
ENVIRONMENT AND SOCIAL MANAGEMENT FRAMEWORK

ELIMINATING POPs THROUGH SOUND MANAGEMENT OF CHEMICALS

FEBRUARY 2022

MINISTRY OF ENVIRONMENT, CLIMATE CHANGE AND TECHNOLOGY

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Executive Summary

This Environmental and Social Management Framework (ESMF) has been prepared for the project “Eliminating POPs through sound management of chemicals” funded by Global Environment Facility (GEF). The GEF agency for the project is United Nations Development Programme (UNDP).

The purpose of this ESMF is to assist in the assessment of potential environmental and social impacts. The Framework forms the basis upon which Environmental and Social Impact Assessments (ESIAs) and Environmental and Social Management Plan (ESMPs) will be developed, so as to ensure full compliance with the requirements of UNDP’s Social and Environmental Standards (SES). The ESMF will be implemented by the Ministry of Environment, Climate Change and Technology (MECCT) and overseen by the counterparts from UNDP Country Office and monitored throughout the duration of the project.

Preliminary analysis and screening conducted during the project development phase via UNDP’s Social and Environment Screening Procedure (SESP) identified potential social and environmental risks associated with project activities. The screening procedure established that the project is rated as being of High risk, and that the identified social and environmental risks’ impacts are manageable through identified mitigation measures detailed in the Screening Template, included in Annex 02.

Five significant risks are assessed as “High”:

Risk 3: Risk of release of hazardous substances during transport between facilities, storage, export for disposal and testing of substances.

Risk 4: Risks associated with siting and characteristics of storage facilities that may mean increased vulnerability to Climate Impacts and risk to workers, local community and ecosystem health.

Risk 6: Capacity of workers may not be sufficient to execute safe collection, packaging, transport, storage, and/or disposal steps.

Risk 7: Potential perception of gender inequality and/or unintentional social backlash against the attempts to especially include women into the recognized waste management infrastructure.

Risk 8: Risks associated with unforeseeable climatic conditions and disasters could lead to structural failure and impact the community health and environment

This ESMF has been developed on the basis of the high-risk categorization to specify the processes that will be undertaken by the project for the additional assessment of potential impacts and identification and development of appropriate risk management measures, in line with UNDP’s Social and Environmental Standards (SES). This ESMF also details the roles and responsibilities for its implementation and includes a budget and monitoring indicators for ESMF implementation.

The document identifies the steps for detailed assessment of the project’s potential social and environmental risks, and for preparing and approving the required management plans for avoiding, and where avoidance is not possible, reducing, mitigating and managing the identified adverse impacts of this project. It also sets out the additional safeguards measures that apply to the project during the inception phase, including but not limited to:

1. Screening of project activities and specific interventions/outputs not yet fully specified, using the SESP, to ensure that associated impacts are adequately managed.

2. Conducting an Environmental and Social Impact Assessments (ESIAs) focused on project activities which are anticipated to have a significant social and environmental risks.
3. Based on ESIA findings, prepare Environmental and Social Management Plan (ESMP) for the contractor to adhere to construction phase and prepare Risk Assessment and Management Plan for transfer of potentially PCB-containing equipment.

Abbreviations and Acronyms

ESMF	Environment and Social Management Framework
POPs	Persistent Organic Pollutants
GEBS	Global Environmental Benefits
ESM	Environmentally Sound Management
PCBs	Polychlorinated Biphenyls
BEP	Best Environmental Practice
BAT	Best Available Technology
U-POPs	Unintentional-Persistent Organic Pollutants
EPR	Extended Producer Responsibility
PPP	Public Private Partnership
ESMP	Environmental and Social Management Plan
CCMS	Central Chemical Management System
NCIT	National Centre for Information Technology
MCS	Maldives Customs Services
MoD	Ministry of Defence
MECCT	Ministry of Environment, Climate Change and Technology
SES	Social and Environmental Standards
UNDP	United Nations Development Programme
SEP	Stakeholder Engagement Plan
GAP	Gender Action Plan
SAP	Strategic Action Plan
SESP	Social and Environmental Screening Procedure
PMU	Project Management Unit
ESIA	Environmental and Social Impact Assessment
MNDF	Maldives National Defence Force
MATI	Maldives Association for Tourism Industry
EPA	Environmental Protection Agency
MoH	Ministry of Health
WAMCO	Waste Management Corporation

1. INTRODUCTION

This Environmental and Social Management Framework (ESMF) for the UNDP-supported project “Eliminating POPs through sound management of chemicals”.

UNDP is the GEF agency for the project for which this ESMF applies.

1.1 Project Description

The aim of the project is to reduce the risk of Persistent Organic Pollutants (POPs) on human health and the environment through strengthening of institutional capacity and the policy and regulatory framework for the environmentally sound management (ESM) of hazardous chemicals with a focus on POPs. In other words, the project will establish sustainable systems for sound collection, labelling, storage and disposal of hazardous POPs chemicals and waste.

Global Environmental Benefits (GEBs) will be achieved by reduction of the release of Unintentional Persistent Organic Pollutants (U-POPs) and Polychlorinated Biphenyls (PCBs) through introduction of Best Environmental Practices (BEP) and Best Available Technology (BAT) at the regional, municipality level and at tourist resorts. Furthermore, this project intends to mainstream gender at community level through strengthening women’s decision-making tool and creating awareness about hazardous POPs. The following are the components of the project.

1. **Component 1:** Strengthening the regulatory and policy framework and institutional and technical capacity for the sound management and disposal of POPs, chemicals and waste.
2. **Component 2:** Establish systems for the sound collection, labelling, storage and disposal of hazardous chemicals and waste.
3. **Component 3:** Monitoring and learning, adaptive feedback, outreach and evaluation.

An overview of the project components and outcomes is provided in the following Table 1.

Table 1: Project components, outcomes, and outputs

Component 1: Strengthening the regulatory and policy framework and institutional and technical capacity for the sound management and disposal of POPs, chemicals and waste.	
Outcome	Outputs
Outcome 1.1: Policy and Regulatory Framework for the sound management of chemicals enhanced	Output 1.1.1: Advance the development and adoption of regulatory measures pertaining to POPs and SMC and introduce economic instruments and incentives (EPR, PPP) to reduce POPs and other harmful release.
Outcome 1.2: Key public and private institutions and entities capacitated to operationalize the regulatory and policy framework for the LCM of Chemicals and wastes	Output.1.2.1: A harmonized Central Chemical Management System (CCMS) established within NCIT (covering chemical’s import, use, storage, management, disposal, POPs and PRTR system). Output 1.2.2: Capacity at the regulatory authority strengthened for the development and effective enforcement of standards/guidelines related to

	<p>collection, transportation, storage, use and disposal of POPs, hazardous chemicals and wastes.</p> <p>Output 1.2.3: MCS, MoD and other responsible authorities trained on inspection, identification and monitoring procedures for chemicals, and products containing chemicals of toxic concerns.</p>
<p>Component 2: Establish systems for the sound collection, labelling, storage and disposal of Hazardous Chemicals and Wastes</p>	
<p>Outcome 2.1: 24 tonnes of PCB containing equipment and waste identified, labelled, soundly managed and exported for disposal.</p>	<p>Output 2.1.1: Inventorize, analyse, label and map PCBs containing equipment and waste present in the country.</p> <p>Output 2.1.2: Facilitate the environmentally sound management and disposal of 24 tonnes of phased-out PCB containing transformers, switchgears and waste oil, including labelling.</p>
<p>Outcome 2.2: POPs releases from unsound disposal and treatment of (hazardous) chemicals and wastes reduced.</p>	<p>Output 2.2.1: Develop the capacity of regional waste management facilities and waste management actors for the sound management, interim storage and disposal of hazardous and toxic wastes.</p> <p>Output 2.2.2: Introduction of BEP and BAT to reduce POPs releases from waste management</p>
<p>Component 3: Monitoring and Learning, Adaptive Feedback, Outreach and Evaluation</p>	
<p>Outcome 3.1: Project results sustained and replicated, and awareness raised</p>	<p>Output 3.1.1 Experience, case studies, lessons learned and best practices collected, captured in knowledge products and disseminated at national and global level to support replication.</p>
	<p>Output 3.1.2: Undertake awareness raising targeted at households, chemical users, industries and decision makers.</p>
	<p>Output 3.1.3: Implementation of Gender Action Plan (GAP) to develop gender expertise, creating awareness raising campaigns and empowering the Women’s Development Committees.</p>

1.2 Purpose and Scope of this ESMF

The purpose of this ESMF is to provide a management tool to assist in management of potentially adverse environment and social impacts associated with the project activities, in line with UNDP’s Social and Environmental Standards. It provides basis for the implementing partner to conduct social and environmental screening, elaborate the Environmental and Social Impact Assessments (ESIA) and Environmental and Social Management Plans (ESMP). The aim of these EISAs and ESMPs are to identify, access, mitigate and monitor the adverse environmental and social impacts associated with the project activities.

This ESMF will be publicly disclosed in line with UNDP’s Information Disclosure and Social and Environmental Standards (SES).

1.3 Potential Social and Environmental Risks

The project was reviewed using the UNDP’s social and environmental screening procedure (SESP) during the project development stage. A range of potential social and environmental impacts associated with project activities were identified during the SESP analysis. The SESP report includes the specific social and environmental risks that apply to the project. The significance of each risk, based on its probability of occurrence and extent of impact has been estimated as being low, moderate or high. Based on the individual risks identified, the project has been allocated an overall SESP risk categorization rating of “High”. According to updated UNDP Social and Environmental Standards, High Risk projects are projects that include activities with potential significant adverse social and environmental risks and impacts that are irreversible, unprecedented and/or which raise significant concerns among potentially affected communities and individuals as expressed during the stakeholder engagement process. High Risk activities may involve significant adverse impacts on physical, biological, socioeconomic, or cultural resources, and may have the potential to aggravate existing situations of fragility or conflict, adversely affect human rights, lead to extensive environmental degradation and/or contribute to cumulative impacts.

High Risk: is defined by UNDP’s SES1 as “Projects that include activities – either “upstream” or “downstream” activities - with potential significant and/or irreversible adverse social and environmental risks and impacts, or which raise significant concerns among potentially affected communities and individuals as expressed during the stakeholder engagement process. High risk activities may involve significant impacts on physical, biological, ecosystem, socioeconomic or cultural resources. Such impacts may more specifically involve a range of human rights, gender, and/or environmental sustainability issues.”

Moderate Risk: is defined by UNDP’s SES2 as “Projects that include activities with potential adverse social and environmental risks and impacts that are limited in scale, can be identified with a reasonable degree of certainty, and can be addressed through application of standard best practice, mitigation measures and stakeholder engagement during Project implementation.”

The following are the risks identified in SESP as High Risks;

Risk 3: Risk of release of hazardous substances during transport between facilities, storage, export for disposal and testing of substances.

Transport, storage and disposal operations for any hazardous substance may pose potential human and ecosystem health risks, whether to workers or the wider community, to local environment, or transboundary ecosystems. Therefore, for any project which involves collection, handling, packaging, transport, destruction or disposal of waste, particularly hazardous chemicals waste, there is always a standing risk of release to the environment.

Risk 4: Risks associated with siting and characteristics of storage facilities that may mean increased vulnerability to Climate Impacts and risk to workers, local community and ecosystem health.

While attempts will be made to locate storage facilities in least sensitive areas, and to ensure they are appropriately retrofitted so they are fit for purpose, the Maldives as the lowest country in the world (average land is 1.5 m above sea level) will always be at risk of marine inundation, which in turn will lead

to risk of high degree of contamination impact should such an event occur. The same would hold true to risks for ecosystems and communities, as well as lab testing facilities and the like. There can also be risks in the transportation of waste between facilities, whether by road or sea.

Risk 6: Capacity of workers may not be sufficient to execute safe collection, packaging, transport, storage, and/or disposal steps.

The capacity of workers, particularly those in the informal sector or community level, who may be engaged in the project, needs to be ascertained to ensure that threats to worker and community safety are minimized. Women have a significant in waste separation, as well as waste disposal and handling even at domestic and community levels.

