



Update of the Feasibility Study. ESIA and update of the Detailed Design for the construction of the road N9 Prishtinë - Pejë (SEETO Route 6 B), section from Kijevë – Klinë to Zahaq (30KM)

**Environmental and Social Action
Plan (ESAP)
(Draft)**

Infrastructure Projects Facility for Western Balkans

IPA 2011-WBIF-IPF3

WB11-KOS-TRA-01

February 2017

Issue and revision record

Revision	Date	Originator	Checker	Approver	Description
A	11.02/2017	Ana Petrovska	Ralph Henderson	Gordon Lamond	Pre-Feasibility Study Report February 2017 – Draft for Comment

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Introduction

This document is the Environmental and Social Action Plan (ESAP) describing the environmental & social mitigation and monitoring measures, the criteria for their successful implementation and organisational measures to be implemented during the pre-construction, construction and operation of the Project.

The ESAP is a 'live' document which needs to evolve with the Project. The Project Implementation Unit within the Ministry of Infrastructure and their Contractor will regularly review and update as required the ESAP to ensure it reflects any changes in the project implementation and organisation.

An addendum to the ESIA will be publicly disclosed and the ESAP will be updated to take into account findings from stakeholder feedback and additional surveys and studies that have been undertaken.

1.1. Pre-Construction Phase

The ESAP comprises of actions which need to be undertaken during the current pre-construction phase, some of these actions are necessary as part of the ongoing permitting process and in order to further inform and refine environmental and social mitigation plans. In addition measures have been identified in order to achieve compliance with legal and EBRD's Performance Requirements. The ESAP will need to be updated for any additional environmental and social requirements identified.

Further it is recommended to the Ministry of Infrastructure that the environmental and social mitigation and monitoring measures contained within the ESAP and other relevant project documentation and approvals (e.g. the ESIA) are referenced within tender documentation for selection of the construction contractor.

1.2. Construction Phase

The actual construction work will be undertaken by a road construction contractor to be appointed by the Ministry of Infrastructure. Many of the ESAP requirements will be the responsibility of the construction contractor to implement. At the time of preparing the ESAP the method of contracting and construction contractor (hereafter referred to as the 'Contractor' has not been determined¹). Further details regarding the sub-contractors/suppliers and the nature of the workforce are not available at the time of preparing the ESAP; therefore the consequences of the social impacts from the influx of this potential workforce cannot be fully defined. In the absence of defined construction information from the Contractor, this ESAP outlines precautionary measures to minimise social impacts and regarding the required standards for working conditions for the workforce.

Under EBRD procurement policies engaging contractors in public sector projects requires Conditions of Contract to be used which meet Performance Requirement 2 on Labour and Working Conditions. The contracting method for the construction of the road will be required to meet EBRD's procurement policies. The conditions will also require the works to be carried out in accordance with national labour and H&S laws

The requirements for environmental protection and social management contained within the ESAP, Stakeholder Engagement Plan (SEP) and relevant project documentation and approvals (e.g. the EIS and environmental permit) will be an obligatory part of the conditions of contract for the construction Contractor. The Contractor will be obliged to adopt and follow good environmental and social management practices during construction and minimise potential impacts on water resources, soil, flora and fauna, air, noise, landscape, cultural heritage resources, communities and population health.

¹ There is the possibility that more than one main Contractor could be appointed, therefore at contract award the ESAP will need to be reviewed to ensure it fully reflects the project circumstances.

The Ministry of Infrastructure is ultimately responsible for the implementation of measures outlined within the ESAP. With the objective of ensuring effective implementation of the ESAP, SEP and other project requirements, The Ministry of Infrastructure will appoint resources to undertake environmental and social reviews of the Contractor during the construction phase. Where responsibility for actions is assigned to the Contractor, the Contractor will be responsible for ensuring its sub-contractors understand the requirements contained within the ESAP and have contract conditions in place to ensure applicable elements of the ESAP are achieved.

An Environmental and Social Management System will be established for the construction and operation of the Project. The Contractor will establish a Construction Environmental & Social Management Plan (CESMP). Outline of which is included in the Environmental And Social Impact Assessment (ESIA) report for this project, which will form a comprehensive mitigation plan.

1.3. Operational phase

The ESAP details environmental and social measures for the operation of the motorway including the requirement to establish and implement an Environmental and Social Management System.

It is a requirement of EBRD policy that the project is undertaken inline with national law. The requirements described in this ESAP therefore reference Kosovo law, existing requirements of the EIAs and supporting documentation, such as permitting documents. These requirements have been supplemented, where necessary, with measures needed to meet EBRD requirements² and relevant international good practice³. These measures are intended to complement the requirements under national law, including ones contained in Project approval documentation (e.g. EIA & permits), and these measures should be implemented except where such implementation conflicts with national law.

