

*Achieving emission reduction in the Central Highlands and South Central Coast of Viet Nam to support  
National REDD+ Action Programme goals Project (RECAF)*

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# ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK

(including Climate Considerations)

**29 August 2024**

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## ABBREVIATIONS

4P	Public–Private–Producer Partnership
AVC	Agricultural Value Chain
CFM	Community Forest Management
CIG	Community Interest Group
COVID-19	Severe Acute Respiratory Syndrome Coronavirus 2
DARD	Department of Agriculture and Rural Development
DONRE	Department of Natural Resources and Environment
EM	Ethnic Minority
ESS	Environmental & Social Standards
FA	Farmers Association
FC	Farmers’ Cooperative
FAO	Food and Agriculture Organization of the United Nations
FLA	Forest Land Allocation
FGD	Focus Group Discussion
FHH	Female-Headed Household
FPIC	Free, Prior, Informed Consent
FU	Farmers Union
GAP	Gender Action Plan
GCF	Green Climate Fund
GBV	Gender Based Violence
GRM	Grievance Redress Mechanism
HHS	Household Survey
IEC	Information, Education and Communication
IFAD	International Fund for Agricultural Development
IPP	Indigenous Peoples’ Plan
KII	Key Informant Interview
MARD	Ministry of Agriculture and Rural Development
MONRE	Ministry of Natural Resources and Environment
NDC	Nationally Determined Contribution
NTFP	Non-Timber Forest Products
OCOP	One Commune, One Product

OHS	Occupation Health and Safety
PC	Peoples' Committee
PFES	Payment for Forest Environmental Services
PMU	Project Management Unit
SDP	socio-economic development planning
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
SECAP	Social, Environmental, and Climate Assessment Procedures
SEP	Stakeholder Engagement Plan
SMART	Specific, Measurable, Achievable, Reliable, and Time-bound (indicators)
SYIB	Start and Improve Your Business
PC	Peoples' Committee
PMU	Project Management Board
VAC	Violence Against Children
VCAP	value chain action plans
VNFOREST	Vietnam Administration of Forestry
WB	World Bank
WU	Women's Union
YU	Youths' Union

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## EXECUTIVE SUMMARY

1. **Methodology for Risk Categorization:** Project-related and inherent environmental, social, and climate risks were determined by: (i) screening the project activities against the International Fund for Agricultural Development's (IFAD's) Social, Environmental, and Climate Assessment Procedures (SECAP) requirements as well as the Green Climate Fund's (GCF's) Environmental & Social Standards (ESS); (ii) considering the findings of desk research on risks associated with similar projects and relevant background papers; and (iii) incorporating findings from stakeholder engagement efforts in the form of household surveys (353 total), focus group discussions (with a total of 280 participants), and key informant interviews (21 total).
2. The initial SECAP review identified patterns of existing issues inherent to the project area which could increase risk to the project, its personnel, and/or beneficiaries. Additional desk research highlighted further areas of potential inherent risk and lessons-learned from other projects. The screening of RECAF project activities, coupled with the household survey responses, focus group discussions, key informant interviews, and field visits with consultations provided insight on the latest conditions which could affect the success of the project and the potential project-specific impacts (both positive and negative).
3. **Framework Approach:** Given that site locations for project implementation have not been finalized, the design team agreed to use a framework approach consistent with IFAD's SECAP and GCF's ESS. Documentation is based on the format typically provided for a GCF project, rather than the typical IFAD SECAP note format, to simplify the approval process. This was agreed upon with IFAD headquarters prior to development of this ESMF.
4. **Project Impacts & Inherent Risks:** The safeguards categorization for RECAF is moderate for both social and environmental impacts and risks. Mitigation for climate risks have been built into the design of the project via the project activities and specifications for infrastructure to be financed under the project, as the project explicitly targets climate mitigation and adaptation by design.
5. **Key social impacts anticipated as a result of project activities** include: (i) potential contraction of diseases (e.g. sexually transmitted diseases such as HIV/AIDS, COVID-19, and/or other communicable diseases) due to labor influx; (ii) potential conflict with local ethnic minority (EM) peoples due to construction workers who work and stay near EM communities; (iii) potential labour-related accidents for persons hired by the project construction companies to support seasonal construction work; (iv) gender based violence and/or sexual harrassment and abuse (e.g. verbal and physical abuse, sexual harrassment, violence against children) due to the influx of labour; (v) child labour/age inappropriate work, if the construction contractor hires local persons for heavy construction works [despite this being prohibited under the current Code of Labour (2019)]; (vi) forced labour (e.g. coerced to work through the use of violence/intimidation, or by more subtle means such as debt manipulation, retention of identity papers, or similar threats); (vii) possible social exclusion (due to vulnerability, land tenure issues, disability, etc.); (viii) lack of contract for EM workers, particularly for seasonal works less than one month's duration.
6. The above risks are assessed to vary from low to moderate because there are no practical measures that ensure complete avoidance. However, when necessary measures are in place and effectively implemented, the likelihood of these consequences happening is likely to be reduced to a manageable level. Mitigation measures are detailed within Chapter IV of this Environmental and Social Management Framework.
7. **Key environmental impacts anticipated as a result of project activities:** The project is expected to have largely positive environmental impacts, including improved ecosystem services, soil fertility/soil

health, forest health, and natural resources management. Potential negative environmental impacts are expected to be minor, limited in time/scale, and reversible, as they relate to small-scale infrastructure (e.g. construction/repair of small-scale rural roads, irrigation channels, small-scale reservoirs, etc.). These impacts may include: (i) erosion and run-off to water bodies during earthworks/construction; (ii) temporary traffic blocks and related safety issues during construction and operation; (iii) temporary pollution from construction (e.g. dust, noise, vibration, waste & wastewater generation from workers' campsites); (iv) potential water pollution from sourcing aggregates/construction materials (soil, gravels); and (v) increased water consumption. Additional environmental risks (not explicitly linked to construction activities) include: (i) presence of unexploded ordinances (UXOs) at project sites (an inherent risk listed below); and (ii) increased use of pesticides due to crop intensification/improved crop yields. As with the social risks and impacts, mitigation measures for the environmental risks and impacts are detailed within Chapter IV of this ESMF.

8. To mitigate issues pertaining to social exclusion and conflict over land use/land tenure/land management, related safeguards documents, like the Stakeholder Engagement Plan (SEP), Indigenous Peoples' Plan (IP Plan), and Gender Assessment and Action Plan (GAP), have been developed to supplement this ESMF and improve overall project design. The Grievance Redress Mechanism (GRM) is also available for any project affected persons who feel they have been negatively impacted or excluded, and is detailed in Chapter IX of this ESMF.

9. **Inherent Risks:** There are inherent risks pertaining to presence of landmines and unexploded ordinances (UXOs) if construction occurs in new areas (i.e. areas without existing construction/infrastructure/activities). The global COVID-19 pandemic also poses a risk, as travel and/or activities requiring close-proximity work may increase transmission rates if those involved do not follow the guidelines on social distancing and personal protective equipment (PPE) when required by government, depending on the state of the pandemic within Viet Nam at the time of implementation. Inherent risks are addressed with project-related impacts under Chapter IV of the ESMF.

10. **Implementation:** The ESMF will be implemented with the support of two safeguards specialists in each Provincial Project Management Unit. Further support at the commune level will be determined by inclusion of safeguards-related obligations within the Terms of Reference of the project staff/implementing agencies. For construction financed under the project, contractors will be obliged to abide by the GCF and IFAD safeguards requirements, in addition to national legislation/regulations, and prepare Environmental and Social Management Plans (ESMPs) or Environmental Codes of Practices (ECOPs) (so long as they include sections on social risk management) as part of their contract.



## I. INTRODUCTION

### 1.1 Country & Project Context

1. **At a Glance:** Viet Nam is located on the eastern margin of the Indochinese peninsula and occupies about 331,231 km<sup>2</sup>, of which agricultural and forestry land occupies 46 and 44%, respectively. Over the last 30 years, the country has achieved strong economic growth with an average Gross Domestic Product (GDP) per capita of 6.4% per annum<sup>1</sup>. This growth is however heavily subsidized by unsustainable exploitation of soil, water and forest resources and the degradation and loss of ecological services. The COVID-19 pandemic has unveiled large vulnerabilities causing a significant impact on Viet Nam's economic development in 2020 and 2021. The GDP growth of the first six months in 2021 was about 4%<sup>2</sup>.

2. Viet Nam's Central Highlands region is poorer in comparison to most other regions of the country and remains dominated by the primary sector industries of agriculture and forestry. Primary industries account for between 28-50% of provincial GDP; however, employment in agriculture and forestry is much higher at around 80-90% of the population in the Central Highlands. As such, both are critical for the economy and livelihoods of people in the region. Coffee, rubber, cassava and pepper production are the main cash crops produced. The Central Highlands region hosts more than 450,000 ha of coffee plantations, accounting for nearly 90% of the country's coffee planting area. The expansion of these crops and their subsequent displacement of upland subsistence agriculture have constituted the main drivers of deforestation and forest degradation in the region.<sup>3</sup>

3. **Climate Case:** The World Bank listed Viet Nam as one of the five countries that will be most affected by climate change.<sup>4</sup> Over the past 50 years, the average temperature in Viet Nam has increased by approximately 0.5-0.7°C. The increase was more rapid in the project provinces at 0.9-1.0°C. Projected temperature increases are ranging between 1.0°C and 3.4°C by 2080-2099 compared to the 1986 – 2005 baseline. The projections for the project area show a clear increasing trend in mean temperature, maximum temperature, dry days and extreme hot days. Projections on annual rainfall do not show a clear pattern for the project area. Extreme climate events have increased in frequency and intensity,<sup>5</sup> and droughts are an important climate hazard particularly in the Central Highlands and South-Central Coasts. The severe drought of 2015-2017 in those areas Coasts caused substantial loss of harvests, affecting 175,000 hectares, around 9% of total crop area in the four Central Highland provinces<sup>6</sup>.

4. **AFOLU Sector:** While being affected by climate change, the Agriculture, Forestry and other Land Uses (AFOLU) sector also constitutes the second leading cause of global warming, after energy generation and is responsible for about 24% of carbon emissions.<sup>7</sup> The country's total net emissions in the agriculture sector (excluding forests) have increased from 52 million tonnes of CO<sub>2</sub>e in 1994 to 98.7 million tonnes of CO<sub>2</sub>e in 2016<sup>8</sup>. However, the Land-Use Change and Forestry (LULUCF) sector (or "forestland" in the 2016

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<sup>1</sup> 2019. Viet Nam Country Strategy and Opportunity Programme (COSOP) 2019-2025

<sup>2</sup> <https://www.gso.gov.vn/du-lieu-va-so-lieu-thong-ke/2021/05/bao-cao-tinh-hinh-kinh-te-xa-hoi-thang-5-va-5-thang-dau-nam-2021/>

<sup>3</sup> Pham TT, Hoang TL, Nguyen DT, Dao TLC, Ngo HC and Pham VH. 2019. The context of REDD+ in Viet Nam: Drivers, agents and institutions 2nd edition. Occasional paper 196. CIFOR. Bogor, Indonesia.

<sup>4</sup> World Bank, 2018. Climbing the Ladder: Poverty Reduction and Shared Prosperity in Viet Nam. Update Report 2018.

<sup>5</sup> <https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Viet%20Nam%20First/VIETNAM%27S%20INDC.pdf>

<sup>6</sup> JICA 2018. Data collection survey on water resources management in Central Highlands

<sup>7</sup> IPCC 2018

<sup>8</sup> BUR 3 [https://unfccc.int/sites/default/files/resource/Viet%20Nam\\_BUR3.pdf](https://unfccc.int/sites/default/files/resource/Viet%20Nam_BUR3.pdf) In 2016, AFOLU is no longer divided in agriculture and LULUCF. This is the total emissions without the absorption from forestland.

data) has changed from being a source to a net carbon sink because of national efforts in afforestation and forest restoration. Consequently, net emissions from AFOLU, which combines agriculture and forestland, have decreased from 72 million tonnes of CO<sub>2</sub>e in 1994 to 44 million tonnes of CO<sub>2</sub>e in 2016 (i.e., from 69% to 14% of total annual net emissions for the country).

5. While these figures are positive, they do not capture the emissions from forest degradation and from conversion of natural forest to plantation forest. Most of the carbon sequestration comes from the planting of monocultures for industrial purposes (especially acacia and rubber). Therefore, while whole forest cover is maintained, the biodiversity of such monocrops is much lower and does not provide equal levels of ecosystem services. Agriculture remains a significant driver of deforestation and forest degradation, in turn driven by market demand for agriculture commodities. Other key drivers include infrastructure development, unregulated logging, poor forest governance and weak community land tenure rights.

6. **Most Climate Vulnerable:** The rural poor are most vulnerable to shocks from natural disasters and hazards resulting from climate change and they are found in greater numbers within the Central Highlands and South-Central Coast provinces when compared to other regions of the country. Poverty rates are 8.3% in the Central Highlands and 12.7% in Ninh Thuan<sup>9</sup> and both areas boast economies dominated by agriculture and forestry. Amongst ethnic minorities in the region, poverty rates are 40.4% and account for 53.8% of the extreme poor. As deforestation exacerbates climate impacts and monoculture plantations reduce community resiliency to climate change, the rural poor – particularly ethnic minorities – suffer the consequences in terms of increased risk.

7. **From Policy to Action:** The United Nations Framework Convention on Climate Change (UNCCC) Conference of the Parties (COP) encouraged countries to address, inter alia, the drivers of deforestation and forest degradation. Reducing Emissions from Deforestation and Forest Degradation (REDD+) is a central key instrument to Viet Nam's National Climate Change Strategy. The National Action Program on REDD+ 2011-2020 (NRAP) approved in 2012 and updated in 2017 for the period up to 2030 provides the country's framework for REDD+ implementation.

8. **Proposed Interventions:** Within the above context, the project "*Reduced Emissions through Climate-Smart Agro-Forestry*" (RECAF) has been designed to address issues across five project provinces: (i) Dak Lak; (ii) Dak Nong; (iii) Gia Lai; (iv) Lam Dong; and (v) Ninh Thuan. Climate change adaptation and mitigation and measures are urgently required in these provinces along with a strong focus on the most vulnerable (the project will target 40% participation from ethnic minorities specifically). The project aims to facilitate an economically viable transition to sustainable forest management, deforestation-free value chains and climate resilient livelihoods. The project will address barriers to this transition, including: (i) policy and institutional gaps for implementing REDD+ at provincial level (e.g. lack of interdepartmental, cross-sectoral, and public-private coordination; lack of a monitoring system to report emission reductions results); (ii) inequitable distribution of costs and benefits of forest protection and conservation; (iii) lack of secured land tenure; and (iv) lack of incentives for private sector action and lack of access to long-term credit products for mitigation and adaptation investments.

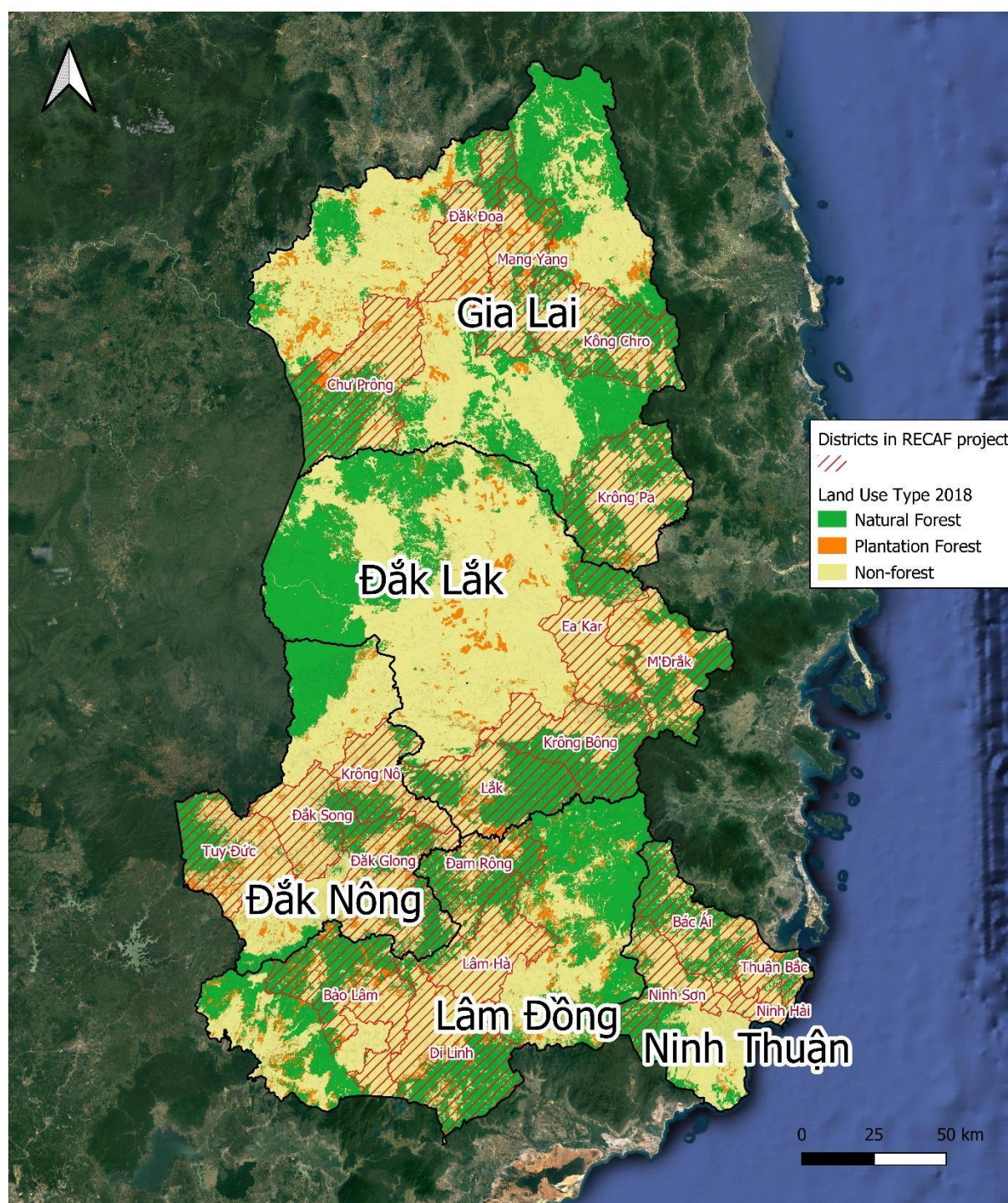
9. The project will invest in: (i) mainstreaming the NRAP into socio-economic development plans, improve coordination and capacity to implement REDD+; (ii) effective community-based forest management and benefit sharing; and (iii) deforestation-free value chain development, climate resilient infrastructure and development of appropriate credit products. The project area can be seen in Figure 1.

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<sup>9</sup> [https://www.gso.gov.vn/wp-content/uploads/2021/03/Thong-cao-bao-chi-MDP\\_MPI\\_edited.pdf](https://www.gso.gov.vn/wp-content/uploads/2021/03/Thong-cao-bao-chi-MDP_MPI_edited.pdf)



Figure 1: Project Area



10. **Stakeholder Engagement:** To support development and design of this project, extensive stakeholder engagement was conducted to discern potential positive and negative project impacts, as well as key design opportunities to improve accessibility and participation. Continued stakeholder engagement must involve iterative consultations throughout the project's life cycle with particular attention to vulnerable populations and groups prone to exclusion, be that for reasons of gender, orientation, age, ability, religious beliefs, and/or ethnicity. The guidelines for stakeholder engagement are available in the Stakeholder Engagement Plan (SEP).

11. **Indigenous Peoples/Ethnic Minorities, Women, and Vulnerable Persons:** to ensure adequate inclusion of ethnic minorities, women, and other vulnerable persons, an Indigenous Peoples' Plan (IP Plan) and Gender Assessment & Action Plan (GAP) have been prepared to guide project implementers and ensure that considerations for the differentiated needs of ethnic minority (EM) communities, women, and vulnerable persons are built into the project design and monitoring indicators.

12. **Environmental and Social Management Framework (ESMF) including Climate Considerations:** This ESMF, which includes climate considerations, serves as the primary guidance document for management and mitigation of environmental, social, and climate risks and impacts throughout the project cycle.

## **1.2 Purpose and Application of the ESMF**

13. The RECAF project involves numerous infrastructure schemes and activities where specific locations are still to be identified during implementation. Based on the inability to confirm specific sub-projects prior to project appraisal, this Environmental and Social Management Framework (ESMF) has been prepared. Given small discrepancies in the format of the environmental, social, and climate risks/impacts documentation required for IFAD and GCF funded projects, the Government of Vietnam agreed with IFAD's SECAP specialists based in headquarters to follow the standard GCF documentation, rather than developing two separate sets of documents. According to IFAD's Social, Environmental and Climate Assessment Procedures (SECAP) and the Green Climate Fund's (GCF's) Environmental and Social Standards, the Lead Agency of the proposed project must prepare and disclose this ESMF<sup>10</sup> before appraisal.

14. The purpose of the ESMF is to ensure that the project has concrete plans and processes in place to avoid, minimize, and/or mitigate the risks and potentially adverse project-related environmental and social (E&S) impacts, including climate risks, once the RECAF activities and/or infrastructure schemes are identified, planned, and implemented. This living document: (i) assesses and summarizes project-related risks and impacts; and (ii) sets out the principles, rules, guidelines, and procedures to assess any potential risks and impacts of future infrastructure scheme and activities identified at a later time. It provides measures to reduce, mitigate, and/or offset those adverse risks and impacts from the project and highlights information about areas where infrastructure schemes are expected to be located (including any specific E&S-related vulnerabilities of those areas; potential impacts that may occur; and mitigation measures that might be used). Specific objectives of this ESMF are to:

- Assess the potential environmental, social, and climate-related risks and impacts of the project, both positive and negative, and propose mitigation measures which will effectively address these risks and impacts;
- Establish clear procedures for the E&S planning, review, approval, and implementation of infrastructure schemes and other activities to be financed under the project;
- Specify appropriate roles and responsibilities and outline the necessary reporting procedures for managing and monitoring E&S issues/concerns related to infrastructure schemes, TA, and activities;
- Determine the training, capacity building, and technical assistance needed to successfully implement the provisions of this ESMF;

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<sup>10</sup> The ESMF examines the risks and impacts when a project consists of a program and/or a series of infrastructure schemes, and the risks and impacts cannot be determined until the program or infrastructure scheme details have been identified.

- Outline and address mechanisms for public consultation and disclosure of project documents, as well as redress of possible grievances; and
- Establish the budget requirements for implementation of this ESMF.

15. This ESMF provides information on (i) items ineligible for Project funding; (ii) how to conduct the E&S screening; (iii) risks and impacts classifications; (iv) identification of various E&S documents to be prepared (both prior to and after project approval) and the process to be followed for their preparation (including the clearance process); (v) implementation arrangements; (vi) training and capacity building; (v) grievance redress mechanism; (vi) estimated costs and budget requirements; and (vii) guidelines and specific forms for preparation of the identified E&S documents required. **This ESMF will be applied to all infrastructure schemes and activities to be financed by RECAF.**

### 1.3 Scope of the ESMF

16. This ESMF was developed based on a desk review of project-relevant government laws, regulations, ordinances, and other legal documents; various background papers and reports pertaining to environmental and social conditions of the proposed project areas and potential infrastructure scheme sites; as well as field visits, household surveys, focus group discussions, key informant interviews, and other consultations in those areas. Safeguards documents prepared for similar projects and/or projects in related areas (e.g. others financed by IFAD, World Bank, FAO, etc.) were also taken into consideration.

17. This ESMF follows the requirements of the IFAD's SECAP and the GCF Environmental & Social Standards, taking into consideration the related guidance notes and documents. Information is presented in ten sections, as follows:

- I. Introduction
- II. Project Description
- III. Policy, Legal, and Administrative Framework
- IV. Environmental and Social Assessment and Proposed Mitigation Measures
- V. Procedures for Review, Clearance, and Implementation of infrastructure scheme E&S Instruments
- VI. Implementation Arrangements
- VII. Capacity Building, Training, and Technical Assistance
- VIII. ESMF Implementation Budget
- IX. Grievance Redress Mechanism (GRM)
- X. ESMF Consultation and Disclosure

18. Annexes provide more details on: (i) ineligible activities; (ii) E&S screening, risks and impacts classification; (iii) consultations conducted to develop the ESMF and related safeguards documents. Information on the GRM pathways and process are available under Chapter IX of this ESMF.

## II. PROJECT DESCRIPTION



## 2.1 Project Objective, Components, Areas, and Beneficiaries

19. The goal of RECAF is to mainstream REDD+ into the Agricultural, Forestry and other Land Use (AFOLU) sector—relevant policies, planning, and investments at national, provincial, and local levels for enhancement of livelihoods and resilience of communities. More specifically, it works towards one key mitigation and one key adaptation objective:

- **Mitigation Objective:** To reduce emissions from deforestation and forest degradation. The project will accomplish this by addressing the key drivers at the nexus of the forestry and agricultural sectors and through encouraging strategic, productive investments that enable forest rehabilitation and sustainable forest management.
- **Adaptation Objective:** To empower and strengthen resilience of target communities and institutions to develop improved livelihoods and better contend with climate change.

20. **For the mitigation objective**, the project aims to reduce a net total of 1 MtCO<sub>2</sub>e over a six-year period, and a net total reduction of 6 MtCO<sub>2</sub>e over the 12-year project lifespan, equivalent to 15% of the annual removal according to the FRL and 8% of the target of the NDC/LULUCF. Detailed estimates will be provided at design stage using EX-ACT tool. This will be achieved through activities to reduce and avoid deforestation and forest degradation in hot spots with a combined area of 0.7 million ha and through activities to enhance forest carbon stocks on 0.5 million ha of land. The project region comprises a total of twelve districts, with one million ha of forest in the five provinces of Dak Lak, Dak Nong, Gia Lai, Lam Dong, and Ninh Thuan.

21. **For the adaptation objective**, the project will use a landscape approach to better account for the complex relationship between agricultural use, forest protection, and poverty alleviation. It will support the development (and certification) of deforestation-free supply chains for major agricultural commodities (e.g. coffee). Activities will require a mix of public and private investment along the supply chains, including credit extension to and through these supply chain actors. This includes improved forest governance and management capacity, while assisting national government to overcome barriers to mobilizing REDD+ to incentivize private sector investment in deforestation-free agricultural supply chains and support sustainable forest management practices at local levels. In addition, to mobilize investments for adaptation of smallholder livelihoods to climate change and more equitable forest benefit sharing through Payment for Forest Ecosystem Services (PFES) To deliver this, it will support implementation of the reforms required to strengthen enabling conditions; reforms which have already been initiated by the Government of Viet Nam's (GoV) introduction of new policies and plans for encouraging sustainable forest and land use in the country.

22. The project aims to achieve its objectives through three components: (1) Enabling Environment for the Planning and Implementation of Measures to Reduce GHG Emissions; (2) Measures Implemented to Reduce GHG Emissions from Deforestation, Promote Sustainable Agriculture, and Enhance Climate Resilience; and (3) Coordination, Monitoring, and Knowledge Management. Breakdown in terms of component outcomes, outputs, and activities, are as follows:

OUTCOME 1: Viet Nam's REDD+ design pillars are fully upgraded and integrated into provincial policies & institutional frameworks with improved public-private-producer partnerships (4Ps) to operationalize REDD+

Output 1.1: National REDD+ policies and mechanism upgraded to fulfill all required functions, including afforestation.