Risk 7: Potential perception of gender inequality and/or unintentional social backlash against the at The Gender Analysis during project preparation already identified that women are largely involved in waste separation, transportation and disposal activities at the household level. They also face particular health risks associated with unsound management of products-containing POPs and/or open burning of waste in general; and this risk can extend to their children and others in the community. They have the potential to play a formal, monied role in waste separation in a streamlined waste management system, but there should also be care taken to ensure they have the right capacity, tools and environment in which to carry out their work. As such there needs to be special effort to include women at community level in the decision-making and capacity-building processes, which could be in some instances a new role for the women, creating new collaborations in which some (men and women) may not be comfortable. tempts to especially include women into the recognized waste management infrastructure.

2. LEGISLATION AND INSTITUTIONAL FRAMEWORK FOR MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS

This section of the report provides a review of the National Legislation, regulations and policies relevant to the management of social and environmental impacts as well as other legislation, regulations and policies relevant to the project activities. In addition, information will be provided on the Multilateral Environmental Agreements relevant to the project and provisions under the UNDP's Social and Environmental Standards will be described.

2.1 National Legislation, Regulations and Policies

This section of provides detailed information regarding the national legislations, regulations and policies which are relevant to Social and Environmental risks assessment and management. Furthermore, national legislations, regulations, and policies relevant to the project activities will be discussed in this section of the report.

The national laws and regulations relevant to assessment and management of social and environmental risks are:

- Environmental Protection and Preservation Act (4/93).
- Environmental Impact Assessment Regulations (2007) and amendment (2012).
- Environmental Liability Regulation

2.1.1 Environmental Protection and Preservation Act (Law no. 4/93)

The Environmental Protection and Preservation Act (EPPA, Act No: 4/93) enacted on 19 March 1993 is the framework law related to environment protection in the Maldives. It aims at improving the legal and administrative co-ordination of the diverse initiatives in the field of environment with the ultimate objective of integrating environmental considerations into the country's overall economic and social development. The authority responsible for the Environmental Protection and Preservation Act is the Ministry of Environment, Climate change and Technology (MECCT).

Articles 2, 5 and 6 of the law are relevant to the environmental assessment of the project. Article 2 states that the concerned government authorities shall provide the necessary guidelines and advise on environmental protection in accordance with the prevailing conditions and needs of the country. All concerned parties shall take due considerations of the guidelines provided by the government authorities.

According to Article 5 (a) of the Act, an Environmental Impact Assessment study shall be submitted to the Ministry of Environment before implementing any development project that may have a potential impact on the environment. As per Article 5 (b), The Ministry of Environment shall formulate the guidelines for EIA and shall determine the projects that need such assessment as mentioned in paragraph (a) of this clause.

As per Article 6, the Ministry of Environment has the authority to terminate any project that has any undesirable impact on the environment. A project so terminated shall not receive any compensation.

Article 7 states that any type of waste, oil, poisonous gases or any substances that may have harmful effects on the environment shall not be disposed within the territory of the Maldives. In cases where the disposal of the substances becomes absolutely necessary, they shall be disposed only within the areas

designated for the purpose by the government. If such waste is to be incinerated, appropriate precaution should be taken to avoid any harm to the health of the population.

Applicability to the project

The ESIA's will be prepared in accordance with the Article 5 of the Environmental Protection and Preservation Act. The Interim storage facility for hazardous waste including PCB contaminated equipment is in conformance with the Article 7 of the Environmental Protection and Preservation Act.

2.1.2 Environmental Impact Assessment Regulation (2007) and subsequent amendments

Environmental Impact Assessment regulations were issued by Ministry of Environment and Energy on 8 May 2012.

The first step in environmental assessment process involves screening of the project to be classified as one that requires an Environmental Impact Assessment (EIA) or not. Based on this decision, the Ministry, EPA, and other stakeholders decide the scope of the EIA which is discussed with the proponent and the EIA consultants in a "scoping meeting". The consultants then undertake the EIA starting with baseline studies, impact prediction and finally reporting the findings with impact mitigation and monitoring programme. This report follows the principles and procedures for EIA outlined in the EIA regulations. The EIA report is reviewed by EPA following which an EIA Decision Note is given to the proponent who should implement the Decision Note accordingly. As a condition of approval, appropriate environmental monitoring may be required, and the proponent shall have to report monitoring data at required intervals to the EPA. The project proponent is committed to implement all impact mitigation measures that are specified in this EIA report. Furthermore, the proponent is committed to environmental monitoring and shall fulfil environmental monitoring requirements that may be specified in the EIA decision note as a condition for project approval. The processes specified in this ESAMF for the ESIA or EMP preparation is based on the EIA regulations of 2012. The requirement for and the regulations relating to the preparation of Environmental Impact Assessments are set out in the Environment Impact Regulations, 2007 which are enforced under Environment Protection and Preservation Act (Law No. 4/93).

This regulation has undergone number of amendments in 2012, 2015 and 2016. These amendments included revision of EIA review period and associated costs, qualification required for monitoring the Environmental Management Plan, revision to the list of projects that requires EIAs, projects that can be undertaken by simply applying mitigation measures defined by EPA such as for dredging of harbours, clearance of vegetation within allocated plots for households and for roads, transferring EIA decision making to Minister of Tourism for tourism related activities; categorization of EIA consultants, point system for consultants to assess performance and license suspension, a code of conduct for consultants, and increment to the fine for non-compliance of regulation and violations.

The proposed establishment of an Interim Hazardous Waste Storage in Addu City and proposed establishment of hazardous waste and chemical management facility in Greater Malé Region will be captured under this regulation and will require preparation of an Environment and Social Impact Assessment (ESIA) prior to the beginning of construction works.

Applicability to the Project

The ESIA for the proposed Interim Hazardous Waste Storage Facility in Addu City and EISA for the proposed hazardous waste and chemicals management facility in the Greater Malé Region will be prepared in accordance with the provisions outlined in the Environmental Impact Assessment Regulation.

2.1.3 Environmental Liability Regulation (Regulation 2011/R-9)

The regulation is aimed at maintaining equal standards for reprimanding and enforcing environmental liabilities, fines for those who violate the rules and regulations and give guidance to those who are involved in the implementation process of the regulations pursuant to Preservation Act of Maldives (4/93). One of the key objectives of the environmental liability regulation is also to practice polluter-pay-principles in the Maldives. According to this regulation the Government of Maldives reserves the right to claim compensation for all the activities which have breached the Environmental Protection and Preservation Act 4/93.

Applicability to the project

Many of the project activities have the potential to cause accidental spill of dangerous chemicals. This regulation is applicable to all those potentially risky situations. However, precautional measures will be taken to avoid such accidents and all the associated social and environmental risks and impacts will be identified and mitigation measures will be implemented to prevent these accidents.

2.1.4 Other legislations, regulations and polices

Other relevant regulations and policies regarding social and environmental risks and the project activities are enlisted in the following Table 2.

Table 2: Other relevant legislations, regulations and policies which are relevant to the project activities

Name of the policy/legal instrument	Objectives of Legal Instruments & main provisions
Policies and Plans	
Government of Maldives Strategic Action Plan (SAP) 2019 - 2023	<p>4.3 Environmental Protection and Preservation</p> <p>Policy 1: Strengthen the legislative, regulatory, institutional framework and the human resource capacity to facilitate effective environmental protection and sustainable practices.</p> <p>Strategy 1.1: Strengthen the legal and regulatory framework for environmental management to ensure protection and conservation of the environment.</p> <ul style="list-style-type: none"> ○ Action 1.1: Develop an overarching legislation on chemical management, paying specific attention to

	<p>diversity and usage across their lifecycle, in order to ensure effective management and safe disposal</p> <p>Strategy 1.3: Enhance national policy framework on environmental protection and conservation.</p> <ul style="list-style-type: none"> ○ Action 1.3a: Enforce controls on import, use and placement of carcinogenic chemicals within the local market <p>Strategy 1.5: Strengthen national human resource capacity on research, environmental governance, environmental management and monitoring to facilitate effective environmental protection and sustainable practices.</p> <ul style="list-style-type: none"> ○ Action 1.5c: Conduct training to improve national capacity for complex chemical analysis to inform policy and management regimes on protecting the natural environment from chemical usage <p>Policy 2: Improve conservation efforts to preserve biodiversity of Maldives and ensure maximum ecosystem benefits</p> <p>Strategy 2.5: Strengthen response mechanisms relating to chemical spills, fires and poisoning</p> <ul style="list-style-type: none"> ○ Action 2.5a: Develop a baseline assessment on national use of ○ chemicals and associated risks ○ Action 2.5b: Identify relevant stakeholders and establish a ○ chemical regulatory and/or monitoring body ○ Action 2.5c: Establish reporting mechanisms and strengthen ○ response protocol relating to chemical spills, fires and poisoning <p>Policy 4: Develop mechanisms to ensure the sound management of chemicals</p> <p>Strategy 4.1: Strengthen governance framework for sound chemical management</p> <ul style="list-style-type: none"> ○ Action 4.1a: Strengthen quality control of labelling in imported chemicals ○ Action 4.1b: Establish reporting requirements for chemical distributors, retailers and consumers for chemical storage warehouses
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	<ul style="list-style-type: none"> ○ Action 4.1c: Establish national inventory on imported carcinogenic chemicals <p>Policy 6: Strengthen information management and resource mobilization</p> <p>Strategy 6.1: Increase awareness among policymakers, civil servants, NGOs and Councillors on use of chemical and impacts on human health and environment.</p> <ul style="list-style-type: none"> ○ Action 6.1a: Establish and maintain a website and/or portal to disseminate awareness materials on chemical safety to the public <p>Strategy 6.2: Increase public awareness on the value of biodiversity, biosafety, and sustainability</p> <ul style="list-style-type: none"> ○ Action 6.2e: Conduct awareness programme on the benefits of organic farming, and on the hazards of chemical fertilizers and pesticides in agriculture <p>4.5 Waste as a Resource</p> <p>Policy 1: Promote waste as a valuable resource for income generation</p> <p>Strategy 1.1: Review and revise the current legislative, regulatory and institutional framework on waste management</p> <ul style="list-style-type: none"> ○ Action 1.1e: Develop regulations and guidelines for use, handling, and disposal of all types of chemical and hazardous waste <p>Policy 2: Improve chemical and hazardous waste management practices to ensure protection of people and the environment</p> <p>Strategy 2.1: Strengthen mechanisms for regulating and monitoring the safe disposal of chemical and hazardous waste</p> <ul style="list-style-type: none"> ○ Action 2.1a: Formulate and implement guidelines for the handling, storage and transport of non-medical hazardous waste and chemicals generated in the inhabited islands until they reach Regional Waste Management Facilities.
<p>National Health Care Waste Management Policy (2016)</p>	<p>Priorities of Action</p> <p>3.1 Governance and Legal Framework</p>

	<p>3.1.4. Minimize the use of toxic, hazardous compounds such as Poly Vinyl Chloride (PVC) and phasing out heavy metals such as mercury in the healthcare sector as much possible without compromising product performance.</p> <p>3.1.5. Following the international green procurement rules all materials which are planned to be procured shall follow criteria which ensure that less toxic and less hazardous products are selected, without compromising product performance.</p>
<p>National Waste Management Policy (2015)</p>	<p>Policy Goal 6: Review and Implementation of Clinical, Infectious Waste & Hazardous waste Management Policy</p> <p>Strategy 6.1: Conduct a baseline study to assess the situation of Clinical, Infectious and Hazardous waste and based on the findings formulate a plan for management of Clinical, Infectious and Hazardous Waste.</p> <p>Strategy 6.2: Inclusion of Clinical and Infectious Waste Management Guidelines to the existing waste management regulation (2013)</p>
<p>National Fisheries and Agriculture Policy 2019 – 2029</p>	<p>Pillar 2.1: Value-Chain Coordination</p> <p>Objective 2.1.1. Ensure that the competitiveness of the agriculture sector is promoted, improved, and sustained in both domestic and foreign markets.</p> <p>2.1.1.A. Facilitate the sustainable use of local agricultural resources for the production of fertilizers, pesticides, animal feeds and other inputs when possible, in order to effectively reduce the dependency on imports.</p>
<p>Legal Instruments</p>	
<p>Legislations</p>	
<p>Goods Prohibited to Import in the Maldives – Law no 4/75</p>	<p>Article 5 of the Act states that all dangerous chemicals (except for fireworks), acids and other poisonous items produced using these chemicals shall only be imported into the country with the prior written permission and approval (in the form of a permit) issued by Ministry of Defence.</p> <p>Article 11 of the Act states that the final disposal (when required) of all items mentioned in the law (including chemicals), is the responsibility of the Ministry of Defence, which has assigned the Maldives National Defence Force (MNDF) to carry out this function on its behalf</p>