² EBRD Environmental & Social Policy 2008 and EBRD Performance Requirements (1, 2, 3, 4, 5, 6, 8, & 10)

³ For example: IFC Environmental Health & Safety Guidelines for Toll Roads

ENVIRONMENTAL AND SOCIAL ACTION PLAN

No.	Action	Environmental & Social Risks (Liability/Benefits)	Requirements (Legislative, EBRD PR, Best Practice)	Resources, Investment Needs, Responsibility	Timetable	Target and Evaluation Criteria for Successful Implementation	Status
1	Project Planning Phase						
1.1.	Qualified Environmental & Social Manager: Appoint a qualified Environmental & Social Manager to take overall responsibility for compliance with ESAs, permit requirements, ESAP, SEP, LARF and EBRD requirements related to E&S issues.	All environmental and social issues and impacts are appropriately addressed;	EBRD PR1 - PR10 National legal requirements, EU Directives and best practice	<i>Resources:</i> In house <i>Responsibility:</i> Ministry of Infrastructure (MI)	Upon signing the loan agreement with EBRD and establishment of PIU	Environmental & Social Manager employed	
1.2.	Status Reports: Project Implementation Unit within MI prepare and submit reports to EBRD and EIB on status of all ESAP items and as a minimum annual Environmental and Social reports on the overall compliance status of the project	All environmental and social issues and impacts are appropriately addressed; Performance Reports shared	EBRD PR1 - PR10 National legal requirements, EU Directives and best practice	<i>Resources:</i> In house <i>Responsibility:</i> MI	At each project milestone stage or after accomplished major activities included within the ESAP.	Reports prepared and submitted to EIB and EBRD	
1.3.	Commitments, Consents and Permits Registers: Obtain and maintain compliance with all required consents and permits from appropriate authorities throughout all stages of the project. A database tracking all permits and consents shall be developed and maintained. Develop a Commitments Register to document all design, pre-construction, construction and operation related mitigation measures cited in the	All environmental and social issues and impacts are appropriately addressed; Permitting in line national requirements	EBRD PR1 - PR10 National legal requirements are met	<i>Resources:</i> In house <i>Responsibility:</i> MI/Contractor	Throughout the project development phases (Conceptual, Preliminary and Detailed design phase)	Consents and permits obtained Database tracking of all permits and consents developed Compliance monitoring reports Reporting to EIB/EBRD	

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	ESIA, ESAP, NTS, LARF and SEP documentation, and identify how the commitment is addressed, and which party (e.g. MI, Contractor, third parties etc.) is responsible. This Register should be maintained throughout the project phases. It should be provided to the Contractor and to the Engineer.						
1.4.	<p>Updating Documents:</p> <p>Update ESIA and relevant documents such as NTS/ESAP/SEP/ ESMP /LARF to reflect further progress of the design and finding of individual studies outlined in this ESAP.</p> <p>As part of the SEP disclose and engage with stakeholders on detailed mitigation plans and findings from additional studies/surveys for the Project. .</p>	All environmental and social issues and impacts are appropriately addressed; Permitting process is going smooth.	EBRD PR1 - PR10 National legal requirements, EU Directives and best practice	<i>Resources:</i> In house <i>Responsibility:</i> MI/IPF Designer/ Contractor	Throughout the project development phases (Conceptual, Preliminary and Detailed design phase)	Updated and approved documents by the EIB and EBRD Reporting to EIB/EBRD Public disclosure of findings and mitigation measures	
1.5.	<p>Hydro-geological Assessment and Impact Mitigation Plan:</p> <p>Conduct a detailed supplementary hydro-geological assessment along the selected motorway alignment to determine risk of impacts on groundwater quality and flow (in particular at wells used for individual drinking water supply) and develop and implement appropriate mitigation measures to address the identified risks for inclusion in the updated ESMP/ESAP .</p>	Pollution prevention, Health risk minimisation	EBRD PR3 National requirements	<i>Resource:</i> MI in-house, IPF designer and Contractor <i>Responsibility:</i> MI / IPF Designer / Contractor	During Preliminary design and Detailed design development	Completed hydro-geological assessment and groundwater impact mitigation plan. Public disclosure of findings and mitigation measures Report to EBRD/EIB. Report in AESR to	

