



Concept Environmental and Social Review Summary

Concept Stage

(ESRS Concept Stage)

Date Prepared/Updated: 03/13/2020 | Report No: ESRSC01189



BASIC INFORMATION

A. Basic Project Data

Country	Region	Project ID	Parent Project ID (if any)
Lao People's Democratic Republic	EAST ASIA AND PACIFIC	P170640	
Project Name	Public Information and Awareness Services for Vulnerable Communities in Lao PDR		
Practice Area (Lead)	Financing Instrument	Estimated Appraisal Date	Estimated Board Date
Urban, Resilience and Land	Investment Project Financing		7/1/2020
Borrower(s)	Implementing Agency(ies)		
Helvetas Swiss Intercooperation	Helvetas Swiss Intercooperation		

Proposed Development Objective(s)

The development objective is to build the capacity of CSOs and representatives of poor communities to deliver public information, awareness and counseling services to vulnerable persons.

Financing (in USD Million)	Amount
Total Project Cost	2.50

B. Is the project being prepared in a Situation of Urgent Need of Assistance or Capacity Constraints, as per Bank IPF Policy, para. 12?

No

C. Summary Description of Proposed Project [including overview of Country, Sectoral & Institutional Contexts and Relationship to CPF]

The grant will provide direct financing to Helvetas Swiss Intercooperation in close collaboration with the Land Information Working Group (LIWG). The grant will complement a Bank Investment Project Financing (IPF), the Lao PDR Enhancing Systematic Land Registration Project (US\$25 million), by strengthening information awareness on existing basic rights related to natural resources. However, the grant takes a step further to include other essential basic legal rights on social issues such as gender and disability as per the Laotian legal framework as part of its overall effort to enhance grassroots information service delivery and mechanisms.



D. Environmental and Social Overview

D.1. Project location(s) and salient characteristics relevant to the ES assessment [geographic, environmental, social]
The main objective of the "Public Information and Awareness Services for Vulnerable Communities" project (P170640) is to build the capacity of civil society organizations (CSOs) and poor communities to deliver public information, awareness and counseling services to vulnerable persons. Mainly, through strengthening local communities' access to quality information related to basic legal rights in relation to natural resource management, gender, and access to grievance redress mechanisms with a special focus on the northern provinces of Lao PDR. This project is a grant funded by the Japan Social Development Fund (JSDF) and it will strengthen information awareness of existing fundamental rights related to natural resources. However, the grant takes a step further to include other essential fundamental legal rights on social issues such as gender and disability as per the Laotian legal framework as part of its overall effort to enhance grassroots information service delivery and mechanisms.

Project activities are expected to include, among others, mobile information awareness campaigns run by CSOs and coordinated with GoL's mass organizations, social media campaigns, and participatory youth engagement outreach sessions targeting schools. Also, provide mobile advice clinics serving remote areas where access to government services is limited and provide training and information using advice of local community members to their communities.

This project is related to the World Bank-funded, "Enhancing Systematic Land Registration Project" (P169669), currently under preparation. The objective of this project is to support the Government of Lao PDR (GoL), through its Ministry of Natural Resources (MoNRE) as implementing agency, in scaling up systematic land registration and improving the delivery of land administration in central and southern provinces of the country. The activities of this grant and the land registration project will be carried out at the same time, but its locations will be sometimes different: central and southern provinces for the land registration project, and country-wide with special focus on the northern provinces for this grant due to challenge in access to legal information and communication. The proposed grant activities will not fund any construction or physical investments, and it will not require land acquisition.

The project beneficiaries are expected to be the poorest persons in primarily rural areas of Lao PDR with a special focus on its northern provinces where access to legal information and services is more challenging mainly due to mountainous landscape and multi-ethnic groups with different spoken languages used. A significant part of the beneficiaries will include ethnic minorities, women, and persons living on subsistence agriculture. These communities are typically located in isolated areas of the country, where both geography, inadequate infrastructure, and limited government resources for outreach have hindered their knowledge of their existing basic legal rights.

D. 2. Borrower's Institutional Capacity

The proposed grant funding will be provided directly to HELVETAS, a Swiss international NGO (INGO), which provides livelihood and sustainable resource management services for farmers and ethnic communities in Lao PDR. HELVETAS Swiss International cooperation has been active in Laos since 2001, working on issues related to sustainable agriculture, food security and social equity. It has around 70 staff working in the country. They have labor management procedures and a code of conduct for their employees in line with international good practices. HELVETAS is planning to recruit a project manager for this project.