Activity 1.1.1: Upgrade National Forest Monitoring System (NFMS) and Safeguard information System (SIS)

- Sub-activity 1.1.1.1. Upgrade a monitoring system to report results of emissions reductions and removals
- Sub-activity 1.1.1.2. Implement the REDD+ Safeguards Information System
- Sub-activity 1.1.1.3. Promote inter-provincial coordination and knowledge management

Activity 1.1.2: Mobilize resources for NRAP implementation and inclusive investment planning and equitable resource distribution mechanisms

- Sub-activity 1.1.2.1. Prepare a Regional NRAP Investment plan
- Sub-activity 1.1.2.2. Conduct capacity building for private sector resource mobilization
- Sub-activity 1.1.2.3. Conduct national multistakeholder policy dialogue on including carbon sequestration services in PFES mechanisms and to draft MCCFM guidelines

Output 1.2: Provincial policies, legal and institutional frameworks, and stakeholder coordination mechanisms integrated with National REDD+ Action Plan (NRAP)

Activity 1.2.1: Mainstream NRAP into provincial policies and legal institutional framework

- Sub-activity 1.2.1.1. Strengthen provincial leadership, political will and commitment
- Sub-activity 1.2.1.2. Support a provincial REDD+ monitoring and information system (MIS) and participatory forest inventory surveys

Activity 1.2.2: Improve cross-sector coordination for better forest management and transition to deforestation-free economic development

- Sub-activity 1.2.2.1. Facilitate 4P platforms to provide inputs and ensure effective implementation of PRAPs
- Sub-activity 1.2.2.2. Facilitate cross-sector coordination, policy dialogue and capacity building on zoning, FLA, MCCFM and PFES

Activity 1.2.3: Enhance Public-Private-Producer Partnerships (4Ps) for deforestation-free economic development

- Sub-activity 1.2.3.1. Generate baseline knowledge
- Sub-activity 1.2.3.2. Identify socially and economically viable and dense agroforestry systems adapted to agro-ecological zones
- Sub-activity 1.2.3.4. Share knowledge with the wider population and advocacy

OUTCOME 2: Emissions reductions from AFOLU consequently to 4Ps' deforestation-free value chains & performance-based finance

Output 2.1: Deforestation free value chains developed by 4Ps and increased access to finance

Activity 2.1.1: Develop deforestation-free commodity supply chains through 4P platforms

- Sub-activity 2.1.1.1. Develop deforestation-free commodity supply chains (perennial crops, acacia-based timber, bamboo)
- Sub-activity 2.1.1.2. Develop value chains for deforestation-free niche products (honey, mushrooms, medicinal plants, herbs, other NWFPs)

Activity 2.1.2: Develop the capacity of farmers, common interest groups (CIGs), cooperatives and small and medium-sized enterprises (SMEs) for deforestation-free value chains and alternative livelihood development

- Sub-activity 2.1.2.1. Establish CIGs
- Sub-activity 2.1.2.2. Train farmers, CIGs, cooperatives and SMEs

Activity 2.1.3: Support financial providers to develop and promote financial products for deforestation-free value chain development

- Sub-activity 2.1.3.1. Strengthen WDFs and CDFs to manage funds and develop products that support investments in deforestation-free value chains
- Sub-activity 2.1.3.2. Provide access to capital for WDFs and CDFs to more rapidly scale credit activities
- Sub-activity 2.1.3.3. Build capacity of commercial banks to develop products, partnerships and application of fintech that support investments in deforestation free value chains and advance project objectives

Output 2.2: Deforestation-free value chains and forest restoration infrastructure upgraded and established

Activity 2.2.1: Develop infrastructure for deforestation free value chains

- Sub-activity 2.2.1.1. Promote sustainable agroforestry through small-scale and micro infrastructure investments, including the development of micro irrigation systems and organic fertilizer production facilities
- Sub-activity 2.2.1.2: Enhance the post-harvest facilities of selected value chains by incorporating value-added processing techniques

Activity 2.2.2: Establish and upgrade forest restoration infrastructure (IFAD Co-finance)

- Sub-activity 2.2.2.1. Strengthen forest monitoring and protection infrastructure by implementing comprehensive upgrades
- Sub-activity 2.2.2.2.: Establish public nurseries dedicated to tree species cultivation, creating essential infrastructure for reforestation and afforestation initiatives

Output 2.3: Collaborative forest management capacity enhanced through performance-based incentives

Activity 2.3.1: Develop a results-based payments for ecosystem services (PES) mechanism for collaborative forest management

- Sub-activity 2.3.1.1. Support Provincial Forest Protection Development Funds (PFPDFs) to design and implement a mechanism for performance-based payments for carbon sequestration services
- Sub-activity 2.3.1.2. Build the capacity building of the PFPDFs

Activity 2.3.2: Support multi-stakeholder commune-level collaborative forest management (MCCFM)

- Sub-activity 2.3.2.1. Facilitate a participatory land use planning and mapping process
- Sub-activity 2.3.2.2. Develop fully-devolved MCCFM pilots
- Sub-activity 2.3.2.3. Develop capacity of village-level MCCFM group members
- Sub-activity 2.3.2.4. Strengthen the MCCFM support system

●



23. **Project Costs & Financing:** The total funding will be USD 116.2 million, of which USD 86.2 million will come from co-financing (largely via an IFAD loan) and USD 30 million will come from Green Climate Fund (GCF) financing.

24. **Project Areas:** The project will be implemented in 21 districts across the five provinces of: (i) Dak Lak; (ii) Dak Nong; (iii) Gia Lai; (iv) Lam Dong; and (v) Ninh Thuan. An overview of the project area is visible in Figure 1 (see following page).

25. **Project Beneficiaries:** The project beneficiaries include approximately 100,000 households as direct beneficiaries and 420,000 persons as indirect beneficiaries, based on the latest project design documents (as of 23 August 2022). The project beneficiaries would be those who live adjacent to forests and/or depend on forests for their economic livelihoods. Specifically, the project's target groups include: (i) rural poor households with land and labourers; (ii) unskilled employed rural people; (iii) rural people lacking land for sustainable production but having business acumen and interest; and (iv) key farmers with the skills and assets to promote agroforestry/commercial agricultural production. Vulnerable households, such as the poor, near-poor and/or women-headed households, youth and others identified through local SEDP and RAP planning processes (e.g., engaged in vulnerable production systems, carrying out their production activities in vulnerable areas identified by Disaster Risk Management planning/zoning), and ethnic minority households will be prioritized among the target groups. RECAF will propose specific measures to ensure women's participation in relevant activities, including minimum participation rates (at least 40%). In addition, the project will also include at least 500 leading value chain firms, small and medium scale enterprises/agri-businesses (SMEs), and producer organizations (cooperatives, Common Interest Groups (CIGs), Collaborative Groups (CGs), savings and credit groups) participating in project supported zero deforestation value chains.

## 2.2 Typology of Investments

26. Screening, management, and mitigation of risks and impacts is most effectively done when activities that are similar in nature can be grouped together (for example: training activities, construction activities, policy planning activities). Activities and interventions under the RECAF project design can be categorized as follows:

- **Policy Planning Activities under Component 1** (Activity 1.1.1 on Mainstreaming NRAP into provincial policies and legal and institutional frameworks; Activity 1.1.2. on Cross-sector coordination for better forest management and transition to deforestation-free economic development)
- **Value Chain Action Planning & Value Chain 4P Platform Development Activities under Component 2** (Activity 2.1.1. Value chain action plans of agricultural and forest and non-timber forest products commodities; Activity 2.2.1 Value chain 4P platforms to develop and implement action plans for deforestation-free commodities and nutrition sensitive specialty products)
- **Capacity Building Activities under Component 1 and Component 2** (Activity 1.1.3 on Enhancing capacities of public and private sector to enable the transition to deforestation-free and climate resilient economic development; Activity 1.2.1 on Upgrading the national REDD+ Monitoring and Information System (MIS) and Safeguards Information System (SIS); Activity 2.1.2. on Capacity building of farmers CIGs, cooperatives and SMEs on low emission and climate resilient farming systems and business development)

- **Financial Mobilization Activities under Component 1 and Component 2** (Activity 1.2.2. Mobilizing financial resources for the implementation of the NRAP and benefit sharing mechanisms; Activity 2.1.3 on Inclusive rural finance for investments in deforestation-free commodities and nutrition sensitive niche projects)
- **Infrastructure Development Activities under Component 2** (Activity 2.2.2 on Forest protection and rehabilitation infrastructure)
- **Community Mobilization and Payment for Forest and Ecosystem Services (PFES) Activities under Component 2** (Activity 2.3.1 Developing results based PFES mechanism; Activity 2.3.2 Supporting Community-Based Forest Management (CFM))
- **Project Management Activities under Component 3** (Project coordination and management; Measurement of project impacts (including monitoring of safeguards and improving forest information); information exchange mechanism with National REDD+ Action Plan (NRAP) implementation bodies)

## 2.3 Project Implementation Arrangements

27. The National Government of Viet Nam has appointed VNFOREST as the Project Coordination Agency and the Province People Committees (PPCs) of Dak Lak, Dak Nong, Gia Lai, Lam Dong and Ninh Thuan provinces, respectively, as the Lead Project Implementing Agencies. Both VNFOREST and the PPCs are accountable for project execution. The PPC will establish Project Steering Committees (PSCs) in each province led by the PPC Chairperson or the Deputy Chairman. VNFOREST and PSCs are mandated to lead the project implementation, ensure coordination and integration of the project with all the national target programmes and donor-funded projects.

28. The provincial level PSCs, leading project coordination in their related province, are comprised of provincial line agencies, PCEM, FU, WU/WDF and YU, district level project steering committees, development partners and private sector companies which are party to the RECAF. The PSC provides the strategic direction to the implementation of RECAF, oversees project planning, financing and procurement processes, mobilises adequate and timely finance for the AWPB, reviews the progress and reporting on results. The PSC would hold joint meetings for the NTP-EMD, NTP-NRD and NTP-SPR and the likewise donor-funded projects in the provinces. VNFOREST and each of the five provincial PPCs establishes a Project Management Unit (PMU) and five Sub-PMUs for implementation of RECAF.

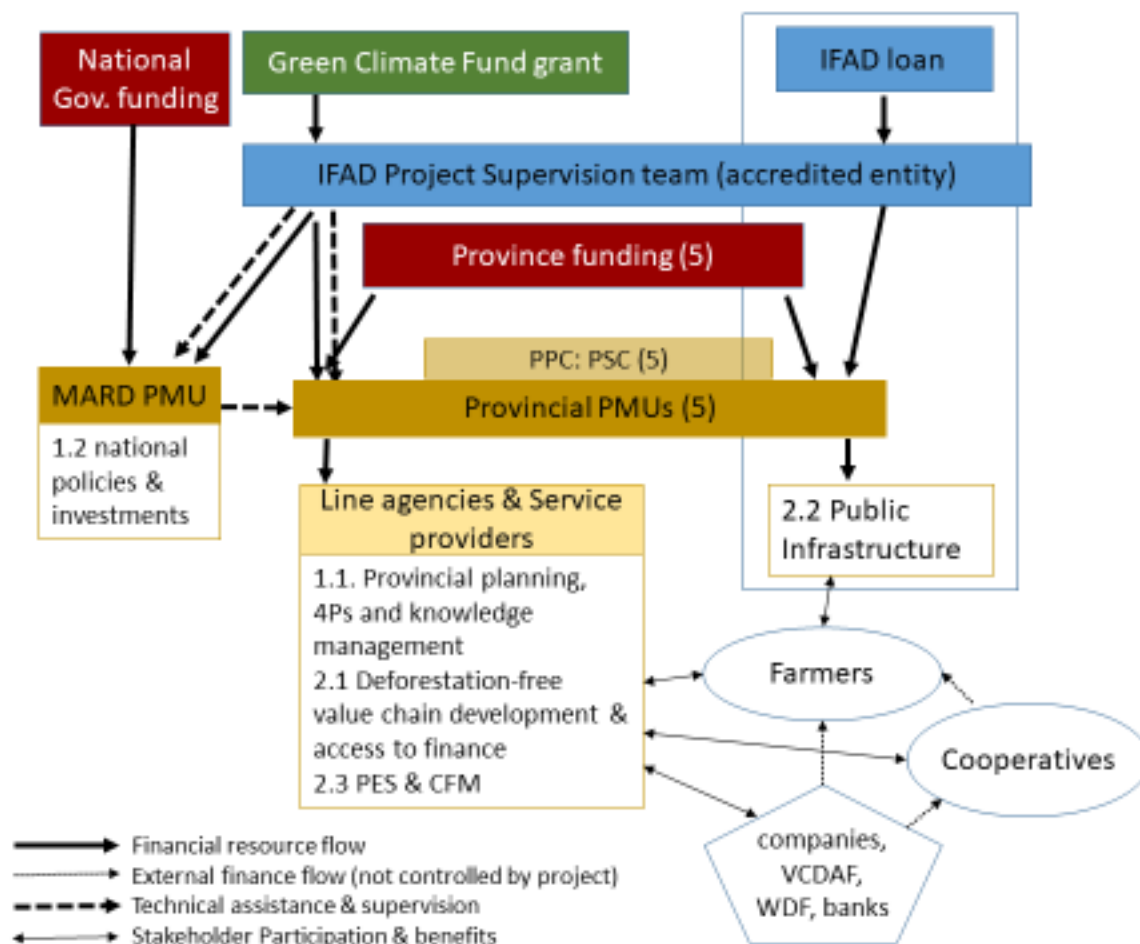
29. To assist VNFOREST in the project coordination and day-to-day implementation, a Project Management Unit (PMU) in accordance to the national regulation on ODA project management will be established. The PMU will mobilize technical support from the other departments under MARD and VNFOREST and line agencies under the PPC and its think-tanks such as the IPSARD, National Centre of Agriculture Extension (NCEA), National University of Forestry in Hanoi and the Highland's University of Agroforestry in Buon Me Thuot to technically support for the project implementation. The PMU will also mobilize external service providers for support in specialized technical areas, such as possibly IDH and SNV on the jurisdictional approach to deforestation-free supply chain management and SNV on rural finance and ICRAF on agroforestry, CFM and PFES.

30. Five Sub-PMUs are established under and report directly to the PPC in each province. The Sub-PMUs are led by a fulltime Provincial Project Director appointed from leadership at the department level. The Sub-PMUs are composed of three technical sections: (i) Strategic Management including dedicated staff for planning and monitoring/evaluation the project activities and the social (gender, youth, EM) and

environmental safeguards and REDD+ and climate adaptation activities, (ii) Infrastructure Management including a Non-deforestation Engineer to ensure adherence to social and environmental safeguards and (iii) Financial Management. The DPCs and CPCs coordinate the project implementation. The actual implementation is the responsibility of district and commune line agencies and mass organizations (i.e. FU, WU, YU).

31. The PMU/Sub-PMUs staff and hired technical assistance services provide technical backstopping and supports to RECAF implementation at the district and commune level. The project implementation integrates itself into existing institutions at the local levels to ensure ownership, direct link to higher level policy makers, sustainability, local capacity building and reduced management cost.

**Figure 2: Implementation Arrangements**



32. **Implementation Experience:** MARD and the cities and provinces generally have solid experience working with donor-funded projects, including IFAD. MARD systems (fiduciary, safeguards, and M&E) are in place, and at central and city/provincial levels the teams have the capacity to implement the RECAF project. However, a major part of the work, including all physical works, will be conducted at local levels (i.e. district and commune), where lower capacity can be found. To mitigate these risks, the project is advised to recruit and engage technical assistance from MARD and related provincial technical departments to provide training and technical assistance to the relevant staff within (and local agencies engaged by) the PPC under the guidance of the project's Lead Safeguards Specialist.

### III. POLICY, LEGAL, AND ADMINISTRATIVE FRAMEWORK

#### 3.1 Applicable National Laws and Regulations

33. In Vietnam, there are national laws, regulations, and policies relating to project implementation and, more specifically, implementation of safeguards-related activities and measures. An overview of the project-applicable national laws and regulations is provided in **Table 1**, and further technical guidelines are provided afterward. For ease of reference, the laws and regulations are broadly grouped based on area/sector (e.g. environmental protection, labour, etc.) in as much as possible, with repetitions avoided (i.e. only listed once).

**Table 1: Applicable National Laws and Regulations**

Environmental Protection
2013 – <b>Decree No. 179/2013/ND-CP</b> (dated 14 November 2013) prescribing administrative sanctions for environmental protection.
2014 – <b>Law on Environmental Protection</b> (No. 72/2020/QH14, dated 17 November 2020) providing statutory provisions on environmental activities; measures and resources used for the purpose of environmental protection; rights, powers, duties and obligations of regulatory bodies, agencies, organizations, households, and individuals who are tasked with environmental protection.
2014 – <b>The Law on Construction</b> (No. 50/2014/QH13, dated 18 June 2014).
2015 – <b>The Law on Occupational Safety and Health</b> (No. 84/2015/QH13 dated June 25, 2015).
2017 – <b>The Law on Irrigation</b> (No. 08/2017/QH14 dated 19 June 2017).
2014 – <b>Decision No.166/QD-TTg</b> (dated 21 January 2014) on issuance of the Plan for Implementation of National Environmental Protection Strategy by 2020, with a Vision to 2030.
2015 – <b>Decree No. 3/2015/ND-CP</b> (dated 6 January 2015) providing the assessment of environmental damage.
2015 – <b>Decree No.18/2015/ND-CP</b> (dated 14 February 2015) on (a) Environmental Protection Planning (EPP); (b) Strategic Environmental Assessment (SEA); (c) Environmental Impact Assessment (EIA); and (d) Environmental Protection Plans.
2015 – <b>Decree No.19/2015/ND-CP</b> (dated 14 February 2015) detailing the implementation of some articles of the Law on Environmental Protection.
2015 – <b>Circular No.25/2019/TT-BTNMT</b> (dated 31 December 2019) on detailed regulating on the implementation of some articles of the government decree No.40/2019/ND-CP (dated 13 May 2019) on amendment and supplement to decrees on detailed regulations and guidelines for the implementation of law on environmental protection and regulations on management of environmental monitoring services (re: strategic environmental assessment, environmental impact assessment, and environmental protection plans).
2015 – <b>Circular No.32/2015/TT-BGTVT</b> (24 July 2015) on environmental protection in transport infrastructure development.

- 2015 – **Circular No.32/2015/TT-BGTVT** (dated 24 July 2015) on environmental protection in transport infrastructure development.
- 2016 – **Circular No.18/2016/TT-BNNPTNT** (dated 24 June 2016) stipulating some contents on strategic environmental assessment, environmental impact assessment under the management of the minister of agriculture and rural development.
- 2018 – **Circular No.02/2018/TT-BXD** (dated 06 February 2018) stipulating environmental protection during construction and reporting thereof.
- 2019 – **Decree No.40/2019/ND-CP** (dated 13 May 2019, took effect on 1 July 2019) adjusts and supplements several articles of the Decrees regulating details and guidance on implementation of the law on environmental protection.

### Labour and Working Conditions

- 2002 – **Decision 3733/2002/BYT** (dated 10 October 2002), promulgating 21 labour hygiene standards, five principles, and seven labour hygiene measurements.
- 2006 – **Law on Gender Equality** (No.73/2006/QH11, dated 29 November 2006).
- 2009 – **Decision No. 1956/2009/QĐ-TTĐ** (dated 17 November 2009) approving the Master Plan on Vocational Training for Rural Labors by 2020.
- 2010 – **Law on People with Disabilities** (No. 51/2010/QH12, dated 17 June 2010).
- 2011 – **Circular No. 19/2011/TT-BYT** (dated 6 June 2011) guiding labour hygiene, labourers' health and occupational diseases.
- 2019 – **Code of Labor** (No. 45/2019/QH14, dated 20 November 2019).
- 2013 – **Law on Trade Unions** (No. 12/2012/QH13, dated 20 June 2012).
- 2013 – **Law on Employment** (No. 38/2013/QH13, dated 16 November 2013).
- 2013 – **Law on Bidding** (No. 43/2013/QH13) dated 26 November, 2013.
- 2013 – **Decree No. 43/2013/NĐ-CP** (dated 10 May 2013) providing detailed guidance on implementing Article 10 from the Law on Trade Union, specifying the rights, responsibilities of Trade Union in representing, and protecting the right and legal and appropriate benefits of laborers (Vietnamese).
- 2013 – **Circular 11/2013/TT-BLĐTBWH** (dated 10 June 2013) Promulgating the lists of jobs and workplaces in which the employment of minor persons is prohibited.
- 2013 – **Circular No. 11/2013/TT-BLĐTBXH** (dated 11 June 2013) providing list of light works that workers under 15 years of age can do (Vietnamese).
- 2013 – **Circular No. 26/2013/TT-BLĐTBXH** (dated 18 October 2013) providing list of jobs that women are not offered.
- 2015 – **Decree No. 04/2015/ND-CP** (dated 9 January 2015) on Implementing Grassroots Democracy in activities of State administrative organs and public non-business units.
- 2015 – **Decree No. 05/2015/ND-CP** (dated 12 January 2015) defining and providing guidance on the implementation of a number of contents of the 2012 Labor Code.
- 2015 – **Law on Occupational Safety and Health** (No. 84/2015/QH13, dated 25 June 2015).
- 2015 – **Code of Conduct on Sexual Harassment in the Workplace** (published 25 May 2015)

## Regulation of Pollution, Wastewater, Resources and Pesticide/Fertilizer Use and Imports

- 2013 – **Decree No. 25/2013/NĐ-CP (dated 29 March 2013)** on Environmental Protection Fees as to Wastewater.
- 2015 – **Decree No. 38/2015/NĐ-CP** (dated 24 April 2015) on the management of waste and scrap.
- 2007 – **Law on Chemicals** (No. 6/2007/QH12, dated 21 November 2007).
- 2007 – **Decree No. 174/2007/ND-CP** (dated 29 November 2007) on environmental protection charges for solid waste;
- 2007 – **Circular No. 13/2007/TT-BXD** (dated 31 December 2007) providing guidance on a number of articles of Decree No. 59/2007/ND-CP (dated 09/4/2007) by the government on solid waste management;
- 2009 – **Strategy on cleaner industrial production to 2020** (Approved by Decision 1419/QĐ-TTg dated 07 September 2009).
- 2010 – **Law on Economical and Efficient Use of Energy** (No. 50/2010/QH12, dated 17 June 2010).
- 2010 – **Law on Thrift Practice and Waste Combat** (No. 44/2013/QH13, dated 26 November 2013).
- 2010 – **Law Environmental Protection Tax** (No. 57/2010/QH12 dated 15 November 2010).
- 2012 – **Law on Water Resources** (No. 17/2012/QH13, dated 21 June 2012), which addresses the management, protection, exploitation and use of water resources, as well as the prevention of, combat against and overcoming of harmful effects caused by water in the territory of the Socialist Republic of Vietnam.
- 2013 – **Decree No. 201/2013/ND-CP** (dated 27 November 2013) detailing the implementation of some articles of the Law on Water Resources.
- 2013 – **Decree No. 25/2013/ND-CP** (dated 29 March 2013) on environmental protection charges for wastewater
- 2014 – **Decree No. 80/2014/ND-CP** dated (6 August 2014) regulating drainage, and wastewater treatment.
- 2014 – **Decree No. 21/2011/ND-CP** (dated 29 March 2011) detailing the law on economical and efficient use of energy and measures for its implementation.
- 2015 – **Circular No. 36/2015/TT-BTNMT** (dated 30 June 2015) on management hazardous wastes.
- 2015 – **Circular No. 35/2015/TT-BTNMT** (dated 30 June 2015) providing for environmental protection of economic zones, industrial parks, export processing zones, and hi-tech parks.
- 2015 – **Law on Natural Resources and Environment of Sea and Islands** (No. 82/2015/QH13, dated 25 June 2015).
- 2015 – **Decree No. 38/2015/ND-CP** dated 24 April 2015 of the Government on the management of waste, scraps, and discarded materials.
- 2015 – **Circular No. 21/2015/TT-BNNPTNT** (dated 8 June 2015) on management of plant protection drugs.
- 2015 – **Decree 54/2015/ND-CP** on subsidy for economical and efficient use of water.
- 2016 – **Circular No. 31/2016/TT-BTNMT** (dated 14 October 2016) providing for environmental protection for industrial clusters, concentrations of businesses, service providers, trade villages, production, commercial and service establishments.

- 2016 – **Decree No. 154/2016/ND-CP** (dated 16 November 2016) on environmental protection fee on wastewater.
- 2017 – **Decree No. 113/2017/ND-CP** (dated 09 October 2017) specifying and providing guidelines for implementation of certain articles of the Law on Chemicals.

### Community Health and Safety

- 2002 – **Decree No. 71/2002/ND-CP** (dated 23 July 2002) detailing the implementation of a number of articles of the ordinance on the state of emergency in case of great disasters or dangerous epidemics.
- 2006 – **Law on HIV/AIDS Prevention and Control** (No. 64/2006/QH11, dated 29 June 2006).
- 2007 – **Law on Domestic Violence Prevention and Control** (No. 02/2007/QH12, dated 21 November 2007).
- 2007 – **Law on Prevention and Control of Infectious Diseases** (No. 03/2007/QH12, dated 21 November 2007).
- 2007 - **Law on Quality of Goods** (dated 11 November 2007)
- 2008 – **Law on Road Traffic** (No. 23/2008/QH12, dated 13 November 2008).
- 2010 – **Law on Food Safety** (No.55/QH12/2010, dated 17 June 2010).
- 2013 – **Law on Natural Disaster Prevention and Control** (No. 33/2013/QH13, dated 19 June 2013), which provides natural disaster prevention and control activities; specifies the rights and obligations of agencies, organizations, households and individuals engaged in natural disaster prevention and control activities; and details the state management of, and assurance of resources for, natural disaster prevention and control.
- 2014 – **Law on the People's Security Forces** (No. 73/2014/QH13, 27 November 2014), which includes provisions for security of government projects under Article 15.
- 2015 – **Decree No. 46/2015/ND-CP** (dated 12 May 2015) on quality control and maintenance of construction works.
- 2015 – **Circular No. 50/2015/TT-BGTVT** (dated 23 September 2015) guiding the management and protection of road infrastructures.
- 2016 – **Decree No. 96/2016/ND-CP** (dated 01 July 2016) providing for security and order conditions for a number of conditional business sectors.
- 2018 – **Decree No. 15/2018/ND-CP** (dated 2 February 2018) detailing the implementation of some articles of the Food Safety Law. This decree replaces Decree No. 38/2012/ND-CP (dated 25 April 2012) which had previously regulated the implementation of a number of articles in the Law on Food Safety.
- 2018 – **Decree No. 114/2018/ND-CP** (dated 04 September 2018) on dam and reservoir safety management (Vietnamese).

### Democratic Process, Citizen Engagement, Complaints, Land Use, and Resettlement

- 2007 – **Ordinance No. 34/2007/PL-UBTVQH11** on the implementation of democracy at commune, ward, and township level (dated 20 April 2007). This ordinance replaces Decree No. 79/2003/ND-CP, dated 7 July 2003, promulgating the regulation on the exercise of democracy in communes, which had replaced Decree 29/1998 on grassroots democracy in communes.



2011 – **Law on Complaints** (No. 02/2011/QH13, dated 11 November 2011).

2011 – **Law on Denunciation** (No. 03/2011/QH13, dated 11 November 2011).

2012 – **Decision No. 52/2012/QĐ-TTĐ** (dated 16 November 2012) on the support policies regarding employment and vocational training to farmers whose agricultural land has been recovered by the state.

2013 – **Law on Reception of Citizens** (No. 42/2013/QH13, dated 25 November 2013).

2013 – **Decree No. 60/2013/NĐ-CP** (dated 19 June 2013) detailed regulations for Item 3, Article 63 of the Code of Labor on Regulations for Implementing Grassroots Democracy at workplaces (Vietnamese).

2013 – **The Constitution of Vietnam.**

2013 – **Land Law** (No. 45/2013/QH13, dated 29 November 2013), which prescribes the regime of land ownership, powers and responsibilities of the State in representing the entire-people owner of land and uniformly managing land, the regime of land management and use, and the rights and obligations of land users involving land in the territory of the Socialist Republic of Vietnam.

2014 – **Decree No. 43/2014/NĐ-CP** (dated 15 May 2014) providing detailed guidance for some articles of Land Law (Vietnamese).

2014 – **Decree No. 44/2014/NĐ-CP** (dated 15 May 2014) specifying methodology for land pricing; adjustment to land price brackets, land price lists; specific land pricing and land price consultancy activities (Vietnamese).

2014 – **Circular No. 30/2014/TT-BTNMT** (2 June 2014) regulating records for land allocation or lease, change of land-use purposes, and land acquisition and recovery.

2014 – **Decree No. 47/2014/NĐ-CP** (dated 15 May 2014) providing detailed guidance on compensation, assistance, and resettlement when land is acquired by the State (Vietnamese).

2014 – **Decree No. 104/2014/NĐ-CP** date 14 November 2014 of the Government on the land price frame.

2014 – **Circular No. 36/2014/TT-BTNMT** (dated 30 June 2014) regulating method of valuation of land, construction, land price adjustment, specific land valuation and land valuation advisory.

2014 – **Circular No. 37/2014/TT-BTNMT** (dated 30 June 2014) regulating compensation, assistance and resettlement when the State acquires land (Vietnamese).

2014 – **Law on Dissemination and Education of Legal Documents** (No. 14/2012/QH13, dated 20 June 2012).

2014 – **Decree No. 64/2014/NĐ-CP** (dated 26 June 2014) providing detailed guidance on implementation of some articles from Law on Reception of Citizens.

2015 – **Decree No. 04/2015/NĐ-CP** (dated 9 January 2015) on Implementing Grassroots Democracy in activities of State administrative organs and public non-business units.

2015 – **Civil Code** (No. 91/2015/QH13, dated 24 November 2015).

2016 – **Law on Access to Information** (No. 104/2016/QH13, dated 6 April 2016).

2017 – **Decree No. 01/2017/NĐ-CP** (dated 6 January 2017) modifying, supplementing some decrees providing detailed regulations on implementing Land Law.

2018 – **Decree No. 13/2018/NĐ-CP** (dated 23 January 2018) providing detailed regulations and measures for implementing Law on Access to Information (Vietnamese).



## Biodiversity and Management of Living Natural Resources

- 2017 – **Law on Forestry** (No. 16/2017/QH14, dated 15 November 2017) which provides for the management, protection, development and use of forests; and forest owners' rights and obligations.
- 2008 – **Law on Biodiversity** (No. 20/2008/QH12, dated 13 November 2008), which provides for the conservation and sustainable development of biodiversity; rights and obligations of organizations, households and individuals in the conservation and sustainable development of biodiversity.
- 2010 – **Decree No.65/2010/ND-CP** on Detailing and Guiding a Number of Articles of the Biodiversity Law, providing details and guides the implementation of a number of articles of the Biodiversity Law regarding biodiversity conservation planning, conservation zones, conservation and sustainable development of organisms and conservation and sustainable development of genetic resources.
- 2013 – **Decision No.1250/QD-TTg** (dated 31 July 2013) on the National Biodiversity Strategy to 2010, vision to 2030 which identifies a number of priority programs and projects aimed at preserving the biodiversity of Vietnam.
- 2013 – **Inter-ministerial Circular 23/2013/TTLT-BTNMT-BNNPTNT** regulating criteria for identification of alien and invasive species
- 2014 – **Decision No. 45/QD-TTg** (dated 8 January 2014) regarding approval of Master Plan of Nation-Wide Biodiversity Conservation by 2020, with a Vision to 2030.
- 2015 – **Decision 1107/QD-BTNMT** on list of conservation areas.
- 2017 – **Law on Forestry** (No. 16/2017/QH14, dated 15 November 2017).