<p>Draft Overarching Chemical Management bill</p>	<p>The draft Overarching Chemical Management Act will include:</p> <ul style="list-style-type: none"> ○ Provisions for the standards for chemical classification, labelling, packaging, developing inventory, restricting chemicals of concern, compilation of safety data sheets and preventing industrial accidents arising from chemicals ○ A national legal framework to implement the international chemicals Conventions (Basel, Rotterdam, Stockholm and Minamata)
<p>Pesticides Act</p>	<p>To regulate the management, use and distribution of pesticides with the objective of protecting human, animal and plant health and the marine and terrestrial environment.</p>
<p>Draft Waste Management Bill</p>	<p>This Act is to provide for the legal framework for waste management; to provide a basis for implementation of national obligations under international instruments concerning waste management; to protect health and wellbeing of the people and the environment and to secure ecologically sustainable development through reasonable measures for the prevention of pollution and environmental degradation arising due to the indiscriminate disposal of waste into the environment.</p>
<p>Heritage Act (12/2019)</p>	<p>The main objective is to determine the procedure to assign cultural heritage, determine the responsibility of the government and the people regarding cultural heritage, to determine means of penalizing acts of damaging cultural heritage, to determine means of undertaking research on heritage.</p> <p>Article 4 of the act defines cultural heritage. In this regard the following can be considered as cultural heritage:</p> <ul style="list-style-type: none"> ○ Movable cultural heritage ○ Heritage monuments and buildings ○ Heritage areas ○ Linguistic heritage <p>Articles 28 and 29 of the Act provides details of the procedure to follow, if any party comes across anything that might be considered as cultural heritage. In this regard, within 48 hours the council needs to be reported and subsequently the council needs to report to national centre within 48 hours of knowing. Article 36 of the act suggests that impacts on cultural heritage needs to be covered through the Environmental Impact Assessment undertaken for development projects.</p>
<p>Decentralization Act (7/2010)</p>	<p>Chapter 4 of the Decentralization Act has direct relevance to the Project. The Act gives island councils specific powers and responsibility for, amongst other things:</p>

	<ul style="list-style-type: none"> • Administering and developing the island in accordance with the Constitution and statutes and providing municipal services as prescribed in this Act; • Preparing island development plans in consultation with the community, and submitting the plan to the Atoll Council; • Implementing development projects planned and assigned by the government in line with the island development plans formulated by islands and submitted to the Atoll Councils; • Assisting Government Ministries and Atoll Councils in monitoring the progress of various development projects; • Formulate island level policies necessary to discharge the powers and responsibilities conferred to the island council by this Act and formulate and implement required regulations for the purpose.
<p>Land Act (1/2002)</p>	<p>This is the law concerned with identifying the lands of the Maldives for different purposes and uses, allocating such land, allocating government owned land for living, owning and using private land, selling, conveyancing, leasing lands and other matters.</p>
<p>Public Health Protection Act (7/2012)</p>	<p>The purpose of this act is to establish policies for protection of public health, identify persons responsible for protection of public health, define how public health protection policies will be implemented and establish policies to limit basic rights ensured under the Maldives Constitution to Maldivians and people living in Maldives to necessary extents to protect public health.</p> <p>It includes guidance for waste management and requires the subsequent regulation to be formulated and to clearly state the general health standards or wastewater drainage systems, where people do not live and in public areas. The regulation must also include policies on how to ensure compliance to these standards, steps to be taken against offenders and policies on how these steps can be taken.</p>
<p>Gender Equality Act (18/2016)</p>	<p>This Act delineates provisions of general principle to achieve gender equality in the Maldives, policies to prohibit discrimination based on gender in the Maldives and the duties and responsibilities of State institutions and other relevant parties to achieve gender equality in the Maldives.</p>
<p>Regulations</p>	

<p>Waste Management Regulation – Regulation no: 2013/R-58 (pursuant to EPPA – Law no. 4/93)</p>	<p>The standards governing the following are specified in the regulation: 1) Waste collection; 2) Land and sea transport of waste; 3) Waste treatment; 4) Waste storage; 5) Management of waste disposal centres; 6) Landfilling; and 7) Hazardous waste management.</p> <p>The Waste Management regulation stipulates that:</p> <p>i) Any waste specified as hazardous wastes in Annex (j) of the regulation shall not be burned under any circumstances; ii) Any waste specified as hazardous wastes shall not be dumped on any area of Maldives; iii) Hazardous waste shall be transported from one place to another having ensured that it is packed in a leak-proof and sealed container; iv) Hazardous waste can only be transported by EPA approved/registered waste transportation vessels/vehicles.</p>
<p>Regulation on Protection and Conservation of Environment in the Tourism Industry (pursuant to Law No. 2/99 (Maldives Tourism Act)</p>	<p>To protect the environment in the tourism industry.</p>
<p>Regulation on Petrol Filling Stations (pursuant to Law no 4/75)</p>	<p>To regulate the storage, handling, transport and sale of petroleum products.</p>
<p>Protection of Public Health Act - Law No. 7/2012</p>	<p>To protect public from any health risks of chemicals</p>
<p>Regulation on Storage and Handling of Hazardous Chemicals (2019)</p>	<p>To regulate the import, sale, use, permits, safe handling, storage, and disposal of hazardous chemicals.</p>

2.2 Multilateral Environmental Agreements

The following section provides information on the multilateral environmental agreements which are relevant to the project context.

2.2.1 Stockholm Convention on Persistent Organic Pollutants (POPs)

The Stockholm Convention on Persistent Organic Pollutants is a global treaty to protect human health and the environment from chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of humans and wildlife, and have harmful impacts on human health or on the environment.

Exposure to Persistent Organic Pollutants (POPs) can lead to serious health effects including certain cancers, birth defects, dysfunctional immune and reproductive systems, greater susceptibility to disease and damages to the central and peripheral nervous systems.

Given their long-range transport, no one government acting alone can protect its citizens or its environment from POPs.

In response to this global problem, the Stockholm Convention, which was adopted in 2001 and entered into force in 2004, requires its parties to take measures to eliminate or reduce the release of POPs into the environment.

The objective of the convention is to protect the human health and environment from persistent organic pollutants.

The main provisions of the convention include the following:

- Prohibit and/or eliminate the production and use, as well as the import and export, of the intentionally produced POPs that are listed in Annex A to the Convention (Article 3)
- Annex A allows for the registration of specific exemptions for the production or use of listed POPs, in accordance with that Annex and Article 4, bearing in mind that special rules apply to PCBs. The import and export of chemicals listed in Annex A can take place under specific restrictive conditions, as set out in paragraph 2 of Article 3.
- Restrict the production and use, as well as the import and export, of the intentionally produced POPs that are listed in Annex B to the Convention (Article 3)
- Annex B allows for the registration of acceptable purposes for the production and use of the listed POPs, in accordance with that Annex, and for the registration of specific exemptions for the production and use of the listed POPs, in accordance with that Annex and Article 4. The import and export of chemicals listed in Annex B can take place under specific restrictive conditions, as set out in paragraph 2 of Article 3.
- Reduce or eliminate releases from unintentionally produced POPs that are listed in Annex C to the Convention (Article 5)
- The Convention promotes the use of best available techniques and best environmental practices for preventing releases of POPs into the environment.
- Ensure that stockpiles and wastes consisting of, containing or contaminated with POPs are managed safely and in an environmentally sound manner (Article 6)
- The Convention requires that such stockpiles and wastes be identified and managed to reduce or eliminate POPs releases from these sources. The Convention also requires that wastes containing POPs are transported across international boundaries taking into account relevant international rules, standards and guidelines.
- To target additional POPs (Article 8)
- The Convention provides for detailed procedures for the listing of new POPs in Annexes A, B and/or C. A Committee composed of experts in chemical assessment or management - the Persistent Organic Pollutants review Committee, is established to examine proposals for the listing of chemicals, in accordance with the process set out in Article 8 and the information requirements specified in Annexes D, E and F of the Convention.

- Other provisions of the Convention relate to the development of implementation plans (Article 7), information exchange (Article 9), public information, awareness and education (Article 10), research, development and monitoring (Article 11), technical assistance (Article 12), financial resources and mechanisms (Article 13), reporting (Article 15), effectiveness evaluation (Article 16) and non-compliance (Article 17).

Applicability to the project

The project activities mainly focus on sound management, safe handling, labelling, storage and safe disposal of Persistent Organic Pollutants (POPs) and capacity building for such efforts.

2.2.2 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was adopted on 22 March 1989 by the Conference of Plenipotentiaries in Basel, Switzerland, in response to a public outcry following the discovery, in the 1980s, in Africa and other parts of the developing world of deposits of toxic wastes imported from abroad.

The objective of the Basel Convention is to protect human health and the environment against the adverse effects of hazardous wastes. Its scope of application covers a wide range of wastes defined as “hazardous wastes” based on their origin and/or composition and their characteristics, as well as two types of wastes defined as “other wastes” - household waste and incinerator ash.

The main provisions of the convention include the following:

- the reduction of hazardous waste generation and the promotion of environmentally sound management of hazardous wastes, wherever the place of disposal;
- the restriction of transboundary movements of hazardous wastes except where it is perceived to be in accordance with the principles of environmentally sound management; and
- a regulatory system applying to cases where transboundary movements are permissible.

The first aim is addressed through a number of general provisions requiring States to observe the fundamental principles of environmentally sound waste management (article 4). A number of prohibitions are designed to attain the second aim: hazardous wastes may not be exported to Antarctica, to a State not party to the Basel Convention, or to a party having banned the import of hazardous wastes (article 4). Parties may, however, enter into bilateral or multilateral agreements on hazardous waste management with other parties or with non-parties, provided that such agreements are “no less environmentally sound” than the Basel Convention (article 11). In all cases where transboundary movement is not, in principle, prohibited, it may take place only if it represents an environmentally sound solution, if the principles of environmentally sound management and non-discrimination are observed and if it is carried out in accordance with the Convention’s regulatory system.

The regulatory system is the cornerstone of the Basel Convention as originally adopted. Based on the concept of prior informed consent, it requires that, before an export may take place, the authorities of the State of export notify the authorities of the prospective States of import and transit, providing them with detailed information on the intended movement. The movement may only proceed if and when all States concerned have given their written consent (articles 6 and 7). The Basel Convention also provides

for cooperation between parties, ranging from exchange of information on issues relevant to the implementation of the Convention to technical assistance, particularly to developing countries (articles 10 and 13). The Secretariat is required to facilitate and support this cooperation, acting as a clearinghouse (article 16). In the event of a transboundary movement of hazardous wastes having been carried out illegally, i.e., in contravention of the provisions of articles 6 and 7, or cannot be completed as foreseen, the Convention attributes responsibility to one or more of the States involved, and imposes the duty to ensure safe disposal, either by re-import into the State of generation or otherwise (articles 8 and 9).

The Convention also provides for the establishment of regional or sub-regional centres for training and technology transfers regarding the management of hazardous wastes and other wastes and the minimization of their generation to cater to the specific needs of different regions and subregions (article 14). Fourteen such centres have been established. They carry out training and capacity building activities in the regions.

Applicability to the project

The project involves transportation of hazardous chemicals for safe disposal hence, all the provisions outline in the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal will be fully adhered.

2.2.3 Rotterdam Convention

The text of the Rotterdam Convention was adopted on 10 September 1998 by a Conference of Plenipotentiaries in Rotterdam, the Netherlands. The Convention entered into force on 24 February 2004.

The objectives of the Convention are:

- to promote shared responsibility and cooperative efforts among Parties in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm;
- to contribute to the environmentally sound use of those hazardous chemicals, by facilitating information exchange about their characteristics, by providing for a national decision-making process on their import and export and by disseminating these decisions to Parties.

The Convention creates legally binding obligations for the implementation of the Prior Informed Consent (PIC) procedure. The Convention promotes the exchange of information on a very broad range of chemicals. It does so through:

- the requirement for a Party to inform other Parties of each national ban or severe restriction of a chemical;
- the possibility for Party which is a developing country or a country in transition to inform other Parties that it is experiencing problems caused by a severely hazardous pesticide formulation under conditions of use in its territory;
- the requirement for a Party that plans to export a chemical that is banned or severely restricted for use within its territory, to inform the importing Party that such export will take place, before the first shipment and annually thereafter;
- the requirement for an exporting Party, when exporting chemicals that are to be used for occupational purposes, to ensure that an up-to-date safety data sheet is sent to the importer;

and labeling requirements for exports of chemicals included in the PIC procedure, as well as for other chemicals that are banned or severely restricted in the exporting country.