The implementation of activities will be done through the Land Information Working Group (LIWG), a Laotian CSO network that serves as an umbrella organization for more than forty national and international CSOs that actively work with local communities in Lao PDR on a variety of diverse socio-economic development issues. HELVETAS is also part of the group. LIWG’s core mandate is to promote awareness and understanding of the economic, social and environmental impacts of development projects on local communities by gathering and disseminating information, facilitating dialogue and providing analysis on key policy issues and impacts. One of the strengths of the LIWG is that its network has a wide range of both national and international CSOs/NGOs/CBOs working on natural resource issues covering whole Laos. LIWG was created to address the negative impacts of development projects on the livelihoods of the most vulnerable groups in Lao PDR, including the country’s plurality of ethnic minorities. Members of LIWG will be sub-contracted to serve as implementing arms of the project activities.

HELVETAS and most of the national and international CSOs forming LIWG have no relevant previous experience working with World Bank on Safeguards-related issues. Because of that, the grant’s Environmental and Social Commitment Plan (ESCP) will commit HELVETAS to, describe, establish and maintain an organizational structure with qualified staff and resources to manage the Environmental and Social Framework (ESF) requirements for this project. A training plan will be required for the participants national and international CSOs, NGOs and CBOs staff including, among others, contents like the basics of the WB’s ESF, how to carry out and properly document meaningful stakeholder engagement activities, management of grievance mechanism, culturally-appropriate consultation with ethnic groups or Indigenous People, prevention of GBV, VAC and Code of Conduct for project’s workers or Occupational Health and Safety (OHS).

HELTEVAS and LIWG will need to work in close coordination with MoNRE - the implementing agency of the land registration project - to ensure coordinated approach to engagement and management of the risks and impacts of the projects, relevant line ministries like the Ministry of Justice (MoJ), the GoL's mass organizations Lao Women's Union (LWU) and the Lao National Front for Development (LNU). Both LWU and LFNC have a village-level presence, and their participation will support the longer-term sustainability of the project. The coordination and cooperation among HELVETAS/LIWG and GoL's ministries and mass organizations on natural resource-related issues may be challenging since there are is no relevant recent experience in this sector working under this type of arrangements. Because of that, a grant’s Steering Committee will be established with the aim of ensuring coordination and addressing potential misunderstandings during implementation phase.

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II. SCREENING OF POTENTIAL ENVIRONMENTAL AND SOCIAL (ES) RISKS AND IMPACTS

A. Environmental and Social Risk Classification (ESRC)

Moderate

Environmental Risk Rating

Low

(1) Type, location, sensitivity and scale of the Project including the physical considerations of the project. This type of risk / impact is rated Low. The project will be carried out at the same time to the land registration project, but project locations will be different: central and southern provinces for the land registration project, and country-wide with special focus on the northern provinces. The project will help inform Lao PDR’s most vulnerable socio-economic communities of their social and economic rights as described in the existing Laotian legal framework



through 1) provision of community-driven information, awareness and counseling services provided by CSOs and 2) capacity building of CSOs to deliver services in an effective and sustainable manner.

(2) Nature and magnitude of the potential environmental risks and impacts, the nature of the potential risks and impacts (e.g. whether they are irreversible, unprecedented or complex).

No direct and indirect adverse environmental impacts are foreseeable from project’s activities, and no physical footprint that could cause adverse environmental impacts is envisaged. HELVETAS has in place a National Personnel Regulation and a Code of Conduct which are applied to all staff working in Lao PDR, that include OHS whilst staff traveling to and working in remote area.

(3) Capacity and commitment of the Borrower to manage risks and impacts in a manner consistent with the ESSs. HELVETAS will be the main implementing agency for the grant. HELVETAS has no previous experience with WB projects, however, they have developed and implemented a National Personnel Regulation and Code of Conduct for their employees working in Lao PDR, and issued in November 2018 an Environmental and Social Safeguards Policy for Climate Finance which is similar to the Bank’s Environmental and Social Standards. Nevertheless, the role of HELVETAS and other members in the Land Issues Working Group (LIWG) will need to be clarified, establishment and maintenance of an organizational structure with qualified staff and resources to manage the Environmental and Social Framework (ESF) are required for this project.

(4) Other areas of risk that may be relevant.

No other relevant environmental risks were identified.

Social Risk Rating

Moderate

The social risk rating is Moderate, since the activities proposed by this grant are not expected to cause significant risks and impacts. They are not complex and/or large and they are easily mitigated in a predictable manner.