## Ethnic Minorities

- 2002 – **Decision No. 132/2002/QG-TTg** (dated 08 October 2002) of the Prime Minister on redistributing production and residential land for ethnic minority people in Central Highlands.
- 2005 – **Decision No. 304/2005/QD-TTg** (dated 23 November 2005) on the Pilot Allotment of Forests and Contractual Assignment of Forests for Protection to Ethnic Minority Households and Communities in Hamlets and Villages in the Central Highlands Provinces.
- 2010 – **Decree No.82/2010/ND-CP** (dated 15 July 2010) on teaching and learning of spoken languages, writings of ethnic minorities in primary and secondary schools and regular training centers (Vietnamese).
- 2011 – **Circular No. 02/2011/TT-UBDT** (dated 15 July 2011) providing regulations on reception of citizens and settlement of complaints, denunciations of Committee on Ethnic Minorities (Vietnamese).
- 2011 – **Decree No. 05/2011/ND-CP** (dated 14 January 2011) on ethnic minority works.
- 2012 – **Joint Circular No. 01/2012 TTLT-BTP-CEM** (dated 17 January 1012) of the Ministry of Justice and the Committee for Ethnic Minorities on guidelines and legal assistance for ethnic minorities (Vietnamese).
- 2012 – **Decision No. 449/QD-TTg** (dated 12 March 2012), approving the ethnic minority affairs strategy through 2020.
- 2013 – **Joint Circular No. 05/2013/TTLT-CEM-ARD-MPI-TC-XD** (dated 18 November 2013) providing guideline of program 135 on support infrastructure investment, production development for extremely difficult communes, border communes, particularly difficult villages (Vietnamese).

- 2015 – **Decree No. 39/2015/ND-CP** (dated 27 April 2015) on assistance policy applied to ethnic minority and poor women
- 2016 – **Decision No. 38/QĐ-UBND** (dated 29 January 2016) on regulations on implementing grassroots democracy within activities of the Committee on Ethnic Minorities (Vietnamese).

### Cultural Heritage

- 2013 – **Law on Cultural Heritages** (No. 10/VBHN-VPQH dated 23 July 2013).
- 2010 – **Decree No. 98/2010/ND-CP** (dated 21 September 2010) providing detailed guidance on implementation of some articles from Law Cultural Heritage and Amended Law on Cultural Heritage.
- 2012 – **Decree 70/2012/ND-CP** (18 September 2012), specifying authority, steps, procedures, approving master plan, projects for preservation, rehabilitation, restoration of historical and cultural heritages, places of interest). The decree protects cultural heritage recognized by State as well as the community “belief establishments” including sacred mountains, rivers and other land protected by local people for the purpose of traditional cultural rituals including those for ethnic minority communities.
- 2013 – **Merging Document for Law on Cultural Heritage** (No. 10/VBHN-VPQH, dated 23 July 2013).
- 2013 – **Joint Circular No. 19/2013/TTLT-BVHTTDL-BTNMT** (dated 30 December 2013) providing guidance on environmental protection for tourism activities, festival organization and the protection and promotion of heritage values.
- 2016 – **Law on Belief and Religion** (No. 02/2016/QH14 dated 18 November 2016).

### CROSS-CUTTING PROJECT-RELATED LEGISLATION:

- 2006 – **Law on Gender Equality** (No.73/2006/QH11, dated 29 November 2006) is currently being updated. The Women’s Union maintains a strong network down to commune level, while the Department of Gender Equality under the Ministry of Labour, Invalids and Social Affairs (MOLISA) has a coordination role among all ministries to promote gender mainstreaming.
- 2020 – **Law on Residence** (No: 68/2020/QH14, dated 12 November 2020).
- 2018 – **Law on Standards and National Technical Standards** (No. 31/VBHN-VPQH, dated 10 December 2018)
- 2008 – **Decree No. 70/2008/ND-CP**, dated 4 June 2008, providing detailed guidance on implementing some articles from the Law of Gender Equality (Vietnamese).
- 2011 – **Decision No. 2139/QĐ-TTg** (dated 5 December 2011) approving National Strategy for Climate Change.
- 2012 – **Decision No. 1393/QĐ-TTg**, dated 25 September 2012) approving National Strategy on Green Growth.
- 2012 – **Circular No. 45/2012/TT-BCT** (dated 28 December 2012) providing in-process inspection of food quality and safety under the state management MOIT.
- 2013 – **Law on amendments to the Law on Residence** (No. 36/2013/QH13, dated June 20, 2013).
- 2014 – **Decree 31/2014/ND-CP** dated 18 April 2014 providing details on some articles and implementation measures for the Law on Residence.

- 2014 – **Circular No. 35/2014/TT-BCA** (dated September 9, 2014) detailing of The Residence Law and Decree No. 31/2014/ND-CP detailing for implementation of the Law on Residence.
- 2014 – **Marriage and Family Law** (No. 52/2014/QH13, dated 19 June 2014), which highlights principles of equality between husband and wife and of non-discrimination among children, confirms that husbands and wives may represent each other in any transaction. It also specifies the rights of women cohabitating without marriage.
- 2014 – **Decision No. 403/QĐ-TTg** (dated 20 March 2014) approving National Action Plan on Green Growth for the period from 2014-2020.
- 2014 – **Investment Law** (No. 67/2014/QH13, dated 26 November 2014) prescribing business investment activities in Vietnam and offshore business investment activities from Vietnam.
- 2014 – **Public Investment Law** (No. 49/2014/QH13, dated 18 June 2014) providing for the management and use of the capital budget for public investment; the state management of public investment; the right, obligation and responsibility of agencies, organizations and individuals involved in public investment activities.
- 2014 – **Construction Law** (No. 50/2014 /QH13, dated 18 June 2014).
- 2017 – **Law on Planning** (No. 21.2017.QH14, dated 24 November 2017).
- 2020 – **Decree No. 41/2020/ND-CP** (dated 8 April 2020) on the extension of deadlines for payments of taxes and land rental fees, in order to support businesses suffering from the COVID-19 pandemic. The Decree is pursuant to the Law on Tax Administration (2006) and applies to several businesses including agriculture, forestry and fishery, food production and processing, wood processing and producing, mechanical processing, furniture, construction, transportation, education and training, real estate, labor and employment services, travel agents, tour operators, entertainment activities, movies, supporting industries, small and medium enterprises, and banking among others. For those indicated, the Value-Added Tax (VAT) and Corporate Income Tax will be extended by five months. For individuals and business households, VAT and Personal Income Tax (PIT) deadlines are extended to December 31, 2020. Land rent fees have also been delayed for five months for those that lease directly from the government.

34. In addition to the above laws and regulations, the following technical guidelines pertaining to environmental quality should be observed during the assessment of potential impacts and throughout project implementation:

- QCVN 14:2008/BTNMT: National Technical Regulation on **Domestic Wastewater**;
- QCVN 40:2011/BTNMT: National Technical Regulation on **Industrial Wastewater**;
- QCVN 39:2011/BTNMT: National Technical Regulation on **Water Quality for Irrigated Agriculture**;
- QCVN 38:2011/BTNMT: National Technical Regulation on **Surface Water Quality for Protection of Aquatic Life**;
- QCVN 08-MT:2015/BTNMT – National Technical Regulation on **Surface Water Quality**;
- QCVN 09-MT:2015/BTNMT – National Technical Regulation on **Groundwater Quality**;
- QCVN 43:2012/BTNMT - National Technical Regulation on **Sediment Quality in Fresh Water Areas**;
- QCVN 15:2008/BTNMT: National Technical Regulation on **Pesticide Residues in the Soils**;
- QCVN 07:2009/BTNM: National Technical Regulation on **Hazardous Waste Thresholds**;
- QCVN 03:2008/BTNMT: National Technical Regulation on **Permitted Limit of Heavy Metals in Land**;

- QCVN 05:2013: National Technical Regulation on **Ambient Air Quality**;
- QCVN 06:2008: National Technical Regulation on **Hazardous Substances in Ambient Air**;
- QCVN 26:2010/BTNMT: National Technical Regulation on **Noise**; and
- QCVN 27:2010/BTNMT: National Technical Regulation on **Vibration**;

35. **Laws Pertaining to Ethnic Minorities and Gender Equality:** A deep-dive of laws pertaining to ethnic minorities and gender equality/women's rights are available in the supporting Indigenous Peoples' Plan and Gender Assessment and Action Plan documents. For the sake of brevity, those laws are not covered in detail within this ESMF and project reviewers, implementers, and managers are advised to refer directly to those documents for further information.

36. **Changing Nature of Laws and Regulations:** These laws, regulations, and guidelines (etc.) may change over time throughout the project. In instances where changes occur, e.g. via an amendment or a newer law/regulation/guideline/etc. repealing one of those previously listed, the project should comply with the most up-to-date legislation.

### **3.2 Application of IFAD and GCF Environmental, Social, and Climate Risks Standards/Procedures**

37. Based on the IFAD SECAP and GCF ESS, the following safeguards documents were prepared: (i) Environmental and Social Management Framework (ESMF) including climate considerations; (ii) Indigenous Peoples' Plan (IP Plan); (iii) Stakeholder Engagement Plan (SEP); and (iv) Gender Assessment & Action Plan (GAP). The documents have been publicly disclosed in advance of implementation and board approval to respect the Pelosi Amendment<sup>11</sup> as a best practice, even though the project is not high or substantial risk (the risk rating is only moderate), and the documents collectively respond to the safeguards standards described below.

#### ***Environment and Social Standards (ESSs) Relevant to the Project***

38. The application of environmental assessment policies in Vietnam, as well as various efforts directed to policy harmonization between the Government of Vietnam and its donors, has gradually narrowed the gap between the national system and IFAD and GCF policies. IFAD and GCF both stipulate that IFAD-funded and GCF-funded projects must meet their environmental and social standards which were designed to avoid, minimize, reduce or mitigate the adverse environmental and social risks and impacts of projects. These standards include (presented here in the order used by IFAD):

- Standard 1: Biodiversity Conservation;
- Standard 2: Resource Efficiency and Pollution Prevention;
- Standard 3: Cultural Heritage
- Standard 4: Indigenous Peoples
- Standard 5: Labour and Working Conditions
- Standard 6: Community Health and Safety;
- Standard 7: Physical and Economic Resettlement;
- Standard 8: Financial Intermediaries and Direct Investments;
- Standard 9: Climate Change

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<sup>11</sup> The 1989 Pelosi Amendment requires disclosure of environmental impacts at least 120 days prior to board approval for high- and sometimes substantial-risk projects (URL: <https://www.gao.gov/archive/2000/ns00192.pdf>)

39. Not explicitly listed as a standard, but considered a vital part of project design, implementation, and safeguarding is stakeholder engagement. Provisions to ensure meaningful engagement are provided within the Stakeholder Engagement Plan and initial feedback and engagement was mainstreamed into the RECAF project design.

40. The scope and relevance of the safeguards standards are detailed in **Table 2**.

**Table 2: Scope and Relevance of Safeguards Standards to RECAF project**

Safeguards Standard	Scope & Relevance to RECAF Project
<p><b>Standard 1:</b> Biodiversity Conservation</p>	<p><b>Scope:</b> In accordance with the Convention on Biological Diversity (CBD), this standard recognizes that biodiversity is about more than plants, animals and micro-organisms, and includes people and their need for food security, medicines, fresh air and water, shelter, and a clean and healthy environment. Key objectives include:</p> <ul style="list-style-type: none"> <li>● Maintain and conserve biodiversity</li> <li>● Ensure the fair and equitable sharing of benefits from the utilization of generic resources;</li> <li>● Respect, preserve, maintain, and encourage knowledge, innovations, and practices of indigenous peoples and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources; and</li> <li>● Adopt a precautionary approach to natural resource conservation and management to ensure opportunities for environmentally sustainable development.</li> </ul> <p><b>Relevance:</b> This standard is relevant as the project works in protected forest areas and aims to support improved forest management along with payment for ecosystem services. Post-allocation land uses have, in past, resulted in further loss/degradation of habitat, forest cover, and/or soils, leaving some areas more environmentally sensitive and/or vulnerable to natural disasters. The project aims to address these issues.</p>
<p><b>Standard 2:</b> Resource Efficiency and Pollution Prevention</p>	<p><b>Scope:</b> This Standard recognizes that economic activity and development can often pollute the air, water, and land. They may also result in the consumption of finite resources, which may in turn threaten people, ecosystem services and the environment. It advocates for a precautionary approach with the following objectives:</p> <ul style="list-style-type: none"> <li>● Avoid, minimize and manage the risks and impacts associated with hazardous substances and materials, including pesticides;</li> <li>● Avoid or minimize project-related emissions of short- and long-lived climate pollutants;</li> <li>● Promote more sustainable use of resources, including energy, land and water; and</li> <li>● Identify opportunities for improving resource efficiency.</li> </ul>

Safeguards Standard	Scope & Relevance to RECAF Project
	<p><b>Relevance:</b> This standard is relevant as some project activities pertaining to construction and/or agroforestry and deforestation-free value chain production activities under Component 2 will result in the generation of waste and/or use of pesticides and agricultural inputs.</p>
<p><b>Standard 3: Cultural Heritage</b></p>	<p><b>Scope:</b> This Standard recognizes that cultural heritage is central to individual and collective identity and memory, providing continuity between the past, present, and future. Objectives include:</p> <ul style="list-style-type: none"> <li>● Preserve and safeguard cultural heritage;</li> <li>● Ensure that active efforts are made to prevent IFAD-supported projects from altering, damaging or removing any tangible or intangible cultural heritage;</li> <li>● Promote the equitable sharing of benefits from the use of cultural heritage; and</li> <li>● Promote meaningful consultation on matters related to cultural heritage.</li> </ul> <p><b>Relevance:</b> This standard is relevant insofar as construction activities may result in chance-finds of objects or artifacts pertaining to cultural heritage, and/or may temporarily disrupt access to cultural heritage sites.</p>
<p><b>Standard 4: Indigenous Peoples</b></p>	<p><b>Scope:</b> This standard focuses on the rights of Indigenous Peoples and promotes the following objectives:</p> <ul style="list-style-type: none"> <li>● Support indigenous peoples to determine priorities and strategies for exercising their right to development;</li> <li>● Ensure that each project is designed in partnership with indigenous peoples and with their full, effective and meaningful consultation, leading to FPIC;</li> <li>● Ensure that indigenous peoples obtain fair and equitable benefits and opportunities from project-supported activities in a culturally appropriate and inclusive manner; and</li> <li>● Recognize and respect the rights of indigenous peoples to the lands, territories, waters and other resources that they have traditionally owned, used or relied upon.</li> </ul> <p><b>Relevance:</b> The project aims for 40% of its beneficiaries to be ethnic minorities and there is high EM population within the project areas, so this standard is relevant and mandates preparation of an Indigenous Peoples' Plan (including FPIC considerations).</p>
<p><b>Standard 5: Labour and Working Conditions</b></p>	<p><b>Scope:</b> This standard is focused on fostering inclusive, diversified, and productive rural economies that create opportunities for decent work and higher incomes. Objectives of this standard are to:</p> <ul style="list-style-type: none"> <li>● Promote direct action to foster decent rural employment;</li> <li>● Promote, respect and realize fundamental principles and rights<sup>60</sup> by:</li> </ul>



Safeguards Standard	Scope & Relevance to RECAF Project
	<ul style="list-style-type: none"> <li>○ Preventing discrimination and promoting equal opportunities for workers;</li> <li>○ Supporting freedom of association and the right to collective bargaining; and</li> <li>○ Preventing the use of child labour and forced labour;</li> <li>● Protect and promote the safety and health of workers;</li> <li>● Ensure that projects comply with national employment and labour laws, and international commitments;</li> <li>● Leave no one behind by protecting and supporting workers in disadvantaged and vulnerable situations, including women (e.g. maternity protection), young workers, migrant workers, workers in the informal economy and workers with disabilities.</li> </ul> <p><b>Relevance:</b> This standard is relevant insofar as small-scale construction activities are expected as part of the project under Component 2 (climate resilient infrastructure to support forest management). Labour financed under the project must protect against child labour, forced labour, ethnicity-based discrimination, overtime working, and poor working conditions.</p>
<p><b>Standard 6:</b> Community Health and Safety</p>	<p><b>Scope:</b> This standard stresses avoiding – and where avoidance is not possible, minimizing and mitigating – health-related and safety-related risks and impacts that may arise from IFAD-supported projects, with special attention to marginalized and disadvantaged groups. Objectives include to:</p> <ul style="list-style-type: none"> <li>● Ensure quality and safety in the design and construction of programming-related infrastructure, preventing and minimizing potential safety risks and accidents;</li> <li>● Avoid or minimize community exposure to disaster risks, diseases and hazardous materials associated with project activities;</li> <li>● Ensure that the safeguarding of personnel and property minimizes risks to communities and is carried out in accordance with international human rights standards and principles; and</li> <li>● Have in place effective measures to address emergency events, whether human-made or natural hazards.</li> </ul> <p><b>Relevance:</b> This standard is relevant due to the anticipated construction works which have related health and safety risks, as well as inherent risks associated with increase production (e.g. overuse of chemicals and pesticides for production).</p>
<p><b>Standard 7:</b> Physical and Economic Resettlement</p>	<p><b>Scope:</b> This Standard not only considers resettlement as the physical relocation of people but as economic, social and cultural displacement restricting people’s access to livelihoods and culturally important sites. Objectives include to:</p> <ul style="list-style-type: none"> <li>● Avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring alternative project designs and sites;</li> </ul>

Safeguards Standard	Scope & Relevance to RECAF Project
	<ul style="list-style-type: none"> <li>● Avoid forced eviction;</li> <li>● Ensure that resettlement activities are planned and implemented collaboratively with the meaningful participation of affected people;</li> <li>● Enhance and restore the livelihoods of all displaced peoples; and</li> <li>● Provide explicit guidance to borrowers/recipients/partners on the conditions that need to be met regarding involuntary resettlement.</li> </ul> <p><b>Relevance:</b> Given temporary disruption via construction activities, and/or voluntary land donations for minor construction works (e.g. access roads, etc.), this standard is relevant.</p>
<p><b>Standard 8:</b> Financial Intermediaries and Direct Investments</p>	<p><b>Scope:</b> This Standard recognizes that investments in FIs (indirect investments) and private-sector companies (direct investments) are critical for promoting sustainable financial markets and providing financial products and services to farming businesses and rural micro, small and medium-sized enterprises. Objectives include to:</p> <ul style="list-style-type: none"> <li>● Promote sound environmental, social and climate practices, and sound human resource management with FIs and direct investees;</li> <li>● Ensure that FIs and direct investees assess and manage any environmental and social risks and impacts of infrastructure schemes; and</li> <li>● Promote good environmental and social management practices by direct investees and in the infrastructure schemes financed by FIs.</li> </ul> <p><b>Relevance:</b> This standard is not relevant, as the project will not be using FIs and direct investments to private sector companies.</p>
<p><b>Standard 9:</b> Climate Change</p>	<p><b>Scope:</b> This standard is focused actively considering, planning for, and responding to projected climate changes. Objectives include to:</p> <ul style="list-style-type: none"> <li>● Ensure alignment of IFAD-supported projects with the Nationally Determined Contributions of countries and the goals of the Paris Agreement and other international frameworks;</li> <li>● Ensure that proposed activities are screened and assessed for climate change and disaster risks and impacts, including both impacts of projects and on them;</li> <li>● Apply the mitigation hierarchy in project design;</li> <li>● Strengthen the resilience of communities to address the risk of climate change impacts and climate-related disasters; and</li> <li>● Increase the ability of communities to adapt to the adverse impacts of climate change, and foster climate resilience and low GHG-emitting projects that do not threaten food production.</li> </ul> <p><b>Relevance:</b> This standard is directly relevant to the project given the project's focus on climate mitigation and adaptation, as well as the nature</p>



Safeguards Standard	Scope & Relevance to RECAF Project
	<p>of Viet Nam's vulnerability to climate change. The climate risk classification for RECAF is assessed as moderate. Details on the climate projections for the project area are available in the background papers and Chapter IV of this ESMF. According to the Provincial REDD+ Action Plans (PRAP), the provinces targeted by RECAF belong to two regions (Central Highlands and Southern Coastal Region) which have been exposed to similar climate risks including increased temperature, increased hot days and decreased cold days, erratic rain. These caused various consequences including drought, flash floods, and salinity intrusion (in Ninh Thuan province). The project has been specifically designed to address the climate risks, namely as it is also meant to be a GCF-funded project. RECAF adopts strategies that will deliver developmental and sustainability benefits to the actual needs at the time of implementation, depending on the exact climate change scenarios.</p> <p>There is significant local and traditional knowledge available as regards to climate risk adaptation and mitigation in agricultural production and forestry protection systems in Viet Nam. It has, however, not been effectively capitalized for sustainable rural development. Therefore, the immediate and medium-term climate risks appear to be manageable and will be addressed through a significant investment in mainstreaming climate change adaptation and mitigation into project activities. RECAF takes a broader landscape approach to better account for the complex relationship between agricultural use, forest protection and poverty alleviation. The project supports the development of deforestation-free supply chains for major agricultural commodities (e.g. coffee, rubber). This includes better agricultural practices and improved forest governance and management capacity, while assisting the national government to overcome barriers to mobilizing REDD+ and the national PFES to incentivize private sector investment in deforestation-free agricultural supply chains and support sustainable forest management practices at local levels.</p>

### 3.3 Gap Analysis and Gap Filling Measures

41. IFAD classifies projects and infrastructure schemes into one of four classifications: *high risk*, *substantial risk*, *moderate risk* or *low risk* and discloses a project's risk classification and basis for that classification in project documents and on the IFAD website. GCF classifies projects and infrastructure schemes into one of three classifications: high risk, moderate risk, or low risk, however the GCF accepts the standards and risk classifications of Accredited Entities, like IFAD, thus for this project (and to simplify approval for IFAD-funded activities) the ESMF utilizes the IFAD classifications.

42. Building on existing country assessments, a full Country System Framework Assessment (focused on Safeguards) for Viet Nam was conducted by the World Bank in late 2018/early 2019 and is relevant to the assessment of gaps and gap-filling measures also for this IFAD and GCF funded project. The assessment identified key gaps between the country's legal system and international recognized environmental and

social standards (e.g. IFC, World Bank, IFAD) and priority needs to ensure full compliance of the ESSs. The conclusion was that Vietnam has a comprehensive regulatory framework that in many cases meets the requirements of the ES standards, and key issues are more associated with implementation and differentiated capacities between the central and provincial PMUs and the provinces. There are opportunities to accelerate implementation of recent improvements in the country system, especially on labour, community safety, and stakeholder engagement.

43. Based on the project's moderate risk rating for environment, social, and climate considerations, national regulations are adequate for most of the investments, while additional gap-filling measures will be used if a sub-project requires preparation of an Environmental and Social Impact Assessment (ESIA) – not currently foreseen under the project, but accounted for nonetheless – for some of the civil works so that contractors and implementation partners can adequately address issues related to contract management, safety of local communities, and workers. Capacity building efforts pertaining to regulation and oversight are also incorporated as part of the safeguards management of the RECAF project and as part of the project design (e.g. under Component 2 activities focused on the upgrading of REDD+ MIS and SIS).

44. **For Environmental and Social Assessments**, Table 3 summarizes key the differences identified in the recent (2019) Country System Framework Assessment conducted by the World Bank between international safeguards standards/ESA processes (relevant/applicable also to IFAD and GCF standards) and Viet Nam's national Environmental Impact Assessment (EIA) requirements, along with gap-filling measures to be used during the project. Please refer to **Table 3** for the summary.

45. **For Standard 5 on Labour and Working Conditions**, Vietnam already has in place a relatively comprehensive (and evolving) framework for labour and working conditions. The Labour Code (2019) is the most recent legislation that enhances and protects better the rights of labourers. Various decrees and circulars have been issued under this Law to guide the implementation of the Labour Code. In terms of international labour conventions, the government has ratified various ILO Conventions such as C029 Forced Labor, C081 Labor Inspection, C100 Equal Remuneration, C111 Discrimination (Employment and Occupation), C138 Minimum Age (age specified: 15 years), the C182 Worst Forms of Child Labor, C155 Occupational Health and Safety; and C187 Promotional Framework for Occupational Safety and Health. Convention C098 on the Right to Organize and Collective Bargaining also entered into force as of 5 July 2020. Vietnam is also working towards the ratification of: C087 Freedom of Association and Protection of the Right to Organize; and C105 Abolition of Forced Labour.

46. Systematic labor inspection heavily relies on self-reporting, especially when construction contractors and primary suppliers are involved. For this reason, a template for labor management procedures must be included in bidding documents of contracted workers. For primary suppliers of materials, the practice of conducting due diligence on labour and working conditions among potential sources of aggregate material is uncommon. Therefore, a monitoring procedure must be established prior commencement of related works, and the site-specific ESA must assess potential labor issues, including risks of child and forced labour for suppliers and in the value chains relevant for the RECAF project, and other health hazards on workers due to waste management and handling of any related hazardous materials during construction to ensure compliance with national laws and Standard 5. The Lead Agency of the RECAF project must ensure that OHS procedures and a working grievance redress mechanism are stipulated within the contract, including the system for monitoring third party contractors' compliance with the agreed OHS procedures and GRM.

**Table 3:** Gaps Analysis supported by the recent (2019) Country System Framework Assessment funded by the World Bank, comparing international ESA requirements (e.g. those applied by WB, IFAD, GCF, etc.) and Viet Nam’s national EIA Processes. \*\*\**includes gap-filling measures specific to RECAF (based on IFAD/GCF requirements) in the final column*

EA Process Stage	Requirements of International ES Standards (taken from the World Bank Country System Framework Assessment)	Viet Nam (stipulations in Decree 40/2019/ND-CP, 18/2015/ND-CP and Circular 25/2019/TT-BTNMT)	Gap Filling Measures
<b>Objectives</b>	<ul style="list-style-type: none"> <li>In alignment with the IFC performance standards and other International Financing Institutions (e.g. IFAD, ADB, etc.), the WB applies its Environment and Social Framework (ESF) describing 10 Environmental and Social Standards (ESSs) – equivalent to IFAD’s 9 Standards, with the addition of an explicit standard on stakeholder engagement – which are designed to avoid, minimize, reduce or mitigate the adverse E&amp;S risks and impacts of projects.</li> </ul>	<ul style="list-style-type: none"> <li>Investment projects are required to submit EIA or EPP for approval</li> </ul>	<ul style="list-style-type: none"> <li>To be eligible for financing, IFAD SECAP standards (aligned with the GCF) will be applied.</li> </ul>
<b>Screening</b>	<ul style="list-style-type: none"> <li>The WB, like IFAD, classifies all projects into one of four risk classifications: <i>high risk, substantial risk, moderate risk, or low risk</i>.</li> <li>In determining the appropriate risk classification, the WB will take into account relevant issues, such as the type, location, sensitivity, and scale of the project; the nature and magnitude of the potential E&amp;S risks and impacts; and the capacity and commitment of the Borrower (including any other entity responsible for the implementation of the project) to manage the E&amp;S risks and impacts in a manner consistent with the ESSs.</li> <li>Other areas of risk may also be relevant to the delivery of E&amp;S mitigation measures and outcomes, depending on the specific project and the context in which it is</li> </ul>	<ul style="list-style-type: none"> <li>Categories: I, II, III and IV of Decree 40/2019.</li> <li>Prescriptive, fixed regulated in Annex I, II and III – List of projects subject to requirements of SEA and EIA report submittal and approval.</li> <li>All projects are not listed.</li> <li>Normally the project owners self-screen the project based on the categorization indicated in Decree 40/2019 and consult the Provincial Department of Natural Resources and Environment (DONRE) or Vietnam Environment Administration</li> </ul>	<ul style="list-style-type: none"> <li>Since the RECAF is classified by IFAD as “moderate risk”, national laws must be complemented by gap-filling measures when the PPMU’s screening of candidate sub-projects (as per the screening criteria in the Annexes) deems gap-filling necessary.</li> </ul>

EA Process Stage	Requirements of International ES Standards (taken from the World Bank Country System Framework Assessment)	Viet Nam (stipulations in Decree 40/2019/ND-CP, 18/2015/ND-CP and Circular 25/2019/TT-BTNMT)	Gap Filling Measures
	<p>being developed. These could include legal and institutional considerations; the nature of the mitigation and technology being proposed; governance structures and legislation; and considerations relating to stability, conflict or security. The WB will disclose the project's classification and the basis for that classification on the WB's website and in project documents.</p>	<p>(VEA) for the appropriate classification and EA report requirement of the project, such as:</p> <ul style="list-style-type: none"> <li>○ Project falls into Annex I, II, III: SEA or EIA required</li> <li>○ Project falls into Annex IV: no EIA and Environmental Protection Plan (EPP) required</li> <li>○ Project is not I, II, III and IV: EPP required</li> </ul>	
<b>ESA instrument</b>	<ul style="list-style-type: none"> <li>● Depending on the project risks and impact, a range of instruments and procedures are required to meet the standards' objectives, which may include: ESIA; ESA ESMF; ESMPs; hazard or risk assessments; environmental and social audits; cumulative impact assessments; and social and conflict analysis. The WB provides general guidance for implementation of each instrument.</li> <li>● Based on information provided by the Borrower, the WB will conduct E&amp;S due diligence for all projects requesting for WB support.</li> <li>● The Borrower will be required to prepare, submit, and disclose the Environmental and Social Commitment Plan (ESCP) and the Stakeholder Engagement Plan (SEP)</li> </ul>	<ul style="list-style-type: none"> <li>● The type of EA instruments such as SEA, EIA or EPP is decided based on Annex I, II, III and IV of Decree 40/2019.</li> </ul>	<ul style="list-style-type: none"> <li>● Preparation of an ESMF, site-specific ESMPs, IP Plan, SEP, and Gender Action Plan for the Project is required to meet IFAD's SECAP standards, while an EIA, IEE, or EP will be prepared to meet GOV requirements when deemed required through screening.</li> </ul>

