV of July 7, 2004 determining the list of forest species benefiting from special protection measures;
- Order N°98-8/MEE/SG/DGEF/DP of 12/05/1998, defining the measures for the protection and conservation of fishery resources in Burkina Faso.

APPENDIX 3: ANEVE's organization chart



APPENDIX 4: PGES, NIES

A) Environmental and Social Management Plan (ESMP)

An *Environmental and Social Management Plan* (ESMP⁶ S) is a document that allows for the integration of environmental and social dimensions into the design, planning, management and implementation process of any project's activities, based on the results of a screening system based on environmental and social parameters. An ESMP will be developed during the preparation phase of the activities. It will be implemented during the construction and operation phases.

The ESMP must establish the procedures and measures relevant to the mitigation of risks and negative impacts on the environment and the social milieu on the basis of the procedures and mechanisms defined in the *Procedures Manual*. The procedures manual describes for each step of the environmental and social assessment process, the context, the period, the methods and tools to be used, the expected results and the responsible entities.

Content of the NIES report

Summary plan for drafting the Environmental and Social Impact Statement report in accordance with Article 10 of Decree N°2015-1187 of October 21, 2015.

The NIES report includes:

- ÷ Introduction;
- ÷ Non-technical summary;
- ÷ Policy, legal and institutional framework ;
- ÷ Project Description;
- ÷ Description of the initial state of the environment;
- ÷ Analysis of Alternatives in the Project;
- ÷ Impacts of the project on the different areas of the environment ;
- ÷ Risk Assessment:
- ÷ Environmental management plan for the implementation and operation of the project;
- ÷ Closure/Rehabilitation Plan;
- ÷ Procedures for public consultation and participation ;
- ÷ Conclusions, recommendations.

This plan will be supplemented as needed by the requirements of the World Bank's Environmental and Social Framework.

⁶ The E&S process includes the following steps: screening, preliminary E&S, E&S analysis, implementation of E&S measures, E&S follow-up&monitoring.

APPENDIX 5: Complaint Management Mechanisms

The Technical Manual for Environmental and Social Management (TMES), which will be prepared (see Action Plan) and will be the subject of capacity building initiatives for all stakeholders, will detail the ***Complaints Management Mechanism for the implementation of the Program***. Complaints management bodies will be established at the national, regional, communal and local levels. In each case, complaints not resolved at a lower level will be forwarded to the higher level for review and decision.

In this regard, the Procedures Manual will :

- Define clear procedures to adequately inform populations directly or indirectly affected by the Program's activities about the complaint management mechanism.
- Develop clear procedures to allow people directly or indirectly affected by the program's activities to voice their complaints.
- Define specific procedures regarding complaints about any form of gender-based violence (GBV).
- Assess the capacity of national and local institutions that already have responsibilities for registering, processing, and resolving complaints submitted by complainants and identify, if necessary, targeted capacity-building initiatives.
- Appoint focal points within the program to oversee the complaints management mechanisms in collaboration with existing national and regional bodies.
- Define a feedback mechanism to ensure a transparent system for monitoring and evaluating complaints (number, causes, corrective measures, preventive measures, etc.).

The Complaint Management Mechanism (CMM) will be based on six steps, shown in the following figure:



1. Communication about the PGM

The beneficiaries of the Program's actions as well as the public must be informed of the complaint management system, the approach, the rules, the complaint management procedures and the means of appeal. They must be able to use them if necessary. To this end, the project will ensure that all processes are inclusive and participatory: all people affected by the project regardless of gender and age will be encouraged to use the Complaints Management System.

All actors involved in the implementation of the project at the communal, regional and national levels will be trained on the PGM. It will be integrated into the communication campaign and will be visible on the project website.

The complainant has several channels of access to the PMM: the local committee, the communal committee, the regional committee and the national committee, which includes the Project Management Unit.

Complaints may be made orally or in writing on the spot; they may also be submitted by sealed mail, telephone messages or e-mail. The complainant must receive an acknowledgement of receipt of the complaint.

Service providers and strategic partners will also be widely informed. In particular, women will be informed about the PGM to ensure an anonymous and confidential response.

2. Sorting and processing of complaints

Anyone can submit their complaint and get answers in a timely manner. Not all complaints are eligible, but a response will be given whenever a complaint is submitted. All complaints are considered and will be responded to. Eligible complaints are those related to the project implementation process.

Anyone with complaints that are not related to the project is also met with a full explanation of why their complaint was not accepted. These are complaints that may concern problems indirectly related to the project (such as a local or national political problem), problems inherited from a previous situation (such as a conflict between communities and/or with the state, a land liability).

❖ *Mediator of Faso*

Within the framework of the Program, in accordance with the organic law N° 017-2013/AN of May 13, 2013, the Mediator of Faso as an independent structure, will be in charge of the management of complaints falling within its prerogatives. In this respect, the institution will be responsible for:

- Receive and address complaints regarding unfair program rules, procedures and treatment;
- Maintaining a complaint log, preparing annual reports on grievance activities and specifically those related to the Program.

According to this law, the Mediator of Faso, as an independent and objective body, investigates citizens' complaints against government agencies and other organizations, both public and private. He also receives complaints relating to the functioning of state administrations, local authorities, public establishments and any other body with a public service mission.

After a thorough and impartial review, the Ombudsman determines whether the complaint has merit and makes recommendations to the organization to resolve the issue.

❖ *Superior Authority for State Control and the Fight against Corruption (ASCE-LC)*

The Superior Authority for State Control and the Fight against Corruption (ASCE-LC) is governed by organic law n°082-2015/CNT November 24, 2015. In accordance with this law, the ASCE-LC is responsible, among other things, within the framework of the Program, for dealing with all complaints relating to fraud and corruption, in particular:

- to receive and study complaints from citizens in their relations with the administrations of the State, local authorities, public establishments or any other body with a public service mission;
 - to carry out investigations on economic delinquency and corruption practices within the administration concerning natural persons and legal entities of private law.
- ❖ **Public Procurement Regulatory Authority (ARCOP)**

In accordance with Decree N°2017-0050/PRES/PM/MINEFID of 01/02/2017, ARCOP will be responsible, among other things, for collecting and processing complaints relating to the management of public contracts under the Program.