Applicability to the project

The project involves transport to hazardous chemicals abroad for safe disposal. All the provisions of PIC procedure will be followed prior to transport of these chemicals.

2.2.4 United Nations Convention on Biological Diversity (UNCBD)

The objective of UNCBD is “the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies and by appropriate funding”.

Applicability to the project

The project activities which may have an adverse impact on the terrestrial and marine ecosystems will be assessed, impact will be identified and mitigated through elaboration of an ESIA or ESMP.

2.2.5 United Nations Framework Convention on Climate Change and Paris Agreement

The United Nations Framework Convention on Climate Change (UNFCCC) is the multilateral environmental agreement which deals with mitigation and adaptation for the climate change. Under the UNFCCC the main legal instrument was Kyoto Protocol which ended in 2015. A new climate agreement known as Paris Agreement was negotiated on the Conference of the Parties number 21 in Paris, France. Maldives has ratified the Paris Agreement and has a Nationally Determined Contribution (NDC) of reducing its business as Usual (BAU) by 10 percent by the year 2030.

Applicability to the project

Climate risks are identified as a significant risk for the project activities. Climate change risk will be given a high priority during the social and environmental impact assessment and mitigation process.

2.2.6 International Covenant on Economic, Social and Cultural Rights (ICESCR)

The covenant was ratified by Maldives on 19 September 2006. The objectives of this covenant include:

- 1) Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,
- 2) Recognizing that these rights derive from the inherent dignity of the human person,
- 3) Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights,

- 4) Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms,
- 5) Realizing that the individual, having duties to other individuals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant

Applicability to the project

No major human rights risks are anticipated. Any risk associated with Human Rights will be identified and mitigated through the ESIA process.

2.2.7 Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women

This protocol was ratified by Maldives on 13 March 2006. By ratifying the Optional Protocol, the states recognize the competence of the Committee on the Elimination of Discrimination against Women -- the body that monitors States parties' compliance with the Convention -- to receive and consider complaints from individuals or groups within its jurisdiction.

Applicability to the project

No activity of the project is likely to cause any gender related discrimination. The Gender Action Plan (GAP) is updated and it proposes provisions for mainstreaming gender into all the project activities.

2.3 UNDP's Social and Environmental Standards (SES)

UNDP updated its Social and Environmental Standards in 2019 and is effective from 1 January 2021.

The main objectives of the updated SES includes the following:

Objective 1: Strengthen the quality of programming by ensuring a principled approach;

Objective 2: Maximize social and environmental opportunities and benefits;

Objective 3: Avoid adverse impacts to people and the environment;

Objective 4: Minimize, mitigate, and manage adverse impacts where avoidance is not possible;

Objective 5: Strengthen UNDP and partner capacities for managing social and environmental risks;

Objective 6: Ensure full and effective stakeholder engagement, including through a mechanism to respond to complaints from project-affected people.

The updated SES includes both programming principles and project level standards for which all projects implemented by UNDP shall adhere to. Programming principles include the following:

Overarching Principle 1: Leave no one behind: As an overarching programming principle, leaving no one behind requires UNDP to prioritize its programmatic interventions to address the situation of those most marginalized, discriminated and excluded, and to empower them as active agents of the development process. All persons living in extreme poverty, in any form, are left behind, together with those enduring disadvantage(s) that deny or limit their choices and opportunities relative to others in society. In identifying who is being left behind, UNDP considers five key factors: discrimination, geography, vulnerability to shocks, governance and socio-economic status.

Human Rights: UNDP recognizes the centrality of human rights to sustainable development, poverty alleviation, sustaining peace and ensuring fair distribution of development opportunities and benefits and is committed to supporting “universal respect for, and observance of, human rights and fundamental freedoms for all.

Gender Equality and Women’s Empowerment: Gender equality is a fundamental human right and a necessary foundation for a peaceful, prosperous and sustainable world. Gender equality is central to UNDP support to countries to implement and achieve the 2030 Agenda for Sustainable Development and the Sustainable Development Goals as well as other commitments agreed by Member States. The promotion of gender equality and the empowerment of women are intrinsic to UNDP’s human rights-based approach to development programming. This effort includes advocating for women’s and girls’ human rights, combating discriminatory practices, and challenging the roles and stereotypes that create inequalities and exclusion.

Overarching Principle 2: Sustainability and Resilience: Strengthening the resilience of societies to the impact of shocks, disasters, conflict and emergency situations, and the sustainable management, conservation and rehabilitation of natural habitats (and their associated biodiversity and ecosystem functions) are fundamental to UNDP’s efforts to develop and implement sustainable development pathways. UNDP seeks to address poverty and inequality and to reduce vulnerabilities while maintaining and enhancing natural capital.

Accountability: UNDP promotes accountability to programme and project stakeholders by

- enabling active local community engagement and participation in decision-making, particularly those at risk of being left behind;
- ensuring transparency of programming interventions through provision of timely, accessible and functional information regarding supported activities, including on potential environmental and social risks and impacts and management measures;
- ensuring stakeholders can communicate their concerns and have access to rights-compatible complaints redress processes and mechanisms;
- ensuring effective monitoring—and where appropriate, participatory monitoring with stakeholders—and reporting on implementation of social and environmental risk management measures.

Application of relevant SES requirements is determined during application of UNDP’s Social and Environmental Screening Procedure (SESP) and social and environmental assessment requirements. The Project Level Standards outline in the UNDP SES are the following;

Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management

Standard 2: Climate Change and Disaster Risks

Standard 3: Community Health, Safety and Security

Standard 4: Cultural Heritage

Standard 5: Displacement and Resettlement

Standard 6: Indigenous Peoples

Standard 7: Labour and Working Conditions

Standard 8: Pollution Prevention and Resource Efficiency

The following Figure 1 is the key elements of the UNDP’s Social and Environmental Standards.

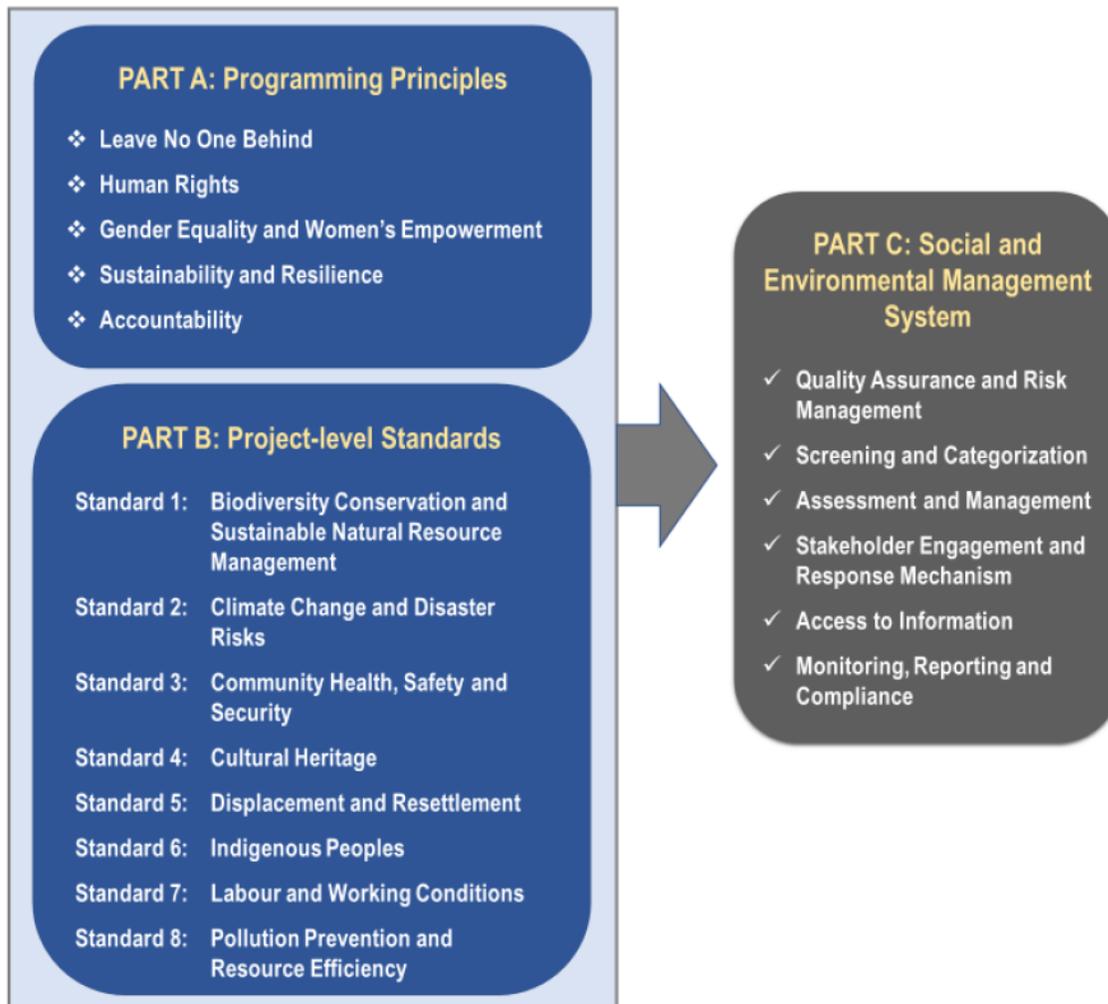


Figure 1: Key elements of UNDP's Updated SES (Adapted from UNDP Social and Environmental Standards Policy Update 2019)

Applicability to the project

Where projects are rated as being High Risk, comprehensive social and environmental assessment is required, together with the identification of management mechanisms to mitigate identified risks. The assessment must be commensurate with the magnitude and severity of foreseen risks.

The Social and Environmental Screening Procedure (SESP) has been applied to the project during the project development phase, as required by the UNDP SES. However, the SESP prepared during the project

development stage was updated based on the newly updated UNDP’s SES. The updated SESP is included as Annex 02.

Under this procedure, when a potential risk is identified and assessed as having either a “moderate” or “high” risk rating, based on its probability of occurrence and magnitude of impact, a standard or principle is triggered. (Risks that are assessed as “low” do not trigger the related principle or standard).

The SESP identified eight risks for this project that could have potential negative impacts in the absence of safeguards. Three of these risks were rated as Moderate and Five as High.

The screenings also indicate that six of the 13 social and environmental principles and standards have been triggered due to ‘high’ risks:

- Programming Principle: Human Rights
- Programming Principle: Gender Equality and Women Empowerment
- Project Level Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management.
- Project Level Standard 2: Climate Change and Disaster Risks
- Project Level Standard 3: Community Health, Safety and Security
- Project Level Standard 7: Labour and Working Condition
- Project Level Standard 8: Pollution Prevention and Resource Efficiency

In addition, five of the thirteen Principles and Standards are triggered due to potential impacts rated as “moderate”. They are:

- Programming Principle: Human Rights
- Project Level Standard 3: Community Health, Safety and Security
- Project Level Standard 5: Displacement and Resettlement
- Project Level Standard 7: Labour and Working Condition
- Project Level Standard 8: Pollution Prevention and Resource Efficiency

The following Table 3 is a summary of the SES standards and principles triggered by the project. This is based on the updated SESP.

Table 3: Summary of Safeguards triggered based on the updated SESP

Programming Principle/Project Level Standard	
Human rights	High
Gender Equality and Women Empowerment	High
Project Level Standard 1: Biodiversity Conservation and Sustainable Natural Resources Management	High
Project Level Standard 2: Climate Change and Disaster Risk	High
Project Level Standard 3: Community Health Safety and Security	High
Project Level Standard 4: Cultural Heritage	Low
Project Level Standard 5: Displacement and Resettlement	Moderate
Project Level Standard 6: Indigenous People	Low
Project Level Standard 7: Labour and Working Conditions	High

Project Level Standard 8: Pollution Prevention and Resource Efficiency	High
Number of risks in each risk rating category	
High	4
Moderate	3
Low	0
Overall Project Risk Categorization	High
Number of Safeguard standards triggered	8

As this project is rated overall as a High-Risk project, there will be an Environmental and Social Impact Assessment (ESIA) with an Environmental and Social Management Plan (ESMP) which will be carried out at the start of Project Implementation ahead of the start of any other project execution. Note that this will also update the current Stakeholders Engagement Plan (SEP) and Gender Action Plan, as well as address management plans, as necessary for areas such as Livelihoods, and include additional technical assessments and management planning related to potential releases of chemicals and waste from various stages of collection storage, transport and disposal in the course of the project.