EA Process Stage	Requirements of International ES Standards (taken from the World Bank Country System Framework Assessment)	Viet Nam (stipulations in Decree 40/2019/ND-CP, 18/2015/ND-CP and Circular 25/2019/TT-BTNMT)	Gap Filling Measures
	to WB before appraisal, along with any relevant additional documentation (ESMF, LMP).		
<b>Scope and clearance</b>	<ul style="list-style-type: none"> <li>The WB will require the Borrower to carry out appropriate E&amp;S assessment (ESA) of infrastructure schemes, and prepare and implement such infrastructure schemes, as follows: (a) <i>high risk</i> infrastructure schemes, in accordance with the ESSs; and (b) <i>substantial risk, moderate risk</i> and <i>low risk</i> infrastructure schemes, in accordance with national law and any requirement of the ESSs that the Bank deems relevant to such infrastructure schemes.</li> <li>If the WB is not satisfied that adequate capacity exists on the part of the Borrower, all <i>high risk</i> and, as appropriate, <i>substantial risk</i> infrastructure schemes will be subject to prior review and approval by the WB until it is established that adequate capacity exists.</li> <li>If the risk rating of a infrastructure scheme increases to a higher risk rating, the WB will require the Borrower to apply relevant requirements of the ESSs in a manner agreed with the WB. These agreed measures and actions will be included in the ESCP (effectively updating the ESCP) and monitored by the WB.</li> <li>The WB helps Borrower draft the TOR for ESA report and identify the scope of ESA, procedures, schedule and outline of the ESA report.</li> </ul>	<ul style="list-style-type: none"> <li>TOR for ESA is provided in the ESMF Annexes.</li> <li>Normally after consultation with the local DONRE or VEA for the EIA category, the project owner will proceed with EIA report preparation.</li> </ul>	<ul style="list-style-type: none"> <li>The ESMF, site-specific ESMPs, SEP, IP Plan, and Gender Action Plan for the project and infrastructure scheme sites will be submitted to the project's Lead Safeguards Specialist for initial clearance, and final clearance by IFAD in the case of framework documents.</li> <li>To comply with GOV requirements, any EIAs, IEEs, or EPs prepared for infrastructure schemes will be submitted to the GOV for approval.</li> </ul>

EA Process Stage	Requirements of International ES Standards (taken from the World Bank Country System Framework Assessment)	Viet Nam (stipulations in Decree 40/2019/ND-CP, 18/2015/ND-CP and Circular 25/2019/TT-BTNMT)	Gap Filling Measures
	<ul style="list-style-type: none"> <li>WB prior clearance is required if the implementing agency does not have adequate capacity to ensure effective implementation of the required mitigation measures.</li> </ul>		
<b>Public consultation, stakeholder engagement, and GRM</b>	<ul style="list-style-type: none"> <li>During the ESA process, the Borrower consults project affected groups and local NGOs about the project's environmental aspects and takes their views into account.</li> <li>In line with ESS10, preparation of a Stakeholder Engagement Plan (SEP), information disclosure, and establishment and operations of a GRM are required to ensure adequate consultation and transparency.</li> <li>ESS2 also requires the preparation of the labor management procedures (LMP) and an establishment and operation of a GRM for project workers.</li> <li>If ethnic minorities are present and adversely impacted, then free, prior, and meaningful consultation is required; if indigenous peoples are present, then free prior informed consent (FPIC) is required.</li> <li>For meaningful consultations, the Borrower provides relevant project documents in a timely manner prior to consultation in a form and language that are understandable and accessible to the group being consulted.</li> </ul>	<ul style="list-style-type: none"> <li>The project owner shall consult with the People's Committee of communes, wards and towns (hereinafter referred to as communes) where the project is carried out, with organizations or community under the direct impact of the project; research and receive objective opinions and reasonable requests of relevant entities in order to minimize the negative effects of the project on the natural environment, biodiversity and community health.</li> <li>The People's Committee of the commune where the project is carried out and the organizations under direct impact of the project shall be consulted. The project owner shall send EIA reports to the People's Committee of the commune where the project is carried out and organizations under the direct impact of the project together with the written requests for opinions. Within 15 working days, from the date on which the EIA</li> </ul>	<ul style="list-style-type: none"> <li>Conduct EIA consultations as per GOV regulations, taking into account the IFAD/GCF requirements regarding the ESMF, SEP, IP Plan, and Gender Action Plan during consultation. Results from the consultation will be incorporated into the site-specific ESMPs or can be submitted as a standalone report as an annex to the SEP.</li> <li>If consultation with ethnic minorities is required, consultation should follow the guidance in the SEP and IP Plan, with the</li> </ul>

EA Process Stage	Requirements of International ES Standards (taken from the World Bank Country System Framework Assessment)	Viet Nam (stipulations in Decree 40/2019/ND-CP, 18/2015/ND-CP and Circular 25/2019/TT-BTNMT)	Gap Filling Measures
	<ul style="list-style-type: none"> <li>Minutes of the public meetings are included in the reports.</li> </ul>	<p>reports are received, the People's Committee of the commune and organizations under the direct impact of the project shall send their responses if they do not approve the project.</p> <ul style="list-style-type: none"> <li>The consultation with the community under the direct impact of the project shall be carried out in the form of community meeting co-chaired by project owner and the People's Committee of the commune where the project is carried out together with the participation of representatives of Vietnamese Fatherland Front of communes, socio-political organizations, socio-professional organizations, neighborhoods, villages convened by the People's Committee of the commune. All opinions of delegates attending the meeting must be sufficiently and honestly stated in the meeting minutes.</li> </ul>	<p>project's safeguard specialist to first approve adequacy/sensitivity/inclusivity of the approach.</p>
<b>Disclosure</b>	<ul style="list-style-type: none"> <li>The WB will disclose documentation relating to the E&amp;S risks and impacts of high risks and substantial risks projects prior to project appraisal. Once the WB officially receives the report, it will make the EA report in English available to the public through the Infoshop.</li> </ul>	<ul style="list-style-type: none"> <li>After an EIA report is approved, the project owner shall formulate, approve and publicly display its EMP at the office of the commune-level People's Committee of the locality in which consultation of the community is made</li> </ul>	<ul style="list-style-type: none"> <li>Follow GoV requirements and IFAD/GCF requirements.</li> </ul>

EA Process Stage	Requirements of International ES Standards (taken from the World Bank Country System Framework Assessment)	Viet Nam (stipulations in Decree 40/2019/ND-CP, 18/2015/ND-CP and Circular 25/2019/TT-BTNMT)	Gap Filling Measures
		for people's information, examination and oversight. (Article 16, Decree 18/2015).	<ul style="list-style-type: none"> <li>All safeguards documents must be publicly disclosed</li> </ul>
<b>Land Acquisition</b>			Any potential land acquisition that may be required will require a Resettlement Action Plan, and will be conducted in accordance to national legislation, local requirements and consistent with Standard 7 on Resettlement.
<b>Independent Expert</b>	<ul style="list-style-type: none"> <li>For high risk and complex projects, the Borrower may be required to retain independent ESA experts not affiliated with the project to carry out ESA.</li> <li>For high-risk projects, especially those related to dam safety, the Borrower should also engage an advisory panel of independent, internationally recognized environmental specialists to advise on aspects of the project relevant to ESA.</li> <li>Experts/consulting firm will be selected through bid process under strict observation of the WB.</li> </ul>	<ul style="list-style-type: none"> <li>Not regulated in Vietnam policies.</li> <li>Project owner shall make or hire an institution meeting the conditions provided in Clause 1, Article 13 (Decree 18/2015) to prepare an EIA report. Project owner or consulting service provider must fully meet the following conditions: <ul style="list-style-type: none"> <li>i) Staff members in charge of EIA must obtain at least Bachelor's</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Risk of the proposed Project is moderate risk, not high risk, thus the Project will not require any independent experts.</li> </ul>



EA Process Stage	Requirements of International ES Standards (taken from the World Bank Country System Framework Assessment)	Viet Nam (stipulations in Decree 40/2019/ND-CP, 18/2015/ND-CP and Circular 25/2019/TT-BTNMT)	Gap Filling Measures
		<p>degrees and Certificate in EIA consultancy;</p> <p>ii) Specialist staff members related to the project obtaining at least Bachelor's degrees;</p> <p>iii) Physical-technical foundations and special-use devices for measuring, taking, processing, and analyzing environmental samples, which meet technical requirements. In case of unavailability of qualified special-use devices, having a contract to hire a capable institution.</p>	
<b>Clearance procedure</b>	<ul style="list-style-type: none"> <li>Review responsibility is internal to the WB. If the ESA report is satisfactory, the WB will issue its clearance memo. If the ESA report needs to be improved the WB will issue a conditional clearance with the understanding that the Borrower will revise the EA to satisfy the WB for the final clearance.</li> </ul>	<ul style="list-style-type: none"> <li>The Ministry of Natural Resources and Environment shall assess and approve the EIA reports on projects prescribed in Appendix III of this Decree, except for projects subject to national defense and security secrets.</li> <li>Ministries, ministerial agencies shall assess and approve the EIA reports on projects under their competence in approval for investment, except for projects in Appendix III of this Decree;</li> </ul>	<ul style="list-style-type: none"> <li>GoV's approval of the EIA, IEE, or EP will be required.</li> <li>IFAD's review and clearance of the ESMF, ESMP, IP Plan, SEP, and Gender Action Plan is required before project and infrastructure scheme implementation.</li> </ul>

EA Process Stage	Requirements of International ES Standards (taken from the World Bank Country System Framework Assessment)	Viet Nam (stipulations in Decree 40/2019/ND-CP, 18/2015/ND-CP and Circular 25/2019/TT-BTNMT)	Gap Filling Measures
		<ul style="list-style-type: none"> <li>The People's Committee of the province shall assess and approve EIA reports on projects in the province, except for projects prescribed above.</li> <li>The appraisal will take place no later than working 45 days at MONRE level and 30 working days at DONRE level and 5 working days at district level for after receipt of a full eligible EIA or EPP.</li> </ul>	
<b>Number and language of ESIA required for appraisal</b>	<ul style="list-style-type: none"> <li>Number of copies not specified.</li> <li>Language requirement: English for Vietnam</li> <li>No requirement for feasibility survey: the WB does not advance discussions on any investments without the preparation by the Borrower of the minimum required technical studies that prove the investments are feasible from socio-economical and technical point of view.</li> </ul>	<ul style="list-style-type: none"> <li>The project owner has to submit at least <b>seven</b> copies of EIA report (depend on the number of appraisal council members) and one copy of the Feasibility Study or the Economic-Technical argument for the proposed project.</li> </ul>	<ul style="list-style-type: none"> <li>Follow the GoV requirements but include the documents in both English and Vietnamese</li> </ul>
<b>Content of ESIA report</b>	<ul style="list-style-type: none"> <li>According to the ESS1</li> <li>Due attention will be given address labor and working conditions as well as community health and safety</li> </ul>	<ul style="list-style-type: none"> <li>The outline of the EA report should be in line with Circular 25/2019/TT-BTNMT</li> </ul>	<ul style="list-style-type: none"> <li>Prepare the documents based on the most stringent of the two requirements (between GOV and IFAD/GCF requirements)</li> </ul>

EA Process Stage	Requirements of International ES Standards (taken from the World Bank Country System Framework Assessment)	Viet Nam (stipulations in Decree 40/2019/ND-CP, 18/2015/ND-CP and Circular 25/2019/TT-BTNMT)	Gap Filling Measures
ESA supervision	<ul style="list-style-type: none"> <li>During project implementation, the WB supervises the project's environmental and social aspects on the basis of the environmental provisions and the Borrower's reporting arrangement agreed in the loan agreement and described in the other project documentation, to determine whether the Borrower's compliance with environmental covenant (primarily with EMP) is satisfactory. If compliance is not satisfactory, the WB will discuss with the Borrower action necessary to comply.</li> </ul>	<ul style="list-style-type: none"> <li>The local DONRE is entrusted to supervise the environmental and social compliance of the project.</li> <li>By the end of project construction stage, the Environmental Management Agencies will coordinate with Construction Management Agencies to supervise the compliance of environmental management activities stated in EIA study.</li> </ul>	<ul style="list-style-type: none"> <li>Follow the approved ESMF, ESMPs, IP Plan, SEP, and Gender Action Plan for the project and infrastructure scheme areas.</li> </ul>

## IV. PROJECT ENVIRONMENT AND SOCIAL ASSESSMENT AND PROPOSED MITIGATION MEASURES

### 4.1 Project Areas

47. *Background.* **Vietnam** has a total land area of 331,236 km<sup>2</sup> (12.17 million hectares of which is agricultural land<sup>12</sup>) and water area of 21,140km<sup>2</sup>. 12.17 million ha. According to the national statistics office, overall population is approximately 96.48 million people, averaging a population density of about 286 persons per square kilometer. Administratively, the country is comprised of 65 cities and provinces. Of these, the RECAF project will be located in the five provinces of Dak Lak, Dak Nong, Gia Lai, Lam Dong, and Ninh Thuan. Below is a brief environmental and geographical overview of the five provinces, followed by an overview of gender and social issues in those areas. For further details on both environmental and social context, please refer to supporting background papers prepared during the project design phase.

*Environment/Climate/Geographic Profiles.*

#### Provincial Context:

48. **Dak Lak** is located in the center of the Central Highlands region. With nearly 1.89 million people by the end of 2020, Dak Lak is the most populated province of the Central Highlands. There are 47 ethnic groups living together in the province, 30 % of whom are ethnic minorities coming from the Northern and Central provinces in search for jobs. In recent years, the population pressure in the province has increased, leading to socioeconomic and environmental challenges. Dak Lak has around 1.2 million hectares of agricultural land area, with over 360,000 hectares of basaltic soils, suitable for seasonal and perennial cash crops, especially coffee and rubber. The forest area in Dak Lak is around 512,850 ha, 91.38% of which is some of the most intact natural forest in Viet Nam, and contains globally outstanding biodiversity.

49. **Dak Nong** province was formed in 2004 when former Dak Lak province split into two new provinces – Dak Lak and Dak Nong. In 2020, the population of the province amounted to 637.9 thousand people. The province covers a natural area of 6,509.356 km<sup>2</sup>, which makes it the smallest province of Central Highlands in terms of territory. Dak Nong has the lowest share of urban population (about 15,2 % in 2020) of the region's provinces. About 360 thousand hectares of agricultural land or 55 % of total land area, are cultivated mainly for long-term industrial crops. Together with the provinces of Dak Lak and Lam Dong, Dak Nong is Viet Nam's leading coffee producer. Dak Nong's forestry land acreage was around 256,116 hectares, accounting for 39.3 % of the natural land acreage.

50. **Lam Dong** province is located South of Central Highlands. The total population in 2020 was 1.3 million. It also has the highest percentage of urban population in the region. Its territory amounts to 977,219.6 hectares, including 601,477 hectares of forest, covering 53.1 % of the province's area, the second largest in Central Highlands. Lam Dong has around 0.97million hectares of agricultural land area. Its economy is largely based on agriculture, with tea, coffee and vegetables being the main agricultural products. Together with the provinces of Dak Lak and Dak Nong, Lam Dong is Vietnam's leading coffee producer. Lam Dong can also be characterized by the threat its forest has faced. Due to growing threats to forests such as agricultural development, forest resource exploitation and

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<sup>12</sup> FAOSTAT: Vietnam Country Statistics. URL: <http://www.fao.org/faostat/en/#country/237>

infrastructure developments, forest resources in the area have become heavily depleted and remains under constant pressure.

51. **Gia Lai** province is located in the North Central Highlands region. As of 2020, Gia Lai had 1.54 million people. Gia Lai province was re-established in August 1991 when Gia Lai - Kon Tum province split into two new provinces - Gia Lai and Kon Tum. Like other provinces in the Central Highlands, Gia Lai is rich in terms of demographic structure, with more than 34 ethnic groups living together. Kinh people make up 53.77% of the total population.

52. **Ninh Thuan** is the only study province in the project that is not part of Central Highlands. Located in South-Central Coast, Ninh Thuan shares border with Khanh Hoa province to the north, Lam Dong province to the west, Binh Thuan province to the south and Eastern Sea to the east. The province is home to more than 600,000 people. Apart from the Kinh, significant parts of the province's population belong to the Cham and Raglay ethnic groups. At present, the province has more than 155,400 ha of forest and around 48,790 ha of land designated for forest planting. Due to its very dry climate, there are large areas of barren land and hills in the province, particularly in coastal areas, which face the threat of desertification. Ninh Thuan's forests are also threatened by agricultural cultivation, illegal logging, destruction of mangroves habitats, and land reclamation.

#### Forest Resources & Management:

53. **Changes in Forest Cover:** Forests cover about 45% of Vietnam's land area. The country has undertaken a vast reforestation effort over the last 20 years, averaging an annual afforestation rate of 1% between 2005 and 2010 (World Bank 2010). Approximately 1% of forestland is primary forest (naturally regenerated forest of native species without clear indication of human activities), 74% is other naturally regenerated forest (naturally regenerated forest with clear indication of human activities) and 25% is planted forest (forest composed mainly of trees established through deliberate planting and seeding) (USAID 2013). An overview of changes in forest cover, highlighting deforestation in the project provinces, is covered in **Table 4**.

**Table 4.** Changes in forest cover between 2010 to 2018

Province	2010		2018		Net loss/ gain in area (ha)	Net loss/ gain in cover (%)
	Area (ha)	Cover (%)	Area (ha)	Cover (%)		
Forests						
Lam Dong	607,729	62	530,677	54.1	-77,052	-7.9
Dak Lak	578,310	44.3	534,866	41	-43,444	-3.3
Dak Nong	290,565	44.6	236,324	36.3	-54,242	-8.3
Ninh Thuan	142,678	42.3	143,789	42.6	1,111	0.3
<i>Total</i>	<i>1,619,282</i>		<i>1,445,656</i>		<i>-173,627</i>	
Natural forests						
Lam Dong	560,271	57.1	442,698	45.1	-117,573	-12
Dak Lak	537,613	41.2	480,402	36.8	-57,211	-4.4
Dak Nong	263,994	40.5	191,821	29.4	-72,173	-11.1
Ninh Thuan	140,033	41.5	133,155	39.5	-6,878	-2

<i>Total</i>	<i>1,501,911</i>	<i>1,248,076</i>	<i>-253,835</i>
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54. **Community Forest Management in Viet Nam:** Community-based forest management has a long tradition in Viet Nam. Various studies indicate the existence of traditional practices in forest management by rural communities in the forest areas in different parts of the country. For hundreds of years, traditional forms of forest management based on village regulations were commonly practiced in the forest environment. Forest resources in Viet Nam were nationalized in 1976. State forest agencies were given the responsibility of forest management. A system of State Forest Enterprises (SFE) was set up with the responsibility of forest exploitation and plantation at field level. Traditional tenure rights of local communities were not recognized, and their natural resource management practices were restricted.

55. In early 1990s, government in Viet Nam realized the need to get local communities involved in the management of forest resources. The Forest Protection and Development Law, passed in 1991, provided a legal framework for allocating forest resources to local people for management, protection and commercial use. In 1993, Land Law was passed, allowing land users to have long term renewable land use titles, known as Red Book Certificates (RBC). The two laws laid out the fundamental framework for forest and land tenure rights to local people – an important precondition for development of community-based forest management. In the rest of 1990s, Viet Nam experienced a period of piloting forest land allocation (FLA) and introduced forms of CFM in various parts of the country<sup>13</sup>.

56. In early 2000s, Viet Nam formally recognized forest management under communities. The revised Land Law passed in 2003 provided legal recognition to community land tenure. The new Forest Protection and Development Law passed in December 2004 endorsed community forest tenure and defined the conditions under which villages could receive forestland collectively. Accordingly, local communities became legal users of land and forests – yet, they were not recognized as legal owner of forest. In the rest of 2000s and early 2010s, CFM momentum continued with significant efforts be given to experiment different community forestry modalities in the field, and to develop the legal framework to guide the development of CFM at the national level. Approaches for forest management planning, alternatives for local livelihoods improvement, and mechanisms for benefit distribution were tested under different projects and programs. The most notable initiative during this period was the Community Forestry Pilot Project, which was implemented by Viet Nam Administration of Forestry (VNFOREST) between 2006-2009 (Phase I) and 2012-2013 (Phase II), covering 10 provinces in Phase I and 9 provinces in Phase II. Nevertheless, the second phase of the CFM Pilot Project ended in 2013 but no legal framework to guide the development of CFM nationally was issued. At the same time, the Land Law (Law number 45/2013/QH13) passed in November 2013 does not recognize allocation of natural and production forests to local people (including both village communities and individual households). As a consequence, CFM lost the momentum in mid 2010s.

57. In November 2017, the Forestry Law (Law number 16/2017/QH14) was approved. The new law provides further legal basis for CFM by recognizing local communities, defined as "groups living in the same village and having the same customs and traditions", as legal owner of forest and giving priority in forest allocation to ethnic minority peoples and communities who have customs, traditions, culture, beliefs and customary rules associated with forest uses. Approval of Forestry Law

<sup>13</sup> Introduced/ formal form of CFM refers to the CFM where the rights to forest land of local community are recognized by existing legal framework.

2017 along with the emphasis on sustainable forest management and social safeguards for implementation of international commitments, CFM began to regain the attention in recent years.

58. In Viet Nam, CFM has been manifested in various forms, which have emerged from different contexts. The common forms are briefly discussed below. However, it is important to note that the differences among these forms are very fluid and highly contested. In many contexts, some forms are used interchangeably.

- Social forestry: the term 'social forestry' (SF) is commonly used interchangeably with CFM yet there are specific 'social forestry' programs and projects that have been implemented in Viet Nam with support from German and Swiss governments in 1990s, including the Social Forestry Development Project in the Song Da watershed (Northwest Viet Nam) funded by German government.
- Community forestry: Community forestry (CF) is also widely used interchangeably with CBF. At the same time, there are specific cases of CFM that are termed 'CF'. This refers to a village community collectively managing a forest area formally allocated to them, which is widely found in Viet Nam (Gilmour 2016; Sikor et al. 2013).
- Forest contracting: Forest contracting is being practiced all over the country (Lê Bá Toàn 2012; Lê Thị Diên et al. 2013a; Nguyễn Thành Khâm 2018). It can be classified as joint forest management (JFM), which refers to a partnership between a state forest agency and local community(ies) in forest management. Under forest contracting, local communities are required to organize forest protection and to set up necessary bodies. In return for their services, they are entitled to receive a cash payment and to benefit from non-timber forest products in the forests.
- Co-management of forest: Co-management of forest (or forest co-management) refers to sharing of responsibilities between local communities and the state, represented by a particular institution for management of protected areas. Co-management of forest has been piloted in a number of protected areas in Viet Nam, including Tram Chim National Park (Lai & Vij 2012; Oh 2010).
- Village forestry: Practice of village forestry has also been common after the recognition of Viet Nam Forest Protection and Development Law of 2004 (Lê Thị Diên et al. 2013b; Nguyen 2018; Nguyen, Nguyen, & Tran 2007; Sikor & Nguyen 2011).
- Smallholder forestry: smallholder forestry refers to forestry practiced by smallholders on forest land that is privately owned. It is relatively common in Viet Nam following the process of FLA to households since 1990s (Gilmour 2016; Nguyen 2005; Nguyen, Nguyen, & Tran 2008; Sikor & Nguyen 2011). At the moment, over two third of the forestry land area claimed to be under CFM in Viet Nam are smallholder forests.
- Traditional CFM: Various traditional forms of CFM still thrive despite of the dominance of state forest management for decades. Although there is still no legal recognition, traditional CFM has been accepted by many (include government officers) as a sustainable way of managing the forest resources. VNFOREST estimated that at least 247,000 ha, or 1.5% of total forest land area is under some forms of traditional CFM.



- *Others*: There are various other forms of CFM that are being practiced, including partnership between community and private sector (bilateral partnership between community and a private sector for management of specific forests), and (adaptive) collaborative forest management.

#### Protected Areas:

59. **Figure 3**, below, shows the overlay of special use forests with various protected areas and the proposed project provinces and districts. **Figure 4** provides an overview of the Special Use Forests alone; **Figure 5** shows the protected areas (national parks, etc.) alone; and **Figure 6** shows various forest functions (production, protection (*i.e. forests used to support watershed management, etc.*), and special-use forests). The project aims to reduce deforestation in areas surrounding some of these areas and will increase integrated agroforestry practices but will not otherwise be active in Special Use Forests and other highly protected intact forest areas. The project will protect high biodiversity hotspots of the Ammanite montane forest range, as well as more localized agrobiodiversity. A full assessment on biodiversity has been commissioned and is currently underway, whereby project activities will not commence until the assessment and related management plan are complete.