❖ **Other complaint management channels**

Complaints can also be filed at the Program Management Unit (PMU), at the Regional, Communal and Local levels . However, if the local level refuses to receive the complaint, the complainant can contact a member of the project team in charge of complaint management directly.

In addition, in order to make the mechanism accessible and to promote the confidentiality of complainants, anonymous complaints are unconditionally admissible. They can be filed directly or indirectly by complainants in an inbox-type system at each level.

3. Verification and action

The conditions must be in place for a prompt, transparent and fair resolution of the complaint, and time limits for response (not exceeding one week) must be set. During this period, complaints shall be objectively evaluated on the basis of the facts and appropriate actions for the resolution of the complaint shall be initiated.

Resolution can be achieved through various complaint handling mechanisms. However, amicable settlement will be preferred in the case of non-sensitive complaints, with possible recourse to the project's National Complaints Committee. The legal route through recourse to the Tribunal de Grande Instance may also be used by the complainant, if unsatisfied after having exhausted all the remedies provided for in this PGM. In this last case, the management costs are at the expense of the complainant.

A quarterly and annual summary report will provide complaint statistics, proposed resolutions and outcomes. An analysis of the processes, outcomes and effects on complainants and beneficiaries is strongly encouraged.

4. Monitoring and evaluation

The complaints M&E system is based on a system for recording and categorizing complaints, establishing and/or using existing frameworks for complaints management, feedback.

Complaints officers will contact complainants to explain how their complaints were handled and what solutions were proposed.

5. Feedback

No complaint will go unanswered.

The appropriate solutions selected will be communicated to the complainants by a reply signed by the Coordinator in the case of a letter or by the channel used by the complainant

(telephone, email, social networks, project website, etc.). Any trade union organizations will be involved in relaying the selected provisions to the complainants.

The coordinating committees (at the national and regional levels) provide reports of meetings following their supervision missions, capitalize on lessons learned, and make decisions regarding further action.

Archiving

All registered and processed complaints will be electronically archived in a highly sophisticated server that forms a database at the archiving service.

This system will provide access to information on: (i) complaints received; (ii) solutions found; and (iii) unresolved complaints requiring further action.

At the end of the program, it will share all relevant information with stakeholders to ensure the sustainability of the manual.

Complaints about GBV/ ECV/ASR/HS

For sensitive complaints, such as EAS/HS complaints, where users need to be assured of confidentiality and safety, a special handling mode will be reserved for these types of complaints to preserve confidentiality in the processing of the data.

At the national level, the government has set up a toll-free number "80 00 12 87" to alert and report all cases of gender-based violence in Burkina Faso.

When a case of violence is recorded, the following will be done:

- Medical care: Depending on the type of violence, and specifically for cases of physical or sexual violence, medical assistance must be requested from the victims in an emergency;
- Psychosocial care: This involves providing support to help the victim recover his or her psychological state and overcome the trauma caused by the violence by specialized social workers. It must go as far as support for the social reintegration of the victim.
- Judicial management: It must guarantee the safety and security of the survivor through :
 - Assessment of the victim's safety situation (environment/life setting);
 - Defining the protection strategy;
 - Implementing the security strategy as needed;
 - Immediate access to a secure setting in the community;
 - Access to legal and judicial support;
 - Legal compensation for the harm suffered ;
 - Follow-up on the execution of the court decision.

In parallel to the treatment, an investigation must be carried out by the project team (in collaboration with the structures indicated) as soon as the complaint is received in order to gather more information on the circumstances of the violence. This inquisitorial process must respect the requirements of anonymity and discretion. The identity of the survivor must not be revealed under any circumstances. In addition, any steps taken in the implementation of this mechanism must require the deliberate consent of the survivor.

Main actors in the processing of complaints GBV/VCE/EAS/HS

- **Service provider** : The service provider is a local institution or organization that has the necessary experience and capacity to provide support to GBV/ ECV/ASR survivors. They will be part of the local compliance teams and will be contracted by the project in order to guarantee the necessary care for survivors.
- **Structures provided for by Law n°061-2015/CNT on the prevention, repression and reparation of violence against women and girls and care for victims.** Article 39 of this law provides for the creation within each unit of the police and national gendarmerie, of special structures responsible for: (i) receiving and listening to women and girls who are victims of violence or threatened with violence, (ii) rapidly examining the urgent measures required by the circumstances, (iii) summoning and hearing the perpetrators, (iv) going to the scene, making observations and, if necessary, intervening to put an end to a violence in progress, (v) proceeding, if necessary, to the arrest of the perpetrators. Article 40 also provides for the creation within each municipality of a center for the care and support of victims.
protection of women and girls who are victims of violence.

APPENDIX 6: List of main documents consulted

- Texts of the main laws in Burkina Faso relevant to the program
- National policies and strategies
- Program Concept Note
- WB Policies on PforR
 - *PforR Interim Guidance Notes*
 - *PforR Financing Environmental and Social Systems Assessment*
- SP-MABG (May 2021): 2016-2020 Public Administration Modernization Program (PMAP) Completion Report, 62 pages.
- SP-MABG (August 2015): Public Administration Modernization Program (PMAP) Implementation Manual, 189 pages.
- SP-MABG (August 2014): Environmental and Social Management System Evaluation (ESES), 56 pages.
- SP-MABG (March 2021): final report on the implementation of environmental and social measures of the Public Administration Modernization Program (PMAP) 2016-2020, 45 pages (without annexes).

APPENDIX 7: National Public Consultation Report

Workshop 1 with PACT actors (Decentralization)

Compte rendu de l'Atelier de restitution des résultats des entretiens réalisés avec les acteurs pour l'Evaluation du Système Environnemental et Social Burkina (ESES-B) dans le cadre de la préparation du Programme de gouvernance locale pour les services de base et la résilience au Burkina Faso (PREGOLS), « Programme pour les Résultats (PforR) »

Le 17 août 2022 s'est tenu dans la salle de réunions de l'Unité de Coordination de l'ex-PACT à partir de 8h30mn, l'atelier de restitution des résultats des entretiens¹ réalisés avec les acteurs dans le cadre de l'Evaluation du Système Environnemental et Social du Burkina (ESES-B). Au total, l'atelier a mobilisé 08 personnes représentant les structures ci-après : UC/PREGOLS, DGCT, ADCT, DGMEC et ANEVE (cf. liste de présence).