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1.6.	<p>Design of motorway drainage system: <i>Surface Water Drainage, Pollution Control & Wastewater Treatment System for Motorway:</i></p> <p>Drainage shall be assessed and sustainable drainage systems designed in accordance with the national legal requirements and EU requirements, taking into account the following principles and any constraints imposed by the project requirements:</p> <ul style="list-style-type: none"> •Surface water is removed as quickly as possible from the carriageway •The pavement and associated earthwork structures are effectively drained •Road runoff is managed at its source where it is reasonably practical to do so •The systems are cost-effective to operate and maintain over their design life •The design takes into account the likely effects of climate change as outlined in Government Policies (and changes in impermeable area) over the design life of the systems •The systems minimise the use of energy over their design life •The effect of road runoff on the quality of receiving water bodies and groundwater is minimised •Pollution control measures for motorway wastewater management will include closed drainage systems, interceptor & retention systems, monitoring of treated wastewater before 	Pollution prevention, Health risk minimisation	EBRD PR3 National requirements	<i>Resource:</i> MI in-house, IPF designer and Contractor <i>Responsibility:</i> MI / IPF Designer / Contractor	During Preliminary design and Detailed design development	Completed Design of motorway drainage system. Report to EBRD/EIB. Report in AESR to EBRD/EIB	

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	<p>discharge.</p> <ul style="list-style-type: none"> •All run off from the existing land drainage system must be kept separate from the road drainage system •Surface water flows from Local Authority side roads may be considered where there is no adequate alternative outfall, subject to agreement by the Overseeing Organisation •The drainage assets must be designed, managed, operated and maintained in accordance with the relevant maintenance and management contract <p>The drainage design shall be certified for compliance with the national relevant legislation and the works shall be specified in accordance with the Technical specifications for Motorway Works.</p>						
1.7.	<p>Surplus Material Disposal Sites:</p> <p>Spoil disposal sites will be selected in accordance with national requirements on the basis of geotechnical investigations and ecological survey by specialists: locations are selected in order to avoid any impacts on sensitive habitats and water courses; necessary documentation will be prepared and submitted to the relevant authorities. The project shall only utilise sites and locations for spoil disposal that are permitted by the municipalities ; information on approved sites will be passed to the Contractor through contract documentation. Contract documentation to prohibit</p>	To avoid and reduce loss of habitats (an Annex I habitats).	EBRD PR6 National requirements EU Directives	<p><i>Resources:</i> Designated in-house resources (MI & IPF Designer) and ecologist.</p> <p><i>Responsibility:</i> MI to instruct the IPF Designer</p>	Before detailed design and contract documents finalised.	<p>Spoil disposal sites defined and approved by competent authorities</p> <p>Report on implementation to be included in AESR to EBRD/EIB.</p>	

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	disposal of surplus excavated material in sensitive areas and on non-approved sites.						
1.8.	<p>Noise baseline modelling, impacts assessment and mitigation measures:</p> <ul style="list-style-type: none"> •Detailed Motorway Noise and Vibration Study will be completed during the development of the Preliminary Design along with noise baseline modelling along the motorway, •Impact assessment and mitigation measures will be revised in the updated ESIA, •Detailed Design of mitigation measures, e.g. Noise barriers (if required), • 	Pollution prevention, Health and environmental risk minimisation	EBRD PR3 National requirements	<i>Resource:</i> MI in-house, IPF designer and Contractor <i>Responsibility:</i> MI / IPF Designer / Contractor	During Preliminary and Detailed design development	Completed Noise baseline modelling, impacts assessment and mitigation measures in the updated ESIA. Measures embodied in the Detailed design. Report to EBRD/EIB. Report in AESR to EBRD/EIB	
1.9.	<p>Air quality modelling, impacts assessment and mitigation measures:</p> <p>Design related activities:</p> <ul style="list-style-type: none"> •A survey on air quality will be undertaken with the aim to further assess the baseline conditions and identify sensitive receptors; •Air quality modelling will be executed to assess the effects of the Project on sensitive receptors and the level of their exposure •Provide any additional specific mitigation measures required for both construction and operation phases <p>Suitable plans to be developed by the Contractor:</p>	Pollution prevention, Health and environmental risk minimisation	EBRD PR3 National requirements	<i>Resource:</i> MI in-house, IPF designer and Contractor <i>Responsibility:</i> MI / IPF Designer / Contractor	During Preliminary and Detailed design development	Completed Air quality baseline modelling, impacts assessment and mitigation measures in the updated ESIA. Measures embodied in the Detailed design. Report to EBRD/EIB. Report in AESR to EBRD/EIB	

