

PR 4: Community Health, Safety and Security

Introduction

1. The EBRD recognises that project activities, equipment, and infrastructure often bring benefits to communities including employment, services, and opportunities for economic development. However, projects can also increase the potential for community exposure to risks and impacts arising from temporary or permanent changes in population; transport of raw and finished materials; construction, operations and decommissioning; accidents, structural failures, and releases of hazardous materials.

2. Communities may also be affected by impacts on their natural resources, exposure to diseases, and the use of security personnel. While acknowledging the public authorities' role in promoting the health, safety and security of the public, this Performance Requirement ("PR") addresses the client's responsibility to identify and to avoid or minimise the risks and adverse impacts to community health, safety and security that may arise from project activities.

3. The level of risks and impacts described in this PR may be greater in projects located in conflict and post-conflict areas, or in areas subject to significant natural or manmade events (for example, areas subject to seismic events, flooding).

Objectives

4. The objectives of this PR are:

- to avoid or minimise risks to and impacts on the health and safety of the local community during the project life cycle from both routine and non-routine circumstances

- to ensure that the safeguarding of project-related personnel and property is carried out in a legitimate manner that avoids or minimises risks to the community's safety and security.

Scope of application

5. The applicability of this PR is determined by the Bank during the environmental and social appraisal process. If applicable, the Bank will agree with the client how the requirements of this PR will be addressed and managed as part of the client's overall environmental and social action plan (ESAP) and/or management system. The environmental and social appraisal and management requirements are outlined in PR 1 and PR 10.

6. This PR addresses potential risks and impacts to the affected community from project activities, including construction, start-up, operation, and decommissioning. It is noted that potential impacts may vary from stage to stage of the project. Occupational health and safety standards are found in PR 2; detailed requirements on the prevention of impacts on human health and the environment due to pollution are found in PR 3.

Requirements

Community health and safety requirements

General requirements

7. The client will identify and evaluate the risks and potential impacts to the health and safety of the affected community during the design, construction, operation, and decommissioning of the project and will establish preventive measures and plans to address them in a manner commensurate with the identified risks and impacts. These measures will favour the prevention or avoidance of risks and impacts over minimisation and reduction.

8. Where the project or stage of the project poses material risks to or potential adverse impacts on the health and safety of affected communities, the client will disclose relevant project-related information to enable the affected communities and relevant government agencies to understand these risks and potential impacts, as well as the client's proposed prevention, mitigation and emergency response measures, as appropriate. The client will consult with affected communities and relevant government agencies about the proposed measures before they are finalised and take their concerns and comments into account. The client will review the measures regularly, and engage the affected communities and agencies on an ongoing basis, informing them on the status of implementation of plans and commitments, results, and discussing with them any material changes needed to the plans, in advance of changes. Information disclosed may be summarised (maintaining a sufficient level of detail to allow stakeholders to fully understand the risks, potential impacts and measures to be taken) and/or redacted to remove confidential information.

9. The client will report on the risks, potential impacts and benefits of the project and implementation of any action plans on a regular basis (for example, annually) to the EBRD and, as part of its reporting to stakeholders in accordance with PR 10, to the affected community(ies).

Infrastructure and equipment safety

10. The client will design, construct, operate and decommission the structural elements or components of the project in accordance with good international industry practice, and will give particular consideration to potential exposure to natural hazards, especially where the structural elements are accessible to members of the affected community or where their failure could result in direct or indirect injury to the

community. Structural elements will be designed and constructed by qualified and experienced professionals, and certified or approved by competent authorities or professionals.

11. When structural elements or components, such as dams, tailings dams or ash ponds, are situated in high-risk locations and their failure or malfunction may threaten the safety of communities, the client will engage one or more qualified experts with relevant and recognized experience in similar projects, separate from those responsible for the design and construction, to conduct a review as early as possible in project development and throughout the stages of project design, construction, and commissioning. For projects that operate moving equipment on public roads and other forms of infrastructure, the client will seek to prevent the occurrence of incidents and accidents associated with the operation of such equipment.

Hazardous materials safety

12. The client will prevent or minimise the potential for community exposure to hazardous materials that may be released by the project. Where there is a potential for the community (including workers and their families) to be exposed to hazards, particularly those that may be life-threatening, the client will exercise special care to avoid or minimise their exposure by modifying, substituting or eliminating the condition or substance causing the hazards.

13. Where hazardous materials are part of existing project infrastructure or components, the client will exercise special care when conducting start-up and decommissioning activities in order to prevent exposure to the community. The client will liaise with the competent authorities to obtain available information on exposure levels of those materials which are known to cause non-communicable disease, such as cancer or lung disease.