1- Mot introductif

Le mot d'introduction à la rencontre a été prononcé par M. OUATTARA Oulla André, Coordonnateur de l'UC PREGOLS. Dans son intervention, il a décrit succinctement le contexte et la justification du PREGOLS en tant que nouvelle opération initiée par le Gouvernement burkinabè avec l'appui de la Banque mondiale et qui prendra le relai du Programme d'appui aux collectivités territoriales du Burkina Faso (PACT) et du Programme de modernisation de l'administration publique (PMAP). Il a indiqué qu'outre les acquis des deux programmes, le PREGOLS veillera à assurer l'intégration des préoccupations relatives à la sécurité, à la résilience et à l'humanitaire dans sa stratégie d'intervention.

A l'attention des participants, M. OUATTARA, a tenu à rappeler l'ODP du programme qui est d'améliorer les performances institutionnelles et de prestation de services des communes cibles et des Structures Techniques Déconcentrées. Il a par ailleurs apporté des précisions sur les exigences et conditions de mise en œuvre du mécanisme de financement qu'est le programme pour résultats (PforR) à savoir :

- appuyer un programme défini par le Gouvernement sur la base du principe des décaissements liés aux indicateurs ;
- lier le décaissement des fonds directement à l'achèvement de résultats spécifiques ;
- renforcer les systèmes nationaux pour s'assurer que les fonds soient utilisés d'une manière appropriée en tenant compte de façon adéquate de l'impact environnemental et social du programme ;
- renforcer les capacités institutionnelles permettant d'atteindre les résultats attendus.

Pour terminer, il a émis le souhait que cet atelier puisse permettre aux participants une meilleure appropriation des enjeux du PREGOLS qui est dans sa phase de conception. Il les a exhortés à participer activement aux échanges afin d'améliorer le contenu du nouveau programme.

2- Rappels sur les résultats des entretiens menés dans le cadre de l'ESES

Le second intervenant est M. TOE Denis, Consultant chargé de la préparation de l'ESES. Dans la communication faite, il a rappelé la démarche, les objectifs et la méthodologie de préparation de l'ESES. Dans la présentation, il ressort que l'ESES examine les systèmes nationaux de gestion environnementale et sociale pour évaluer leur conformité avec les dispositions de la politique de la Banque mondiale en matière de PPR ; le but étant de s'assurer que celui-ci ne comporte pas de risques environnementaux et sociaux importants et que les systèmes mis en place permettent d'identifier et gérer des éventuels risques.

¹ En rappel, les entretiens réalisés par un Consultant, ont eu lieu du 06 avril au 19 mai 2022. Ils ont concerné au total sept (7) ministères ou institutions privées impliquées dans le processus de préparation du PREGOLS et ont mobilisé 22 personnes représentant lesdites structures. Il s'est d'entretiens individuels ou groupés sous la forme de séances de travail.

Au titre des retombées positives, M. TOE a relevé les points de vue évoqués par les participants aux consultations à savoir :

- amélioration de la Performance Institutionnelle des Acteurs Déconcentrés
- amélioration de l'efficacité de la gestion financière et de la passation des marchés au niveau local (contrat cadre, dématérialisation – CID, CICT, sycotax).
- le développement des solutions innovantes en énergie renouvelable, en particulier le solaire, permettra l'évitement ou la réduction d'émission de gaz à effet de serre (GES).
- meilleure anticipation et réduction des conflits sociocommunautaires par la déconcentration de la justice, etc.

Les entretiens ont mis également en exergue quelques risques et impacts environnementaux et sociaux négatifs modérés qui peuvent être atténués efficacement par la prise de mesures :

- risques sanitaires liés à l'utilisation du bois énergie dans les cantines scolaires, apparition de blessures pour défaut de port des EPI ;
- perturbation temporaire de la qualité de l'air due aux soulèvements de poussières lors des réhabilitations de bâtiments ;
- pollutions locales liées à l'enlèvement des gravats issus des démolitions ;
- risques de conflits entre les agents et leurs Supérieurs hiérarchiques, entre l'Etat-Syndicat professionnel ;
- risques de dislocation familiale (séparation des conjoints) ;
- risques d'accidents/incidents lors déplacements ;
- risques de démotivation/abandon de poste ;
- risques de violences, d'insécurité résiduelle ;
- risques de VBG/VCE (discrimination dans la délivrance des services, ex : PDI) ;
- risques de traumatisme psychique (psychose, hantise de la violence), etc.
- risques de plaintes (non paiement des fournisseurs, cas d'aliments avariés ou de mauvaise qualité, non respect des délais de livraisons, cas de maladies constatées chez les élèves, etc.) ;
- risques de rivalités entre STD et communes au lieu d'une synergie, etc.

Quant aux mesures d'atténuation proposées lors des entretiens, une synthèse peut être faite comme suit :

- privilégier l'utilisation de l'énergie solaire ;
- recycler les déchets électroniques (ordinateur, smarphone, plaques solaires, accumulateur...) ;
- collecter et recycler les huiles usagées (ex : cas de groupes électrogènes) ;
- renforcer les capacités des acteurs (membres des délégations spéciales, points focaux, etc.) ;
- promouvoir le dialogue intercommunautaire et la tolérance ;
- reformer le code général des collectivités et la fonction publique territoriale ;
- actualiser le montant du cartable scolaire et du prix de la ration alimentaire scolaire en fonction de la conjoncture et de l'augmentation croissante des effectifs ;
- mieux définir et encadrer les modalités d'assistance des STD aux collectivités ;
- financer la mise en œuvre du Supermun et son extension pour toutes les communes du Burkina ;
- généraliser le déploiement de la solution ICIVIL à l'ensemble des communes du Burkina ;
- accélérer les réformes devant aboutir à l'adoption d'une loi spécifique sur l'état civil.