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	<ul style="list-style-type: none"> •Dust Management Plan •Plan to minimize emissions of combustion gases •Construction Traffic Management Plan. 						
1.10.	<p>Additional Biodiversity survey: Within the project's area of influence, the following studies will be carried out:</p> <ul style="list-style-type: none"> •Analysis of fish fauna, including potential presence / absence of European eel and other migratory species in the Drini i Bardhe during targeted field campaigns to capture migratory periods (e.g. multi-seasons) •Analysis of the riparian vegetation to quantify loss of habitat and area required for revegetation to achieve No Net Loss •Assessment of the possible impacts of the road construction on aquatic /riparian habitats •Project/location specific mitigation measures to ensure NNL of species of conservation importance. <p>Suitable plans to be developed by the Contractor:</p> <ul style="list-style-type: none"> •Biodiversity Management Plan to be developed based on the findings of the above studies and relevant detailed mitigation measures to be reflected in the ESMMP. 	Minimisation of impacts on flora and fauna in the Project area.	EBRD PR6, EU Habitat Directive, National Requirements	<i>Responsibility:</i> MI / IPF Designer / Contractor	During Preliminary and Detailed design development. CEMP updated prior to construction works commencement.	Completed additional biodiversity surveys and studies. Detailed mitigation measures defined. Prepared and implemented Biodiversity Management Plan.	
1.11.	<p>Road Safety Audit (RSA): To be financed by EBRD, MI will work with EBRD to appoint an independent competent road safety auditor to undertake a Road Safety Audit in line with EU Directive 2008/906/EC on completion of</p>	Reduction of accident risks and improved road safety.	EBRD PR4 National requirements EU Directives	<i>Resources:</i> Technical Cooperation resources to be provided by	End of detailed design Phase (and subsequent RSAs at key stages as required	Documented Road Safety Audit Report. Report in AESR to	

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	<p>final design and at key stages as indicated in the Directive.</p> <p>Following RSA there should be mandatory inclusion of economically viable safety improvements into the design. Road Safety Audit will be conducted by a certified auditor. Where the road safety auditor recommendations are not implemented, the reason why each recommendation has been declined needs to be confirmed to the Bank.</p>			<p>EBRD <i>Responsibility:</i> MI/Consultant for RSA</p>	<p>under EU Directive 2008/96/EC).</p>	<p>EBRD/EIB.</p>	
<p>1.12.</p>	<p>Environmental & Social Management System (ESMS):</p> <p>Establish and implement an ESMS (Environmental and social Management/Mitigation and Monitoring Plans) for each phase of the project implementation.</p> <p>At the Project planning phase outline Environmental & Social Mitigation and Monitoring Plan (ESMMP), including all separate Plans (e.g. Erosion Control Plan, Dust Management Plan etc..), has been prepared as separate chapter of the ESIA. The ESMMP will be subject to revision and update taking into account any changes necessary for the approval of the Detailed design.</p> <p>The ESMMP should include mitigation for specific issues including; minimising disturbance to natural habitats, working in river channels, prevention of pollution to watercourses, control of dust/noise, community relations, access arrangements, constraints, buffer zones, spoil disposal, seasonal</p>	<p>All environmental and social issues and impacts are appropriately addressed; Optimisation of environmental management through a formalised system; Provide resources for training and monitoring of emissions and impacts.</p>	<p>EBRD PR1 National legal requirements, EU Directives and best practice</p>	<p><i>Resources:</i> MI, in house <i>Responsibility:</i> IPF Designer / Contractor will prepare and update ESMMP. MI will be responsible for ESMS /ESMMP overall implementation. MI to establish Project Implementation Unit (PIU) EBRD/EIB to oversee.</p>	<p>ESMS to be developed by the MI with IPF designer support. ESMMP to be prepared by IPF Designer / Contractor. ESMMP to be approved by MI and national authorities as part of the ESIA approval process. EBRD/EIB to oversee.</p>	<p>ESMMP documented. PIU established. Provide updates on implementation in AESR to EBRD/EIB.</p>	

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	working restrictions in specific areas, rehabilitation of land, chance finds procedures, emergency preparedness and response plan, erosion control, spill response, health and safety plan, workforce management plan, management of hazardous materials and measures to prevent exposure to the community, monitoring activities etc. Plan should list the specific responsibilities.						
1.13.	<p>Design Change Management Procedure (DCMP):</p> <p>Implement a Design Change Management Procedure (DCMP) which includes assessment of, and where relevant, mitigation of environmental and social impacts of design changes. The DCMP should include appropriate provisions for the public disclosure of material issues associated with design changes.</p>	All environmental and social issues and impacts are appropriately addressed.	EBRD PR1 – PR10 National legal requirements, EU Directives and best practice	<p><i>Resources:</i> MI, in house</p> <p><i>Responsibility:</i> MI will be responsible for DCMP implementation. MI to establish PIU.</p>	DCMP to be developed by the MI with IPF designer support.	<p>DCMP documented. PIU established.</p> <p>Provide updates on implementation in AESR to EBRD/EIB. Public disclosure of design changes</p>	
1.14.	<p>Develop and finalise the Land Acquisition and Livelihood Restoration Plan (LARF) and Resettlement Action Plan (RAP) :</p> <p>Develop the project's Land Acquisition and Livelihood Restoration Plan (LARP), based on the prepared and disclosed Land Acquisition and Livelihood Restoration Framework (LARF) including consultations with affected parties regarding compensation for land expropriation, loss of access and restoration of livelihoods in accordance to the SEP.</p>	<p>Compliance with EBRD requirements</p> <p>Compensation for economic displacement and livelihood impacts related to land acquisition, displacement and access restrictions.</p>	EBRD PR5, National requirements	<p><i>Resources:</i> Designated MI internal resources and Consultants.</p> <p>Escort account for land acquisition compensation and physical displacement cost at full</p>	Before Construction Phase (i.e. no land is accessed for works until compensation payments received by the eligible entitled parties).	<p>Submit LARF and RAP to EBRD/EIB for review and approval.</p> <p>Documented LARF and RAP.</p> <p>Immediate reports required by EBRD/EIB.</p> <p>Report progress in AESR to</p>	