3. Procedures for Identifying, Accessing and Management of Social and Environmental Impacts

3.1 Screening

The SESP has been conducted based on the broad scope of project activities currently envisaged. The potential impacts and management strategies are therefore designed to manage the identified impacts in their broadest sense, and the allocated significance rating of Low, Moderate or High is based on a precautionary approach. This has identified the project as being potentially of high impact, and as such it requires comprehensive Environmental and Social Impact Assessment.

Locations, and proposed project activities specific to those locations is defined. Hence, the SESP has been updated for ground-truthing and to determine whether additional social and environmental impacts may be present that will require further assessment and management.

In addition, during the course of the project, activities, outputs and potentially additional locations not already covered by the existing SESP, may be proposed and developed. Such proposed activities will, as they arise, require screening, assessment and management, using the SESP methodology to ensure that any impacts are identified, their significance is established, and any required impact-specific management actions are developed and applied.

Screening will be the responsibility of the Project Management Unit (PMU) and the Safeguards Specialist.

3.1.1 National Level Screening

The Maldives national requirements for environmental assessment are set out in the Environmental Impact Assessment (EIA) Regulations, 2012, which has been presented in Chapter 2. Part III of those regulations includes a description of the Screening Process applied to development proposals. Schedule D of the Regulations is a screening list of all development types for which full EIA is mandatory. The project activities outlined under the following outputs will require screening under EIA regulations of Maldives:

- Output 2.1.2: Facilitate the environmentally sound management and disposal of 24 tonnes of phased-out PCB-containing equipment and waste abroad
- Output 2.2.1 Develop the capacity of regional waste management facilities and waste management actors for the sound management, interim storage and disposal of hazardous and toxic wastes

The EPA should be consulted at the outset, to determine whether a formal national screening process should be applied to a specific project activity or not. The Screening Form used by EPA and its translation is provided in Annex 01.

3.1.2 Component Specific Safeguards requirements

The following Table 4 will provide the specific safeguards requirements for each project component.

Table 4: Safeguards requirements for each of the project component

Project Activity	Safeguard Requirements
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Project Component 1: Strengthening the regulatory and policy framework and institutional and technical capacity for the sound management and disposal of POPs, chemicals and waste.	
No safeguards requirements	
Project Component 2: Establish systems for the sound collection, labelling, storage and disposal of Hazardous Chemicals and Wastes	
Activity 2.1.2.3. Undertake an Environmental Impact Assessment for the establishment/refurbishment of a secure storage facility for the temporary storage of phased-out PCB containing equipment and waste oil;	A comprehensive Environment and Social Impact Assessment (ESIA) for proposed for the Interim Hazardous Waste Storage Facility in Addu City. The ESIA will contain an Environment and Social Management Plan (ESMP) for the proposed activity.
Activity 2.1.2.4. Undertake a risk assessment prior to the movement/transport of PCB containing-oil, equipment and waste oil from the various islands to a centralized interim storage facility(ies);	Risk assessment & management plan related to transfer of potentially PCB-contaminated equipment from Fuvahmulah to Addu City
Activity 2.2.1.8. Development of the Environmental and Social Management Plan (ESMP) based on the SESP results and findings.	A comprehensive (ESIA) for proposed hazardous waste and chemicals management facility in the Greater Malé Region. The ESIA will contain an ESMP for the proposed activities.
Project Component 3: Monitoring and Learning, Adaptive Feedback, Outreach and Evaluation	
No safeguards requirements	

3.2 Assessment

The SESP has identified the project as being High risk. As such, comprehensive environmental and social impact assessment is required in order to identify and assess impacts and develop management mechanisms to mitigate identified risks.

Potential impacts from establishment of an Interim Hazardous Waste Storage Facility in Addu City and proposed waste and chemical management facility in Greater Male' Region will be assessed through two separate ESIA.

The ESIA will have an ESMP for management of the identified, implementation of the proposed mitigation and monitor the progress of implementation of the mitigation measures and residual environmental impacts.

3.2.1 Environmental and Social Impact Assessment (ESIA)

Two ESIA will be developed for the project activities. The following are the two ESIA's which will be prepared:

1. ESIA for the proposed Interim Hazardous Waste Storage Facility in Addu City
2. ESIA for the proposed Waste and Chemical Management Facility in Greater Malé Region.

The First ESIA will be for the proposed Interim Hazardous Waste Storage Facility in Addu City. It will be developed during the second year of the project and ESIA works will start upon completion of initial works such as completion of engineering drawings and site layout plan for the proposed facility. The location of

the Interim Hazardous Waste Facility has been identified by the Ministry of Environment, Climate Change and Technology (MECCT) and the Addu City Council.

The Second ESIA will be for the proposed Waste and Chemical Management Facility in Greater Malé Region will be developed during the second year of the project as well. This ESIA work will be conducted in association with the ADB-funded project on Greater Malé Region Waste Management Project. The exact location of this facility is not finalized but anticipated to be in K. Thilafushi which as a designated area for solid waste management purposes.

The ESIA will be developed and carried out by independent experts in a participatory manner with stakeholders during the first year of the project and as part of the workplan preparatory activities. This will involve stakeholder consultations and engagement, as well as research, fieldwork, and management planning. See also Section 05 below on Stakeholder Engagement and Information Disclosure.

The ESIA will be conducted in a manner consistent with national regulations and the UNDP SES and lead to the development of appropriately scaled management measures and plans to address the identified risks and impacts.

The ESIA will:

- Screen social and environmental issues and impacts specific to the local context.
- Further clarify the applicable social and environmental standards (including UNDP SES) triggered by the project activities.
- Take steps necessary in the context of the ESIA to fulfil those requirements and make recommendations on how such compliance is to be carried out through the life of the project.

The UNDP SES and SESP require that in all cases required social and environmental assessments and adoption of appropriate mitigation and management measures must be completed, disclosed and discussed with stakeholders prior to implementation of any activities that may cause adverse social and environmental impacts

A sample TOR for ESIA assessments is attached in the Annex 03 of this ESMF.

Summary of Assessments requirements

The following Table 5 enlist the assessment requirements for the “Eliminating POPs through sound management of chemicals” project.

Table 5: Assessment requirements under the ESMF

Focus	Assessment	Timing	Responsibility
Interim Hazardous Waste Storage Facility in Addu City	Environment and Social Impact Assessment (ESIA)	Commence within the second year of the project upon completion of Engineering drawings and site layout plan for the Interim Hazardous Waste Storage Facility.	MECCT PMU and External Consultants

Waste and Chemical Management Facility in Greater Malé Region	Environment and Social Impact Assessment (ESIA)	Within the second year of the project	MECCT PMU and External Consultants
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3.3 Management

3.3.1 Environment and Social Management Plan (ESMP)

Due to the nature of the project activities which require safeguard assessments, each of the proposed ESIA will include an Environment and Social Management Plan (ESMP) which will be included in the tender documents for the proposed activities for compliance from the contractor. Furthermore, the ESIA will include a monitoring plan which will be monitored by MECCT PMU through external consultants.

The main components of ESMP will include the following:

- Environment and Social Impacts
- Prescribed Mitigation Measures
- Cost and Resources required for implementation of Mitigation Measures
- Responsible Party for Implementation of Mitigation Measure

Project-affected stakeholders will be consulted on the scope and parameters of the assessment processes and their findings, including proposed mitigation and management measures. It may be necessary to undertake targeted consultations to ensure that marginalized or disadvantaged groups and individuals affected by the project have the opportunity to participate.

Assessment reports and adoption of appropriate mitigation plans/measures will be completed, disclosed, and discussed with stakeholders prior to initiation of any project activities that may cause adverse social and environmental impacts.

A generic TOR for ESMP has been attached to the Annex 04 of this ESMF.

3.3.2 Other Management Plans

This section will describe the other management plans which will be prepared as part of safeguard requirements of the project. They include the following:

3.3.2.1 Stakeholder Engagement Plan

A Stakeholder Engagement Plan (SEP) has been developed during the project formulation stage. This SEP will be updated based on the findings of ESMF, ESIA and other safeguards documents of the project. Sequential updates of the SEP will enable MECCT PMU to ensure that selection is carried out in synergy with the related legal and policy governance structure and that the implementation and selection procedures meet the required norms and standards. The plan will specifically consider how to equitably and meaningfully engage marginalized and vulnerable populations including specific measures to include women within the project areas. The plan will also provide terms of reference and modalities for managing stakeholder engagement in project activities at each project islands and different beneficiary communities.

3.3.2.2 Risk assessment and Management plan for Transfer of potentially PCB-containing equipment from Fuvahmulah to Addu City

The Risk Assessment and Management Plan for transfer of potentially PCB containing equipment from Fuvahmulah to Addu City will be elaborated upon completion of the ESIA for the proposed Interim Hazardous Waste Storage Facility at Addu city. This risk assessment and management plan is aimed to identify the risks and proposed management strategies for the project activity which involves transportation of potentially PCB-containing equipment in Fuvahmulah to Addu City. This risk assessment and management plan will be developed by external consultant in close consultation with stakeholders in Fuvahmulah Island and Addu City.

4. Institutional Arrangements and Capacity Building

4.1 Roles and Responsibilities for implementation of ESMF

The roles and responsibilities of project staff and associated agencies in the implementation of this ESMF is as follows. This ESMF does not cover the roles and responsibilities associated with implementation of the subsequent ESMPs and/or the risk assessment and management plan for transfer of potentially PCB-containing equipment from Fuvahmulah to Addu City. Those will be defined for during elaboration of the ESIA's and during the formation of risk assessment and management plan.

4.1.1 Implementing Partner

The implementing partner for this project is Ministry of Environment, Climate Change and Technology (MECCT). The MECCT is responsible for:

- Ensuring that the required assessment (ESIA, as above) and assessment report and the required management plan(s) (an ESMP, as above) are developed, disclosed for public consultation and approved, and management measures are adopted and integrated during project implementation;
- Project planning, coordination, management, monitoring, evaluation and reporting.
- Reporting, fairly and accurately, on project progress against agreed work plans in accordance with the reporting schedule and required formats;
- Maintaining documentation and evidence that describes the proper and prudent use of project resources in conformity to the signed Project Document and in accordance with applicable regulations and procedures (e.g. SES);
- Ensuring all requirements of UNDP's SES and national regulatory/policy frameworks and relevant international standards have been addressed (e.g. mitigation of identified adverse social and environmental impacts);
- Procurement of goods and services, including human resources required to ensure compliance with this ESMF.

4.1.2 UNDP

- UNDP is accountable to the GEF for the implementation of this project. This includes oversight of project execution to ensure that the project is being carried out in accordance with agreed standards and provisions. UNDP is responsible for delivering GEF project cycle management services comprising project approval and start-up, project supervision and oversight, and project completion and evaluation. UNDP is also responsible for the Project Assurance role of the Project Steering Committee. UNDP's role includes the following:
 - Provide oversight on all matters related to safeguards;
 - Inform all the stakeholders and right-holders involved in, or potentially impacted, positively or negatively, by the GEF-financed projects, about the UNDP's corporate Accountability Mechanism (described in Section 06);
 - Ensure that the Compliance Review and the Stakeholder Response Mechanisms are operational during the lifetime of the projects;
 - Ensure adhere to the SES for project activities implemented using funds channelled through UNDP's accounts, and undertake appropriate measures to address any shortcomings;

- Verify and document that all UNDP SES requirements have been addressed;
- Provide technical guidance on implementation of this ESMF and administrative assistance in recruiting and contracting expert safeguards services (as required) and monitor adherence of each project to the ESMF and UNDP policies and procedures.

4.1.3 Project Management Unit (PMU)

- Supervise and manage implementation of measures defined in this ESMF;
- Assign specific responsibilities for implementation of this ESMF, including monitoring, and community consultations on the draft management plans to a staff member(s) of the PMO;
- Maintain relevant records associated with management of environmental and social risks, including updated SESP, impact assessments, a log of grievances together with documentation of management measures implemented;
- Report to the Implementing Partner, the Project Steering Committee, and UNDP CO on the implementation of the ESMF;
- Ensure that all service providers are informed of their responsibilities for the day-to-day compliance with the ESMF.

The following Figure 2 is the project management structure for the Eliminating POPs through sound management of chemicals.