3- Synthèse des discussions de l'atelier

Après avoir pris connaissance du compte rendu des entretiens précédents, la phase de discussions a permis aux participants d'apprécier les entretiens déjà évoqués, de les enrichir et d'apporter des contributions diverses.

ANEVE :

- les structures impliquées doivent par anticipation, s'approprier les textes nationaux en matière de gestion environnementale et sociale, notamment le décret 11-87 portant conditions et procédures de réalisation et de validation de l'évaluation environnementale stratégique, de l'étude et de la notice d'impact environnemental et social ;
- s'y prendre tôt dans la mise en œuvre de la procédure d'évaluation E&S afin de réduire les délais au cas où des études spécifiques (NIES) sont requises (catégories B) ou des prescriptions E&S;
- examiner et traiter diligemment les cas de petites donations de terres par des propriétaires terriens en les distinguant des procédures de réinstallation afin de ne pas bloquer le déroulement de la procédure nationale ;
- prévoir la prise en charge des frais d'études (NIES), de validation des rapports, le paiement de certains droits, de suivi des PGES ;
- le programme va-t-il financer la construction de nouveaux magasins pour les cantines scolaires ?
- s'assurer de la qualification des consultants en charge des études afin de gagner du temps ;
- la nécessité d'élaboration une fiche technique de gestion environnementale et sociale des magasins dédiés aux cantines scolaires (choix du site, construction, modalités de stockage des produits, conditions de transport, etc.) ;

Au titre des arrangements institutionnels, l'ANEVE s'engage à désigner un point focal pour le suivi du PREGOLS comme cela a été le cas lors de l'exécution du PACT et du PMAP. Elle estime également qu'il devra avoir une synergie d'actions entre ce point focal et l'expert chargé des sauvegardes environnementales et sociales de l'Unité de coordination du PREGOLS. Pour l'ANEVE, deux (2) options se présentent généralement et il appartient au nouveau programme de faire un choix : (i) recruter un expert en interne pour le volet sauvegarde E&S ou (ii) assurer la mise en œuvre contractuelle de ce volet par l'ANEVE.

DGCT :

- recourir à l'utilisation des biodigesteurs dans les cantines scolaires comme stratégie d'évitement et de réduction des pollutions et nuisances liées à l'utilisation du bois-énergie ;
- s'agissant des arrangements institutionnels, prendre appui sur les acquis du PACT pour ce qui des cellules communales de suivi-évaluation mises en place et qui assuraient le volet sauvegarde E&S au lieu de créer de nouvelles structures ;

ADCT :

- quelle est la zone de couverture du PREGOLS au regard du contexte d'insécurité qui prévaut ?
- quel est le niveau sécuritaire dans la zone d'intervention du programme ?

DGMEC :

- quelle est la portée des indicateurs qui conditionnent les décaissements ? nationale ? communale ? l'évaluation des indicateurs considérés au niveau national peut révéler un taux faible alors ce taux pourrait être élevé s'il est pris au niveau communal ?
- est-ce que toutes les communes urbaines seront concernées par le programme ?

UC PREGOLS :

- le nouveau programme ne prévoit pas le financement de la construction de magasins, mais il va s'intéresser au mécanisme mis en place par le Gouvernement pour la gestion des cantines afin d'en améliorer les conditions ;
- ADCT pourrait aider par exemple à financer la construction de magasins si ce besoin émane des priorités des communes ;

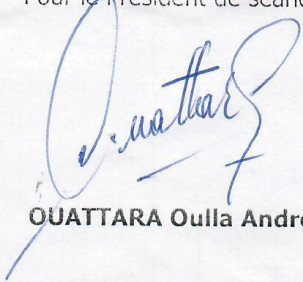
- nécessité de capitaliser sur l'expérience du projet cantines scolaires mis en œuvre par le MENAPLN ;
- plusieurs outils et formations ont été développés par le PACT, parmi lesquelles la formation des cellules communales de suivi évaluation et de suivi environnemental et social, il sera nécessaire de s'appuyer sur l'existant au niveau des nouvelles équipes des délégations spéciales et s'assurer qu'au-delà du Secrétaire Général, un agent puisse être disponibilisé en permanence pour le suivi quotidien des activités de la cellule communale (ex : agent domanial) ;
- oui les communes urbaines seront prises en compte dans le programme à l'exception des deux (2) communes à statut particulier notamment celle de Ouagadougou et de Bobo-Dioulasso ;
- les indicateurs seront conçus de façon participative avec l'ensemble des structures impliquées ;
- à ce stade de préparation du programme, il est prévu que la zone d'intervention couvre environ 80 communes (proposition qui sera soumise à l'adoption/validation par les plus hautes autorités) :
 - o 20 communes sur la base de la performance des communes n'ayant jamais connu d'attaques terroristes (zones à faible déficit sécuritaire) ;
 - o 40 autres zones ayant connu des attaques terroristes satisfaisant au critère de performance communale et avec la présence des PDI ;
 - o une dizaine de communes à choisir dans la zone rouge (présence minimale de l'Etat, besoin de renforcement des capacités, etc.).

Après cette séance de discussions, les participants ont convenu des points suivants pour la poursuite des consultations dans le cadre de la préparation du PREGOLS :

- transmettre les documents à chaque participant pour examen, commentaires et contributions pour le 20/08/2022 (présentation Powerpoint, Compte rendu détaillé des entretiens précédents, décret 11-85 sur les conditions de réalisation et de validation des évaluations environnementales, liste de présence au présent atelier de restitution) ;
- les contributions attendues des participants, doivent examiner : (i) les dispositifs nationaux de gestion environnementale et sociale à prendre en compte par le programme, (ii) les procédures relatives à la violence basée sur le genre (VBG) et le harcèlement sexuel, (iii) les mécanismes de gestion des plaintes existants, (iv) les dispositifs d'intégration des principes d'inclusion et non-discrimination, (v) les procédures et les outils concernant la préparation éventuelle des outils de sauvegarde environnementale et sociale, (vi) les éléments du cadre juridique, institutionnel et politique à prendre en compte dans le cadre du programme.

La rencontre qui a débuté à 08h30 mn, a pris fin autour de 11h30 mn.