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	<p>Carry out detailed socio economic survey/census in line with EBRD PR5 requirements.</p> <p>Assess the impact on businesses located along the existing road N9.</p> <p>Develop a Resettlement Action Plan (RAP) to meet the requirements of PR5, using the Land Acquisition and Resettlement Framework (LARF) as a basis, and using information from the socio-economic survey and once consultations have been held with local land owners and users.</p> <p>The MI will consider feasible alternative Project designs to avoid or at least minimise physical and/or economic displacement, while balancing environmental, social, and economic costs and benefits. Where it is unavoidable, resettlement should be minimised and appropriate measures to mitigate adverse impacts on displaced persons and host communities should be carefully planned and implemented. Project-related land acquisition and/or restrictions on land use often leads to both physical displacement of people as well as their economic displacement.</p>			<p>replacement cost and other assistance.</p> <p>PIU to engage an experienced social/legal expert.</p> <p><i>Responsibility:</i> MI/Consultants / other relevant national institutions for social welfare etc.</p>		EBRD/EIB.	
1.15.	<p>Land Acquisition and Livelihood Restoration Framework (LARF), Land Acquisition and Livelihood Restoration Plan (LARFP) and Resettlement Action Plan (RAP) implementation:</p> <p>Implement the project's Land Acquisition and Livelihood Restoration Framework (LARF), Land Acquisition and Livelihood Restoration Plan (LARP)</p>	<p>Compliance with EBRD requirements</p> <p>Compensation for economic displacement and livelihood impacts related to land</p>	EBRD PR5, National requirements	<p><i>Resources:</i> Designated MI internal resources and Consultants.</p> <p>Escort account for land acquisition</p>	<p>Before Construction Phase (i.e. no land is accessed for works until compensation payments received by the</p>	<p>Implemented LARF and RAP. Immediate reports required by EBRD/EIB. Report progress on RAP implementation in</p>	

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	<p>including consultations with affected parties regarding compensation for land expropriation, loss of access and restoration of livelihoods in accordance with PR 5.</p> <p>Implement a Resettlement Action Plan (RAP) to meet the requirements of PR5, including public and individual consultations with local property and land owners and users.</p> <p>MI will offer all displaced persons and communities compensation for loss of assets at full replacement cost and other assistance. This is intended to restore, and potentially improve, their standards of living and/or livelihoods of displaced persons to pre-displacement levels. The measures can be based on land, resources, wages and/or business activities. Standards for compensation will be transparent and consistent within the Project.</p> <p>Compensation will be provided in accordance with national laws and EBRD PR 5 Requirements and the agreed LARF.</p>	<p>acquisition, displacement and access restrictions.</p>		<p>compensation and physical displacement cost at full replacement cost and other assistance.</p> <p>PIU in MI will manage the RAP implementation.</p> <p><i>Responsibility:</i> MI/Consultants / other relevant national institutions for social welfare etc.</p>	<p>eligible entitled parties).</p> <p>RAP will be implemented before Contract commencement day.</p>	<p>AESR to EBRD/EIB.</p>	
2	Procurement Phase						
2.1.	<p>Tender documentation requirements:</p> <p>Tender documentation should refer the need for compliance with ~ all applicable EBRD PRs (including Environmental Health and Safety, Human Resources Policies, stakeholder engagement and others); the requirements of this ESAP and findings and recommendations of the</p>	<p>Compliance with EBRD, national and EU requirements, Best available practice.</p>	<p>EBRD PR1 to PR10, National requirements, EU requirements.</p>	<p><i>Resources:</i> Designated internal resources, or consultants</p> <p>PIU to contain an experienced</p>	<p>Before Tender is announced.</p>	<p>Tender documentation prepared and approved by the EBRD/EIB.</p>	