The project will potentially bring benefits to poor communities improving their knowledge on legal framework related natural resources related rights and, and land registration process,. However, potential risks are envisaged from the activities. Firstly, there could potentially be a risk of escalating tensions through the dispute resolution process. The disputes could be derived directly or indirectly from the activities of the Enhancing Systematic Land Registration project (especially, its activities related to systematic land registration in rural areas), or legacy issues linked to the legal aspects disseminated and explained to target beneficiaries or poor local villagers related to natural resources. For example, some targeted communities may have been affected by other development projects (not financed by the Bank) with unsolved land-related conflicts and/or claims which may be raised again during the implementation of this grant. These could be largely related to relevant land-related laws and regulations including the Land Law - endorsed by the National Assembly in June 2019, but not yet disseminated-, Law on Resettlement and Vocation (2018) or Decree # 84 on Compensation and Resettlement (2016). Those regulations present some relevant gaps with the WB’s Environmental and Social Framework (ESF), e.g. it does not include the principle of timely compensation at full replacement cost established by ESS5.

Additional potential social risks and impacts are likely to result from: (i) potential insufficient coordination and collaboration among the implementing agency, line ministries and GoL’s mass organizations; (ii) working conditions of the members of LIWG whom will be sub-contracted by HELVETAS; (iii) difficulties to effectively reach out to affected

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and interested stakeholders to ensure accessibility and culturally appropriateness, taking into account the needs of ethnic groups, people with disabilities, vulnerability, language and literacy to ensure benefits are accessible to all.

It is expected that special attention will be needed to monitor and enforce compliance in the application of ESS2 (Labor and Working Conditions) and ESS10 (Stakeholder Engagement and Information Disclosure).

B. Environment and Social Standards (ESSs) that Apply to the Activities Being Considered

B.1. General Assessment

ESS1 Assessment and Management of Environmental and Social Risks and Impacts

Overview of the relevance of the Standard for the Project:

This project will finance capacity-building support to CSOs who will provide information, awareness, and counseling services for persons in poor communities. It will also allow the capacity development of CSOs to pilot and innovate different types of services. The proposed grant activities will not fund any construction or physical investments, and it will not require land acquisition.

Potential environmental impact/risk:

The project will not fund any construction and physical investments. No adverse direct and indirect environmental impacts are expected.

Potential social impact/risk:

Although the proposed project will support HELVETAS and LIWG is expected to especially benefit some of the most vulnerable groups of rural areas of Lao PDR, with a special focus on its northern provinces where access to legal information and services are more challenging (ethnic minorities, women or persons living on subsistence agriculture in remote communities with difficult access), the project activities could potentially cause moderate unintentional risks and impacts as summarized below:

- There could be a risk of escalating tensions through the dispute resolution process due to conflicts derived directly or indirectly from the activities of the Enhancing Systematic Land Registration project (especially, its activities related to systematic land registration in rural areas), or legacy issues linked to the legal aspects disseminated and explained to target beneficiaries or local poor villagers related to land;
- Also, some targeted communities may have been and may be affected by other development projects (not financed by the Bank) with unsolved land-related conflicts and/or claims which may be raised again during the implementation of this project. These affected communities or their members if well trained and informed may raise their concerns and apply grievances to the project developers and concerned authorities. If their grievances have not been addressed in a timely and satisfactory manner and in accordance with the national policy, these could be escalated into discontents and possibly social unrests eventually.

Additional potential social risks and impacts are likely to result from: (i) potential insufficient coordination and collaboration among the implementing agency, line ministries, and GoL's mass organizations; (ii) working conditions of the entities subcontracted by HELVETAS; (iii) difficulties to effectively reach out to affected and interested stakeholders to ensure accessibility and culturally appropriateness, taking into account the needs of ethnic groups, vulnerability, language and literacy to ensure benefits are accessible to all.



To address those risks and impacts at all stages of the project implementation, the Borrower will develop, consult, and disclose the following environmental and social due-diligence instruments prior to the beginning of the project activities:

- Labor Management Procedure including Worker Grievance Procedure if relevant, in order to address any gaps between the national law with ESS2. The project's labor provisions will include requirements on Occupational Health and Safety (OHS) procedures which will apply for both HELVETAS staff and its subcontractors;
- The project's Stakeholder Engagement Plans (SEP) -including a Grievance Mechanism (GM)- will be prepared prior to the beginning of the project activities to both guide the coordination and collaboration among HELVETAS/LIWG and the GoL's line ministries and mass organization during the implementation of this project as well as to identify beneficiary stakeholders and to define a strategy for building and maintaining a constructive relationship with the principal beneficiaries of the project. The contents of the document will need to be informed by the SEP of the land registration project.