**Figure 3. Map of Special-Use Forests and Protected Areas in relation to the Project Areas**

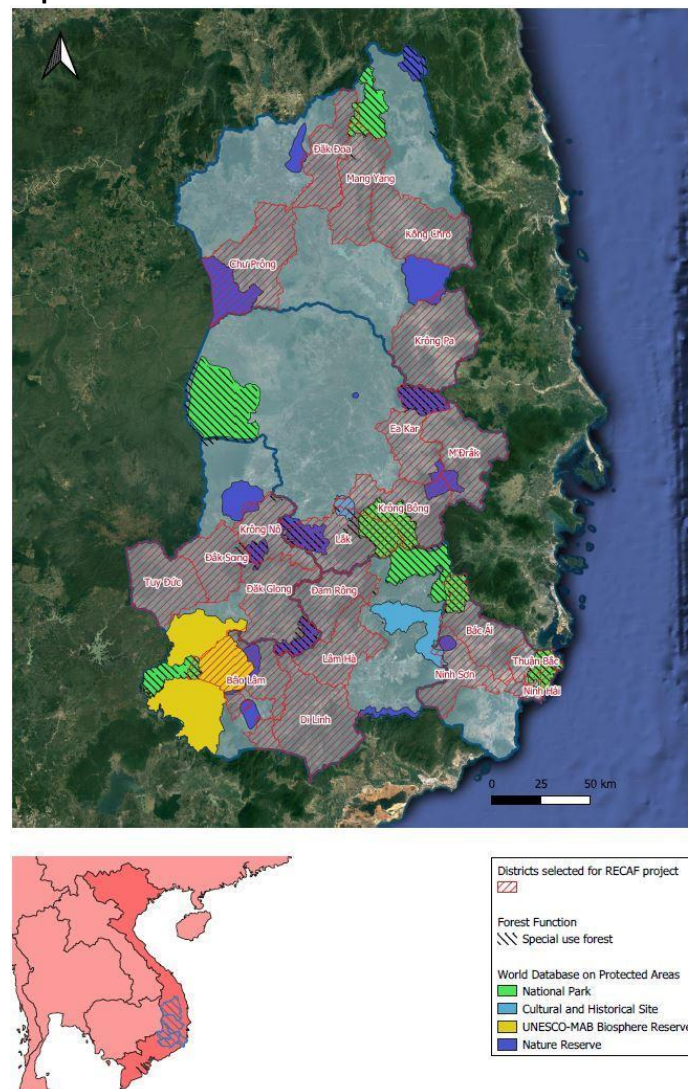


Figure 4. Map of Special-Use Forests and the Project Areas

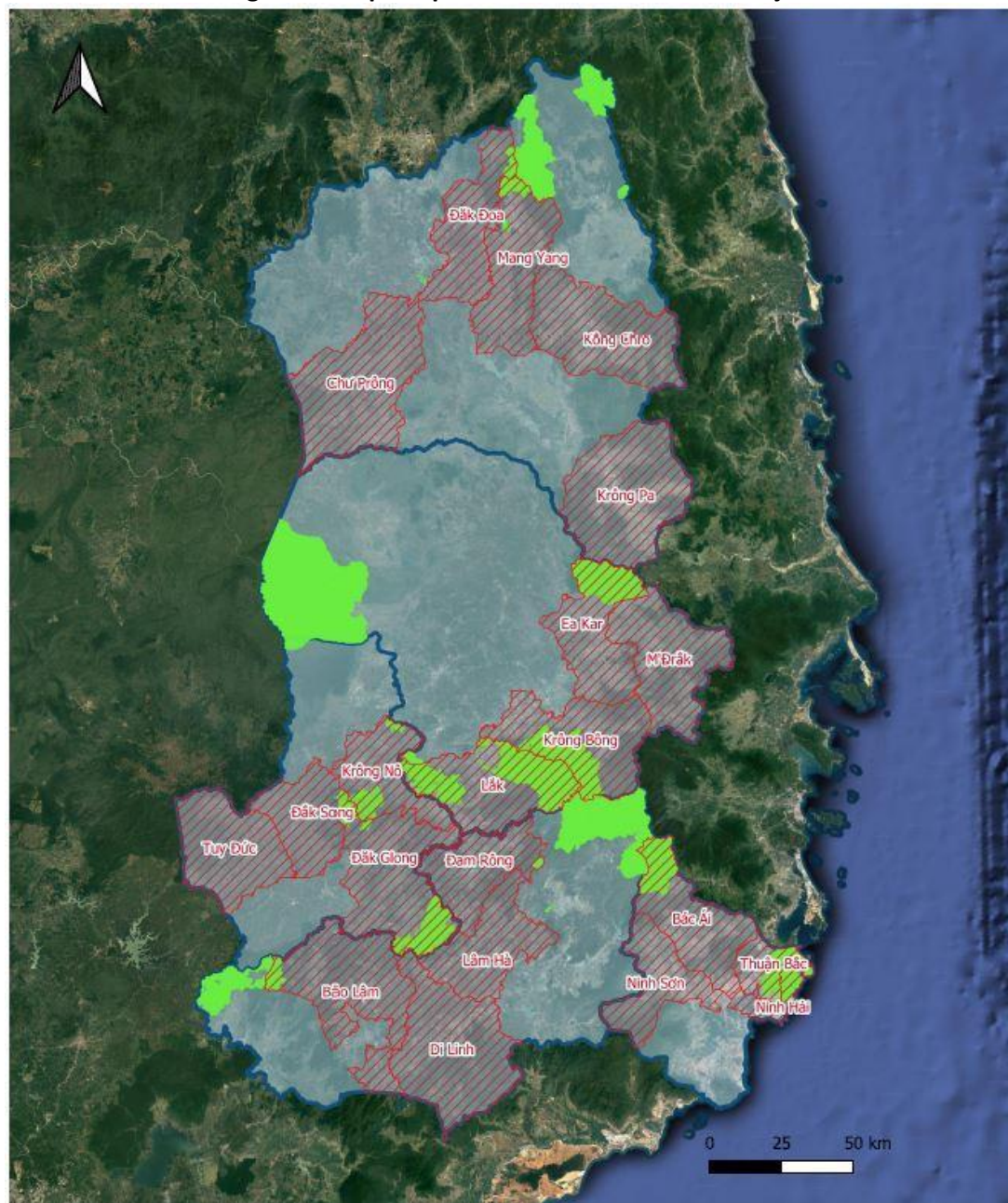




Figure 5. Map of Protected Areas and the Project Areas

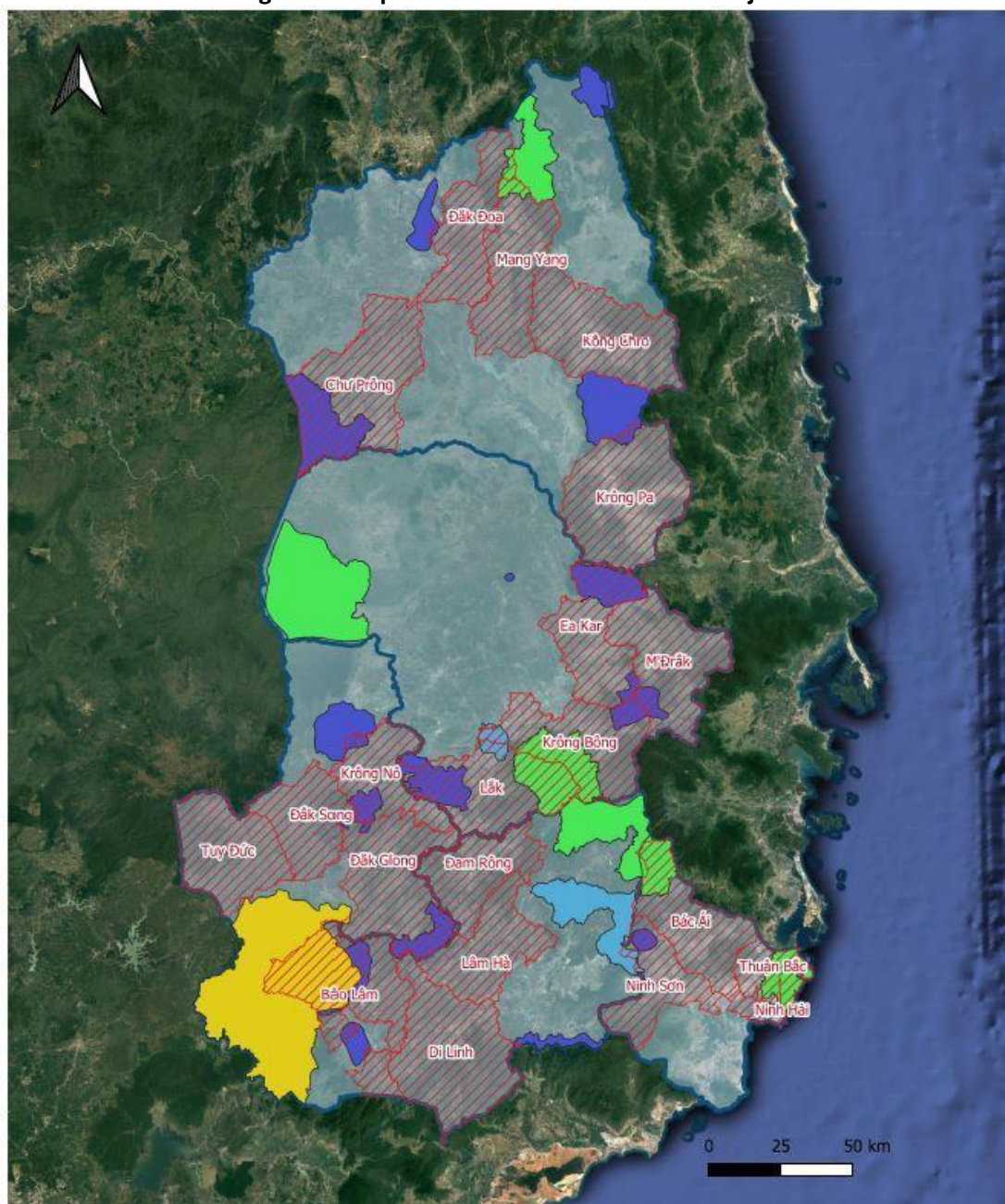
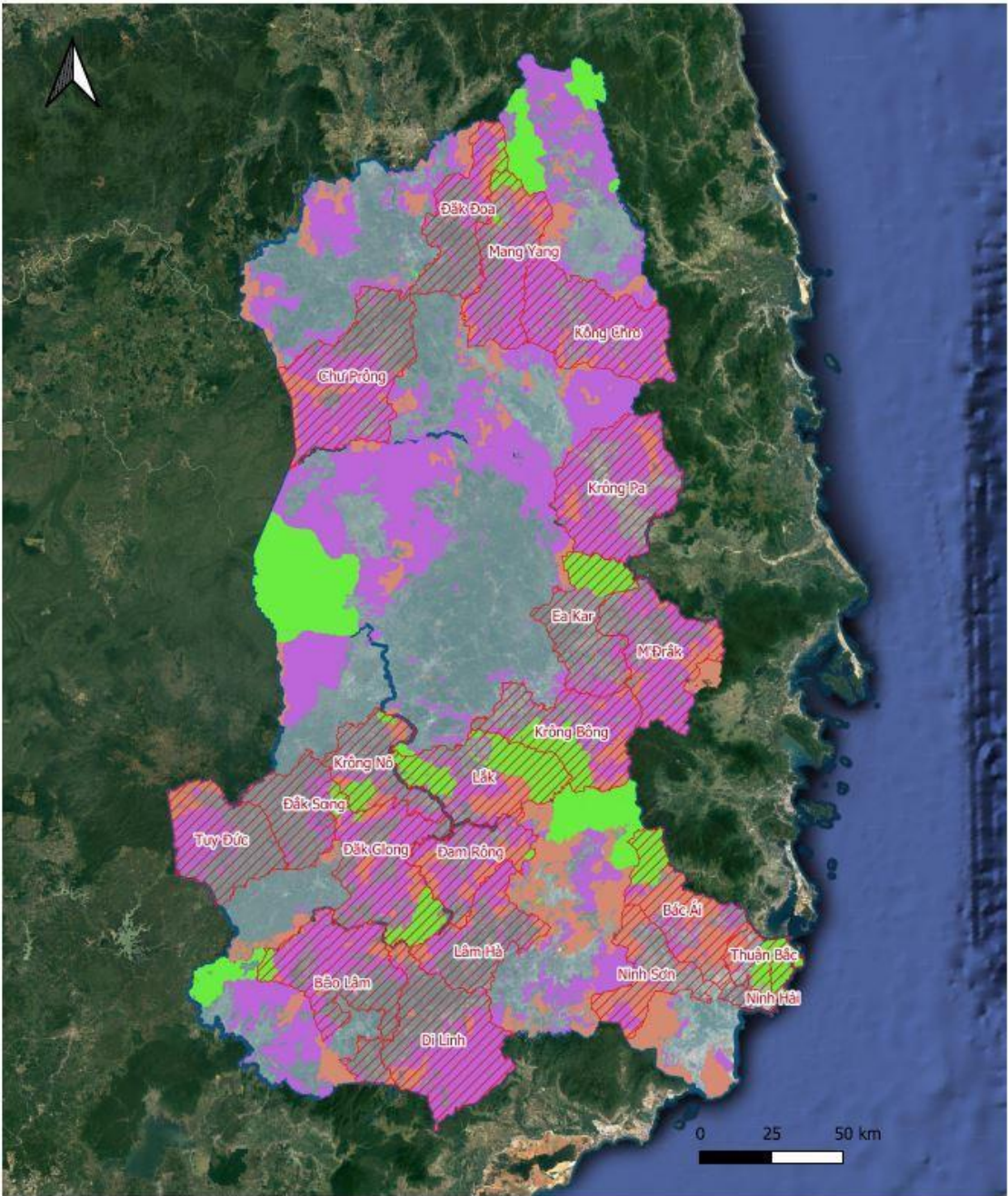




Figure 6. Map of Forest Function and the Project Areas



## Climate:

60. **Climate Context:** The World Bank listed Viet Nam as one of the five countries that will be most affected by climate change.<sup>14</sup> Over the past 50 years, the average temperature in Viet Nam has increased by approximately 0.5-0.7°C. The increase was more rapid in the project provinces at 0.9-1.0°C. Projected temperature increases are ranging between 1.0°C and 3.4°C by 2080-2099 compared to the 1986 – 2005 baseline. The projections for the project area show a clear increasing trend in mean temperature, maximum temperature, dry days and extreme hot days. Projections on annual rainfall do not show a clear pattern for the project area. Extreme climate events have increased in frequency and intensity,<sup>15</sup> and droughts are an important climate hazard particularly in the Central Highlands and South-Central Coasts. The severe drought of 2015-2017 in those areas Coasts caused substantial loss of harvests, affecting 175,000 hectares, around 9% of total crop area in the four Central Highland provinces<sup>16</sup>. Given that a high proportion of the country's population and economic assets (including irrigated agriculture) are located in coastal lowlands and deltas and rural areas face issues of poverty and deprivation, it has been estimated that climate change will reduce national income by up to 3.5% by 2050. Project target areas lie in two regions: the Central Highlands and the South-Central Coast.

61. The **Central Highlands (CH)** consists of five provinces, including **Dak Lak, Dak Nong, Gia Lai, Lam Dong** and Kon Tum— with the project targeting all except the latter one. In terms of topography, the region is mountainous and forms the eastern part of a series of contiguous plateaus located 500 m up to 1,500 m above sea level, expanding to the south of Lao People's Democratic Republic and north-east of Cambodia.

62. The **South-Central (SC) Coast** consists of one major city, Da Nang, and seven provinces, including Quang Nam, Quang Ngai, Binh Dinh, Phu Yen, Khanh Hoa, Ninh Thuan and Binh Thuan – with the project targeting only the **Ninh Thuan** province. The region is situated between the East Sea and the mountainous region to the west and slopes along the east coast. This region has a complex topography with meandering upland and lowland areas, forests, dunes, and sandy and rocky soils.

63. Vietnam is characterized by a humid subtropical climate with four separate seasons in the North – Spring, Summer, Autumn and Winter –, and a tropical savanna climate with only two seasons in the South – dry and wet. All of the country experiences the effects of the annual monsoon. Rainy seasons correspond to monsoon circulations, which bring heavy rainfall in the north and south from May to October, and in the central regions from September to January. Vietnam's climate is also impacted by the El Niño Southern Oscillation (ENSO), which influences monsoonal circulation, and drives complex shifts in rainfall and temperature patterns which vary spatially at a sub-national level. During El Niño years, the North-East monsoon influence weakens and the central and southern regions of Vietnam deal with 10 to 30 percent less rainfall than usual and an increased drought risk. Conversely, during La Niña years the North-East monsoon is strengthened and the total rainfall for the same regions increases by about 10 percent compared to usual, increasing flood and landslide risks. The El Niño events in 1982-1983 and 1997-1998 were extremely strong and had severe impacts on the environmental and socio-economic sectors of Vietnam. The Central Highlands is one of the regions most sensitive to El Niño effect, which often leads to serious drought during the dry season.

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<sup>14</sup> World Bank, 2018. Climbing the Ladder: Poverty Reduction and Shared Prosperity in Viet Nam. Update Report 2018.

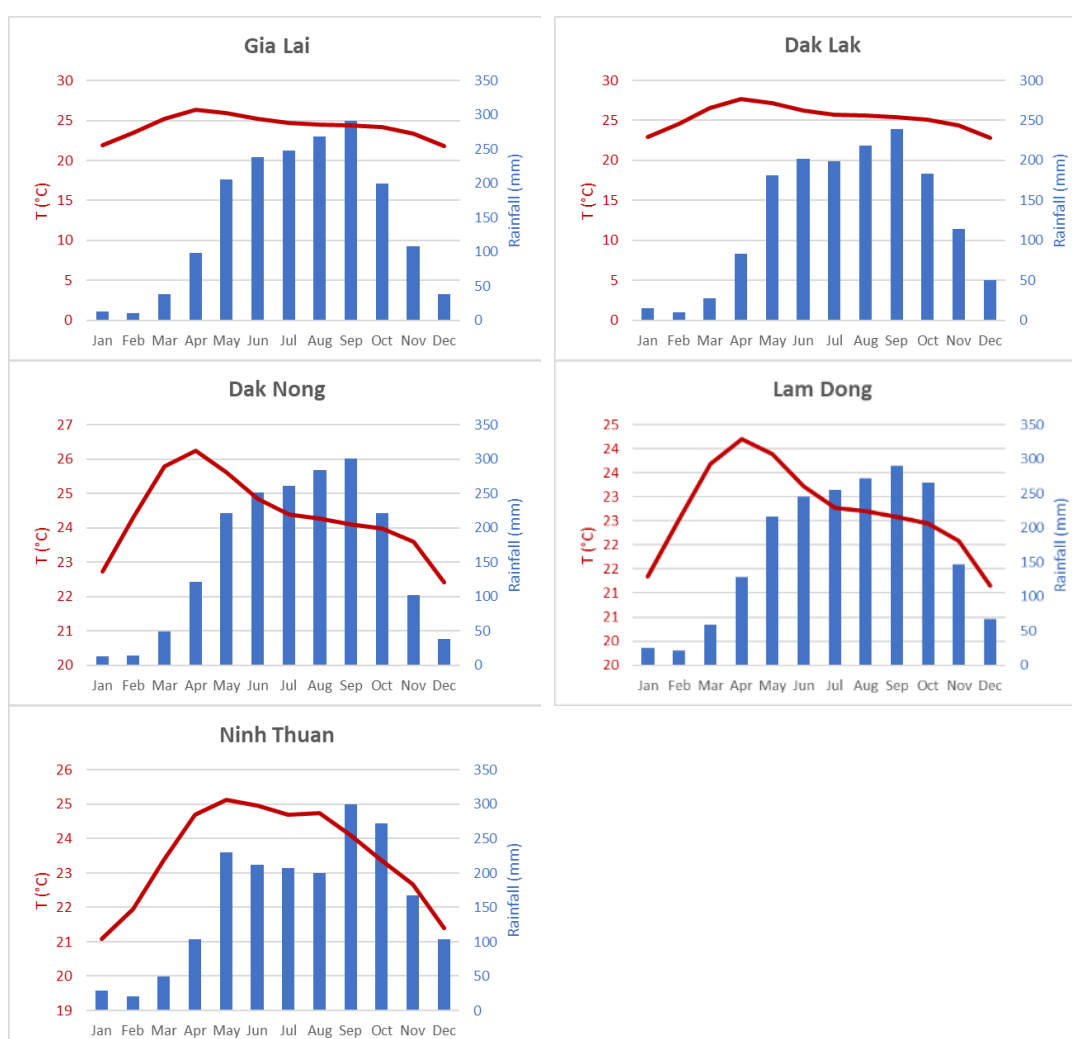
<sup>15</sup> <https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Viet%20Nam%20First/VIETNAM%27S%20INDC.pdf>

<sup>16</sup> JICA 2018. Data collection survey on water resources management in Central Highlands

64. Both the Central Highlands and South-Central Coast are located in the tropical savanna climate zone but have several local sub-climate zones due to the varied topography: upland or mountainous areas are on average wetter, lowland and coastal areas are drier, and the plateau regions of the Highlands are in between.

65. The annual rainfall in the **Central Highlands** ranges from 1 400 mm to 2 000 mm. The rainy season is from May to October, with maximum rainfall in August. The dry season is from November to March with rainfall of less than 50 mm. The average temperature of the warmest month ranges between 24 and 28°C, and the temperature of the coldest month is 21°C, with the lowest absolute temperature between 3 and 9°C. Strong winds occur over the plains, with average wind speeds of 1.5-3.5 m/s.

66. The annual rainfall in the **South-Central Coast** ranges from 700 to 800mm in the lowlands to 1,300mm in the upland areas, with 90 percent of it provided during the wet season. The main rainy season is from August to December, with a rainfall maximum in October. The southern part of the region– where Ninh Thuan is located – is one of the driest in Vietnam. The average monthly rainfall during the rainy season is around 200-350mm. The average air temperature is between 22°C and 26°C, with highest in April and May, from 26°C to 28°C. See below for historical trends within the project areas.



67. **Gender:** Despite strong commitment to establishing a legal framework, with Law on Gender Equality as a pivotal legislation that is cross-cutting various sectors, gender is still not integrated systematically into the laws and policies related to agriculture, food and nutrition security and related indicators are not sex-disaggregated. At the global level, Vietnam was ranked 87th (out of 156 countries) in 2021 on the Global Gender Gap Index. The country was ranked 26 (from 31st in 2020) on Economic Participation and Opportunity, but 94th (from 93rd in 2020) on Educational Attainment, 152th (from 151st in 2020) on Health and Survival and 121st on Political Empowerment (WEF Global Gender Gap Report 2021). At the regional level (East Asia and the Pacific), Vietnam was ranked 9th overall on the Gender Gap Index. At country level, though improvement has been made at policy and action levels over the past decades, gender gaps still exist because of various reasons. Gender stereotypes and social norms are among the key reasons (UNDP 2018).

68. **Social Norms:** Social norms act as a powerful mechanism that regulates conflicts in groups, even in cases where there is no central authority (Axelrod 1983). Whether people observe a norm or not would depend critically on two types of expectations: empirical and normative. That is, individuals have preferences for conforming to social norms that are conditional on both types of expectations being present (Bicchieri 2006). In Vietnam, the social norms, which form part of common behavior, are that men are leaders, decision makers and risk takers. These limit women's access to, certain types of works, expected roles, and decision making within their family. Also, patriarchal attitudes and deep-rooted gender stereotypes regarding responsibilities and roles of women and men in the family and in society result in subordinate roles of women (UNDP 2018). In general, women are responsible for chores and caring work in the family. Similarly, girls are often involved in doing housework than boys do. Because of the women's responsibilities in chore, women aged 25 and older tend to choose jobs close to home to enable them to undertake chore duty (ISDS 2015).

69. **Labour Force:** The urban population was estimated at 33,122,548 persons (34.4% of the total population) compared with a rural population of 63,086,436 persons (65.6%) in 2019 (GSO 2019). With the population increasing over the past three decades (1990-2020), the labour force of Vietnam has steadily increased over the same period. It hit a peak in 2019 with 57,307,619 people before reducing to 56,542,377 people in 2020 due to COVID-19 (WB, ILO 2021). Over the same period (1990-2020), the labour force participation rate (% of female population ages 15-64) decreased steadily from 1990 to 2010 but reversed remarkably from 2010 till 2019 during COVID-19 outbreak. It is noted during 2016-2019, while the labour forces in industry and service sectors had slightly increased, the labour force participating in agriculture, forestry and fishery had decreased. Average monthly earnings of wage workers tends to increase over years, with the wages of females lower than that of males (for both urban and rural areas). It is noted that the proportion of unpaid family workers is higher for females.

70. **Labour Division:** In agriculture and forestry, women engage in most production activities, including sowing, crop care, to harvesting. They also manage income-expenses and are responsible for selling products. On the other hand, men are mainly involved land preparation and the use of pesticide, which is generally considered physically heavy (ISDS 2015). The labor division, which is rooted from social norms and the roles of men and women in relation to their physical health, affect how they access necessary resources for production/income generation and relevant decision making. FAO (2019) found that gender inequality are apparent in agriculture, food and nutrition,



including access to resources for agricultural production such as land, technology, training, finance and markets, and agricultural extension services albeit their high partition in agriculture, forest and fishery – 75.8% of female vs 69.3 of male in 2019 alone. With regards to land titling, women have limited access to land due to kinship-based practices of inheritance. The most vulnerable women were found to be the ones from patrilineal groups and those living in rural and mountainous areas.

71. **Income Sources:** In the Central Highlands, the proportion of communes whose average main income (2008-2018) from agriculture is highest (100%), followed by wholesale and retail (86.6), other services (44.5%), forestry (around 23%), industry (17.8%). It is noted while agriculture remain constant (100%) over the period from 2008-2018, forestry slightly decreased over the same period whereas fisheries slight increased.

72. **Political Participation:** According to the WEF (2021), albeit progress made, Viet Nam still needs to improve gender parity in politics as only 11.3% of the Political Empowerment sub index gap has been closed, further regressing since 2020 (-1 percentage points). Although 26.7% of parliamentarians are women, to date there are still no women ministers, and there has never been a woman head of state.

73. **Traditions of Ethnic Minorities:** Communal organization and kinship are important aspects that characterize key cultural traits of ethnic groups in Vietnam. Such organization through – either matriarchy or patriarchy, are traditional fundamental that affect the marriage customs and practices among ethnic groups in Vietnam. It also affect how men and women access to assets, exercise power and decision making over the use of such access, as well as division of labor. Local customs and habits affect social and cultural values, and as such behaviors of members in each ethnic groups, particularly in the area of asset ownership, inheritance, marriages, among other things.

74. For some ethnic groups in Vietnam, matrilineality is historically characterized by a society in which women have more power and control over the resources. They are the ones who proposed a marriage. The Ede, K'ho, M'nong, Chăm, Raglay, for example, are well known for the matrilineality, and these marriage practices are common among them. For example, women from K'ho and Chăm are the ones who propose a marriage. Their husband will join them in their family. Women have control over the family asset as well as other aspects. If there are divorces, men leave the family with nothings. When the husband die, they will be buried in their mother' hometown. In terms of inheritance, heritage is also passed down – through women for some ethic groups. For example, for Raglay people, if a husband passes away, his assets such as tools and equipment are turned back to his mother, or to his sisters if his mother has passed away. This social arrangement is typically derived from the fact that women are those who rear their children. They also take care of the children and domestic works while men typically undertake heavy works in the field, including hunting. Thus, family issues remain the key responsibility of women, typically for ethnic groups that exercise matriarchy. Matrilineal groups also have their children follow women's family name. Matriarchy also have an influence on cultural traits such as architecture, sculpture, weaving, and decoration in their culture.

75. **Cultural heritage:** The project area embraces a number of elements inscribed on the UNESCO Lists of Intangible Cultural Heritage. These include among others: the space of gong culture in the Central Highlands of Vietnam (since 2008), the art of Bài Chòi in Central Viet Nam (since 2017), the Art of pottery-making of Chăm people (since 2022). Therefore, rather than monuments and structures, the main cultural heritage sites in the project area are the traditional types of village which are not only a functioning residence, but also a social-cultural unit that contributes to determining the way of life, the kinds of art, and the diverse norms of behavior of the ethnic minority residents.

76. **Land-Use Titles:** In Vietnam, it was prescribed in the Land Law 2013 that where the land use rights, or land use rights and the house ownership, and other assets attached to land is the joint property of both husband and wife, full names of both husband and wife must be written in the certificate of land use rights and house ownership unless there has been an agreement between husband and wife that name of only one person is written on such certificates. If required, such land use right certificate can be updated to indicate the names of both husband and wife if the land is joint property of both husband and wife. Even though there has been an increase in the number of female-only and joint holders of land use title for agricultural and residential land since early 2002s, the number of formal entitlements over non-residential land for the wife was lowest among ethnic minority groups that practice patrilineal succession (UNDP 2013).

## 4.2 Assessment of Potential Risks and Impacts of the Project

77. **Positive Social and Environmental Impacts:** Impacts will, overall, be positive, including (but not limited to) the following key benefits:

- *At the community level:*
  - **Access to improved sustainable farming knowledge** (climate smart agricultural practices, deforestation free standards, good agricultural practices (GAP) standards) that are also gender sensitive and lead to women's empowerment; bio-inoculant and LEISA based practices introduced for improvement of soil health and productivity.
  - **Enhanced knowledge and capacities** (knowledge, management, leadership, and enhance confidence – particularly of women – for embarking on business enterprises)
  - **Improved soil health, diversified farming and landscapes**, thereby increasing productivity of crops and livestock and promoting integration of environmental management. Local communities will have deeper knowledge and understanding of local soil types/micro-habitats and hence, can contribute to effective interventions.
  - **Access to infrastructure and facilities** to improve agricultural production efficiency and promote adoption of deforestation free supply chain and help in reducing drudgery.
  - **Access to credit and loans** for smallholders those who are willing to adopt climate-smart farming practices.
  - **Income generation and business development opportunities due to job opportunities** (on-farm and off-farm) for both men and women.
  - **Job and skills development opportunities for youth** (particularly for those who are disadvantaged), including promotion of agricultural SMEs, on-the-job-training and apprenticeship programmes.
  - **Networking and advancement opportunities** via participation in forestry and farmer groups (offering mutual support and learning), becoming a business partner with the private sector, and/or participating in a savings/credit group for mutual support/business partnership (including MFI/Women's Development Fund, currently in Dak Nong and Ninh Thuan, to be replicated).
  - **Support to gender equality in terms of improved participation of men and women** in project planning, implementation, and monitoring and evaluation (M&E).

- Improved recognition of traditional practices used by EM communities and incorporation into community forest management plans
- *At the provincial and national level:*
  - Mainstream of REDD+ into the Government of Vietnam's Social and Economic Development Plans (SEDPs);
  - Contribution to emissions reductions in the Central Highland and South Central Coast region of Viet Nam (which supports the National REDD+ Action Programme goals);
  - Improved management and tracking of climate mitigation and forest protection efforts

78. **Potential Adverse Project Impacts & Inherent Risks:** The safeguards categorization for RECAF is moderate for both social and environmental impacts and risks. Mitigation for climate risks have been built into the design of the project via the project activities and specifications for infrastructure to be financed under the project, as the project explicitly targets climate mitigation and adaptation by design.

79. **Key social impacts anticipated as a result of project activities** include: (i) potential contraction of diseases (e.g. sexually transmitted diseases such as HIV/AIDS, COVID-19, and/or other communicable diseases) due to labor influx; (ii) potential conflict with local ethnic minority (EM) peoples due to construction workers who work and stay near EM communities; (iii) potential labour-related accidents for persons hired by the project construction companies to support seasonal construction work; (iv) gender based violence and/or sexual harassment and abuse (e.g. verbal and physical abuse, sexual harassment, violence against children) due to the influx of labour; (v) child labour/age inappropriate work, if the construction contractor hires local persons for heavy construction works [despite this being prohibited under the current Code of Labour (2019)]; (vi) forced labour (e.g. coerced to work through the use of violence/intimidation, or by more subtle means such as debt manipulation, retention of identity papers, or similar threats); (vii) possible social exclusion (due to vulnerability, land tenure issues, disability, etc.); (viii) lack of contract for EM workers, particularly for seasonal works less than one month's duration.

80. In the context of RECAF project, forced labor is anticipated but is likely in the form of local households sending young children and young family members (adult) to work in project's civil works (undertaken by local contractors) to earn income to pay debts, or the like (See elaboration of risks for child labor, forced labor, workplace accidents, UXO, and forest fire at Annex 16).

81. The above social risks are assessed to vary from low to moderate because there are no practical measures that ensure complete avoidance. However, when necessary measures are in place and effectively implemented, the likelihood of these consequences happening is likely to be reduced to a manageable level. Mitigation measures are detailed in Section 4.3, Table 4 of this Environmental and Social Management Framework.

82. **Key environmental impacts anticipated as a result of project activities:** The project is expected to have largely positive environmental impacts, including improved ecosystem services, soil fertility/soil health, forest health, and natural resources management. Potential negative environmental impacts are expected to be minor, limited in time/scale, and reversible, as they relate to small-scale infrastructure (e.g. construction/repair of small-scale rural roads, irrigation channels, small-scale reservoirs, etc.). These impacts may include: (i) erosion and run-off to water bodies

during earthworks/construction; (ii) temporary traffic blocks and related safety issues during construction and operation; (iii) temporary pollution from construction (e.g. dust, noise, vibration, waste & wastewater generation from workers' campsites); (iv) potential water pollution from sourcing aggregates/construction materials (soil, gravels); and (v) increased water consumption. Additional environmental risks (not explicitly linked to construction activities) include: (i) presence of unexploded ordinances (UXOs) at project sites (an inherent risk listed below); and (ii) increased use of pesticides due to crop intensification/improved crop yields. This project aims to reduce deforestation in areas surrounding some of the protected areas/special use forests (see map in Section 4.1) and will increase integrated agroforestry practices, but will not otherwise be active in Special Use Forests and other highly protected intact forest areas. The project will protect high biodiversity hotspots of the Ammanite montane forest range, as well as more localized agrobiodiversity. A full assessment on biodiversity has been commissioned and is currently underway, whereby project activities will not commence until the assessment and related management plan are complete. Similarly to the social risks and impacts, mitigation measures for the environmental risks and impacts are detailed within Section 4.3, Table 5 of this ESMF.

83. **Inherent Risks:** There are inherent risks pertaining to presence of landmines and unexploded ordinances (UXOs) if construction occurs in new areas (i.e. areas without existing construction/infrastructure/activities). The global COVID-19 pandemic also poses a risk, as travel and/or activities requiring close-proximity work may increase transmission rates if those involved do not follow the guidelines on social distancing and personal protective equipment (PPE) when required by government, depending on the state of the pandemic within Viet Nam at the time of implementation. Inherent risks are addressed with project-related impacts under Section 4.3.

### 4.3 Proposed Mitigation Measures

84. **Social Mitigation Measures:** To mitigate issues pertaining to social exclusion and conflict over land use/land tenure/land management, related safeguards documents like the Stakeholder Engagement Plan (SEP), Indigenous Peoples' Plan (IP Plan), and Gender Assessment and Action Plan (GAP) have been developed to supplement this ESMF and improve overall project design. The Grievance Redress Mechanism (GRM) is also available for any project affected persons who feel they have been negatively impacted or excluded, and is detailed in Chapter IX of this ESMF. Table 4 provides an overview of the expected social risks and impacts and related mitigation measures.