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	ESIA and other permit requirements.			expert on tender preparation. <i>Responsibility:</i> MI/Consultants			
3	Pre-Construction Phase						
3.1.	<p>Contractor's Environmental & Social Management System (CESMS):</p> <p>Following the appointment and prior to commencement of preparatory works or Construction, the Contractor should establish and implement an Environmental & Social Management System for the construction of the motorway which should include (but not be limited to):</p> <ul style="list-style-type: none"> • Construction Environmental & Social Management & Monitoring Plan (including all separate Plans, as required). Construction Environment and Social Management and Monitoring Plan (which should include mitigation for specific issues including; minimising disturbance to natural habitats, working in river channels, prevention of pollution to watercourses, control of dust/noise, community relations, access arrangements, constraints, buffer zones, spoil disposal, seasonal working restrictions in specific areas, rehabilitation of land, chance finds procedures, emergency preparedness and response plan, erosion control, spill response, 	<p>All environmental and social issues and impacts are appropriately addressed;</p> <p>Optimisation of environmental management through a formalised system;</p> <p>Provide resources for training and monitoring of emissions and impacts.</p>	<p>EBRD PR1</p> <p>National legal requirements, EU Directives and best practice</p>	<p><i>Resources:</i> Contractor</p> <p><i>Responsibility:</i> Contractor will be responsible for CESMS implementation. MI to oversee.</p>	<p>CESMS to be developed by the Contractor and approved by the Engineer, MI and EBRD/EIB.</p>	<p>CESMS documented.</p> <p>Provide updates on implementation in AESR to EBRD/EIB.</p>	

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	<p>health and safety plan, workforce management plan, management of hazardous materials and measures to prevent exposure to the community etc.).</p> <p>Plan should list the specific responsibilities for implementation and monitoring.</p>						
3.2.	<p>Pre-Construction Monitoring Plan:</p> <p>Pre-construction environmental and social monitoring plans to be developed as part of the Project ESMS and contained within the ESMMP, Monitoring Plans must be approved by the PIU/Supervising Engineer and MI prior to works and ensure that the compliance with the Banks PRs and ESAP are routinely monitored for compliance.</p>	<p>All environmental and social effects are appropriately monitored.</p> <p>Pre-Construction and Reporting process is going smooth.</p> <p>Monitoring results are disclosed, public is well informed.</p>	<p>EBRD PR1</p> <p>National legal requirements, EU Directives and best practice</p>	<p><i>Resources:</i></p> <p>Contractor in line with Contract (as per BoQ and Technical specifications) for pre-construction phase only.</p> <p><i>Responsibility:</i></p> <p>Pre-construction & Construction: Contractor is responsible to organise pre-construction & construction phase monitoring. Some actions may be</p>	<p>The Contractor shall prepare Pre-Construction and Construction Phase Monitoring Plans before construction begins, which will include baseline monitoring of parameters (e.g. air, noise, water, etc.) to be carried out before construction works begin.</p> <p>Monitoring Plan must be approved by the PIU/Supervising Engineer and MI</p> <p>Monitoring to continue during construction</p>	<p>Documented Monitoring Plans exist and updated.</p> <p>Provide updates on implementation in AESR to EBRD/EIB.</p> <p>Disclose monitoring data for the interested parties.</p>	

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				contracted out to third parties (e.g. monitoring consultants, ecologists, etc.) Engineer to approve monitoring plans and to supervise the activities. MI to oversee.	phase.		
3.3.	HR Policies: HR Policies must be prepared and implemented by the Contractor: these shall include provisions to prohibit use of child labour and forced labour, and will include rights for non-employee workers (in line with ILO conventions and EBRD requirements).	Effective and improved HR & workforce management. Improved employer-worker relationship Local economic benefits	EBRD PR2 National requirements, and best practice	<i>Resources:</i> HR resources; Medical Facilities (or access arrangements to such facilities for workers) <i>Responsibility:</i> Contractor	By construction commencement	Documented and implemented HR policies and Grievance Mechanism. Compliance/audit reports. Engagements with Municipalities and healthcare providers locally recorded. Report in AESR to EBRD/EIB	
3.4.	Managing & Monitoring Contractor Performance: MI to set up internal mechanisms to monitor and	Monitoring compliance to minimise risk and	EBRD PR1 National legal requirements,	<i>Resources:</i> Designated MI in-house resources	Mechanisms in place before construction	Internal monitoring mechanism in place – linked clearly to role of	