Environmental and social management (ESM) capacity development will be provided to the Borrower throughout the project. Needs assessment for the ESM training will be carried out before the beginning of the project activities. By then, the team would be able to conclude training contents and staff to be involved.

The project ESF tools (LMP, SEP) will be prepared, reviewed, and disclosed for consultations by the implementing agency, after being reviewed and cleared by the World Bank. The ESF tools will be disclosed in-country by the implementing agency prior to the beginning of the project activities. Aspects of the LMP and SEP will inform the Environmental and Social Commitment Plan (ESCP) to be prepared and disclosed by the implementation agency also before the beginning of the project activities.

Areas where “Use of Borrower Framework” is being considered:

There are no areas where the Borrower's E&S Framework will be considered.

ESS10 Stakeholder Engagement and Information Disclosure

The implementing agency will prepare a Stakeholder Engagement Plan (SEP) before the beginning of the project activities. The SEP will be implemented, updated, and disclosed throughout the different phases of the project life cycle.

At this early stage, various affected and interested stakeholders have been identified: (a) line ministries: the Ministry of Natural Resources (MoNRE) and its Provincial and District Offices (PONREs and DONREs), the Ministry of Justice (MoJ); (b) local individuals or groups: provincial and local authorities and village chiefs, Community Based Organizations (CBOs), women organizations and religious leaders, Ethnic Group leaders and organizations -in case applies-, farmers, communities located nearby the project area, (c) academia, environmental organizations, NGOs working with natural resources related issues outside the members of LIWG.

The project's SEP will have three main objectives: (1) guide the coordination and collaboration among HELVETAS/LIWG and the GoL's line ministries and mass organizations during the implementation of this project; (2)



identify beneficiary stakeholders and to define a strategy for building and maintaining a constructive relationship with the principal beneficiaries of the project; and (3) effective information dissemination and communication strategy and approach. It will need to include specific activities to reach out to affected and interested stakeholders effectively and to ensure accessibility and culturally appropriateness, taking into account the needs of ethnic groups, gender, people with disability, vulnerability, language, and literacy to ensure benefits are accessible to all. The contents of the document will be coordinated with the SEP of the land registration project.

A project-specific Grievance Mechanism (GM), proportionate to the potential risks and impacts of the project, will be established, implemented, monitored, and reported regularly. Participatory activities included in the SEP and complaints received and resolved under the project's GM will be reviewed during the implementation support missions. It will need to be consistent with the GM of the land registration project.

B.2. Specific Risks and Impacts

A brief description of the potential environmental and social risks and impacts relevant to the Project.

ESS2 Labor and Working Conditions

The JSDF grant activities will mainly focus on support for legal aid services for local communities and will not finance infrastructure and civil works. However, the project will involve dozens of HELVETAS staff plus members of the GoL's mass organization LWU and LFND (direct workers), plus consultants (contracted workers) subcontracted by HELVETAS from the CSOs members of the LIWG. The project may also involve local villagers (community workers) to support the teams as volunteers in the legal support activities in the field. These teams will be staying in district towns and rural villages during their fieldwork.

HELVETAS is required to develop and implement Labor-Management Procedures (LMP) applicable to the project. The LMP will be completed before any on the ground activity, will apply to all different categories of workers and it will set out how project workers will be managed and treated in line with the national labor law and this ESS. The labor-management procedures will also ensure that project teams and community workers will be provided with adequate resources and tool kits required, safe accommodations, transport, first aid-kits available at work sites, and can be contacted/reached in case of emergency. HELVETAS will also ensure that Social Security (health and life insurance) is provided to all team members according to the Labor Law before the commencement of their assignment.

The project's LMP will include provisions to prevent Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV) and/or Violence Against Children (VAC). Training on community interaction and SEA, GBV and SEA will be provided for all teams, staff (civil servants and outsources staff/contractors) to ensure the teams respect local communities and their culture and will not involve in misconduct behaviors. Codes of Conduct (CoC) will be included in the letter of HELVETAS staff and team appointment and contracts (for contracted workers) in line with relevant national laws and legislations to be adopted and applied under the project.

HELVETAS will develop a dedicated labor grievance mechanism, as part of LMP, for direct and contracted workers. Potential grievances coming from community workers will be collected and addressed by the project-specific Grievance Mechanism under the ESS10.



ESS3 Resource Efficiency and Pollution Prevention and Management

The proposed activities will not fund any construction and physical investments, there will be no activity associated with the use of natural resource, pesticide and generate pollution to air, water and land.