Pour le Président de séance



OUATTARA Oulla André

Pour le Consultant, rapporteur



Denis TOE



GRUPE DE LA BANQUE MONDIALE

Liste de présence

Atelier de travail avec les institutions dans le cadre de l'évaluation du SES/Piorr PREGOLS

Ouagadougou, le

17/08/2022

Lieu : PACT-Ouaga

| N° | Nom et Prénom (s) | Fonction | Institution | Téléphone (fixe et mobile) | Email | Signature |
|----|-------------------------------------|-----------------------------|----------------|----------------------------|---------------------------|-----------|
| 1 | KOUSSO Sossoufa | Directeur général | DGCT/MANDS | 70953316 57330202 | kompe.issoufa @yahoofr | |
| 2 | YAMEOGO/DABIRE D.J. Maïté Raïssa | Directrice générale/ADCT | ADCT/MANDS | 70-28-23-15 | raïssa.dabire @adct.bf | |
| 3 | KONATE Dury | DLFI DGNEE | DGNEE | 7168 4783 | dury.konate @yahoofr | |
| 4 | KONATE Eric | Agenc F | DGCT/ MANDS | 7044 5930 | konateerics @yahoofr | |
| 5 | TOE Louis | Consultant | - | 90932327 | toedouwe @yahoofr | |

| N° | Nom et Prenom (s) | Fonction | Institution | Telephone (fixe et mobile) | Email | Signature |
|----|---------------------------|---------------|-------------|----------------------------|-------------------------|-----------|
| 6 | OUSTARA Duelle Ausine' | Coordonnateur | PREGELS | 70 26 1267 | oulaoultre@pma.com | |
| 7 | Zougouni cidjani | DG/ANVE | ANVE | 70 24 1000 | tchanepongoune@yahoo.fr | |
| 8 | KABRE N. Josue | Agent ANVE | ANVE | 76 52 7402 | jos.kabre@pma.com | |
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Workshop 2 with MABG SP stakeholders (deconcentration)

Compte rendu de l'Atelier de restitution des résultats des entretiens réalisés avec les acteurs pour l'Evaluation du Système Environnemental et Social Burkina (ESES-B) dans le cadre de la préparation du Programme de gouvernance locale pour les services de base et la résilience au Burkina Faso (PREGOLS), « Programme pour les Résultats (PPR) »

Le 23 août 2022 s'est tenu dans la salle de réunions du Secrétariat Permanent de la Modernisation de l'Administration Publique et de la Bonne Gouvernance (SP/MABG) à partir de 9h00mn, l'atelier de restitution des résultats des entretiens¹ réalisés avec les acteurs dans le cadre de l'Evaluation du Système Environnemental et Social du Burkina (ESES-B). Au total, l'atelier a mobilisé neuf (09) personnes représentant les structures ci-après : SP/MABG), DGESS/MFPTPS, Cabinet TECAL SATE, DGAJ/MJDHRI, DSF/MS, DAMSSE/MENAPLN (cf. liste de présence en annexe).

1- Mot introductif

Le mot d'introduction à la rencontre a été prononcé par M. KABORE R. Etienne, Secrétaire Permanent du SP/MABG. Dans son intervention, il a décrit succinctement le contexte et la justification du PREGOLS en tant que nouvelle opération initiée par le Gouvernement burkinabè avec l'appui de la Banque mondiale et qui s'appuiera sur les acquis du Programme d'appui aux collectivités territoriales du Burkina Faso (PACT) et du Programme de modernisation de l'administration publique (PMAP) en tant qu'expérience dans la mise en œuvre d'un Programme Pour les Résultats (PPR). Il a indiqué que cette nouvelle opération s'inscrit dans le cadre de la Stratégie nationale de la modernisation de l'administration publique (SNMAP) qui couvre la période 2021-2025. Dans le cadre de la préparation de cette nouvelle opération, une mission de pré-identification a déjà eu lieu avec l'appui de la Banque mondiale et qui a permis d'identifier les principaux acteurs et le potentiel d'actions à mener pour les cinq (5) prochaines années.

Pour terminer, il a émis le souhait que cet atelier puisse permettre aux participants une meilleure appropriation des enjeux du PREGOLS qui est dans sa phase de préparation. Il les a exhortés à participer activement aux échanges afin d'améliorer le contenu du nouveau programme.

2- Rappels sur les résultats des entretiens menés dans le cadre de l'ESES

Le second intervenant est M. TOE Denis, Consultant chargé de la préparation de l'ESES. Dans la communication faite, il a rappelé la démarche, les objectifs et la méthodologie de préparation de l'ESES. Dans la présentation, il ressort que l'ESES examine les systèmes nationaux de gestion environnementale et sociale pour évaluer leur conformité avec les dispositions de la politique de la Banque mondiale en matière de PPR ; le but étant de s'assurer que celui-ci ne comporte pas de risques environnementaux et sociaux importants et que les systèmes mis en place permettent d'identifier et gérer des éventuels risques.

Au titre des retombées positives, M. TOE a relevé les points de vue évoqués par les participants aux consultations à savoir :

- amélioration de la Performance Institutionnelle des Acteurs Déconcentrés ;
- amélioration de l'efficacité de la gestion financière et de la passation des marchés au niveau local (contrat cadre, dématérialisation – CID, CICT, sycotax) ;
- le développement des solutions innovantes en énergie renouvelable, en particulier le solaire, permettra l'évitement ou la réduction d'émission de gaz à effet de serre (GES) ;
- meilleure anticipation et réduction des conflits sociocommunitaires par la déconcentration de la justice, etc.

¹ En rappel, les entretiens réalisés par un Consultant, ont eu lieu du 06 avril au 19 mai 2022. Ils ont concerné au total sept (7) ministères ou institutions privées impliquées dans le processus de préparation du PREGOLS et ont mobilisé 22 personnes représentant lesdites structures. Il s'est d'entretiens individuels ou groupés sous la forme de séances de travail.