**Table 4.** Mitigation Measures for Social Risks & Impacts (Inherent and Project-Induced)

Potential risks	Measures to be taken to avoid/ minimize such risks
<b>HEALTH AND SAFETY</b>	
<ul style="list-style-type: none"> <li>• Contraction of communicable and non-communicable diseases due to labour influx and due to season change (endemic).</li> </ul>	<ul style="list-style-type: none"> <li>• The requirements for contractors to identify Occupational Health and Safety (OHS) risks and provide remedies for non-compliance will be included in all procurement documents of PMU</li> <li>• Awareness raising activities will be conducted regularly – as part of the project's annual Information, Education and Communication program (IEC).</li> </ul>

Potential risks	Measures to be taken to avoid/ minimize such risks
<ul style="list-style-type: none"> <li>Potential conflicts between EM peoples and immigrant workers</li> </ul>	<ul style="list-style-type: none"> <li>The requirements for contractors to develop a Code of Conduct when working in EM area, including hiring of local EM peoples will be required in bidding documents.</li> <li>All workers of project contractors will be trained on this Code of Conduct and will be required to sign in the CoC before starting the work under the project' activities</li> </ul>
<ul style="list-style-type: none"> <li>Labor related accidents on the part of persons, especially vulnerable persons, who worked for project contracted construction companies</li> </ul>	<ul style="list-style-type: none"> <li>A Labour Management Plan will be prepared during the first year of the project and prior to implementation of construction-related/labour-intensive activities.</li> <li>The requirements for contractors to identify Occupational Health and Safety (OHS) risks and provide remedies for non-compliance will be included in all procurement documents of PMU.</li> <li>All contractors are required to conduct OHS training to raise awareness of OHS and promote application of good OHS practices prior to mobilizing all workers to construction sites.</li> <li>Where required, based on risk assessment at activity level, contractors will be required to engage qualified OHS staff to be in charge of OHS issues, including provision of training of workers, monitoring of OHS risks and proposed updated preventative measures</li> </ul>
<b>GENDER &amp; EXCLUSION</b>	
<ul style="list-style-type: none"> <li>Gender based violence (e.g. verbal and physical abuse, sexual harassment, violence against children...) due to influx of labour.</li> </ul>	<ul style="list-style-type: none"> <li>The requirement to prevent Gender Based Violence, Sexual Abuse, and Sexual Harassment will be mainstreamed into the bidding documents and all contracts to be awarded by PMU to all project contractors.</li> <li>All contractors will be required to prepare a Code of Conduct to prevent GBV using the national guideline for GBV prevention.</li> <li>All workers of project contractors are required to sign code of conduct, including provisions to prevent Gender Based Violence, Sexual Abuse, and Sexual Harassment.</li> <li>At home, women of matriarchal groups are encouraged to take part in project activities that are designed to empower them in income generation activities and decision making – both at home and community levels.</li> </ul>
<ul style="list-style-type: none"> <li>Social exclusion (because of vulnerability, land tenure issues, disability, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>During project preparation and project implementation, representatives of households classified as those traditionally excluded (e.g. due to vulnerability, land tenure issues, gender/disability/age) will be consulted to ensure that: (i) they receive socioeconomic benefits from project investment that are culturally appropriate to them; and</li> </ul>

Potential risks	Measures to be taken to avoid/ minimize such risks
	<p>(ii) are not adversely affected disproportionately if they are potentially affected as a result of any project activities.</p> <ul style="list-style-type: none"> <li>To promote the full participation of vulnerable and socially excluded groups, every effort will be made to consult those groups (including ethnic minority groups) in their local language(s), following the principles of Free, Prior, and Informed Consent (FPIC).</li> </ul>
<b>LAND USE PLANNING AND MANAGEMENT</b>	
<ul style="list-style-type: none"> <li>Exclusion of persons without formal land titles in the land use management and planning process</li> </ul>	<ul style="list-style-type: none"> <li>The project will utilize participatory land use mapping, planning, and management to avoid risks related to social exclusion and to work towards recognition of land rights for persons typically excluded from the process. This will be particularly relevant for EM communities, whereby the planning serves as an opportunity to incorporate traditional ecological knowledge and EM practices into the community management of the associated forests/land.</li> </ul>
<ul style="list-style-type: none"> <li>Temporary disruption to land use based on small-scale construction activities</li> </ul>	<ul style="list-style-type: none"> <li>The project will exclude any activities that involve forced eviction. Instead, the project will follow the principles of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT) and Voluntary Land Donation to ensure that land used for construction activities does not disrupt physical and/or economic wellbeing of the project beneficiaries (See Annex 17 for <a href="#">Procedures for Voluntary Donation</a>).</li> </ul>
<b>LABOUR</b>	
<ul style="list-style-type: none"> <li>Child labour (people under 18 years of age hired by the project's construction contractor for heavy works prohibited under Code of Labor)</li> </ul>	<ul style="list-style-type: none"> <li>As part of the exclusion list, peoples under 18 years of age will not be hired by all project's contractors for construction works.</li> <li>In all contracts between PMU and contractors, there shall be provisions that require compliance with the minimum age requirements, including penalties for non-compliance.</li> <li>The contractor will be required to maintain a labour registry for all contracted workers with supporting documents confirming the age of workers</li> </ul>
<ul style="list-style-type: none"> <li>Forced labour</li> </ul>	<ul style="list-style-type: none"> <li>Awareness raising activities will be conducted regularly – as part of the project's annual Information, Education and Communication program (IEC).</li> </ul>
<ul style="list-style-type: none"> <li>Lack of contracts for vulnerable workers, particularly ethnic minority persons hired for</li> </ul>	<ul style="list-style-type: none"> <li>To ensure seasonal workers (especially EM workers) who work less than one month do not take any risks, particularly risks related to OHS, working condition, and payment, all contractors will be required to sign contracts with all seasonal</li> </ul>

Potential risks	Measures to be taken to avoid/ minimize such risks
seasonal works that last less than one month's duration.	workers that respect seasonal workers in the same way that workers with contracts of more than one month's duration are respected. This aims to protect the seasonal workers (particularly EM workers) from taking the above-mentioned risks to avoid absence of a working contract.
CULTURAL HERITAGE	
Cultural heritage sites are affected by construction activities	Before starting any construction activity, the use of exclusion checklist will ensure that no cultural heritage sites is affected and chance find procedures will be applied (see Appendix 5)

85. **Environmental & Climate Mitigation Measures:** Environmental risks and impacts will be managed through the application of a site-specific Environmental and Social Management Plan (ESMP), and construction-related risks will also incorporate (in addition to the site-specific ESMP), good construction practices with ESMP compliance written into the contract agreements/ procurement of the given construction company/provider. All site-specific ESMPs must account for the territorial and environmental knowledge of the affected ethnic minorities in that area. In addition, as this project aims to reduce deforestation in areas surrounding some of the protected areas/special use forests (see map in Section 4.1) and will increase integrated agroforestry practices, it will not otherwise be active in Special Use Forests and other highly protected intact forest areas. The project will protect high biodiversity hotspots of the Ammanite montane forest range, as well as more localized agrobiodiversity. A full assessment on biodiversity has been commissioned and is currently underway, whereby project activities will not commence until the assessment and related management plan are complete. To strengthen the project's climate resilience approach, the ESCMF recommends undertaking a Targeted Adaptation Assessment during the early implementation stage. The mitigation measures suggested for the environmental risks and impacts, both inherent to the project area and specific to the project activities, are detailed in **Table 5**.

**Table 5.** Mitigation Measures for Environment/Climate Risks & Impacts (Inherent & Project-Induced)

Potential risks	Measures to be taken to avoid/ minimize such risks
<b>BIODIVERSITY CONSERVATION</b>	
<ul style="list-style-type: none"> <li>Encroachment on protected forest areas</li> </ul>	<ul style="list-style-type: none"> <li>This risk is being mitigated directly through the project design, as one of the risks inherent to the project area which the project aims to address. Specifically, local communities will be provided with community forest management opportunities that respect and encourage biodiversity and forest health through deforestation free value chains (particularly under Component 2, Activities 2.1, 2.2, and 2.3).</li> <li>The project aims to reduce deforestation in areas surrounding some of the protected areas/special use forests (see map in Section 4.1) and will increase integrated agroforestry practices, thus it will not otherwise be active in Special Use Forests and other</li> </ul>

Potential risks	Measures to be taken to avoid/ minimize such risks
	highly protected intact forest areas. The project will protect high biodiversity hotspots of the Ammanite montane forest range, as well as more localized agrobiodiversity. A full assessment on biodiversity has been commissioned and is currently underway, whereby project activities will not commence until the assessment and related management plan are complete.
<ul style="list-style-type: none"> <li>Disruption to ecological flows (migratory fish, water) with the development of small reservoirs</li> </ul>	<ul style="list-style-type: none"> <li>Prior to construction and/or implementation, an assessment of biodiversity in the area and reliance of upstream/downstream water users must be conducted to identify instances when/where fish ladders need to be included and/or communities need to be consulted on changes in timing and flow of the water.</li> </ul>
<b>RESOURCE EFFICIENCY &amp; POLLUTION PREVENTION</b>	
<ul style="list-style-type: none"> <li>Erosion and run-off to water bodies during earthworks &amp; construction</li> </ul>	<ul style="list-style-type: none"> <li>Site specific ESMPs – or an Environmental Code of Practice (ECOP) – will include water &amp; wastewater management protocols, including interventions to divert or slow the movement of water (reducing erosion), and construction contracts will include clauses on safeguards compliance (particularly the development and implementation of related ESMPs)</li> </ul>
<ul style="list-style-type: none"> <li>Temporary pollution from construction; specifically: dust, noise, vibrations, waste &amp; wastewater generation from workers' campsites, etc.</li> </ul>	<ul style="list-style-type: none"> <li>ESMPs (or ECOPs) must include a section on waste management (as well as water &amp; wastewater management protocols) to minimize waste production &amp; ensure efficient and safe handling for proper transfer and eventual disposal. The ESMP (or ECOP) will also include mitigation measures for site-specific concerns, for example: <ul style="list-style-type: none"> <li>□ occasional spraying of the area to reduce dust;</li> <li>□ limiting hours of construction to reduce unfavourable noise and/or vibration(s) experienced by neighbouring communities</li> <li>□ waste management &amp; water/wastewater management protocols</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>Potential water pollution from sourcing aggregates and construction materials like soil and gravels</li> </ul>	<ul style="list-style-type: none"> <li>Where possible, utilize silt fencing or filter socks to control sediment and reduce water pollution</li> <li>Define, within the ESMP (or ECOP) and construction proposal measures to separate and either (i) treat; or (ii) safely dispose of polluted water (e.g. transfer to a treatment facility)</li> </ul>



Potential risks	Measures to be taken to avoid/ minimize such risks
<ul style="list-style-type: none"> <li>Increased water consumption during construction activities</li> </ul>	<ul style="list-style-type: none"> <li>Within the water/wastewater section of the ESMP (or ECOP) and related construction proposal, specify the expected water requirements and water sourcing plans, with an effort to keep consumption at a minimum;</li> <li>Sensitize workers on the need to conserve water where possible and on frugal management of water during the construction activities</li> </ul>
<ul style="list-style-type: none"> <li>Potential increase in pesticide use</li> </ul>	<ul style="list-style-type: none"> <li>The risk of increased pesticide use will be minimized through the project's training for farmers on good production/good agricultural practices and utilizing integrated pest management (which improve the market price of produce at market)</li> </ul>
<b>COMMUNITY HEALTH &amp; SAFETY</b>	
<ul style="list-style-type: none"> <li>Presence of unexploded ordinances (UXOs) at project sites (mostly construction sites, but could include any areas not regularly traversed)</li> </ul>	<ul style="list-style-type: none"> <li>For UXOs, in particular, identification and removal (if any) would be done by experts as part of site clearance prior to commencing any activities on the project sites. Safety risks related to UXOs are considered low to moderate, since most of the construction infrastructure schemes will not occur on previously untouched/undeveloped land; however, a UXO risk assessment will be conducted for all the infrastructure scheme sites where UXOs are considered a potential hazard, and UXO clearance (if needed) will be carried out by qualified agencies. Construction activities will not be allowed prior to UXO clearance. <ul style="list-style-type: none"> <li>Provincial PMU will conduct consultation with local authorities for the infrastructure scheme area where civil works potential involves soil excavation. The consultation aims to check if UXO risk is present in the infrastructure scheme area and if UXO screening should be carried out.</li> <li>If local authorities recommends that UXO screening should be carried out, a professional UXO screening service will be engaged to screen for UXO, and clear UXO if found for the infrastructure scheme area.</li> <li>Upon completion of clearance for the infrastructure scheme area, a certificate of UXO clearance will be issued by the professional service before the infrastructure scheme area is handed over to the construction contractor.</li> </ul> </li> </ul>

Potential risks	Measures to be taken to avoid/ minimize such risks
<ul style="list-style-type: none"> <li>• Temporary traffic blocks and related safety issues during construction and operation</li> </ul>	<ul style="list-style-type: none"> <li>• Clear signage will be installed around the project site for safety, with a reasonable notice period (e.g. 24h or more) based on the local regulations/requirements. A detour will be made available for local traffic.</li> </ul>
<ul style="list-style-type: none"> <li>• Increased exposure to pesticides if the use of pesticides increases with increased production</li> </ul>	<ul style="list-style-type: none"> <li>• This risk will be mitigated directly through the project activities under Component 2, which will include training on good agricultural practices like integrated pest management, as well as (in instances where pesticide use cannot be avoided) appropriate handling, storage, application, and disposal of pesticides.</li> </ul>
<ul style="list-style-type: none"> <li>• Malfunction of small reservoirs</li> </ul>	<ul style="list-style-type: none"> <li>• This risk will be mitigated through proper environmental and social assessment prior to design, and involvement of experienced irrigation engineers during the design and construction of the proposed small reservoirs, including reference to IFAD's guidance on dam safety, as needed.</li> </ul>
<b>CLIMATE CHANGE</b>	
<ul style="list-style-type: none"> <li>• Inherent risk associated with changing climate in the project area, introducing more extreme events, floods, droughts, and saline intrusion, specifically the sustainability and resiliency of project activities/interventions (e.g. infrastructure)</li> </ul>	<ul style="list-style-type: none"> <li>• To address issues of climate-induced risks and impacts, the RECAF project has been designed to mitigate climate change through improved forest management and adapt to climate change through climate-resilient infrastructure and agricultural/agroforestry practices. To accomplish this, infrastructure design and forest management/agricultural and agroforestry practices must be informed by climate projection and not only immediate needs.</li> <li>• To strengthen the project's climate resilience approach, the ESCMF recommends to undertake a Targeted Adaptation Assessment during the early implementation stage.</li> </ul>

## V. PROCEDURES FOR REVIEW, CLEARANCE, AND IMPLEMENTATION OF INFRASTRUCTURE SCHEME E&S INSTRUMENTS

### 5.1 Objective and Approach

86. Since some of the activities and infrastructure schemes will be identified during implementation, this ESMF was prepared to apply to all infrastructure schemes and investment activities. The main objective of the ESMF process is to ensure that the infrastructure schemes and activities financed by the project will not create adverse impacts on the local environment and

communities, and the residual and/or unavoidable impacts are mitigated in line with the IFAD and GCF safeguards standards.

87. During implementation, identified activities/infrastructure schemes will be screened for and given a risk classification based on their E&S issues and applicable safeguards standards (ESSs), after which any necessary environmental and social assessment (ESA) and other E&S instruments will be prepared based on the requirements laid out in this ESMF. The assessments, instruments, and mitigation measures will be proportionate to the nature and scale and the potential risks and impacts of the project and consistent with the requirements of IFAD, the GCF, and national laws/regulations. The safeguards plans prepared for infrastructure schemes may include, but are not limited to: Environmental and Social Management Plans (ESMPs); ECOPs, including health and workers issues related to sexual exploitation and abuse (SEA); and IP Plans. Terms of reference, work plans, and documents defining the scope and outputs of any site-specific safeguards capacity building activities (for example, through the annual Information, Education, and Communication program) will be drafted so that the advice and support provided is also consistent with the IFAD and GCF safeguards standards. Based on the initial sub-project safeguards screening, any subsequent ESA would: (i) cover the requirements established under the relevant safeguard standard for that infrastructure scheme; and (ii) identify the environmental and social risks and impacts including direct, indirect, cumulative, and residual impacts.

## 5.2 Key Steps

88. The ESMF process is comprised of four steps, as depicted in **Figure 7** and summarized below:

- **STEP 1:** Screening for eligibility and E&S issues including risks and impacts using screening criteria, application of ESSs, and identification of and needs for preparation and implementation of E&S documents/instruments.
- **STEP 2:** Preparation of E&S documents, as required, including the development of mitigation measures in the ESMP, IP Plan, and Environmental Codes of Practice (ECOP) to be incorporated into bidding and contractual documents and subjected to close monitoring of the contractor performance. ESMPs and ECOPs clearly identify mitigation measures for potential negative impacts during site clearance and construction, including the management of contractors, chance finds, EHS application, and Codes of Conduct relating to Sexual Exploitation and Abuse.
- **STEP 3:** Clearance and disclosure of E&S documents; and
- **STEP 4:** Implementation, monitoring, and reporting.

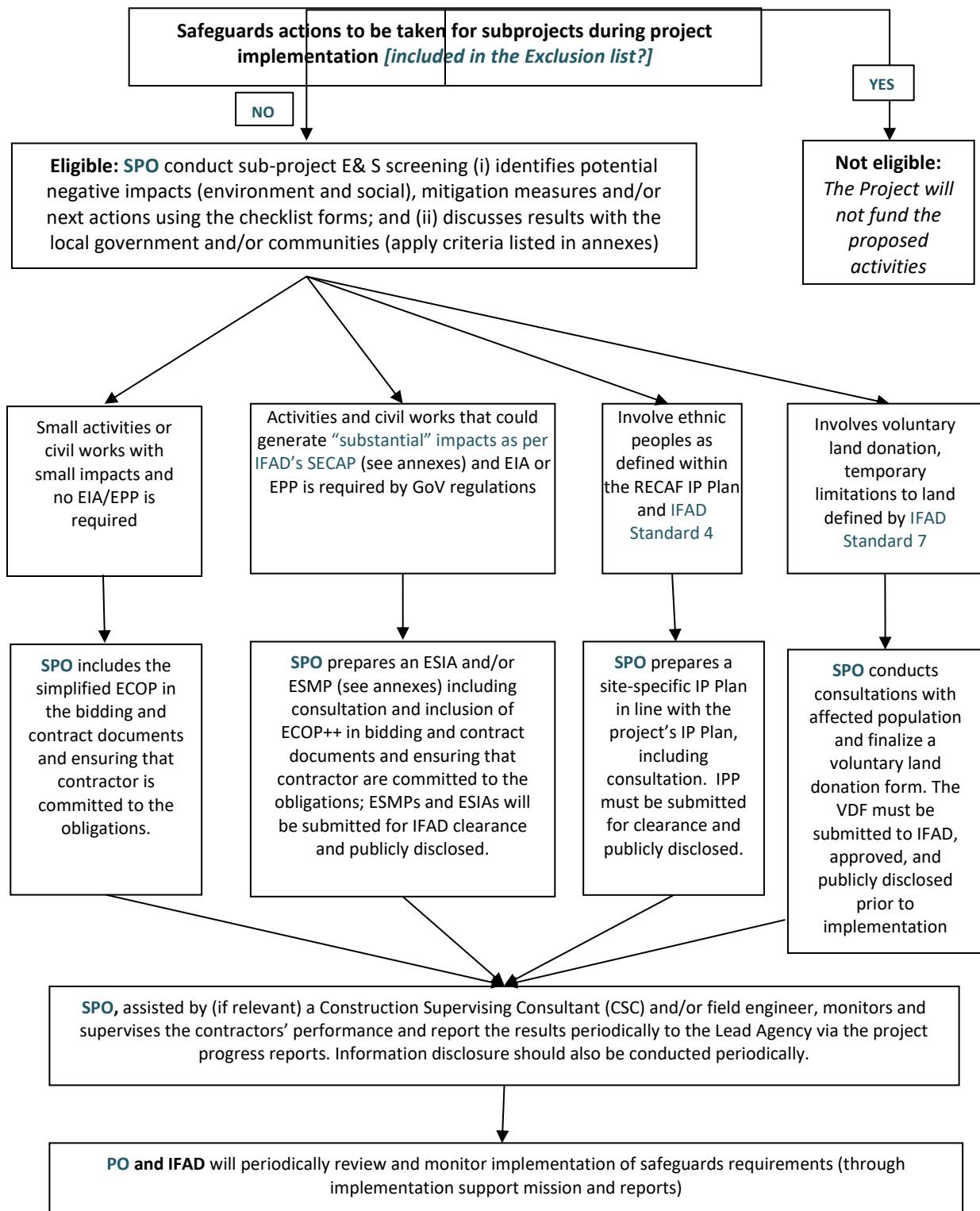
89. The risk analysis, impact assessment, and preparation of E&S documents for all infrastructure schemes will be carried out during implementation. At this point in time, most activities are moderate risk and should not require a full ESIA; however, if this assessment changes during a screening, then a follow-on ESIA must be conducted. Preparation of an infrastructure scheme ESMP occurs when the infrastructure scheme activities have been clearly identified and locations are

known. During the preparation of the ESMP, due attention will be given to address the issues of biodiversity conservation and sustainable management of living natural resources, resource efficiency and pollution prevention, labour and working conditions, community health and safety, indigenous persons/ethnic minorities, women, cultural heritage, and stakeholder engagement and information disclosure.

90. Key safeguards actions can be highlighted as follows:

- Small works to be carried out under Component 2 will incorporate a site-specific ESMP requirements and an ECOP into the bidding documents and consultant contracts, with contractor performance closely monitored by the responsible persons of the implementing agencies.
- If screening highlights the need for voluntary land donation or temporary disruption to land use, a Voluntary Land Donation form must be prepared and consulted upon (in line with the VGGT principles and IFAD Standard 7), as well as approved and disclosed prior to sub-project implementation.
- If the ethnic minorities are present in the infrastructure scheme, a site-specific IP Plan will be prepared and implemented according to IFAD Standard 4 and the guidelines can found in the project's overarching IP Plan.
- All the major E&S documents of a given infrastructure scheme will be submitted for IFAD clearance before their respective approval and implementation.

**Figure 7. Flowchart for Safeguard Actions for infrastructure schemes**  
 Legend: “PO” is project owner; “SPO” is infrastructure scheme owner



### 5.3 E&S Risk and Impact Assessment

91. This step (Step 1) aims to confirm the eligibility of infrastructure scheme and/or activities to be financed by the Project as well as identify the potential E&S issues and assess potential impacts of the infrastructure schemes/activities including needs for preparation of E&S documents as required by IFAD/GCF standards using an E & S screening checklist. The agencies responsible for implementing the infrastructure scheme/activity will be responsible for undertaking and signing the screening forms. PPMUs will each be responsible for screening their own activities. Consultation with IFAD safeguards specialists can be made as needed, depending on infrastructure scheme complexity.

### 5.4 Development of E&S Documents

92. This step (Step 2) is focused on preparing safeguards documents in relation to the issues identified in Step 1. Guidelines for the preparation of an ESMP are provided in the annexes, whereas a project-level SEP and IP Plan have been developed separately. Again, PPMUs will be responsible for their own activities and infrastructure schemes, and their corresponding safeguards specialists will be responsible for the preparation of E&S documents. Consultation with IFAD safeguards specialists for complex infrastructure schemes will be made as needed.

93. It is also crucial that the implementing agencies of the infrastructure schemes and activities are responsible for preparation of E&S documents (e.g. EPP, EIA, etc.) required by the Government of Vietnam's EIA regulation<sup>17</sup> and secure approval of responsible agencies.

### 5.5 Review, Approval, and Disclosure of E&S Documents

94. **IFAD review and clearance:** Before approval and commencement of infrastructure scheme works, the infrastructure scheme Officer (SPO) will submit all key E&S documents to IFAD for No Objection (NO). For RECAF, it is suggested that for each province, IFAD receives the first three ESMPs for each type of infrastructure (e.g. reservoir, irrigation, farm road) for NO and may then reduce (or increase) frequency as needed. The approval process described herein may also be reviewed occasionally, particularly once the E&S capacity of the implementation partners has been built with the support of the E&S capacity-building consultants/project safeguards specialists. At that point, IFAD may choose to provide NO of sample ESMPs.

95. All E&S documents will be posted on the official websites of MARD and the project provinces, and hardcopies in the Vietnamese language will be available at the CPMU, PPMU, and infrastructure scheme sites. The CPMU and PPMUs must publish a notification of disclosure of information and

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<sup>17</sup> GoV procedures (namely, Decree No. 18/2015/ND-CP dated February 14, 2015 of the Government on environmental protection planning, strategic environmental assessment, environmental impact assessment, and environmental protection commitment, and Circular No. 27/2015/TT-BTNMT dated 19 May 2015 of the Ministry of Natural Resources and Environment on strategic environmental assessment, environmental impact assessment, and environmental protection plan).

solicit comments within the month following that disclosure date. The English version of the ESMPs, including version in local language (Vietnamese) will be disclosed on the IFAD (and potentially GCF) website(s).

96. **Government approval:** Responsible agencies are also required to approve the ESIA or EPP documents as required by GoV regulation. Any prepared EIA (in Vietnamese) as well as the approval conditions will be provided to IFAD for information and will be disclosed to the public.

## 5.6 Implementation, Supervision, Monitoring, and Reporting

97. ESMF implementation, supervision, monitoring, and reporting is an integral part of project and infrastructure scheme implementation. Each E&S staff is responsible for specific activities. IFAD SECAP specialists also supervise and monitor the implementation of safeguards activities during IFAD project supervision missions. Delegation of responsibilities is as follows:

- ***Gender Action Plan and IP Plan monitoring:*** The PPMU will hire a social inclusion/gender specialist to monitor the implementation of the IP Plan and GAP and report results to IFAD.
- ***E&S monitoring of contractor performance during construction:*** To ensure compliance with the national laws and regulations as well as some specific requirements of the IFAD SECAP standards at infrastructure scheme level, PPMUs will hire a qualified national consultant to conduct monthly monitoring and reporting while assigning the Construction Supervision Consultant (CSC) or field engineers to be responsible for monitoring and reporting of contractor's compliance to the construction-focused ESMPs on a day-to-day basis. At the project level, the PPMU Environmental Safeguards Specialist will ensure monitoring of environmental and social performance at sub-project sites and of the construction contractor throughout construction. The Environmental Safeguards Specialist will report their findings in the Project E&S monitoring reports for IFAD and GCF (this will be done on a six-month basis, or as agreed with IFAD and GCF in accordance with the legal agreement). The PPMU will also be responsible for monitoring and evaluating implementation of the Stakeholder Engagement Plan, including responses to grievances and/or complaints of the project/infrastructure scheme affected peoples as well as the project workers (see Section IX).
- ***E&S monitoring during implementation of activities/operation of infrastructure:*** Specialized training will be provided on risks inherently associated with project activities that involve waste management, occupational health and safety, and community health and safety. E&S staff must pay extra attention – proportional to the more substantial risks – to those activities during implementation. To ensure sustainability after project closure, the awareness and capacity of MARD/DARD staff and related implementing agencies must be increased through trainings and during implementation supervision. This will require E&S capacity building consultants (including extension staff). PPMUs will detail safeguards progress in the infrastructure schemes' E&S monitoring reports for submission to the CPMU. The CPMU will then aggregate and submit the information to IFAD and the GCF.

## **VI. IMPLEMENTATION ARRANGEMENTS**

### **6.1 Responsibility for ESMF Implementation**

98. In line with the project's implementation arrangement discussed in Chapter II, the project/infrastructure scheme owners are implementing agencies and therefore responsible for ESMF implementation. The CPMU in MARD will be responsible for ensuring effective application of the ESMF for all activities, however predominant responsibility of implementation will belong to the PPMU safeguards specialists (two per province, one focused on environment/climate, and the other focused on social inclusion/gender). The CPMU-level responsibility includes overall planning and supervision of E&S activities, including the hiring of qualified national E&S capacity building consultants – individual or firm – to provide E&S training and TA including supervision, monitoring, and reporting of E&S implementation to IFAD and the GCF every six months. When necessary, the CPMU in MARD will also ensure training and coordination with the MOH in instances where activities involve occupational health and safety or similar subjects of overlap.

99. The PPMU infrastructure scheme owners are responsible for: (i) hiring a qualified specialists (two per province) to prepare and finalize E&S documents (ESMPs, ECOPs, updated SEP, annual IP Plans, etc.); (ii) securing IFAD clearance of E&S documents and approval of the government; and (iii) implementing the ESMPs, SEPs, IP Plans, and Gender Action Plan. A qualified national consulting firm may be hired to assist during the implementation of the ESMP, SEP, and IP Plan, and Gender Action Plan, if needed. This may include support to monitoring of environmental quality and preparation of E&S monitoring reports for submission to the CPMU. The infrastructure scheme owner will also ensure that the (i) final infrastructure scheme design has incorporated measures to mitigate potential negative impacts during construction and operations; (ii) final ESMP, ECOP and COC on Workers' behavior and SEA are incorporated into bidding and contract documents; and (iii) contractors are aware and committed to complying with these obligations, with E&S actions built into the contract cost. After approval, the infrastructure scheme owner is responsible for ensuring that the ESMP, SEP, IP Plan, ECOP, and COC on SEA (if applicable) are effectively implemented and monitored. Before construction, the infrastructure scheme owner will assign a Construction Supervision Consultant (CSC) and/or field engineer to be responsible for day-to-day supervision of contractor performance on E&S and report the results in the infrastructure scheme progress report.

### **6.2 Monitoring and Reporting Arrangements**

100. The E&S performance will be included in the infrastructure scheme and overall project progress reports. The two safeguards specialists in each of the PPMUs, with assistance from the CSC/field engineers (where relevant), will monitor and report on the E&S performance of the project. The safeguards specialists in the PPMUs will submit E&S performance reports at the infrastructure scheme level to the CPMU on a monthly basis. At the central level, the CPMU will prepare E&S monitoring report twice per year for submission to IFAD and the GCF, describing the project's progress and compliance with the SECAP/GCF safeguards standards and other requirements.

101. The progress report submitted to the CPMU must include sufficient information on infrastructure scheme implementation progress and E&S issues related to ESMF implementation. The overall progress report from CPMU to be submitted to IFAD and the GCF must include adequate information regarding: (i) preparation and disclosure of the E&S instruments for infrastructure schemes; (ii) implementation progress of the ESMP, including incorporation of the ECOP/COC on SEA/other ESMP requirements pertaining to the contractor in the bidding and contractual



documents; (iii) monitoring and supervision on implementation performance of contractors, CSCs, and PPMUs according to the ESMP, ECOP, and COC on SEA; and (iv) any challenges, solutions, and lessons learned during E&S/ESMF implementation. **Table 6** provides a summary of reporting procedures.