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	review the environmental and social performance of the Contractor against the Banks PRs. This may be linked to role of Project Implementation Unit (PIU).	maximise benefits	EU Directives and best practice	and/or PIU. <i>Responsibility:</i> MI	begins	PIU. Report in AESR to EBRD/EIB.	
4	Construction Phase						
4.1	Labour and working conditions: Contractor and sub-Contractors to comply with (i) national labour, social security and occupational health and safety laws, (ii) the fundamental principles and standards embodied in the ILO conventions and (iii) related to workers' accommodation confirming to IFC/EBRD guidelines and PR 2 and PR 4 requirements. The implementation of the actions necessary to meet these requirements will be managed under the project's ESMS and Management Plans.	Improved health and safety performance and safe working environment for workforce (permanent & contract/ contractor & sub-contractor).	EBRD PR2 National requirements, and best practice	<i>Resources:</i> Designated EHS Manager by the Contractor <i>Responsibility:</i> Contractor Engineer to oversee	Plans must be approved before construction commencement and implemented during construction.	Documented plans. Provide updates on implementation in AESR to EBRD/EIB. Monitoring reports from PIU	
4.2	HR Policies: HR Policies must be prepared and implemented by the Contractor. These shall include provisions to prohibit use of child labour and forced labour, and will include rights for non-employee workers (in line with ILO conventions and EBRD requirements). The Contractor will ensure that sub-contractors apply the same standards and that workforce are provided with fair wages, working hours, welfare facilities and health & safety provisions.	Effective and improved HR & workforce management. Improved employer-worker relationship Local economic benefits	EBRD PR2 National requirements, and best practice	<i>Resources:</i> HR resources; Medical Facilities (or access arrangements to such facilities for workers). <i>Responsibility:</i>	During the construction phase	Documented and implemented HR policies and Grievance Mechanism. Compliance/audit reports. Engagements with Municipalities. Monitoring reports from PIU to MI and	
4.3	Grievance Mechanism: The Contractor will develop and implement a			<i>Responsibility:</i>		Monitoring reports from PIU to MI and	

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	grievance mechanism for workers (and their organisations if applicable e.g. sub-contractors) in-line with EBRD PR2 to enable individuals/groups to raise reasonable workplace concerns.			Contractor Engineer to oversee		EBRD/EIB	
4.4	Use of Local Workforce: Contractor to include in HR Policy a policy of (i) advertising all jobs locally, (ii) of encouraging and attracting local workforce to apply for jobs, and (iii) of prioritising the hire of local workforce where reasonable and practical.						
4.5	Cultural Heritage Resources - Chance Finds Procedure: Establish Chance Finds Procedure for the construction period (however, anticipated to be low risk of chance finds along the route), to include pre-excavation notification to Ministry of Culture, or relevant.	Minimising risks to cultural heritage sites	EBRD PR8 National requirements	<i>Resources:</i> Contractor <i>Responsibility:</i> Contractor, Supervising Engineer, MI	Notification to Ministry during construction, prior to excavations commencing.	Report on implementation to be included in the AESR to EBRD/EIB. Chance Finds procedure to be in place prior to any site clearance or groundworks.	
4.6	Stakeholder Engagement and Disclosure of Project Information: Implement the SEP, and update as necessary. MI to ensure that Contractor is involved in engagement with stakeholders and implements appropriate parts of SEP. When available, publicise design information on motorway, including Non-Technical Summary, information on which access roads will be severed or blocked, either during construction or permanently at junctions. Include information on	Management of risks and impacts on affected communities & businesses (& other stakeholders).	EBRD PR10 National requirements Best practice	<i>Resources:</i> Internal resources (MI and Contractor) <i>Responsibility:</i> Contractor, Engineer and MI	Before Construction Phase (draft SEP disclosed) – continue with SEP implementation and updating during construction and operation phases.	Information disseminated, documented in updated SEP. Report in AESR to EBRD/EIB.	

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	<p>construction schedule. Information to be published in villages in Project area.</p> <p>Public Meetings (on the basis of the NTS) need to be undertaken in both the Municipal centres (i.e. Peja and Klina) Existing community structures (e.g. Village Counsels and Representatives) will be used in the methods of engagement.</p>						
4.7	<p>Grievance Mechanism (GM):</p> <p>MI, Contractor and the Engineer to implement a Grievance Mechanism for affected parties and stakeholders (as included within the SEP & LARF). MI to ensure grievances are monitored.</p>	<p>Management of risks and impacts on affected communities & other stakeholders (e.g. local businesses).</p>	<p>EBRD PR10 National requirements Best practice</p>	<p><i>Resources:</i> Internal resources (MI, Contractor, Engineer)</p> <p><i>Responsibility:</i> MI, Contractor, Supervising Engineer</p>	<p>Established before Construction Phase – continue during construction and operation phases.</p>	<p>Information disseminated, documented in updated SEP.</p> <p>Grievance Mechanism form available to the public.</p> <p>GM recording.</p> <p>Report Grievances logged etc. in AESR to EBRD/EIB</p>	
5	Operational Phase						
	<p>Obtain & Comply with Permits & Approvals:</p> <p>Obtain, comply and maintain all necessary Environmental, Social, and Health & Safety permits/approvals for the Operation of the Project Motorway.</p>	<p>All environmental and social issues and impacts are appropriately addressed; Permitting and</p>	<p>EBRD PR1 - PR10 National legal requirements are met</p>	<p><i>Resources:</i> In house</p> <p><i>Responsibility:</i> MI</p>	<p>Throughout the project operation</p>	<p>Consents and permits obtained, Database tracking of all permits and consents developed,</p>	