The main committees involved in the project include the following:

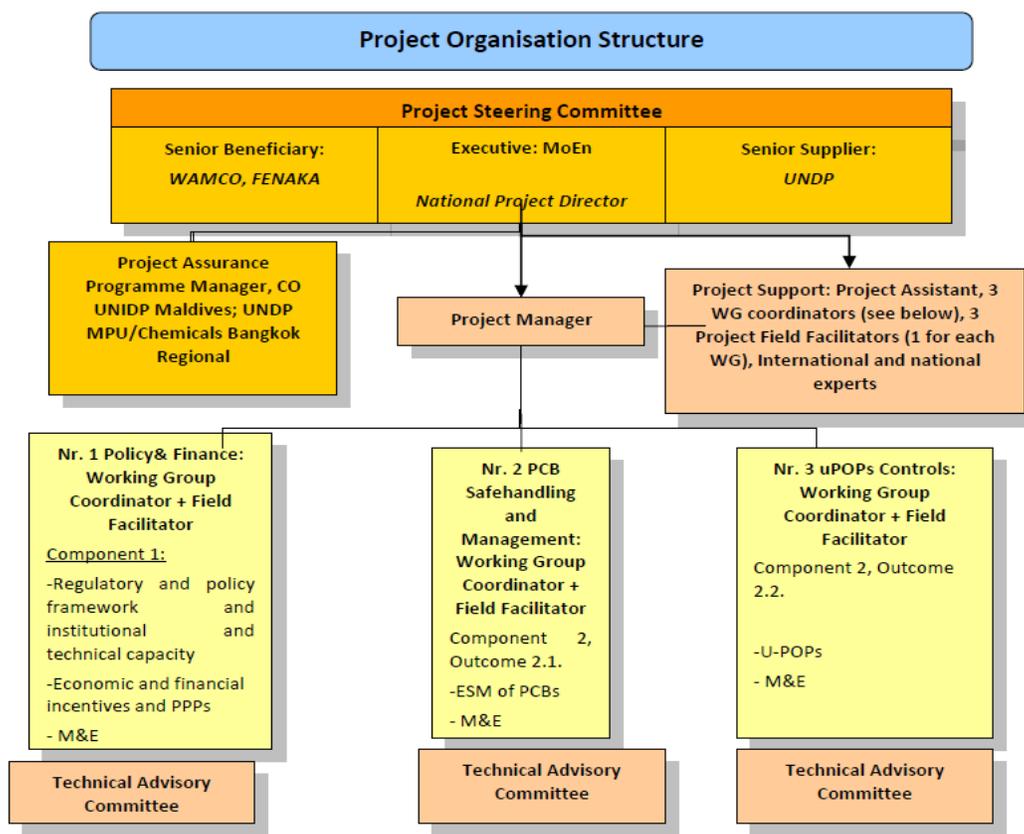


Figure 2: Project Organization Structure for Eliminating POPs through sound management of chemicals

Project Steering Committee: The Project Steering Committee Project Steering Committee is responsible for making by consensus, management decisions when guidance is required by the Project Manager, including recommendations for UNDP/Implementing Partner approval of project plans and revisions, and addressing any project level grievances. In order to ensure UNDP's ultimate accountability, Project Steering Committee decisions should be made in accordance with standards that shall ensure management for development results, best value money, fairness, integrity, transparency and effective international competition. In case a consensus cannot be reached within the Board, final decision shall rest with the UNDP Programme Manager.

The composition of the Project Steering Committee is made up of representatives from the following institutions:

- Ministry of Environment, Climate Change and Technology
- Ministry of Health
- Ministry of Fisheries, Marine Resources and Agriculture
- Maldives Customs Service
- Environmental Protection Agency
- Ministry of Tourism
- Ministry of National Planning, Housing and Infrastructure (MNHPI)
- Ministry of Defence
- Maldives National Defence Force (MNDF) Fire and Rescue Service
- Local Government Authority

Specific responsibilities of the Project Steering Committee include:

- Provide overall guidance and direction to the project, ensuring it remains within any specified constraints;
- Address project issues as raised by the project manager;
- Provide guidance on new project risks, and agree on possible countermeasures and management actions to address specific risks;
- Agree on project manager's tolerances as required;
- Review the project progress, and provide direction and recommendations to ensure that the agreed deliverables are produced satisfactorily according to plans;
- Appraise the annual project implementation report, including the quality assessment rating report; make recommendations for the workplan;
- Provide ad hoc direction and advice for exceptional situations when the project manager's tolerances are exceeded; and
- Assess and decide to proceed on project changes through appropriate revisions.

Technical Advisory Committee (TAC): The TAC will provide technical advice and inputs relating to project implementation and will be chaired by the Project Director (MECCT) with support from the Project Manager. The members of the TAC will consist of representatives from Government Ministries, UNDP, other relevant government agencies, research and educational organizations, NGOs, technical experts, and other relevant stakeholders to be agreed by the Project Steering Committee. A preliminary TAC list has been provided below (no order of priority):

- Maldives National Defence Force (MNDF)
- Ministry of Defence (MoD)
- MECCT - Environment Department/ Chemicals Unit
- MECCT - Energy Department
- MECCT -Waste and Pollution Control Department
- Ministry of National Planning, Housing and Infrastructure
- Ministry of Tourism
- Maldives Association of Tourism Industry (MATI)
- Ministry of Fisheries, Agriculture and Marine Resources – Agriculture Department
- Ministry of Gender
- Ministry of Health (MoH)
- Local Government Authority
- Malé City Council
- Maldives Transport Authority
- Environmental Protection Agency (EPA) - Waste Unit
- Maldives National Defence Force (MNDF) - Fire and Rescue
- Maldives Association of Construction Industry (MACI)
- Maldives Customs Service
- Maldives Energy Authority (MEA)
- Maldives Food and Drug Authority (MFDA)
- National Drug Agency (NDA)
- National Bureau of Statistics
- Waste Management Corporation (WAMCO)
- FENAKA Corporation
- NGOs (Hope for Women, Blue Peace and Eco Care)
- UN Women

4.2 Capacity Building Needs

Specialists with relevant expertise in social and environmental safeguards will be engaged to support the completion of the ESIA, ESMP and risk. These experts will offer training session for Project Management Units and other relevant stakeholders on safeguards responsibilities and approaches.

The UNDP will provide advice to PMU as needed to support the implementation of this ESMF and the preparation, implementation and monitoring of social and environmental management plans/measures.

The PMU will be responsible to make sure that the contractor for the civil and physical work adhere with the proposed ESMPs. All contractors are expected to disseminate and create awareness within the workforce ESMP compliance, and any staff training necessary for their effective implementation.

5. Stakeholder Engagement and Information Disclosure

5.1 Stakeholder Engagement Process

A Stakeholder Engagement Plan (SEP) and a Gender Action Plan (GAP) has been developed during the project formulation stage. A list of stakeholders identified during the project preparation stage has been provided in the Annex 05 of this ESMF. Both SEP and GAP will be followed to ensure that stakeholders are engaged in project implementation and particularly in the further assessment of social and environmental impacts and the development of appropriate management measures. Project Stakeholder Engagement Plans will be updated during project implementation based on the assessments and management plans conducted in line with this ESMF, as needed.

5.2 Information Disclosure

This ESMF (and the updated SESP) will be disclosed via the UNDP Maldives website in accordance with UNDP SES policy. This ESMF will be also disclosed on the website of Implementing Partner. The subsequent ESIA's, ESMP's and Risk Assessment and Management Plans will also be publicly disclosed via the UNDP Maldives website and Implementing Partner website (MECCT) once drafted and finalized and adopted.

These requirements for stakeholder engagement and information disclosure will be adhered to during the implementation of this ESMF and subsequent ESIA's, ESMP's and Risk Assessment and Management Plans.

6. Grievance Redress Mechanism (GRM)

6.1 UNDP's accountability mechanisms

Accountability is one of the Programming Principle of the Update UNDP SES (2019). UNDP does not support activities that do not comply with national law and obligations under international law, whichever is the higher standard.

UNDP promotes accountability to programme and project stakeholders by

- (i) Enabling active local community engagement and participation in decision-making, particularly those at risk of being left behind;
- (ii) Ensuring transparency of programming interventions through provision of timely, accessible and functional information regarding supported activities, including on potential environmental and social risks and impacts and management measures;
- (iii) Ensuring stakeholders can communicate their concerns and have access to rights-compatible complaints redress processes and mechanisms; and
- (iv) ensuring effective monitoring—and where appropriate, participatory monitoring with stakeholders—and reporting on implementation of social and environmental risk management measures

UNDP's SES are underpinned by an Accountability Mechanism with two key components:

- (i) The Stakeholder Response Mechanism (SRM) that ensures individuals, peoples, and communities affected by projects have access to appropriate grievance resolution procedures for hearing and jointly addressing complaints and disputes related to the social and/or environmental impacts of UNDP-supported projects; and
- (ii) The Social and Environmental Compliance Unit (SECU) which investigates alleged non-compliance with UNDP's Social and Environmental Standards and screening procedure from project-affected stakeholders and recommends measures to address findings of non-compliance

Further information, including how to submit a request to SECU or SRM, is found on the UNDP website at: www.undp.org/secu-srm.

6.2 Project Level GRM

This Grievance Redress Mechanism (GRM) is designed for the GEF-funded project "Eliminating POPs through sound management of chemicals implemented by Ministry of Environment, Climate Change and Technology. This GRM is aimed to record, monitor, and resolve grievances/complaints and accommodate where possible any request and suggestions proposed by the project affected parties. The scope of this GRM is to redress any grievances/complaints regarding the project activities particularly regarding civil works and transportation works under the project. Any grievance/complaints which may arise in the project area however not due to a direct or indirect intervention of project activities will not be addressed under the GRM.

The main civil works of the project include the following;

1. Establishment of an Interim Hazardous Waste Storage Facility at Addu City

- 2. Establishment of Waste and Chemical Management Facility at Greater Malé Region.**
- 3. Transportation of potentially PCB-containing equipment from Fuvahmulah to Addu city.**

Details of the GRM

The table below provides details of grievance redress mechanism (GRM) developed for Eliminating POPs through sound management of chemical project (GEF-6 POPs project). GRM is based on the Environmental and Social Management Framework (ESMF) of the project. The GRM consist of two Tiers. The following are the information regarding Nodal Person for Contact, Composition of GRM committee, Contacts, Communication and Other Facilitation by Project and Timeframe to address grievance.

Table 6: Grievance Redress Mechanism for Eliminating POPs through sound management of chemicals

Tiers of Grievance Mechanism	Nodal Person for Contact	Composition of GRM committee	Contacts, Communication and Other Facilitation by Project	Timeframe to address grievance
<p>First Tier: Addu City Council, Fuvahmulah City Council or Housing Development Corporation (HDC) (Grievance/complaints regarding the project activities in Addu City will be addressed by Addu City Council. those related to project activities in Thilafushi will be addressed by Housing Development Corporation (HDC) and those activities in Fuvahmulah will be addressed by</p>	<p>Addu/Fuvahmulah council or HDC will be the first point of contact. Designated contact persons will be established within the Council with a designated contact number.</p>	<ul style="list-style-type: none"> • GRM focal point from HDC or Addu or Fuvahmulah city council (Chairperson of the committee) • An Administrator from Addu/ Fuvahmulah city council or HDC • A Representative of Affected Persons (AP) • A Representative of the contractor • A Representative of the supervision consultants 	<ul style="list-style-type: none"> • Details of GRM should be publicly displayed in the construction site as well as at the council office. GRM should also be outlined in official website and/or social media pages of Council, MECCT (and/or the project), including contact details of the nodal person in each tier. • Grievances can be reported informally by contacting the council through email / telephone / in person. • If the grievance cannot be resolved informally, an aggrieved party should submit a complaint on the Tier I Complaint Form. A copy of the form (with the council seal) will be provided to the aggrieved party as evidence of receipt. • Electronic version of the complaint form will be available from the websites and/or social media pages of MECCT and the 	<p>15 working days</p>