Les entretiens ont mis également en exergue quelques risques et impacts environnementaux et sociaux négatifs modérés qui peuvent être atténués efficacement par la prise de mesures :

- risques sanitaires liés à l'utilisation du bois énergie dans les cantines scolaires, apparition de blessures pour défaut de port des EPI ;
- perturbation temporaire de la qualité de l'air due aux soulèvements de poussières lors des réhabilitations de bâtiments ;
- pollutions locales liées à l'enlèvement des gravats issus des démolitions ;
- risques de conflits entre les agents et leurs Supérieurs hiérarchiques, entre l'Etat-Syndicat professionnel ;
- risques de dislocation familiale (séparation des conjoints) ;
- risques d'accidents/incidents lors déplacements ;
- risques de démotivation/abandon de poste ;
- risques de violences, d'insécurité résiduelle ;
- risques de VBG/VCE (discrimination dans la délivrance des services, ex : PDI) ;
- risques de traumatisme psychique (psychose, hantise de la violence), etc.
- risques de plaintes (non paiement des fournisseurs, cas d'aliments avariés ou de mauvaise qualité, non respect des délais de livraisons, cas de maladies constatées chez les élèves, etc.) ;
- risques de rivalités entre STD et communes au lieu d'une synergie, etc.

Quant aux mesures d'atténuation proposées lors des entretiens, une synthèse a été faite comme suit :

- privilégier l'utilisation de l'énergie solaire ;
- recycler les déchets électroniques (ordinateur, smarthpone, plaques solaires, accumulateur...) ;
- collecter et recycler les huiles usagées (ex : cas de groupes électrogènes) ;
- renforcer les capacités des acteurs (membres des délégations spéciales, points focaux, etc.) ;
- promouvoir le dialogue intercommunautaire et la tolérance ;
- reformer le code général des collectivités et la fonction publique territoriale ;
- actualiser le montant du cartable scolaire et du prix de la ration alimentaire scolaire en fonction de la conjoncture et de l'augmentation croissante des effectifs ;
- mieux définir et encadrer les modalités d'assistance des STD aux collectivités ;
- financer la mise en œuvre du Supermun et son extension pour toutes les communes du Burkina ;
- généraliser le déploiement de la solution ICIVIL à l'ensemble des communes du Burkina ;
- accélérer les réformes devant aboutir à l'adoption d'une loi spécifique sur l'état civil.

3- Synthèse des discussions de l'atelier

Après avoir pris connaissance du compte rendu des entretiens précédents, la phase de discussions a permis aux participants d'apprécier le contenu des entretiens déjà évoqués, de les enrichir et d'apporter des contributions diverses.

SP/MABG (Fonction publique):

- le PREGOLS comportera deux (2) unités de coordination, l'une au niveau du MATDS et l'autre au niveau du MFPTPS ;
- un accent particulier sera mis sur la définition consensuelle et inclusive des indicateurs dans les étapes ultérieures de préparation du programme afin de permettre un meilleur suivi des résultats ;
- la certification des résultats sera assurée par l'ASCE-LC et non la Cour des comptes ;
- prendre en compte l'ARCOP dans la procédure de gestion des plaintes relevant de la gestion des marchés publics ;
- le programme va s'appuyer sur des points focaux au niveau des DGESS dans les ministères qui seront impliqués et contribueront à la validation des diagnostics, des indicateurs et des actions à mettre en œuvre ;

- d'autres structures pourront être consultées en particulier la Direction Générale du Travail (DGT) pour les risques de conflits de travail et d'accidents de travail, de même que la Direction Générale de la Fonction Publique (DGFP) pour les risques d'abandon de poste ou de démotivation d'agents ;
- engagement à prendre en compte l'ensemble des acteurs dans la définition des indicateurs ;
- les points focaux déjà identifiés dans les départements ministériels impliqués (Santé, Fonction publique, Education et Justice) seront associés au déroulement des activités et missions avenir entrant dans le cadre de la préparation du PREGOLS.

Cabinet TECAL-SATE, chargé du contrôle qualité au niveau des cantines scolaires :

- prendre en compte les facteurs exogènes qui sont importants dans le fonctionnement des cantines scolaires (délai mis par le LNSP pour le contrôle des échantillons, les cas de rejets de produits alimentaires qui rallongent les délais de réapprovisionnement, etc.) ;
- prévoir un indicateur qualité dans la définition des indicateurs pour le suivi des cantines ;
- adapter la proposition des mesures d'atténuation des risques et impacts négatifs environnementaux et sociaux (E&S) au contexte réel de fonctionnement des cantines scolaires et de l'administration (ex : l'utilisation du solaire ou des groupes électrogènes rencontre souvent des pannes techniques et l'insuffisance des budgets pour assurer l'exploitation par les structures bénéficiaires) ;
- l'inexistence de magasins pour le stockage approprié des vivres dans la plupart des écoles ;
- l'expertise qualité concerne seulement l'amont (magasins de transit situés au niveau du chef-lieu des communes) et non l'aval (ex : le contrôle de qualité n'est pas assuré lors du transport des vivres à partir des magasins de transit jusqu'aux écoles) ;
- prévoir un indicateur qui permet d'exclure les communes défaillantes ou celles où des cas de fraudes sont décelées ;
- la mobilité du personnel est à prendre en compte en ce qu'elle constitue un facteur qui affecte négativement le fonctionnement des communes.

DGAJ/MJDHRI (Justice) :

- veiller à ce que les indicateurs qui seront sélectionnés, traduisent des situations concrètes et mesurables ;
- au niveau de la chaîne d'acteurs intervenant dans la gestion des plaintes, prendre en compte les tribunaux départementaux et les tribunaux d'arrondissements car ayant un rôle dans les cas de conciliation et médiation préalables, mais aussi dans la gestion de certains cas de contentieux ;
- prévoir la poursuite du renforcement des capacités des tribunaux sus-mentionnés (capacités techniques, moyens financiers pour le fonctionnement, formations) ;
- prendre en compte les délégations spéciales dans la résolution des conflits ;
- envisager l'introduction de modules de formation sur les missions des tribunaux départementaux et d'arrondissements au niveau des écoles professionnelles (ex : ENAM pour les préfets) pour pallier le problème de mobilité des agents de l'administration communale.