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		operational process is going smooth.				Reporting to EIB/EBRD (when required)	
5.2	<p>Operational Environmental & Social Management Plan (OESMP): OESMP should address issues such as pollution and run off control, use and maintenance of oil interceptors, monitoring of noise and air quality, traffic safety, emergency response etc. OESMP to include requirements for regular maintenance activities, such as: removal of food, waste, animal carcasses, etc. from roads, in order to reduce the attraction of scavengers. Removal of snow drifts, ice melting activities, clearance of driving visible areas with grass and trees, erosion control on embankments and cuts, maintenance of drainage systems, road markings and signalisations, lightening, road safety etc.</p>	All environmental and social issues and impacts are appropriately addressed; Optimisation of environmental management through a formalised system; Provide resources for maintenance, training and monitoring of emissions and impacts.	EBRD PR1 National legal requirements, EU Directives and best practice	<i>Resources:</i> MI, in house; <i>Responsibility:</i> OESMP to be developed by Contractor and approved by supervising engineer. MI to approve too. MI is responsible for OESMP implementation.	OESMP to be developed by Contractor. Plan must be approved by the PIU/Supervising Engineer and MI). OESMP to be developed prior to operation and will be implemented during Operational phase.	OESMP documented. Provide updates on implementation in AESR to EBRD/EIB.	
5.3	<p>Operational Monitoring Plan: Operational Monitoring actions should include (but not be limited to) the following:</p> <ul style="list-style-type: none"> Levels of noise and air quality to be measured at representative roadside receptors, at least semi-annually for a period of 2 years post-construction; Regular monitoring of Drini I Bardhe river at the point downstream of the crossing over (this should be planned within the national 	All environmental and social effects are appropriately monitored. Reporting process is going smooth. Monitoring results are disclosed, public is well	EBRD PR1 National legal requirements, EU Directives and best practice	<i>Resources:</i> MI to develop monitoring budget. <i>Responsibility:</i> MI, some actions may be delegated to third parties	Monitoring plan to be developed prior to operation commencing and will be implemented in Operational phase.	Documented Monitoring Plan. Provide updates on implementation in AESR to EBRD/EIB. Disclose monitoring data for the interested	

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	<p>monitoring network);</p> <ul style="list-style-type: none"> Traffic and road safety incidents monitoring. <p>MI must ensure that these are actioned, either implementing them using internal resources, or by delegating them to a third party, or via established national monitoring networks. The ESMS/OESMP should include the public disclosure of a summary of the key monitoring results. The monitoring plans must describe community relations monitoring parameters and processes, particularly in relation to management of issues raised by the local community.</p>	informed.		(e.g. monitoring consultants, ecologists, etc.).		parties.	
5.4	<p>Chemical Accident and Spills Management Program:</p> <p>A Chemical Accident and Spills Management Program will be developed for all motorway operations to prevent and mitigate the negative impacts to soil, surface water and groundwater that could arise from eventual motorway accidents and spills involving hazardous substances, and provide early response actions as well. The program shall be prepared in close cooperation with the municipality of Pejë and Klinë and responsible institutions.</p>	Management of road safety and community safety risks.	EBRD PR4 National requirements	<p><i>Resources:</i> MI, include within maintenance budget for motorway.</p> <p><i>Responsibility:</i> MI, some actions may be delegated to third parties.</p>	<p>Program to be in place prior to opening of the Motorway.</p> <p>Program to be implemented during Operational phase.</p>	Program to be monitored as part of ESMS/OESMP.	
5.5	<p>Maintenance of Protective Fence:</p> <p>As the Project includes the provision of a protective fence along the Motorway to reduce the risk of informal access from adjacent land (vehicles and</p>	Management of road safety and community safety risks.	EBRD PR4 National requirements	<p><i>Resources:</i> MI, include within maintenance budget for</p>	Fence to be in place prior to opening of the Motorway.	Maintenance of fence to be monitored as part of ESMS/OESMP.	

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	livestock) during operation this fence shall be maintained.			motorway. <i>Responsibility:</i> MI, some actions may be delegated to third parties.	Maintenance arrangements to be developed prior to operation commencing, will continue into Operation phase.		
5.6	Road Safety Inspection: A road safety inspection shall be carried out on motorway once operational, and if appropriate action plans developed for low cost remedial road safety measures.	Reduction of accident risks and improved road safety.	EBRD PR4 National requirements EU Directives	<i>Resources:</i> MI in house <i>Responsibility:</i> MI/Consultant for RS inspection	Ones operational (and subsequent RSAs at key stages as required under EU Directive 2008/96/EC).	Documented Road Safety Inspections. Report to EBRD/EIB.	