<p>Fuvahmulah city council.</p>		<p>Note: Special consideration will be given to ensure gender balance in the GRC Tier 1.</p>	<p>council. Hard copies of the form will be available from the council front office.</p> <ul style="list-style-type: none"> • Council will provide assistance to fill the form for those who cannot write. • The council will keep separate registries for informal and formal complaints and maintain records of all complaints received. • If the complaint is resolved within 15 working days, the council should communicate the decision to the aggrieved party in writing. • The aggrieved party should acknowledge the receipt of decision and submit their agreement or disagreement with the decision within 10 working days to HDC or Addu/Fuvahmulah City Council. • If no acknowledgement is submitted by the aggrieved party within this period, then the decision will be considered as accepted. • If the GRC requires more time to resolve the grievance/complaint, this requirement should be communicated to the aggrieved party in writing and the aggrieved party 	
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			<p>should consent and sign-off the request for the extension to take effect. The extension period can be additional 15 working days.</p> <ul style="list-style-type: none"> The GRM focal point of HDC and Addu/Fuvahmulah City Council will manage and provide feedback to Aggrieved Party on grievances submitted. 	
<p>Second Tier: Ministry of Environment, Climate Change and Technology (MECCT)</p>	<p>Project Manager at the Project Management Unit (PMU) will be the focal point.</p>	<ul style="list-style-type: none"> Project manager (Chairperson) A Civil servant of MECCT A Representative of APs <p>Note: Special consideration will be given to ensure gender balance in the GRC Tier 2</p>	<ul style="list-style-type: none"> If the grievance cannot be resolved through Tier 1 GRC to the satisfaction of the aggrieved party or if the issue is outside the jurisdiction of the HDC or Addu/Fuvahmulah City Council an aggrieved party may submit a complaint on the Tier 2 Complaint Form. Or else, Tier 1 GRC may forward the unresolved grievances directly to Tier 2 GRC with the consent of the aggrieved party. A copy of the form (with MECCT seal) will be provided to the aggrieved party as evidence of receipt. Electronic version of the complaint form will be available from the websites and/or social media pages of MECCT and the council. Hard copies of the 	<p>15 Working Days</p>

			<p>form will be available from the council and MECCT front office.</p> <ul style="list-style-type: none"> • A copy of the Tier 1 Complaint Form should be submitted with the Tier 2 Complaint Form. • MECCT will forward the grievance to PMU. • PMU screens the grievance and determine if it's related to PROJECT. If it is unrelated, the aggrieved party will be notified in writing and the way forward shall be outlined to them including the necessary government institutions to follow up. • Environment and Social Safeguards Officer at the PMU will be the contact person in processing a grievance through the Second Tier. • PMU will discuss the matter with Environmental Protection Agency (EPA) and other relevant institutions, where deemed necessary to obtain their views and suggestions. PMU will also arrange site visits and hold onsite discussions and meetings, if necessary. 	
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			<ul style="list-style-type: none"> • The PMU will be responsible to ensure that there is no cost imposed on the aggrieved person, due to the grievance mechanism at the second tier. • If the complaint is resolved within 15 working days, the PMU should communicate the decision to the aggrieved party in writing. • The aggrieved party should acknowledge the receipt of decision and submit their agreement or disagreement with the decision within 10 working days. • If no acknowledgement is submitted by the aggrieved party, then the decision will be considered as accepted. • If more time is required to address the grievance/complaint, this requirement should be communicated to the aggrieved party in writing, and the aggrieved party should consent and sign-off the request for the extension to take effect. The extension period can be additional 15 working days. 	
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			<ul style="list-style-type: none">• If the grievance is not resolved to the satisfaction of the aggrieved party within 15 working days since the submission of the grievance to tier 2, the aggrieved party may notify the MECCT, in writing, the intention to resort to legal action or intention to approach Grievance Redress Service of the UNDP.	
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7. Budget for ESMF implementation

Budget allocation for implementation of ESMF is already considered in the project budget. The following Table 7 provides estimated cost for implementation of ESMF. The cost associated with MECCT PMU staff coordinating the implementation of ESMF and UNDP support is not included in the Table 7.

Table 7: The cost estimated for implementation of ESMF

Type of Cost	Details	Cost in USD
National Consultant	(Elaboration of ESIA's, Risk Assessment and Management Plans, ESMF and GRM)	20,000
Contractual Services	Implementation of Gender Action Plan	65,000
Workshops and Training	Capacity Building Sessions on ESMF, GRM and SESP	4000
PMU Travel for ESMP implementation monitoring	Travel to Addu City and Thilafushi	8000
	Total Cost	97,000

8. Monitoring and Evaluation of ESMF implementation

The aim of monitoring is to assess the progress of implementation of the ESMF and determine whether the proposed mitigations have resulted in dealing with negative impacts and whether further interventions are needed, or monitoring is to be extended in some areas.

8.1 Environmental and Social Compliance Monitoring and Reporting

ESIA monitoring will be done according to site-specific monitoring regime prescribed in the ESIA. Supervision of the ESMPs, along with other aspects of the project, will cover monitoring, evaluative review and reporting in order to achieve, among others, the following objectives:

- Determine whether the project is being carried out in conformity with social and environmental standard (SES) and legal agreements;
- Identify issues as they arise during implementation and recommend means to resolve them;

Compliance monitoring comprises on-site inspection of construction activities to verify that measures identified in the ESMPs are included in the clauses for contractors are being implemented. This type of monitoring is similar to the normal technical supervision tasks ensuring that the Contractor is achieving the required standards and quality of work. Photo documentation of non-compliance as well as best practices is recommended as a means of recording implementation conditions efficiently.

Monitoring of compliance with ESMP specifications by the contractor is essential for proper environmental management and will be conducted by External Consultants and MECCT PMU staff. Ensuring compliance with environmental and social safeguards is an integral part of the monitoring program. Each respective ESMP will outline monitoring responsibilities and parameters. The Project Manager of Eliminating POPs through sound management of chemicals based in MECCT will withhold the overarching responsibility for maintaining all documentation in line with the ESMF and ensure timely reporting to the UNDP.

UNDP Country Office (UNDP CO) will be responsible to monitor the project's compliance with UNDP's Social and Environmental Standards.

8.2 Monitoring Indicators

Several indicators shall be used in monitoring implementation of the ESMF. These include:

- Capacity building – To determine whether officers with roles in implementation of the ESMF have the necessary skills to execute their mandate;
- Dissemination of documents outlined in the ESMF
- Screening and review process comprehensively executed;
- Appropriate environmental and social assessment instruments prescribed during the screening stage are applied promptly. Approval timelines should not frustrate project commencement;
- ESMPs and monitoring regimes outlined in ESIA reports implemented and progress reported;

9. List of Annexes

Annex 1: Screening Form from EPA and its translation

Annex 2: Updated SESP

Annex 3: Sample TOR for ESIA study

Annex 4: Generic TOR for a ESMP

Annex 4: List of Stakeholders identified in project document

National Emblem

Ministry of Environment

Environmental Protection Agency

EIA SCREENING FORM

This form is in accordance with the 8th Clause of Environmental Impact Assessment Regulation (R-27-2012) for screening of development project

The form is divided in 3 parts, please complete all parts.

Part 1: Proponents Information

Name of person submitting form:

ID Card/Passport/Work permit number: Company registration number:.....

Address:..... Email:.....

Contact Person Name and Mobile number (A person who can give information regarding the development):

Part 2: Project Description

Project Title:

Objectives of the project:

Project cost: Project duration:.....

Part 3: Proponent declaration

I hereby confirm that all the information provided in this form is accurate.

Name: ID card number:

Date: Signature:

Office use

Name of person who received the form: Time:

Date: Signature:

Documents to be submitted with form

	For submitter use	For office use
Documents, photos, permits and drawings related to the project	<input type="checkbox"/>	<input type="checkbox"/>
Approved concept from relevant government institutions in project location	<input type="checkbox"/>	<input type="checkbox"/>
Land use plan approved by designated government authority	<input type="checkbox"/>	<input type="checkbox"/>
Permits issued by relevant government authority	<input type="checkbox"/>	<input type="checkbox"/>
Project Schedule	<input type="checkbox"/>	<input type="checkbox"/>



Project description (Please include each of the following aspects)

- Project work description (work method statements, machineries and equipment, workforce details including temporary accommodation for workers, project schedule) shall be included;
- Number and type of tree and palms which will be removed/uprooted/displaced as a result of project interventions;
- Management plan for removed and uprooted trees and palms;
- Project impact boundary (information on any Marine Protected Area or Environmentally Sensitive Area within 30 meter radius of the project site);
- Work methodology for construction phase of water, sewerage and electrification projects;
- Information on operational phase of water, sewerage and electrification projects;
- Information on the distance between the vegetation line of the island and the project location;
- The distance between the project location and house reef of the island if project is implemented within the lagoon;
- Information on management of waste generated by the project;
- Burrow areas for sediments (A A3 scaled map showing the burrowing site)

Annex 3: Updated SESP

Annex 3: Sample TOR for ESIA study

Terms of Reference to the Environment and Social Impact Assessment for the Proposed Interim Hazardous Waste Storage Facility in Addu City

Following is the Terms of Reference (TOR) issued for undertaking **Environment and Social Impact Assessment (ESIA) for proposed Interim Hazardous Waste Storage Facility in Addu City**. The Proponent of the project is **Ministry of Environment, Climate Change and Technology**. The EIA Consultant of the project is **Mr Hamdhoon Mohamed (EIAP03/2017)**.

This Terms of Reference (TOR) aims to ensure that all the major issues associated with the development proposal are addressed.

1. **Introduction to the project** – Describe the purpose of the project (Hazardous Waste Storage) and, if applicable, the background of the project and the tasks already completed. Clearly identify the rationale and objectives to enable the formulation of alternatives. Define the arrangements required for the environmental assessment including how work carried out under this contract is linked and sequenced with other projects that may be linked or relevant to the project. Identify and outline the institutional arrangements for financing, execution, implementation and operational aspects of the project and how coordination between other consultants, contractors and government institutions will be carried out.
2. **Study area** – Submit a minimum A3-size scaled plan with indications of all the proposed infrastructures. Specify the agreed boundaries of the study area for the environmental impact assessment highlighting the proposed development location, size and important elements of the Interim Hazardous Waste Storage Facility. The study area should include adjacent or remote areas, such as relevant developments and nearby environmentally sensitive sites such as coral reef, sea grass and other ecologically important habitats. Relevant developments in the areas must also be addressed including residential areas, all economic ventures and cultural sites.
3. **Scope of work** – Identify and number tasks of the project including site preparation, construction and decommissioning phases. The following tasks shall be completed:

Task 1. Description of the proposed project – Provide a full description and justification of the relevant parts of the project, using maps at appropriate scales where necessary. The following should be provided (all inputs and outputs related to the proposed activities shall be justified):

The main activities proposed in the establishment of an Interim Hazardous Waste Storage Facility in Addu City include the following:

- I. **Construction of temporary storage unit within the premises of new Waste Management Centre in Addu City**
 - Location and Proposed Area for the Interim Hazardous Waste Storage Facility;
 - Construction methodology
 - Material and equipment used

- Project schedule
- Provisions to avoid potential spillage of PCB-contaminated oil
- Occupational Health & Safety measures
- Dismantling and decommissioning
- Any vegetation clearance involved

II. Collection, Weighing and Packing of all PCB-containing transformers in Fuvahmulah and transfer them to the temporary storage area in Addu City

- Existing locations and conditions of the PCB-containing transformers
- Method Statement for transfer of PCB-containing transformers
- Safety Measures to be implemented during the transfer of PCB-containing transformers
- Proposed location for temporary keeping of PCB-containing transformers

III. Excavating the contaminated soil from the PCB contaminated transformer storage rooms in Fuvahmulah

- Anticipated volumes of PCB-contaminated soil
- Method statement for excavation
- Handling and transport of excavated material
- Disposal of PCB-contaminated soil

IV. Rehabilitating the grounds of former storage rooms

- Rehabilitation strategies
- Resource required for rehabilitation

Task 2. Description of the existing environment – Assemble, evaluate and present the environmental baseline studies/data regarding the *study area and timing of the project* (e.g., monsoon season). Identify baseline data gaps and identify studies and the level of detail to be carried out by consultant. Consideration of likely monitoring requirements should be kept in mind during survey planning, so that data collected is suitable for use as a baseline. As such, all baseline data must be presented in a way that they will be usefully applied to future monitoring. The report should outline detailed methodology of data collection utilized.

The baseline data will be collected before construction. All survey locations shall be referenced with Geographic Positioning System (GPS) including water sampling points, reef transects, vegetation transects and manta tows sites for posterior data comparison. Information should be divided into the categories shown below. Absence of facilities in the country to carry out the water quality tests will not exempt the proponent from the obligation to provide necessary data. The report should outline the detailed methodology of data collection utilized to describe the existing environment.