DSF/MS (Santé) :

- au niveau communal, il faut parler plutôt de la gestion des plaintes et de la promotion du bon vivre en associant les religieux et les coutumiers ;
- prévoir un indicateur qualitatif pour apprécier l'utilisation du paquet budgétaire alloué aux communes pour la gestion des accouchements assistés ;
- prévoir une démarche inclusive dans la définition des indicateurs.

Après cette séance de discussions, les participants ont convenu des points suivants pour la poursuite des consultations dans le cadre de la préparation du PREGOLS :

- transmettre les documents à chaque participant pour examen, commentaires et contributions pour le 25/08/2022 (présentation Powerpoint, Compte rendu détaillé des entretiens précédents, décret 11-85 sur les conditions de réalisation et de validation des évaluations environnementales, liste de présence au présent atelier de restitution) ;

- les contributions attendues des participants, doivent examiner : (i) les dispositifs nationaux de gestion environnementale et sociale à prendre en compte par le programme, (ii) les procédures relatives à la violence basée sur le genre (VBG) et le harcèlement sexuel, (iii) les mécanismes de gestion des plaintes existants, (iv) les dispositifs d'intégration des principes d'inclusion et non-discrimination, (v) les procédures et les outils concernant la préparation éventuelle des outils de sauvegarde environnementale et sociale, (vi) les éléments du cadre juridique, institutionnel et politique à prendre en compte dans le cadre du programme.

La rencontre qui a débuté à 9h00 mn, a pris fin autour de 11h30 mn.

Pour le Président de séance



Etienne R. KABORE

Pour le Consultant, rapporteur



Denis TOE



GROUPE DE LA BANQUE MONDIALE



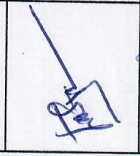
Liste de présence

Atelier de travail avec les institutions dans le cadre de l'évaluation du SES/PforR PREGOIS

Ouagadougou, le 23/08/2022

Lieu : SP/MABG-Ouaga

| N° | Nom et Prénom (s) | Fonction | Institution | Téléphone (fixe et mobile) | Email | Signature |
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| 1 | LANOU Fanbagnourou | spécialiste nouveau regard environnementale | SPMABG | 90392269 96424233 | labog29@gmail.com | |
| 2 | DIPANA / KABRE Pelagie | Directrice | DGESS/ MFPPTS | 96679916 | balerepela@gmail.com yahoobn | |
| 3 | Alfred. K. Zoungou | Expert/qualité | TECAL-SATE | 90213214 | alfred_zoungoune@gmail.com | |
| 4 | COULIBRATI Christian B. | Médecin | BGAT MTBARI | 7020262 | coulibrati@yahoo.com | |
| 5 | KASSOUE Etienne | SP | SPMABG | 55892410 | etiennepabou@spmaibg.com | |

| N° | Nom et Prenom (s) | Fonction | Institution | Téléphone (fixe et mobile) | Email | Signature |
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| 6 | ROBY A. CLAISSE | Adjoint généraliste chargée de production HFR | DSF 1175 | 70269312 | rodalana@yale.org |  |
| 7 | MIEN INACRO Raharimatai | Chef de service de la cellule commerciale interne et suivi clients | DSF 1175 | 70.15.75.54 | mieninacro@yale.org |  |
| 8 | OUEDRAGO Agnès | Adjoint de tout chargé de programme pe | DSF / HJ | 70260824 | agnès@yale.org |  |
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APPENDIX 8: Minutes of the Consultation of the Stakeholders involved in the E&S Safeguarding component of PREGOLS

Compte-rendu de la Consultation des Acteurs impliqués dans le volet Sauvegarde E&S du PREGOLS
 Dans le cadre de la mission d'identification du PREGOLS, une réunion sur le volet Sauvegarde E&S s'est tenue le 22 septembre 2022 dans la salle du Haut- Commissariat du Kadiogo (Ouagadougou). Cette réunion a regroupé la Banque mondiale et au niveau national les représentants des Acteurs impliqués dans le volet Sauvegarde E&S du programme.

La rencontre a débuté par un mot introductif prononcé par Mme COULIBALY/Gertrude ZOMBRE, Spécialiste Principale Sauvegarde sociale à la Banque mondiale. Elle a indiqué que la présente rencontre est une occasion de consulter directement les Acteurs impliqués dans le volet Sauvegarde E&S du programme dans le but de partager des informations et recueillir des avis et propositions pour renforcer le diagnostic ainsi que le plan d'actions préparés dans le cadre de l'Evaluation du Système Environnemental et Social (ESES) en cours.

A la suite de Mme COULIBALY, la parole a été donnée à Mr Denis TOE, consultant en appui à la préparation de l'ESES pour : (i) faire une synthèse des premiers résultats des consultations entreprises lors de cette mission, (ii) donner un aperçu du contenu du plan d'actions proposé en matière de sauvegarde E&S.

A la phase des échanges, les participants ont posé des questions de compréhension, fait une série d'observations. La proposition d'actions pour améliorer le contenu du rapport provisoire de l'ESES ainsi qu'un chronogramme a mis fin à la rencontre.

Au titre des questions de compréhension et observations :

- le plan d'actions intègre-t-il déjà le plan de communication et le Manuel technique de gestion E&S (MTGES) ou ces documents seront requis à la négociation ou élaborés lors de la phase de mise en œuvre du programme ?
- s'agit-il d'une seule entité qui assurera la production des rapports de sauvegarde E&S pour les deux (2) entités du programme, ou chacune des entités (volet décentralisation et volet déconcentration) préparera de façon séparée un rapport de de sauvegarde E&S ?
- le rapport provisoire a-t-il pris en compte la dimension Sécurité au niveau du pays ?
- quels sont les arrangements institutionnels retenus dans le cadre du PREGOLS ?
- quels sont les documents à préparer par la partie nationale pour être en conformité avec la réglementation nationale ?
- nécessité de consulter les bénéficiaires du programme (délégations spéciales, comités de gestion des cantines scolaires, etc.) ;
- qui doit mobiliser les bénéficiaires à consulter et comment le faire (à quelle date et lieu?)

A toutes ces préoccupations, des précisions ont été apportées par l'équipe de la Banque mondiale.