**Table 6.** Reporting Procedures

	Report Prepared by	Submitted to	Frequency of Reporting
1	Contractor to the Employer	PPMUs	Once before construction commences and monthly thereafter
2	Construction Supervision Consultant (CSC)	PPMUs	Weekly and monthly
3	Community Monitoring	PPMUs	When the community has any complaint about the infrastructure scheme E&S/ESMF implementation
4	PPMUs	CPMU	Monthly
5	CPMU	IFAD and GCF	Once every six-months, in accordance with any signed legal agreements.

### 6.3 Incorporation of ESMF into Project Operational Manual

102. The ESMF process and requirements will be incorporated into the Project Implementation Manual (PIM) and the CPMU will provide training to ensure that the infrastructure scheme owners (PPMUs) understand them and will supervise and monitor the ESMF implementation periodically. The E&S section in the POM will also refer to the ESMF and related safeguards documents, as needed.

## VII. CAPACITY BUILDING, TRAINING, AND TECHNICAL ASSISTANCE

### 7.1 Institutional Capacity Assessment

103. MARD will be the Lead Agency for the project. MARD is responsible for rural development and the governance, promotion and fostering of agriculture and the agriculture industry (including investments and activities related to forestry, aquaculture, irrigation, and the salt industry), and has been involved with water management. MARD has considerable experience in the implementation of IFI-financed projects, including experience on managing E&S risks under IFAD's safeguards policies. It also has extensive experience in preparation and implementation of international and national investment projects outside of IFI Funding.

104. Within MARD, safeguard activities and preparation of documents is usually the responsibility of the Resettlement and Environment Division (ESD), which has nine staff specialized in hydrology-environment, environment, and social issues. These staff have experience with preparing, implementing, and monitoring for E&S safeguard policies and most of them have received extensive training on safeguards related to both the World Bank and the Asian Development Bank (ADB). For IFAD SECAP and GCF safeguards, trainings will be required, particularly since GCF funded projects are relatively new. At the central level, there are at least two senior safeguard officers (one for social and one for environment) who are assigned to lead the ESD functions. These safeguard staff could be capable of providing training on the ESMF process, IP Plans, and SEP and Gender Action Plan

implementation, if they have capacity building assistance from national qualified specialists. This is also particularly crucial in terms of preparing documents in English that can meet the IFAD and GCF requirements, given that many of the existing staff have limited English communication capacity (writing/speaking).

105. To ensure effective and consistent training on E&S, particularly under the new IFAD SECAP (2021) and GCF ESS (2022), the training should be provided by qualified national consultants. In addition to refresher trainings on safeguards pertaining to waste management, use and disposal of pesticides/fertilizers, etc., there must be additional training focused on ensuring the effective performance of contractors – including provision of adequate services related to health, safety of workers and local communities.

106. At provincial level, Provincial People's Committee is the project owner who implements the project through its lead agency which is the Department of Agriculture and Rural Development (DARD). The provincial DARD will work closely with other relevant department such as Department of Planning and Investment (DPI), Department of Natural Resources and Environment (DONRE). All these provinces have experience in implementing IFI-funded projects. Many national consultants and local authorities also have some knowledge and experience of the former IFAD safeguard requirements, but are less familiar with the new IFAD SECAP and GCF ESS, so sensitization to the new framework and changes in requirements is crucial. Training and capacity building on the application of the IFAD SECAP/GCF ESS will be required. Training should include to adequately: (i) screen for and differentiate between small- and medium-scale infrastructure; and (ii) ensure follow-up assessments (if the screening deems this necessary) prior to sub-project implementation.

## **7.2 Training and Technical Assistance**

107. Training and capacity building on the IFAD SECAP/GCF ESS should focus on familiarity with and understanding the concepts of proportionality and adaptive management. It must also cover the implementation of the safeguards documents, particularly as they relate to (i) contractor management and monitoring of E&S issues concerning labour; (ii) community health and safety; (iii) environmental health and safety; and (iv) requirements for systematic stakeholder engagement. The targeted training programs focused on E&S risk management could also help strengthening inter-agency coordination and cooperation which is critical for ensuring effective management of all aspects of forest management and deforestation-free production. Given the project structure and the plan to implement a number of infrastructure schemes in each province involved, significant inputs from qualified national consultants will be required, along with on-the-job training on assessing risks and impacts management during preparation and implementation.

108. During implementation of Project, E&S training and technical assistance will be provided to the implementing agencies both at the Project and infrastructure scheme level. During the first three years, the CPMU will conduct at least two safeguard training workshops per year (one on environment and one on social) to the infrastructure scheme owners regarding the ESMF process and needs for preparation of safeguard documents (ESMPs, SEP, IP Plans, and ECOP when needed, etc.). When possible, an IFAD SECAP Specialist will participate in these training workshops. Safeguards technical training for any other specific issues and related aspects should occur at least once per year for the following years. This could be combined with the annual IEC.

109. Priority for training should include, but is not limited to, the following:

- (i) The ESMF process and guidelines for preparation, implementation, and supervision of E&S instruments designed for RECAF and its infrastructure schemes;
- (ii) Specific training on the IP Plans, SEP, and labour management with regard to planning and implementation, including the application of differentiated GRM pathways to more effectively respond to local complaints;
- (iii) Specific training on supervision and monitoring of contractor performance, including forms and reporting processes; basic knowledge on health and safety; good construction practices for reducing potential impacts on local environment and local peoples; Codes of Conduct on SEA; and communication and GRM procedures and other social issues related to communicable diseases (including covid-19), etc.;
- (iv) Specific training on IPM; safe use and disposal of pesticides/herbicides/chemical fertilizers being used in primary production;
- (v) Specific training on waste management, including hazardous and bio-hazardous waste;
- (vi) Specific training on the use of PPE and best practices (during construction, pesticide application, etc.).

### **7.3 Technical Assistance on E&S Capacity Building**

110. Given the specific needs related to E&S training and limited capacity of some agencies with respect to the newest IFAD SECAP and GCF ESS, a qualified national firm could be mobilized by the CPMU to provide E&S training, supervision, monitoring, and reporting of the ESMF implementation and SECAP/ESS compliance to IFAD and the GCF. If required by IFAD and/or the GCF, the CPMU will also mobilize an independent monitoring agency (IMA) for monitoring of IP Plan implementation, voluntary land donation (if applicable), and other E&S consultants to assist in the preparation and/or monitoring of various E&S activities during implementation. PPMUs may mobilize E&S consultants (either individual or hired through a firm) to assist in the implementation of ESMF, preparation of E&S documents, and mitigation measures of the infrastructure schemes under their responsibility.

## **VIII. ESMF IMPLEMENTATION BUDGET**

111. The following ESMF implementation costs are covered under the employment of the two safeguards specialists (one is Environment & Climate Safeguards Specialist and the other is Gender & Social Safeguards Specialist) in each PPMU, as they are responsible for (a) preparation of E&S documents of infrastructure schemes, including consultation with local authorities and communities; (b) supervision, monitoring, and training workshops on E&S issues; (c) implementation and monitoring of the ESMPs, SEP, IP Plan, and Gender Action Plan (with the support of the project's Monitoring & Evaluation Specialist); and (d) ensuring contractors implement their respective ECOP and Codes of Conduct for GBV and VAC (if identified during screening), and any site-specific measures. Both the Government of Vietnam and IFAD will co-finance the ESMF implementation budget. When needed, qualified national (individual or firm) consultants for capacity building and training on ESMF implementation and the concepts of the IFAD SECAP and GCF ESS will be provided. Budget for trainings and capacity building are mainstreamed into the project budget across project outputs/components, so are not listed explicitly in Table 7. Likewise, the budget for preparation of the Biodiversity Impact Assessment and related Biodiversity Management Plan are not listed in Table 7, as they have already been contracted by IFAD during project preparation.

112. Costs related to staffing, implementation, and monitoring of the ESCMF, as well as costs more broadly focused on safeguards and built into existing project activities/components, can be found in Table 7.

Table 7. Estimated ESMF implementation cost		
Line Item	Estimated cost (USD)	Remarks
<b>Environment &amp; Climate Safeguards Specialist</b> (see Project Budget sheet: DT 2_2)	USD 132,000 (66 months at USD 2000 per month) per PPMU	The CPMU will be responsible for management of this budget.
<b>Gender &amp; Social Safeguards Specialist</b> (see Project Budget sheet: DT_3)	USD 120,000 (60 months at USD 2000 per month) per PPMU	
Project Monitoring & Evaluation Expert (safeguards monitoring included in the TORs) (see Project Budget sheet: DT_3)	USD 144,000 (72 months at USD 2000 per month)	
<b>Project Output A: Upgrading of the Safeguards Information System for REDD+</b> (see Project Budget sheet: DT 1_2)	USD 1,648,000	
<b>REDD+ MIS Policy Advisor MARD to support Project Output A</b> (see Project Budget sheet: DT 1_2)	USD 78,606 (66 months at USD 1191 per month)	

## IX. GRIEVANCE REDRESS MECHANISM

113. The main objective of a Grievance Redress Mechanism (GRM) is to assist to resolve complaints and grievances of parties affected by the project a timely, effective, and efficient manner that satisfies all parties involved. The GRMs for the project are prepared based on IFAD, UN, and GCF requirements and, most importantly, on national requirements, for solving potential problems between Provincial PMUs and people affected by the project (Please see detailed Grievance Redress Mechanisms in Section IX of the project's Stakeholder Engagement Plan).

## X. ESMF CONSULTATION AND DISCLOSURE

### 10.1 Consultation Requirements

114. Both IFAD and GCF require that consultations be held with the project affected peoples, local communities, vulnerable persons/ethnic minorities, and other relevant stakeholders. The consultations should provide information on the following aspects: a) purpose of the project; b) results of the environmental and social assessment; and c) presentation of the complementary studies required, in any instances where they apply. This ESMF has been prepared through a detailed consultative process at both the field and central level, and consultations findings may also be used for subsequent safeguards documents.

115. Consultation through community outreach during project implementation is good practice to ensure that the potential adverse impacts and concerns are properly addressed during project

construction and operation. Consultation with affected populations and ethnic minorities is required when the activities involve physical relocation, land acquisition, and ethnic minorities.

## **10.2 Consultation Process Summary**

116. Public consultation is a key component of RECAF and it was pivotal in preparation of the following documents:

- Environmental and Social Management Framework (ESMF)
- Indigenous Peoples Plan (IPP)
- Gender Assessment & Action Plan
- Stakeholder Engagement Plan (SEP) and
- Full Funding Proposal

117. For brevity, **findings are provided in the SEP (Annex 7 of the Full Funding Proposal).**

## **10.3 Initial Public Consultation Results**

118. **Please refer to the SEP (Annex 7 of the Full Funding Proposal)** to avoid duplication.

## **10.4 Information Disclosure**

119. IFAD and GCF funded projects are required to disclose all safeguards related documents locally in an accessible place and in a form and language understandable to key stakeholders (in this instance, Vietnamese and English) and on the external website of MARD and of IFAD and the GCF prior to appraisal.

## APPENDIX 1. EXCLUSION LIST

Any sub-project that meets one or more of the following screening criteria will not be approved for financing under the project:

### 1. Environmental and social category

1. infrastructure scheme that results in environmental and social category A (by GEF classification) and High Risk (by IFAD SECAP 2022 classification).
2. Infrastructure scheme that is located in area with high risk of UXO.

### 2. Scope of civil works

3. Rural roads with total length of more than 10 kilometres per scheme;
4. Irrigation canals with base width more than 10m; sluices with total drainage width more than 10m; irrigation embankments to protect cultivation areas of more than 500 hectares; large dams (higher than 15m) or any dams resulting in a high-risk rating (in terms of environment, social, and/or dam safety).
5. Any small reservoir construction with high wall larger than 9 metre, and/or with a reservoir of 100,000 cubic meter, or above)

### 6. 3. Land impacts & Resettlement

7. Infrastructure schemes that require physical resettlement of more than 20 people per infrastructure scheme area or affect more than 10 percent (in value term) of assets of an individual household.
- 8.
9. Any sub-project that physically displaces any EM household or dilutes/changes their security of tenure.
10. Activities that result in a) restriction of resources access that could not be mitigated, and/or b) adverse impacts on the livelihoods of households that are of ethnic minority group, or household that are considered vulnerable/disadvantaged groups.
11. Use of the project as an incentive and/or a tool to support and/or implement involuntary resettlement of local people and village consolidation.
12. New settlements or expansion of existing settlements.
13. Activities that would likely create adverse impacts on ethnic groups/indigenous peoples within the village and/or in neighboring villages, or activities unacceptable to ethnic groups living in an ethnic homogenous village or a village of mixed ethnic composition.

### 4. Cultural heritages

14. Damage or loss to cultural property, including sites having archeological (prehistoric), paleontological, historical, religious, cultural and unique natural values.

### 5. Chemical use

15. Purchase of banned pesticides, insecticides, herbicides and other unbanned pesticides, unbanned insecticides and unbanned herbicides and dangerous chemicals exceeding the amount required to treat efficiently the infected area. However, if pest invasion

occurs, the use of small amounts of eligible and registered pesticides in Vietnam will be allowed if supplemented by additional training of farmers to ensure pesticide safe uses in line with IFAD/GCF ESS policies and procedures. Highly Hazardous Pesticides (HHP) will not be used by the project.

16. Activities that involve use of hazardous materials (including asbestos) or any banned chemicals.

## **6. Biodiversity and natural resources**

17. Purchase of destructive farming gear and other investments that are detrimental to the environment and biodiversity.
18. Unsustainable exploitation of natural resources.
19. Introduction of non-native species, unless these are already present in the vicinity or known from similar settings to be non-invasive.
20. Significant conversion or degradation of natural habitat or where the conservation and/or environmental gains do not clearly outweigh any potential losses.
21. Production or trade in any product or activity deemed illegal under Vietnam's laws or regulations or international conventions and agreements, or subject to international bans.
22. Trade in any products with businesses engaged in exploitative environmental or social behavior.

## **7. Child labor & forced labor**


23. Labor and working conditions involving harmful, exploitative, involuntary or compulsory forms of labor, forced labor<sup>18</sup>, child labor<sup>19</sup> or significant occupational health and safety issues.

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<sup>18</sup> Forced labor means all work or service, not voluntarily performed, that is extracted from an individual under threat of force or penalty.

<sup>19</sup> Harmful child labor means the employment of children that is economically exploitive, or is likely to be hazardous to, or to interfere with, the child's education, or to be harmful to the child's health, or physical, mental, spiritual, moral, or social development.

## APPENDIX 2. SUB-PROJECT SCREENING FORM

	<p style="text-align: center;">Social and Environmental Screening Report – RECAF</p>
<p>It is important to screen each infrastructure scheme to see if they will create social and environmental risks to the community. Even if there is a plan to lessen the risk to the community to people within the community, those risks should be listed. regardless of planned mitigation and management measures. It is necessary to identify potential inherent risks if mitigation measures are not implemented or fail. This means that risks should be identified as if no mitigation or management measures were to be put in place.</p>	
<p><b>SECTION A: General Information</b></p>	
Date of screening:	
Name of sub-project:	
Main project component (to which sub-project relates):	
Name of applicant (implementing agency):	
Proposed sub-project budget:	
Proposed sub-project duration:	
ES Screening Team Leader and Contact Details:	
ES Screening Team Members:	
Program/Site/Activity location	
Sub-project Description. Briefly describe the sub-project activities, particularly as they interact with the environment and social context	
Categorize sub-project activities into high, substantial, moderate, and low risk activities.	



## SECTION B: Exclusion List Screening

Can you confirm that none of the activities involved those listed in the Exclusion List (Appendix 1 of the RECAF ESMF)?: **Y / N**

## SECTION C: Potential Environmental/Social Risks Impacts of Activities *(sample to be updated once project activities are final-approved)*

Risk Category <i>(Please check each line appropriately. At this stage, questions are answered without considering magnitude of impact – only yes, no or I don't know are applicable answers)</i>	Yes	No	Don't Know	If these risks ('yes') are present, please refer to:	Comments
<b>General Assessment and Management of Environmental and Social Risks and Impacts</b>					
Is a full Environmental and/or Social Impact Assessment required for the sub-project based on: (i) its risk rating? (e.g. high or substantial risk sub-projects); and/or (ii) national legislation within Vietnam?				ESMF	
Have there been any complaints raised by local affected peoples or groups or NGOs regarding conditions of the sub-project area or, if relevant, facility to be used? <i>If so, will project financing be used to remedy these complaints?</i>				ESMF Stakeholder Engagement Plan (SEP) Grievance Redress Mechanisms (GRM)	
Is there a risk of diversion of sub-project benefits?				SEP GRM Indigenous Peoples' Plan (IP Plan) Gender Action & Social Inclusion Plan (GASIP)	
Is there a risk that sub-project benefits may not reach truly vulnerable populations?				SEP IP Plan GASIP	
Is there a risk that sub-projects may be manipulated by different factions?				SEP GRM	
Is there a risk that the selection of the activity location or beneficiaries will lead to conflict?				GRM	

<b>Risk Category</b> <i>(Please check each line appropriately. At this stage, questions are answered without considering magnitude of impact – only yes, no or I don't know are applicable answers)</i>	<b>Yes</b>	<b>No</b>	<b>Don't Know</b>	<b>If these risks ('yes') are present, please refer to:</b>	<b>Comments</b>
Does the sub-project area include land previously unutilized or underutilized? <i>If yes, is there are risk of unexploded ordinances (UXOs) / landmines?</i>				ESMF guidance on UXOs and land use	
<b>Labour and Working Conditions</b>					
Does the activity include any of the known labour rights / SECAP non-compliance risks in Vietnam (child and forced labor)?				ESMF Appendices 6-10	
Will works financed include construction, reconstruction, or demolition works? <i>If yes, a construction site-specific ESMP needs to be prepared</i>				ESMF guidance on construction related ESMPs and Waste Management Plans (see Appendices 6-10 of the ESMF)	
Does the implementing agency or subcontractor have valid operating permits, licenses, approvals, etc.? If not, please explain. Permits to screen for include: construction permits, operational/use permits, waste management permits, environmental permits, land permits, water management permits... <i>If not, will financing be used to obtain the required permit(s)?</i>				ESMF guidance on national legislation	
Does the implementing agency or subcontractor have any significant outstanding environmental fees, fines or penalties or any other environmental liabilities (e.g. pending legal proceedings involving environmental issues etc.)? <i>If yes, will the financing be used to correct this condition and please explain?</i>				ESMF guidance on procurement and procedures for managing contractors	
Does the activity include labour-intensive production/manufacturing?				ESMF (especially appendices 6-10) Occupational Health and Safety Guidelines (OHSG)	
Does the activity include primary agricultural activities?				ESMF OHSG	
Is there a risk that the operation and maintenance of sub-project facilities cause OHS issues?				OHSG ESMF	
Is there a risk of lacking OHS for workers at the construction site?				Develop an Occupational Health and Safety Plan (OHSP) based on the OHSG	
Is there a risk of delayed payment of workers?				ESMF Appendices 6-10	

<b>Risk Category</b> <i>(Please check each line appropriately. At this stage, questions are answered without considering magnitude of impact – only yes, no or I don't know are applicable answers)</i>	<b>Yes</b>	<b>No</b>	<b>Don't Know</b>	<b>If these risks ('yes') are present, please refer to:</b>	<b>Comments</b>
Is there a risk that workers are underpaid?				ESMF Appendices 6-10	
Is there a risk that women will be excluded and/or not included in equitable numbers?				ESMF Appendices 6-10 SEP GASIP	
Is there a risk that provision of employment or contracts sparks conflicts?				SEP GRM	
<b>ESS 3: Resource Efficiency and Pollution Prevention Management</b>					
Will the activity result in the production of solid waste? (directly by the sub-project or by workforce)				ESMF, particularly Appendices 6-10 and the inclusion of a waste management plan and/or integrated pest & pesticide management plan within the site-specific ESMP	
Will the activity result in the production of toxic or hazardous/biohazardous waste? (e.g. used oils, inflammable products, pesticides, solvents, industrial chemicals, ozone depleting substances, animal remains, blood from slaughter, etc.)					
Will the activity result in the generation of dust and noise?				ESMF and site-specific ESMP	
Will the activity result in soil erosion?				ESMF and site-specific ESMP	
Will the activity produce effluents (wastewater)?				ESMF and site-specific ESMP	
Will the activity result in increased levels of vibration from construction machinery?				ESMF and site-specific ESMP	
Will the sub-project produce air pollution? (e.g. significant greenhouse gas emissions, dust emissions and other sources)				ESMF and site-specific ESMP	
Will the activity disturb any fauna and flora?				ESMF and site-specific ESMP	
Will the activity result in irrigation water with high Total Dissolved Solids (TDS) with more than 1,500 ppm?				ESMF and site-specific ESMP	
Can the sub-project affect the surface or groundwater in quantity or quality? (e.g. discharges, leaking, leaching, boreholes, etc.)					
Will the sub-project activities require use of chemicals (e.g. fertilizers, pesticides, paints, etc.), and/or might they prompt others to increase their use of chemicals?					

<b>Risk Category</b> <i>(Please check each line appropriately. At this stage, questions are answered without considering magnitude of impact – only yes, no or I don't know are applicable answers)</i>	Yes	No	Don't Know	<b>If these risks ('yes') are present, please refer to:</b>	<b>Comments</b>
Is there any risk of accidental spill or leakage of material?					
<b>Community Health and Safety</b>					
Is there a risk of increased GBV/SEA cases due to labour influx?				ESMF Appendices 6-10 GASIP GRM	
Is there a risk of spread of communal diseases due to labour influx?				ESMF Appendices 6-10 GRM	
Does the activity have the potential to upset community dynamics?				SEP GRM	
Will the activity expose community members to physical hazards on the sub-project site?				ESMF and site-specific ESMP	
Will the activity pose traffic and road safety hazards?				ESMF and site-specific ESMP	
Is there a possibility that the activity contaminates open wells, potable water sources, and/or water used for agricultural activities?				ESMF and site-specific ESMP (particularly the water & waste management section)	
Is there a possibility that the activity spreads pathogens and other pollutants (e.g. latrines)?				ESMF and site-specific ESMP	
Can the activity contribute to the spread of disease (e.g. community centres during pandemic situation)?				ESMF and site-specific ESMP	
<b>Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement</b>					

<b>Risk Category</b> <i>(Please check each line appropriately. At this stage, questions are answered without considering magnitude of impact – only yes, no or I don't know are applicable answers)</i>	Yes	No	Don't Know	<b>If these risks ('yes') are present, please refer to:</b>	<b>Comments</b>
Will the proposed activity/sub-project require acquisition of land, e.g.: <ul style="list-style-type: none"> <li>• Encroachment on private property</li> <li>• Relocation of project affected persons</li> <li>• Loss of private lands or assets</li> <li>• Impacts on livelihood incomes</li> </ul> This includes displacement of a population, either physically or economically (e.g. relocation for construction purposes, temporary or permanent; activities which may lead to loss of income, assets or means of livelihoods). <i>If yes, a site-specific Resettlement/Livelihood Restoration Action Plan must be prepared</i>				ESMF exclusion list as well as the GASIP and IP Plan	
Is the project located in a conflict area, or has the potential to cause social problems and exacerbate conflicts, for instance, related to land tenure and access to resources (e.g. a new road providing unequal access to a disputed land)?				SEP GRM ESMF	
Will the activity lead to disputes over land ownership?				ESMF SEP GRM	
Would the project potentially discriminate against women and girls based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?				SEP GRM	
<b>Biodiversity Conservation and Sustainable Management of Living Natural Resources</b>					
Will the activity impact sensitive and/or protected areas?				ESMF	
Is there a risk that the sub-project causes ecological disturbances?				ESMF	
Is there a risk that the sub-project will cause (i) changes to landscapes and habitat; (ii) habitat fragmentation; (iii) blockages to migration routes; (iv) increased water consumption; and/or (v) contamination of natural habitats?				ESMF	
Is there a risk that the activity causes loss of precious ecological assets?				ESMF	
<b>Cultural Heritage</b>					

Risk Category <i>(Please check each line appropriately. At this stage, questions are answered without considering magnitude of impact – only yes, no or I don't know are applicable answers)</i>	Yes	No	Don't Know	If these risks ('yes') are present, please refer to:	Comments
Will the infrastructure scheme be located in or close to a site of natural or cultural value?				ESMF Appendix 5 (Chance Finds Procedures)	
Is the infrastructure scheme site known to have the potential for the presence of cultural and natural heritage remains?					
Stakeholder Engagement and Information Disclosure					
Is there a risk that the activity fails to incorporate measures to allow meaningful, effective and informed consultation of stakeholders, such as community engagement activities?				SEP	
Has there been historical exclusion of disabled persons or other marginalized groups (women, children, ethnic minorities, elderly) in the area?				SEP IP Plan GASIP	
Is there a lack of social baseline data?				ESMF	
Are women likely to participate in decision-making processes regarding the activity?				SEP GASIP	
Is there a risk that exclusion of beneficiaries will lead to grievances?				SEP IP Plan GASIP GRM	
Is there a risk that the activity will have poor access to beneficiaries?				SEP IP Plan GASIP GRM	
Will the Covid-19 outbreak hamper proper stakeholder engagement?				See the project's SEP	

## SECTION D: Summary of the Screening Process

E&S Screening		Results and Recommendation	
<b>Screening Results:</b> Summary of Critical Risks and Impacts Identified	<b>What is the potential risk/impact</b>	<b>Individual Risk/ Impact Rating</b> (Low, Medium, Substantial, High)	<b>Mitigation</b> At the end of the screen process, tabulate the mitigation measures in an ESMP Format (Appendix 3)
	<i>e.g. Increased use of pesticides due to increased production OR control spray methods</i>	<i>e.g. Medium</i>	<i>e.g. Pest management plan, along with training on OHS (e.g. how to use personal protective equipment (PPE), etc.)</i>
Is Additional Assessment Necessary? ( <i>Evaluate the Risks/Impacts and reflect on options</i> )	<b>Screening Result</b>		<b>Summary of Screening Result Justification</b>
	1. No further ES Assessment required.		<i>e.g. "low risk sub-project"</i>
	2. No further ES Assessment required but requires simple ESMP.		<i>e.g. "low to medium risk sub-project"</i>
	3. Detailed ESMP. Done internally or by the sub-project implementing agency/partner.		<i>e.g. "medium risk sub-project, without need for ESIA, and implemented directly by the Provincial PMU or an implementation partner"</i>
	4. Detailed ESMP. Contracted to a third party.		<i>e.g. "substantial risk sub-project, without need for ESIA, but with the need for a third party consulting firm in order to avoid conflict of interest"</i>
	5. YES 2. ESIA required. Contracted to a third party.		<i>e.g. "substantial/high risk sub-project"</i>
Is the activity excluded under the project (does appear in the exclusion list of the ESMF)?	yes		no



### **APPENDIX 3. ESMP SAMPLE TABLE OF CONTENTS**

An Environmental and Social Management Plan (ESMP) consists of a set of mitigation, monitoring, and institutional measures to be taken during implementation and operation of a project to eliminate adverse environmental and social risks and potential impacts, offset them, or reduce them to acceptable levels. The ESMP also includes the measures and actions needed to implement these measures.

Site-specific ESMPs will be needed for all Category B (moderate risk) infrastructure schemes financed under the project, especially those involving construction. The ESMPs will be prepared by the Provincial PMU with the assistance of E&S Supervision Consultants.

The following is a sample Table of Contents for a site-specific ESMP, which consists of:

1. Project and infrastructure scheme Descriptions, including infrastructure scheme activities;
2. Overview of the infrastructure scheme Location;
3. Brief summary of legal framework (Government of Vietnam's laws and regulations and IFAD & GCF Environmental and Social Standards), including Policy Gap Analysis (with reference to the project's main ESMF);
4. Environmental and social risks and impacts identified with the involved infrastructure scheme. Potential infrastructure scheme impacts should cover direct, indirect impacts. Where relevant, include cumulative impact assessment;
5. Proposed mitigation measures, including the type of impact related to Contractors' Labour Management Procedures, Occupational Health and Safety Procedures, Community Health and Safety Plan, Child Labour Prevention Plan, SEA/SH and other plans that may be necessary (cultural heritage, biodiversity management, etc.);
6. Grievance Redress Mechanism;
7. Implementation arrangements, including Monitoring and Evaluation arrangement;
8. Implementation Schedule;
9. Cost Estimates and Budget;
10. Annexes.

A sample table for ESMP Monitoring can be found on the next page.

**SAMPLE TABLE FOR ESMP MONITORING**

<b>ES RISKS AND IMPACTS</b>	<b>PROPOSED MITIGATION MEASURES</b>	<b>LOCATION</b>	<b>COSTS</b>	<b>EXECUTING AGENCY</b>	<b>SUPERVISING / MONITORING AGENCY</b>
<b>DETAILED DESIGN/ PRE-CONSTRUCTION STAGE</b>					
<b>CONSTRUCTION STAGE</b>					
<b>OPERATION AND MAINTENANCE STAGE</b>					

## **APPENDIX 4. TERMS OF REFERENCE FOR E&S SAFEGUARDS MONITORING CONSULTANT**

The following is meant to serve as a sample Terms of Reference and should, therefore, be amended accordingly to fit the context of the RECAF project once final decisions have been made about budget and division of tasks (e.g. whether the project's Monitoring & Evaluation (M&E) specialist will be separate from the Safeguards M&E consultant).

### **BACKGROUND**

*[Hiring unit should insert background information on the RECAF project within the given Provincial PMU and project area here]*

### **OBJECTIVES OF THE ASSIGNMENT**

The Department of Agriculture and Rural Development (DARD) seeks the Consultancy Services of an experienced Individual Consultant "Environmental & Social Safeguards and Project Monitoring & Evaluation Consultant" as part of the Provincial Project Management Unit (full-time engagement). The objective of this assignment is monitoring compliance of the project activities with Environmental & Social Safeguards instruments. In addition, the Consultant will support the Project's overall M&E.