14. In addition, the client will exercise commercially reasonable efforts to control the safety of transporting raw materials and of transportation and disposal of wastes, and will implement measures to avoid or control community exposure. Information on risk, exposure of population, mitigation measures and monitoring will be provided to the relevant authorities and communicated to the public.

Environmental and natural resource issues

15. The client will prevent and avoid or minimise the exacerbation of impacts caused by natural hazards, such as landslides or floods, that could arise from land use changes due to project activities.

16. The client will also avoid or minimise adverse impacts due to project activities on air, soil, water, vegetation and fauna and other natural resources in use by the affected communities.

Community exposure to disease

17. The client will identify those communicable diseases that can be transmitted by the project components or its workforce (including contractors). Action plans should be developed, where appropriate, to prevent or minimise the potential for worker and community exposure to vector-borne and other communicable diseases that could result from project activities. Where specific diseases are endemic in communities in the project area of influence, the client is encouraged to explore opportunities during the project life cycle to improve environmental conditions that could help reduce their incidence, both among the workforce and locally.

Emergency preparedness and response

18. The client will be prepared to respond to process upset, accidental, and emergency situations in a manner appropriate to the operational risks and the need to prevent their potential negative consequences.

19. As part of the client's assessment of public health, safety and security risks and potential impacts from project-related activities (see paragraph 7 on page 30), the client will identify major-accident hazards, and will take all measures necessary to prevent major accidents and to limit their consequences for humans and the environment, with a view to ensuring high levels of protection to humans and the environment in a consistent and effective manner. Such measures will be identified in a major-accident prevention/emergency preparedness policy and an appropriate management system including organisational structures, responsibilities, procedures, communication, training, resources and other aspects required to implement such policy and to respond effectively to emergencies associated with project hazards. The management system will include an internal and an external emergency plan. External emergency plans will be established with the objectives of:

- containing and controlling incidents so as to minimise the effects, and to limit damage to humans, the environment and property
- implementing measures necessary to protect humans and the environment from the effects of major accidents
- communicating the necessary information to the public and to the emergency services or public authorities concerned in the area
- providing for the restoration and clean-up of the environment following a major accident.

20. The client will assist and collaborate with the community and the local government agencies in their preparations to respond effectively to emergency situations, especially when their participation and collaboration are necessary to respond to such emergency situations. If local government agencies have little or no capacity to respond effectively, the client will play an active role in preparing for and

responding to emergencies associated with the project, and will demonstrate capacity to respond to reasonably predictable incidents, either directly or indirectly (for example, with the assistance of emergency responders, third party contracted responders, insurance). The client will document its emergency preparedness and response activities, resources, and responsibilities, and will disclose appropriate information in the ESAP or other relevant document to affected communities and relevant government agencies, in accordance with PR 10. As part of emergency prevention and response planning, the client will inform potentially affected communities of significant hazards and summarise response plans in a culturally appropriate manner.

21. The client will exercise prevention and response plans on a schedule appropriate to the sector and risk associated with the project, but at least on an annual basis. The client will update local authorities and communities regularly as plans change or have to be tested.

22. As part of response in an actual emergency, the client will maintain close communication with appropriate emergency responders, authorities, media, and the local community to inform them about the situation and what is being done to respond to it and to prevent future incidents.

Security personnel requirements

23. When the client directly retains employees or contractors to provide security to safeguard its personnel and property, it will assess risks to those within and outside the project site or facilities posed by its security arrangements. In making such arrangements, the client will be guided by the principles of proportionality, good international practices in terms of hiring, rules of conduct, training, equipping and monitoring of such personnel,¹ and applicable law. The client will make reasonable inquiries to satisfy itself that those providing security are not

implicated in past abuses, will ensure they are trained adequately in the use of force (and where applicable, firearms) and appropriate conduct toward workers and the local community, and require them to act within the applicable law. The client will not sanction any use of force except when used for preventive and defensive purposes in proportion to the nature and extent of the threat. The client's grievance mechanisms established and maintained in accordance with PR 10 and PR 2 will be designed to allow the affected community and workers to express concerns about the security arrangements and acts of security personnel; clients will inform communities and workers of the availability and use of the mechanisms for this purpose.

24. If government security personnel are deployed to provide security services for the client, the client will assess risks arising from such use, communicate to the relevant public authorities its intent that the security personnel act in a manner consistent with paragraph 23 above, and encourage the relevant public authorities to disclose the security arrangements for the client's facilities to the public, subject to overriding security concerns.

25. The client will investigate any allegations of unlawful or abusive acts of security personnel, take action (or urge appropriate parties to take action) to prevent recurrence, and report unlawful and abusive acts to public authorities when appropriate.

¹ Such as the Voluntary Principles on Security and Human Rights: www.voluntaryprinciples.org/principles/.