ESS4 Community Health and Safety

The proposed activities are not expected to cause any impacts on community health and safety. Provisions on SEA, GBV and VAC and CoC are included under ESS2 to prevent and manage these potential risks.

ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

The proposed activities will not fund any construction and physical investments. No land acquisition is expected from this project.

ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources

The proposed activities will not fund any construction and physical investments. These TA type of activities will not course any impact on biodiversity and natural resources.

ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities

ESS7 standard applies for this project since ethnic groups (Indigenous Peoples -IP-) possessing the four characteristics listed in para 8 of ESS7 are present in the project area. It applies regardless of the legal empowerment activities proposed by the project (including information sharing, awareness-raising, and counseling) that will potentially benefit IPs living and working in rural areas of Lao PDR.

Based on the findings of the Environmental and Social Management Framework (ESMF), Ethnic Group Development Framework (EGDF) and Stakeholder Engagement Plan (SEP) of the Enhancing Systematic Land Registration Project {P169669}, the Borrower will be able to estimate the expected direct and indirect economic, social, cultural and environmental impacts on IPs by this project. Based on that, the SEP of the Public Information and Awareness Services for Vulnerable Communities project will be updated to ensure that IPs are fully consulted about and have opportunities to actively participate in project design and the determination of project implementation arrangements.

Applying the principle of proportionality, HELVETAS will not have to prepare any additional specific IP-related ESF instruments beyond the above-mentioned SEP. However, project activities in areas where IPs are present must be aligned with the contents and mitigation measures included on the EGDF (and related Ethnic Group Plans, when applying) of the land registration project.



ESS8 Cultural Heritage

This project is not expected to cause any adverse impacts to tangible or intangible cultural heritage assets.

ESS9 Financial Intermediaries

This project will not involve any FIs.

C. Legal Operational Policies that Apply

OP 7.50 Projects on International Waterways

No

Grant activities will not be implemented in international waterways.

OP 7.60 Projects in Disputed Areas

No

Grant activities will not be implemented in disputed areas.

III. WORLD BANK ENVIRONMENTAL AND SOCIAL DUE DILIGENCE

A. Is a common approach being considered?

No

Financing Partners

Japan Social Development Fund (JSDF).

B. Proposed Measures, Actions and Timing (Borrower’s commitments)

Actions to be completed prior to Bank Board Approval:

- Labor Management Procedure (LMP) including Worker Grievance Procedure presented, consulted and disclosed prior to the beginning of the project activities. It will include templates of Codes of Conduct to be comprised in the letter of HELVETAS staff and team appointment and contracts (for contracted workers);
- Stakeholder Engagement Plan (SEP) -including a Grievance Mechanism- presented, consulted and disclosed prior to the beginning of the project activities;
- ESCP prepared and disclosed prior to the beginning of the project activities. Among other contents, this ESCP will include a training plan for the participants national and international CSOs, NGOs, CBOs staff including, among others, contents like the basics of the WB’s ESF, how to carry out and properly record meaningful stakeholder engagement activities, management of grievance mechanism, culturally-appropriate consultation with Indigenous Peoples, prevention of GBV and VAC and Code of Conduct for project’s workers or Occupational Health and Safety (OHS).

Possible issues to be addressed in the Borrower Environmental and Social Commitment Plan (ESCP):

Update of the LMP, SEP and ESCP as needed during project implementation.

In the areas where IPs are present, the grant’s SEP must be aligned with the contents and mitigation measures included in the EGDF (and related Ethnic Group Plans, when applicable) of the Enhancing Systematic Land Registration Project (P169669).

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C. Timing

Tentative target date for preparing the Appraisal Stage ESRS

20-Mar-2020

IV. CONTACT POINTS

World Bank

Contact:	Paul Prettitore	Title:	
Telephone No:	+1-202-458-5236	Email:	pprettitore@worldbank.org

Contact:	Mariko Yamamoto	Title:	
Telephone No:	5220+88918	Email:	myamamoto1@worldbank.org

Borrower/Client/Recipient

Borrower: Helvetas Swiss Intercooperation

Implementing Agency(ies)

Implementing Agency: Helvetas Swiss Intercooperation

V. FOR MORE INFORMATION CONTACT

The World Bank
1818 H Street, NW
Washington, D.C. 20433
Telephone: (202) 473-1000
Web: <http://www.worldbank.org/projects>

VI. APPROVAL

Task Team Leader(s): Paul Prettitore, Mariko Yamamoto

Practice Manager (ENR/Social) Susan Shen Recommended on 13-Mar-2020 at 09:56:8 EDT

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