Les propositions ci-après ont été retenues par les participants pour contribuer à la validation de l'ESES :

- mettre le rapport provisoire (version électronique par mail) à la disposition des participants avec un délai de remise des contributions sous une semaine ;
- organiser sous la responsabilité de l'équipe de l'ex PACT, la consultation des bénéficiaires à Ouagadougou courant semaine du 26 septembre 2022.

La séance a été levée à 11 h.

Pour le Président de séance



B. Benjamin SAWADOGO

Pour le Consultant, rapporteur



Denis TOE

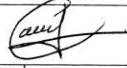






LISTE DE PRESENCE

OBJET : Mission d'identification du PREGOLS du 14 au 29 septembre 2022

Retour sur les Sauvegardes E & S -

DATE : 22/09/2022

HEURE DE DEBUT : 10h HEURE DE FIN : 11h00 ouaga

| N° d'ordre | NOM ET PRENOM (S) du PARTICIPANT | STRUCTURE | E-mail | CONTACT | SIGNATURE |
|------------|----------------------------------|--------------------------------------|--------------------------|-----------|---|
| 01 | SAWADOGO B. Benjamin | Point focal approches nouvelles PACT | saub.benjamin@yahoo.fr | 70767374 |  |
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APPENDIX 9: Minutes of the Consultation of local stakeholders benefiting from PREGOLS

Dans le cadre du déroulement de l'ESES du Burkina en vue de la préparation du PREGOLS, une consultation a eu lieu le 08 décembre 2022 à partir de 8h30 mn avec des Acteurs locaux bénéficiaires du PREGOLS dans la salle de réunion de l'ex PACT. Les comités de gestion des cantines scolaires et des structures sanitaires ainsi que les Présidents de délégations spéciales des communes de Zorgho, Manga, Ziniaré, Boussé et Koudougou ont pris part à cette rencontre.

La rencontre a débuté par un mot introductif prononcé par Monsieur Oulla André OUATTARA, coordonnateur du PREGOLS. Dans son intervention, il a donné un aperçu sur le processus de préparation du Programme, les domaines de résultats, les objectifs visés, les communes d'intervention et les étapes ultérieures.

A la suite de Monsieur OUATTARA, la parole a été donnée à Denis TOE, consultant en appui à la préparation de l'ESES pour : (i) faire une synthèse des premiers résultats des consultations entreprises lors de cette mission, (ii) donner un aperçu du contenu du plan d'actions proposé en matière de sauvegarde E&S.

Lors de la phase des échanges qui a suivi, les participants ont posé des questions de compréhension, fait une série d'observations. Des propositions ont été également faites pour améliorer le diagnostic ainsi que le contenu du plan d'actions de l'ESES.

Au titre des questions d'éclaircissement et observations :

Comment sera pris en compte la performance des acteurs locaux, en particulier les communes ?

- Quelle est la date de démarrage des activités du Programme ?
- Le dynamisme des COGES des cantines scolaires et des structures sanitaires sera-t-elle prise en compte dans l'évaluation des performances ?
- Le Programme vient-il en complément à d'autres programmes existants sur le terrain avec d'autres partenaires ?
- La gestion des centres secondaires d'état civil est assurée par des agents publics en plus de leurs missions ordinaires. A cause du principe de non cumul des indemnités, ces agents ne sont pas motivés à accomplir cette mission supplémentaire. Le Programme va-t-il accorder un intérêt à la résolution de cette situation ?
- Au démarrage du Programme, y aura-t-il des droits de tirage pour chaque commune ?

Au titre des propositions, on peut noter les points ci-après :

- Prendre en compte les structures de veille qui existent déjà dans les secteurs de l'éducation et de la santé et qui ont fait leurs preuves sur le terrain ;
- Rendre éligibles les préfectures dans les travaux de réhabilitation des bâtiments publics dans la mesure où l'ensemble des gouvernorats du Burkina a déjà bénéficié de tels travaux lors de l'organisation de la fête de l'indépendance (11 décembre) ;
- Trouver des mesures d'incitation des agents qui accomplissent les tâches de gestion des centres secondaires d'état civil ;
- Revoir les mercuriales des prix car entre la négociation et la signature du contrat de livraison de vivres, il y a un temps qui s'écoule et les prix ne sont plus d'actualité ;
- Prévoir des actions de renforcement des capacités au niveau des acteurs locaux dans le domaine des évaluations E&S, en particulier, le screening, la gestion et suivi des plaintes, le suivi des mesures E&S, etc.

Quelques éléments de réponse ont été apportés par l'équipe d'animation de l'atelier comme suit :

- Le Ministère chargé de la santé recevra des ressources budgétaires dans le cadre du Programme et la préoccupation relative à l'incitation des agents chargés de la gestion des centres secondaires d'état civil pourra être examinée à ce niveau ;
- Le financement du PREGOLS est un complément aux lignes budgétaires existantes au niveau du budget de l'Etat ;
- L'ASCE-LC sera responsable pour la certification des résultats et l'autorisation des décaissements se fera après cela ;
- La DGCT va bientôt acheminer dans les différentes communes, une fiche sur les critères de performance qu'il faudra renseigner ;
- Les structures de veille sont des bénéficiaires indirects du Programme et seront consultés après cette étape ;
- Dans la première phase du Programme, les préfectures ne sont pas concernées par les réhabilitations de bâtiments.

Après avoir fait le tour des questions et préoccupations, les participants ont dit avoir eu suffisamment d'informations sur le Programme et se sont engagés à accompagner sa mise en œuvre dans les prochaines étapes.

La séance a été levée à 13h00.


Le Rapporteur : Denis TOE, Consultant



GRUPE DE LA BANQUE MONDIALE

Liste de présence







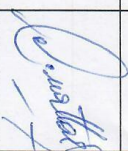

Consultation des Bénéficiaires du PREGOLS (comités de gestion des cantines scolaires & structures de santé, présidents de délégations spéciales de communes d'intervention)





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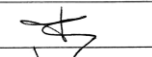
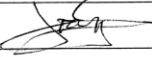
08/12/2022

Lieu : Salle de Réunion du PACT - Ouagadougou

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