Information on existing environment should be described as shown below:

Climatology

- Rainfall and temperature patterns

Ecology

- Assessment of terrestrial vegetation from areas that need to be cleared for the purpose of the project to include, area, number and type of trees to be cleared.
- Describe the terrestrial and environments and geology such as soil. Description of the status of the ground to include the condition of the soil and vegetation (if any significant) shall be provided.

Hazard vulnerability

- Vulnerability of project infrastructure to flooding, storm surge and any other disaster risks.

Hydrology

- Groundwater quality assessment of facility site measuring these parameters: temperature, pH, salinity, Total Petroleum Hydrocarbon (TPH), Nitrate, Phosphate and Sulphate.

Socioeconomic Environment

- Demography: total population, sex ratio, density, growth and pressure on land and marine resources
- Economic activities of both men and women (e.g., fisheries, home gardening, fish processing, employment in industry, government)
- Economic activities near the project site
- Services quality and accessibility (water supply, waste/water disposal, energy supply, social services like health and education)
- Energy and transport
- Potential for an influx of workers and negative social impacts
- Pressures and usage of groundwater
- Sites with historical or cultural interest and/or sacred places (mosques, graveyard).
- Gender patterns

Task 3. Legislative and regulatory considerations – Identify and describe pertinent regulations and standards, environmental policies, applicable international obligations and agreements that must be adhered and requirements for environmental licensing and land ownership, and other authorizations required for the execution of the project components and works.

- Decision Statement for EIA report
- Waste Management Facility Permits to be obtained from EPA
- Social and environmental safeguard policies and procedures of UNDP and the GEF
- Identify gaps between national legislations and UNDP's SES with special focus given to stipulations in national or local law that may hinder compliance with UNDP's SES. In these cases, practical solutions need to be proposed and included in the ESMP.
- Permit from Ministry of Defence

Compliance with UNDP's SES

State and describe each of UNDP's SES Principles and Standards.

- Identify which of these requirements would be triggered/required in the context of this project

Identification of the institutions responsible for the undertaking environmental and social management of the proposed project, at the respective levels of government; roles and functions of each of the institutions, identifying the needs for institutional capacity building.

- References to international good practices, such as those outlined in the World Bank Group Environmental Health and Safety Guidelines.

Task 4. Potential impacts of the proposed project– The ESIA report should identify all the impacts (direct, indirect and cumulative) and evaluate the magnitude and significance. This shall include:

Impacts related to construction

- Pollution of the natural environment (e.g., oil spills, discharge of untreated wastewater and solid waste, including construction waste)
- Atmospheric pollution due to construction activities
- Risk of accidents and pollution on workers and local population
- Fire and explosion risks
- Chemical hazard risks

The temporal scope of potential impacts relevant to the project include:

- Future anticipated or projected short-term impacts, e.g., hazardous wastes generation, chemicals spills, pollution, capacity needs, and health problems resulting from the proposed project
- Future anticipated or projected long-term impacts, e.g., indirect or secondary effects of induced unplanned development and changes in socio-economic conditions
- Present or baseline pollution of the proposed project site or facilities, e.g., soil and ground water pollution originating from past disposal of or contamination with hazardous substances or wastes.

Impacts on biodiversity and natural environment

- Groundwater
- Impacts on habitats (e.g., modified, natural, and critical habitats) and/or ecosystems and ecosystem services

Socioeconomic impacts:

- Impacts of air pollution, noise, vibration, traffic, injuries, physical hazards, poor surface water quality due to runoff, erosion and sanitation
- Pollution levels (hazardous and municipal) waste generation
- Increased demands on natural resources and services (domestic water supply, wastewater disposal, treatment systems, solid waste disposal systems, energy supply, etc)
- Impacts due to economic displacement (e.g., loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)
- Impacts of the project and construction and decommissioning works on the public, businesses and way of life, giving particular attention to sensitive population
- Impacts on tourism-related activities
- Impacts on agricultural development
- Impacts on island employment, income and economy diversification, including potential for local people to have (temporary) job opportunities (and what kind) in the execution of the works
- Impacts of workers on the local population
- Impacts on cultural sites and heritage

Impacts on the community health and safety:

- Harm or losses due to failure of structural elements of the project (e.g., collapse of buildings or infrastructure)
- Transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g., fuel and other chemicals during construction and operation)
- Adverse impacts on ecosystems and ecosystem services relevant to communities' health (e.g., food, surface water purification, natural buffers from flooding)

The methods used to identify the significance of the impacts shall be outlined. One or more of the following methods must be utilized in determining impacts: checklists, matrices, overlays, networks, expert systems and professional judgment. Justification must be provided to the selected methodologies. The report should outline the uncertainties in impact prediction and also outline all positive and negative/short and long-term impacts. Identify impacts that are cumulative and unavoidable.

Task 5. Alternatives to proposed project – Describe alternatives including the “No Action Option” should be presented. Determine the best practical environmental options. Alternatives examined for the proposed project that would achieve the same objective including the “No Action Alternative”. This should include alternatives for environmental, social and economic considerations. The report should highlight how the location was determined. All alternatives must be compared according to international standards and commonly accepted standards as much as possible. The comparison should yield the preferred alternative for implementation. Mitigation options should be specified for each component of the proposed project.

Task 6. Mitigation and management of negative impacts – Identify possible measures to prevent or reduce significant negative impacts to acceptable levels. Mitigation measures must also be identified for both construction and operation phase. Cost of the mitigation measures, equipment and resources required to implement those measures should be specified. The confirmation of commitment of the developer to implement the proposed mitigation measures shall also be included. Mitigation measures

shall be detailed to include responsible persons, their duties and commitments. In cases where impacts are unavoidable, arrangements to compensate for the environmental effects shall be given.

Task 7. Development of monitoring plan – Identify the critical issues requiring monitoring to ensure compliance to mitigation measures and present impact management and monitoring plan for:

- Physical parameters such as groundwater quality and air quality assessments must be provided as required by EPA
- Biological parameters such as terrestrial monitoring shall be provided as per guidelines of EPA
- Social parameters such as public acceptability shall be provided as required by EPA
- Detail of the monitoring program including the physical and biological parameters for monitoring, cost commitment from responsible person to conduct monitoring in the form of a commitment letter, detailed reporting scheduling, costs and methods of undertaking the monitoring programme must be provided.

Task 8. Stakeholder consultation – the ESIA report should include a list of people/groups consulted and detail the major outcomes. Identify appropriate mechanisms to supply stakeholders and the public with information about the development proposal and its progress. Major stakeholder consultation shall include relevant government ministries, government agencies, city councils and utility service providers. The following parties should be consulted:

- Addu City Council consultation needs to cover impacts and mitigation measures of the project as per the requirements of the local government act)
- Health Protection Agency
- Utility service providers
- Utility Regulatory Authority
- Waste Management Corporation
- Proponents of ongoing projects at Addu City
- Ministry of Environment, Climate Change and Technology (Waste Management and Pollution Prevention Department)
- Ministry of Transport and Civil Aviation
- Ministry of Defence (FRS)
- Ministry of Fisheries, Marine Resources and Agriculture
- Addu City Public Health Unit
- Addu Regional Hospital

The EISA report should be submitted to Addu City Council and evidence of receipt of the report needs to be included in the ESIA report. The report should include lists of stakeholders consulted and their contact information.

Presentation - The ESIA assessment report, to be presented in digital format, will be concise and focus on significant environmental and social issues. It will contain the findings, conclusions and recommended actions supported by summaries of the data collected and citations for any references used in interpreting those data. The environmental assessment report will be organized according to, but not necessarily limited by, the outline given in the EIA Regulations (2012) and subsequent amendments. A non-technical summary must be included and must address the major subjects of the ESIA report and be written in such diction that it provides laypersons with a clear insight in the issues treated.

Timeframe for submitting the ESIA report - The consultant must submit the completed ESIA report within 6 (six) months from the date of this Term of Reference.

Annex 4: Generic TOR for an ESMP

Objective and Scope of Preparation of Environmental and Social Management and Monitoring

Plan (ESMP)

In order to ensure short and long-term environmental impacts that would arise due to improvement and rehabilitation work (to be described in the first section based on the sub-project/activity), an ESMP plan will need to be developed as per the scope presented below and in accordance with the ESAMF of the Project. Field level verification should be conducted prior to the preparation of the ESMPs:

1. *Identification of impacts and description of mitigation measures:* Firstly, Impacts arising out of the project activities need to be clearly identified. Secondly, feasible and cost-effective measures to minimize impacts to acceptable levels should be specified with reference to each impact identified. Further, it should provide details on the conditions under which the mitigatory measure should be implemented (ex; routine or in the event of contingencies) The ESMP also should distinguish between type of solution proposed (structural & non-structural) and the phase in which it should become operable (design, construction and/or operational).
2. *Enhancement plans:* Positive impacts or opportunities arising out of the project need to be identified during the preparation of the check list and Environmental Assessment process where applicable. Some of these opportunities can be further developed to draw environmental and social benefits to the local area. The ESMP should identify such opportunities and develop a plan to systematically harness any such benefit.
3. *Monitoring programme:* In order to ensure that the proposed mitigatory measures have the intended results and complies with national standards and donor requirements, an environmental performance monitoring programme should be included in the ESMP. The monitoring programme should give details of the following;
 - a. Monitoring indicators to be measured for evaluating the performance of each mitigatory measure (for example national standards, engineering structures, extent of area replanted, etc).
 - b. Monitoring mechanisms and methodologies
 - c. Monitoring frequency

d. Monitoring locations

4. Institutional arrangements: Institutions/parties responsible for implementing mitigatory measures and for monitoring their performance should be clearly identified. Where necessary, mechanisms for institutional co-ordination should be identified as often monitoring tends to involve more than one institution.
5. *Implementing schedules*: Timing, frequency and duration of mitigation measures with links to overall implementation schedule of the project should be specified.
6. *Reporting procedures*: Feedback mechanisms to inform the relevant parties on the progress and effectiveness of the mitigatory measures and monitoring itself should be specified. Guidelines on the type of information wanted and the presentation of feedback information should also be highlighted.
7. *Cost estimates and sources of funds*: Implementation of mitigatory measures mentioned in the ESMP will involve an initial investment cost as well as recurrent costs. The ESMP should include costs estimates for each measure and also identify sources of funding.
8. *Contract clauses*: This is an important section of the ESMP that would ensure recommendations carried in the ESMP will be translated into action on the ground. Contract documents will need to be incorporated with clauses directly linked to the implementation of mitigatory measures. Mechanisms such as linking the payment schedules to implementation of the said clauses could be explored and implemented, as appropriate.

The format to present the ESMP in a matrix is provided below:

Stage	Activity	Environmental Impacts	Proposed mitigation measures	Cost	Implementation responsibility and progress	Monitoring responsibility And frequency
Design						
Construction						
Operational						

Annex 5: List of Stakeholders identified in project document

Institutional Stakeholders

- Ministry of Defence (MoD)
- Maldives National Defence Force (MNDF)
- Maldives Customs Service (MCS)
- Ministry of Environment (MEE)
- Environmental Protection Agency (EPA)
- Maldives Energy Authority (MEA)
- Ministry of Health (MoH)
- Maldives Food and Drug Authority (MFDA)
- Health Protection Agency (HPA)
- National Drug Agency (NDA)
- Ministry of Fisheries and Agriculture (MoFA)
- Ministry of Tourism Arts and Culture
- Ministry of Gender and Family
- Male' City Council
- Maldives Transport Authority
- National Bureau of Statistics
- Local Government Authority
- City Councils, Atoll Councils, and Island Councils
- National Chemical Management Committee (NCMC)
- The Women's Development Committees* (WDCs)
- National Centre for Information Technology (NCIT)
- United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)

Principle Industrial/Private Sector Stakeholders

- Waste Management Corporation (WAMCO)
- Potential PCB Holders/Utility Providers (e.g., STELCO; FENAKA Corporation Ltd; City/island councils)
- Maldives Association of Construction Industry (MACI)
- Maldives Association for Tourism Industry (MATI)
- Local level businesses (e.g., small waste haulers, collectors, separators, island community members of the informal waste sector).

Academic Institutions

- Maldives National University (MNU)

Civil Society / Non-Governmental Organizations

- Blue Peace* (representing CSOs)
- EcoCare
- Hope for Women
- Parley

General Public/Local Communities

- Wider Population of the Maldives
- Specific local communities in those islands where there will be temporary storage facilities and pilots.