### **SCOPE OF WORK**

#### **Duties and Responsibilities:**

The specific tasks stipulated in this ToR to be undertaken by the Environmental & Social Safeguards and Project M&E Consultant include, but are not limited to the following:

#### **With regard to Environmental and Social Safeguards:**

The Consultant will assist the Project Coordinator/Project Manager and will work closely with the Environmental & Social Safeguards staff within the Provincial PMU to handle Environmental and Social Safeguards related responsibilities. Specifically:

- Undertake site visits and on-ground review, check and document compliance with site-specific measures as presented in site-specific ESMPs.
- Provide guidance to contactors, site supervisors, and other stakeholders on manners of implementation and documentation of compliance related to environmental mitigation and monitoring measures, as presented in site-specific ESMPs.
- Check that all documents necessary to ensure full compliance with Environmental & Social Safeguard instruments, in particular, Environmental and Social Management Plans (ESMPs) and Indigenous Peoples' Plans (IPPs) are prepared, regularly updated, and available to relevant stakeholders;
- Ensure that project activities, being developed as a part of the Project, are designed to include avoidance of potential social and environmental risks, as recommended in the ESMPs and annual IP Plans already prepared;
- Provide overall Environmental and Social Management oversight during the implementation of RECAF's activities and advise the implementation agencies in addressing the environmental issues;

- Ensure that each infrastructure scheme and related activities under the project are subject to the Project's ESMP procedures;
- Review infrastructure scheme and activity plans, design, costs, and bidding documents and be involved in procurement of Civil Works and Supervision to ensure that Civil Works and Supervision contracts include provisions concerning the Environmental and Social Safeguard issues;
- Coordinate with relevant agencies for obtaining environmentally-related permits, as necessary;
- Communicate with local governments, contractors, and with any Environmental, Social, Health and Safety (ESHS) Experts that may be part of the infrastructure scheme supervision team in all matters related to design, implementation, documenting and reporting on environmental compliance, as indicated in site-specific ESMPs;
- Monitor implementation of site-specific ESMPs by the Contractors to ensure that appropriate management process and procedures are in place, that Environmental and Social Safeguards related measures are adequately addressed and to ensure that in the event of a noncompliance agreed remedial actions are applied and documented;
- Check and ensure that the regular reports are prepared and timely submitted by the Contractor as per content agreed and provide comments, as appropriate;
- Contribute to, along with the E&S Provincial PMU Specialists, preparation of semi-annual ESMP Compliance Reports for IFAD and the GCF
- Participate in missions and technical visits by IFAD, and work closely with the IFAD SECAP Specialists and Provincial PMU E&S Specialists to ensure the Project's compliance with relevant environmental and social policies.
- Undertake other actions related to environmental and social aspects of the Project, as may be instructed by the Project Manager/Coordinator from time to time and/or the E&S Specialists in the Provincial PMU, in order to ensure full compliance of the Project with national and international environmental and social standards and legislation.

**With regard to Project Monitoring & Evaluation:**

The Consultant will be in charge of the Project's Monitoring & Evaluation (M&E), design the strategic and technical approach to implementing project goals within the technical framework outlined for the Results Monitoring. The Consultant will coordinate and work with other members of the Provincial PMU, particularly any staff which DARD has assigned to operate the REDD+ MIS SIS and/or Project MIS, to ensure adequate monitoring of progress against the project indicators. In addition, the Consultant will also work closely with any specialists hired to carry out Mid-Term and/or Terminal Project Monitoring & Evaluation and facilitate the gathering of information.

- Review and familiarize themselves with the Project's documents, in particular with Project Operational Manual (POM) and Monitoring Information System (MIS) already established;
- Carry out the preparation and implementation of the M&E program and keep records on achievements, breakdowns of indicators;
- Continuously monitor progress towards the project's objectives and according to agreed Performance Monitoring Indicators;
- Report in semi-annual reports on the project objectives and Results Framework updates;
- Monitor the project's implementation and evaluate outcomes and results for each Component and Subcomponent, using the MIS;
- Determine whether the inputs in the project are well utilized;
- Monitor the project's implementation against the planned activities (physical and financial), analyze reasons for delays (if any), and propose measures and solutions to overcome delays;

- Ensure that the project's activities are properly implemented as per the agreed program, and take corrective actions when necessary;
- Identify good practices and advantages within the project, recording lessons-learned for future consideration;
- Carry out the roles and responsibilities given by the Project Coordinator/Manager;
- Support the beneficiary survey and other end-of-project evaluations
- Take all necessary measures for the maintenance of the MIS to keep it operational.

## **QUALIFICATIONS REQUIREMENTS**

The person suitable for the position of the Environmental & Social Safeguard and Project Monitoring & Evaluation Consultant should have the following qualifications:

- Master's degree, preferable in the Environmental Sciences, Environmental Engineering or equivalent professional qualifications appropriate to the Consultancy Services requested;
- A minimum of 5 (five) years of relevant experience in Environmental & Social Safeguard Monitoring;
- Knowledge of Vietnam's regulations and laws (particularly in the EIA processes) is required;
- Familiarity with the IFAD, GCF, and REDD+ Safeguard policies will be an advantage;
- Knowledge and experience in Project Monitoring & Evaluation is desirable;
- Proficiency in using computer and office software packages (word processing, spreadsheet etc.). Experience in the handling of web-based data and Management Information Systems will be an added advantage;
- Fluent written and spoken Vietnamese and English.

## **REPORTING OBLIGATIONS**

The Consultant will work under the direction of and report to the RECAF Project Manager/Coordinator within the PMU, and in close consultation with the E&S Specialists of the PMU. The Consultant will deliver monthly progress reports concerning the accomplishment of their assignments.

In addition, concerning the overall Project M&E, the Consultant shall prepare semi-annual and annual surveys on project outcomes indicators and prepare semi-annual and annual project progress reports, updating relevant parts of the Result Framework, as appropriate. This work shall be conducted in close consultation with any relevant specialists with the PMU.

## **CLIENT'S INPUTS**

The Consultant will be based and work in the Provincial PMU office. DARD, as host of the Provincial PMU, will provide the office space and equipment required to perform the tasks assigned.

## **TERMS OF THE ASSIGNMENT AND DURATION**

- The Consultant will work on full-time basis.
- Remuneration will be paid on a monthly basis.
- The Consultant will be offered the opportunities to grow up professionally by attending relevant training events and courses during the term of the contract.
- The initial contract with the Consultant will cover one year, with a 3 month probation period, at which time the performance of Consultant shall be evaluated and extension may be made annually pending continued performance.

- Evaluation of the 3 (three) month probation period and any contract extension would be fully based on the consultant's performance certified by the Project Coordinator/Manager and as agreed with IFAD.

## APPENDIX 5. CHANCE FINDS PROCEDURE

The following “*chance find*” procedures must be included in all third-party contracts (e.g. Letters of Agreement) in instances where the contracted party is assisting with project implementation and/or construction activities.

Provincial PMUs will ensure that the bidding documents and work contract for civil works contractors include clauses on chance find procedures. Specifically, the clause will stipulate that if the Contractor discovers archeological sites, historical sites, remains and objects, including graveyards and/or individual graves during project implementation, the Contractor shall:

- Stop the activities in the area of the chance find;
- Delineate the discovered site or area;
- Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be arranged until the responsible local or provincial authorities take over;
- Notify the supervisory Safeguards Specialist within the PMU who, in turn, will notify the responsible local and provincial authorities immediately (within 24 hours or less);
- Responsible local and/or provincial authorities would oversee protecting and preserving the site before deciding on subsequent appropriate procedures. This would require a preliminary evaluation of the findings to be performed by government approved archeologists. The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage; those include the aesthetic, historic, scientific or research, social and economic values;
- Decisions on how to handle the finding shall be taken by the responsible local and provincial authorities. This could include changes in the layout (such as when finding an irremovable remain of cultural or archeological importance) conservation, preservation, restoration and salvage;
- Implementation for the authority decision concerning the management of the finding shall be communicated in writing by relevant local authorities; and
- Project activities could resume only after permission is given from the responsible local or provincial authorities concerning safeguard of the heritage.

Note that the reporting of chance finds only occurs when an item/area/etc. of cultural significance is found, and is only carried out insofar as what is detailed above (i.e. reporting the find, reporting how the item/area will be treated moving forward). Reporting begins with the local level implementer (e.g. staff tasked to the implement the project within a village) notifying the Safeguards Specialist, after which, the Safeguards Specialist guides the process according to the instructions above (e.g. notifying the relevant government authorities).



## **APPENDIX 6. ENVIRONMENTAL & SOCIAL CODES OF PRACTICE FOR CONSTRUCTION**

Generic contract clauses are provided to assist with environmental and social management works. These clauses are general and should be modified as needed. These clauses are intended to be included as requirements in the works contract and shall remain in force throughout the contract period.

### Clause on ESMP

The Contractor is required to implement this ESMP. The Contractor is responsible for the implementation of construction and rehabilitation activities for the sites and for implementing the impact mitigation measures in the construction phase. The Contractor's approach shall be detailed in the Contractor's Management Plan.

The Contractor shall include a suitably qualified and experienced Environmental, Occupational Health and Safety Officer (and other staff or consultants as necessary) to be specifically responsible for preparation and regular update and supervision of the ESMP. The Environmental, Occupational Health and Safety Officer is responsible for the daily supervision and monitoring of the Contractors implementation of the Plan and compliance with the Project ESMP for the duration of the contract. The Contractor's approach to comply with the ESMP shall be approved by PMU prior to the Contractor's mobilization to the site.

The Contractor will be required to report on the implementation status of the ESMP to PMU. The damages due to the violation of the stipulations by the Contractor shall be compensated and/or restored by the Contractor at his or her own expense. Performance will be monitored by PMU and will be enforced by withholding of payments (refer to relevant clause in the bid documents).

### Other Standard Clauses

#### *Permits and Approvals*

The contractor shall be responsible for ensuring that he or she has all relevant legal approvals and permits required to commence works.

#### *Site Security*

The contractor shall be responsible for maintaining security over the construction site including the protection of stored materials and equipment. In the event of severe weather, the contractor shall secure the construction site and associated equipment in such a manner as to protect the site and adjacent areas from consequential damages. This includes the management of onsite, construction materials, construction and sanitary wastes, additional strengthening of erosion control and soil stabilization systems and other conditions resulting from contractor activities which may increase the potential for damages.

#### *Discovery of Antiquities and Cultural Heritage*

If, during the execution of the activities contained in this contract, any material is discovered onsite which may be considered of historical or cultural interest, such as evidence of prior settlements, native or historical activities, evidence of any existence on a site which may be of cultural significance, all work shall stop and the supervising contracting officer shall be notified immediately and the Chance Find Procedures followed (Appendix 5). The area in which the material was discovered shall be secured, cordoned off, marked, and the evidence preserved for examination by the local archaeological or cultural authority. No item believed to be an artefact must be removed or disturbed

by any of the workers. Work may resume, without penalty of prejudice to the contractor upon permission from the contracting officer with any restrictions offered to protect the site.

#### *Worker Occupational Health and Safety*

The contractor shall ensure that all workers operate within a safe environment. Sanitation facilities shall be provided for all site workers. All sanitary wastes generated as a result of project activities shall be managed in a manner approved by the contracting officer and the local authority responsible for public health. The contractor shall ensure that there are basic medical facilities on site and that there are staff trained in basic first aid. Workers must be provided with the necessary protective gear as per their specific tasks such as hard hats, overalls, gloves, goggles, boots, etc. The contractor shall provide the contracting officer with an occupational health and safety plan for approval prior to the commencement of site activities.

The contractor must ensure that all workers operate within a safe environment. All relevant Labor and Occupational Health and Safety regulations must be adhered to ensure worker safety. Sanitary facilities must be provided for all workers on site. Appropriate posting of information within the site must be done to inform workers of key rules and regulations to follow.

#### *Noise Control*

The contractor shall control noise emissions generated as a result of contracting activities to the extent possible. In the case of site locations where noise disturbance will be a concern, the contractor shall ensure that the equipment is in good working order with manufacturer supplied noise suppression (mufflers etc.) systems functioning and in good repair.

Where noise management is a concern, the contractor shall make reasonable efforts to schedule activities during normal working hours (between 7 am and 5 pm). Where noise is likely to pose a risk to the surrounding community either by normal works or working outside of normal working hours or on weekends, the contractor shall inform the contracting officer and shall develop a public notification and noise management plan for approval by the contracting officer.

#### *Use and Management of Hazardous Materials, fuels, solvents and petroleum products*

The use of any hazardous materials including pesticides, oils, fuels and petroleum products shall conform to the proper use recommendations of the product. Waste hazardous materials and their containers shall be disposed of in a manner approved by the contracting officer in accordance with State and/or national laws and the Project ESMP. A site management plan will be developed by the contractor if the operation involves the use of these materials to include estimated quantities to be consumed in the process, storage plans, spill control plans, and waste disposal practices to be followed. Any plans required shall be approved by the contracting officer.

Elements of the hazardous materials management shall include:

- Contractor must provide temporary storage on site of all hazardous or toxic substances in safe containers labeled with details of composition, properties and handling information;
- Hazardous substances shall be placed in a leak-proof container to prevent spillage and leaching; and
- Wastes shall be transported and disposed of in a manner outlined in the ESMP, and cleared by the PMU Safeguards Team compliant with national laws and policies and the ESMP.

#### *Use and Management of Pesticides*

Any use of pesticides shall be approved by the contracting officer and shall conform to the manufacturers' recommendations for use and application. Any person using pesticides shall demonstrate that they have read and understood these requirements and are capable of complying with the usage recommendations to the satisfaction of the contracting officer. All pesticides to be used shall conform to the list of acceptable pesticides that are not banned by the relevant local authority.

If termite treatment is to be utilized, ensure appropriate chemical management measures are implemented to prevent contamination of surrounding areas, and use only licensed and registered pest control professionals with training and knowledge of proper application methods and techniques.

#### *Use of Explosives*

No explosives shall be used on the Project.

#### *Site Stabilization and Erosion Control*

The Contractor shall implement measures at the site of operations to manage soil erosion through minimization of excavated area and time of exposure of excavated areas, preservation of existing ground cover to the extent possible, provision of approved ground cover and the use of traps and filtration systems. Where excavations are made, contractor shall implement appropriate stabilizing techniques to prevent cave-in or landslide. Measures shall be approved by the contracting officer.

The contractor must ensure that appropriate erosion control measures such as silt fences are installed. Proper site drainage must be implemented. Any drain clogged by construction material or sediment must be unclogged as soon as possible to prevent overflow and flooding. The use of retaining structures and planting with deep rooted grasses to retain soil during and after works must be considered. The use of bio-engineering methods must be considered as a measure to reduce erosion and land slippage. All slopes and excavated areas must be monitored for movement.

The contractor will establish appropriate erosion and sediment control measures such as hay bales, sedimentation basins, and / or silt fences and traps to prevent sediment from moving off site and causing excessive turbidity in nearby streams, rivers and wetlands. Construction vehicles and machinery will be washed only in designated areas where runoff will not pollute natural surface water bodies.

#### *Air Quality*

The Contractor shall comply with the Project ESMP requirements for dust management.

#### *Traffic Management*

In the event that construction activities should result in the disruption of area transportation services, including temporary loss of roadways, blockages due to deliveries and site related activities, the contractor shall provide the contracting officer with a traffic management plan including a description of the anticipated service disruptions, community information plan, and traffic control strategy to be implemented so as to minimize the impact to the surrounding community. This plan shall consider time of day for planned disruptions, and shall include consideration for alternative access routes, access to essential services such as medical, disaster evacuation, and other critical services. The plan shall be approved by the contracting officer.

Elements of the traffic management plan to be developed and implemented by contractor shall include:

- Alternative routes will be identified in the instance of extended road works or road blockages;

- Public notification of all disturbance to their normal routes;
- Signage, barriers and traffic diversions must be clearly visible, and the public warned of all potential hazards;
- Provision for safe passages and crossings for all pedestrians where construction traffic interferes with their normal route;
- Active traffic management by trained and visible staff at the site or along roadways as required to ensure safe and convenient passage for the vehicular and pedestrian public; and
- Adjustment of working hours to local traffic patterns, e.g. avoiding major transport activities during rush hours or times of livestock movement.

#### *Water Quality*

The Contractor shall comply with the Project ESMP requirements for water quality. Under no circumstances shall the contractor permit the collection of standing water as a consequence of contractor activities to ensure that it does not create breeding grounds for any pests such as mosquitoes.

#### *Management of Solid Wastes and Construction Debris*

The contractor shall provide a solid waste management plan that conforms to the national solid waste management policies and regulations and the site-specific ESMP for approval by the PMU and IFAD (see Appendix 3 for an outline of a site-specific ESMP). The site's waste management plan shall include a description of waste handling procedures including collection, storage and disposal through the national waste management system. There will be no open burning of waste material and the contractor shall endeavor to recycle wastes as appropriate. Under no circumstances shall the contractor allow construction wastes to accumulate so as to cause a nuisance or health risk due to the propagation of pests and disease vectors.

#### *Management of Workers*

The Contractor will prepare a specific Code of Conduct (see Appendix 9) to describe the expected behaviors of their project worker in relation to the local communities and their social sensitivities. This is to avoid creating demand for illegal sex work, avoid SEA/SH and Violence against Children, manage alcohol consumption and avoid the use of illegal substances, and abide by cultural and social norms of the host community. The Contractor is to ensure no children (persons under the age of 18) are hired to work in the project.

The Contractor is to ensure that all overseas project staff undergo a training on the Staff Code of Conduct. Gender based violence and HIV/AIDS and communicable disease awareness raising and resources shall also be provided to all workers. MARD shall provide to the Contractor a list of approved service providers, which shall include recognized NGOs and others for conducting this training.

The Contractor is to stipulate the conditions under which visitors may attend the workers' accommodation, including curfews. The Contractor shall ensure that basic social/collective rest and recreation spaces and activities within the workers accommodation to help minimize the impact that the workers would have on the leisure and recreational facilities of the nearby communities. The Contractor must comply with the Guidelines for Worker's Camps (Appendix 7).

As per guidelines in the ESMP, the Contractor must ensure that Worker's Camps are located at least 500m from nearby communities and schools (see Appendix 7).

## **APPENDIX 7. GUIDELINES FOR WORKERS' CAMPS**

To ensure the compliance to the OHS and ESF requirement, these guidelines will help the contractor when setting up worker's camps.

### **GENERAL**

The Workers Camp Management Plan will be compliant with the specific prescriptions of the site-specific ESMP. Contractors must ensure that Worker's Camps are located at least 500m from nearby communities and schools.

### **WORKER RECRUITMENT**

The Contractor is required to minimise the number of skilled workers that are recruited from overseas. No unskilled labour will be sourced from overseas. Local communities should be prioritized for unskilled labour, including a target of 15% female unskilled workers when/where applicable. The Contractor will maximize the number of skilled and unskilled workers that are recruited from the communities along the project site.

The Contractor will be required to provide justification for any skilled workers recruited from overseas and explain why this position cannot be filled locally.

### **WORKERS CAMP FACILITIES**

All facilities in the Workers Camp must be complaint with the stipulations of the ESMP. The camp shall be provided with the following minimum facilities:

- Eating space and dormitories as required shall be constructed of suitable materials to provide a safe healthy environment for the workforce and which facilitate regular cleaning and the provision of ventilation and illumination.
- At least one water closet toilet, one urinal and one shower per 10 personnel engaged either permanently or temporarily on the project. Separate toilet and wash facilities shall be provided for male and female employees, including ensuring that toilets are available close to working sites/road sections where women are working.
- A sick bay and first aid station.
- Sewage collection facilities to allow for the treatment of black and grey wastewater discharge from toilets, washrooms, showers, kitchens, laundry and the like. The management of all camp wastewater water shall be as prescribed in the ESMP.
- All camp facilities shall be maintained in a safe clean and or appropriate condition throughout the construction period.
- Throughout the period of the contract the employer, the engineer, or their representatives shall have uninterrupted access to and from the camp for the purpose of carrying out routine inspections of all buildings, facilities or installations of whatever nature to ensure compliance with this specification.

### **WORKERS CAMP OPERATIONS**

- The Contractor will be required to provide adequate provisions for the workers for the duration of the project so as not to be a burden on the food or water security of the surrounding communities. The Contractor will strive to hire local labour to provide cleaning and food services.
- All wastewater, solid waste, freshwater usage, noise levels, handling and storage of hazardous materials shall be as prescribed in the ESMP.

## **MANAGEMENT OF OFF DUTY WORKERS**

- The Contractor will prepare ensure all staff sign and adhere to the Workers' Code of Conduct to describe the expected behaviours of their project worker in relation to the local communities and their social sensitivities.
- The Contractor is to ensure that all overseas project staff, not already living in Vietnam undergo a cultural familiarisation session as part of their induction training. The purpose of this induction will be to introduce the project staff to the cultural sensitivities of the local communities and the expected behaviours of the staff in their interactions with these communities.
- The Contractor is to stipulate the conditions under which visitors may attend the workers camp. Strict visiting hours should be enforced, and all visitors will be required to sign in and out of the worker's camp. No overnight visitors will be allowed.
- The Contractor shall ensure that basic social/collective rest spaces are provided equipped with seating within the Workers Camp to help minimise the impact that the workers would have on the leisure and recreational facilities of the nearby communities. Provisions should also be made to provide the workers with an active recreation space within the camp.

## **WORKERS CAMP MANAGEMENT PLAN**

A Worker Camp Management Plan shall be submitted by the Contractor to the Provincial PMU. The Workers' Camp Management Plan shall describe how this document and the ESMP shall be implemented in the following:

- Recruitment strategy
- Accommodation
- Canteen and dining areas
- Ablutions
- Water supply
- Wastewater management system
- Proposed power supply
- Code of Conduct for Workers
- Recreational/leisure facilities for workers
- Visitors to the Workers Camp
- Interactions with the local communities

## **APPENDIX 8. CONTRACTORS' GENERAL GUIDELINE ON COVID-19 CONSIDERATIONS IN CONSTRUCTION WORKS**

The objective of the Contractors' General Guideline on COVID-19 Considerations in Construction Works is to provide guidance on Prevention Measures and Response to possible cases of COVID-19 following the update-to-day guidance of the Ministry of Health.

### **Prevention Measures:**

- Dissemination of COVID-19 prevention measures to staff and workers through orientation or distributing leaflet/poster at information/safety board at each construction and camp site
- Daily checking temperature of staff and workers prior to start working
- Staff and workers are wearing masks all the time
- Do not share personal items or supplies such as phones, pens, notebooks, tools, etc.
- Avoid common physical greetings, such as handshakes
- Maintain a minimum physical distance of one metre from others if possible
- Wash hands often with soap and water for at least 20 seconds after using the washroom, before handling food, after blowing nose, coughing, or sneezing, and before smoking. If hands are not visibly soiled, and soap and water are unavailable, alcohol-based hand sanitizer can be used
- All offices and jobsites implement additional cleaning measures of common areas. All door handles, railings, ladders, switches, controls, eating surfaces, shared tools and equipment, taps, toilets, and personal workstation areas are wiped down at least twice a day with a disinfectant, such as disinfectant wipes. Individuals are responsible for cleaning and disinfecting their workstations
- Commonly touched surfaces on vehicles and equipment are thoroughly cleaned and disinfected at the end of shifts and between users
- Coughing or sneezing into a tissue or the bend of your arm, not your hand; dispose of used tissues you have as soon as possible in a lined waste basket and wash your hands afterwards
- Complying with any instructions announced by the Ministry of Health

### **Response to Possible Cases of COVID-19**

- Individuals who have been potentially exposed to the virus, or who are exhibiting flu-like symptoms such as fever, tiredness, coughing, or congestion are instructed to:
  - Not come to work;
  - Contact their supervisor and/or human resources department;
  - Stay at home and self-isolate; and
  - Contact local health authorities for further direction.
- Such individuals are required to follow the directions of the local health authority and may not return to work until given approval by the proper health authorities;
- Individuals who begin to display flu-like symptoms on site are instructed to avoid touching anything, take extra care to contain coughs and sneezes, and return home immediately to undergo self-isolation as directed by the local health authority;

All areas on site potentially infected by a confirmed or probable case are barricaded to keep individuals two meters away until the area is properly cleaned and disinfected.



## APPENDIX 9. WORKERS' CODE OF CONDUCT

**Instructions:** This Code of Conduct should be included in bidding documents for the civil works contractor(s) and in their contracts once hired. This Code of Conduct should also be included in bidding documents, and the contracts, of construction contractor. This Code of Conduct is to be signed by all contractor, including subcontractors, if any, including contractors and subcontractors' managers who work under the RECAF project.

I, \_\_\_\_\_, acknowledge that adhering to environmental, social, health and safety (ESHS) standards, following the project's occupational health and safety (OHS) requirements, and preventing Sexual Exploitation Abuse (SEA)/Sexual Harassment (SH) is important.

The Contractor/DDIS considers that failure to follow ESHS and OHS standards, or to partake in activities constituting SEA and SH be it on the work site, the work site surroundings, at workers' camps, or the surrounding communities—constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution by the Police of those who commit VAC, SEA/SH may be pursued if appropriate.

I agree that while working on the project I will:

- Build and main good relation with community members and local governments.
- Carry out his/her duties competently and diligently;
- Comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
- Maintain a safe working environment including by:
- Ensure that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
- Use appropriate measures relating to chemical, physical and biological substances and agents; and
- Follow applicable emergency operating procedures.
- Report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and danger to his/her life or health;
- Consent to a background check in any place I have worked for more than six months.
- Attend and actively partake in training courses related to ESHS, OHS, VAC, SEA/SH as requested by my employer.
- Will wear my personal protective equipment (PPE) at all times when at the work site or engaged in project related activities.
- Take all practical steps to implement the environmental and social management plan (ESMP).

- Implement the OHS Management Plan.
- Adhere to a zero-alcohol policy during work activities, and refrain from the use of narcotics or other substances which can impair faculties at all times.
- Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not sexually exploit or abuse project beneficiaries and members of the surrounding communities.
- Not engage in sexual harassment of work personnel and staff—for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is prohibited: i.e. looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts.
- Not engage in sexual favors—for instance, making promises of favorable treatment (i.e. promotion), threats of unfavorable treatment (i.e. loss of job) or payments in kind or in cash, dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- Not use prostitution in any form at any time.
- Not participate in sexual contact or activity with children under the age of 18—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
- Unless there is the full consent<sup>20</sup> by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex (including prostitution). Such sexual activity is considered “non-consensual” within the scope of this Code.
- Consider reporting through the GRM or to my manager any suspected or actual SEA/SH by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.
- Complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, and Sexual Exploitation, and Sexual Assault (SEA);
- Report violations of this Code of Conduct; and

With respect to children under the age of 18:

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<sup>20</sup> **Consent** is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

- Bring to the attention of my manager the presence of any children on the construction site or engaged in hazardous activities.
- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not invite unaccompanied children unrelated to my family into my home unless they are at immediate risk of injury or in physical danger.
- Not use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children's images for work related purposes” below).
- Refrain from physical punishment or discipline of children.
- No hiring of children for any RECAF project activity (no persons under the age of 18).
- Comply with all relevant local legislation, including labor laws in relation to child labor and World Bank’s safeguard policies on child labor and minimum age.
- Take appropriate caution when photographing or filming children (see x-bb below). Photos or films of children should generally not be taken in the RECAF, except in instances showing the benefits or impacts of road works, such as impacts to schools or school safety trainings.

#### **Use of children's images for work related purposes**

When photographing or filming a child for work related purposes, I must:

- Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
- Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels do not reveal identifying information about a child when sending images electronically.

#### **Raising Concerns**

If any person observes behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly. This can be done in either of the following ways:

- Contact [enter name of the Contractor’s Social Expert with relevant experience in handling gender-based violence, or if such person is not required under the Contract, another individual designated by the Contractor to handle these matters] in writing at this address [ ] or by telephone at [ ] or in person at [ ]; or
- Call [ ] to reach the Contractor’s hotline (if any) and leave a message.

The person's identity will be kept confidential, unless reporting of allegations is mandated by the country law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. We take seriously all reports of possible misconduct and will investigate and take appropriate action. We will provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate.

There will be no retaliation against any person who raises a concern in good faith about any behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

### Sanctions

I understand that if I breach this Workers' Code of Conduct, my employer will take disciplinary action which could include:

- Informal warning;
- Formal warning;
- Additional Training;
- Loss of up to one week's salary;
- Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months;
- Termination of employment;
- Report to the Police if warranted.

*I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met. That I will adhere to the occupational health and safety management plan. That I will avoid actions or behaviors that could be construed as VAC or SEA/SH. Any such actions will be a breach this Workers' Code of Conduct. I do hereby acknowledge that I have read the foregoing Workers' Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, VAC and SEA/SH issues. I understand that any action inconsistent with this Workers' Code of Conduct or failure to act mandated by this Workers' Code of Conduct may result in disciplinary action and may affect my ongoing employment.*

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX 10. CONTRACTORS' GENERAL GUIDELINE ON COVID-19 CONSIDERATIONS IN CONSTRUCTION WORKS

<b>NAME OF infrastructure scheme PROJECT:</b>		<b>LOCATION:</b>	
<b>DATE:</b>		<b>CONTRACTOR:</b>	
<b>PREPARED BY:</b>		<b>SUPERVISION CONSULTANT</b>	

**Inspection Participants:** (insert names and positions)

ESMP Items	Applies		Compliance			Issues	Status (R)/ (O)	Action Required/Taken	Target/ Actual Date
	Yes	No	<div></div>	<div></div>	<div></div>				
Mitigation & Management Measures: Construction Phase									
Mitigation measure from ESMP									
Mitigation & Management Measures: Operation and Maintenance Phase									

Compliant, Minor Non-Compliance, Significant Non-Compliance

Status: (R) Resolved Issues, (O) Ongoing Issues

## **APPENDIX 11. SAMPLE TORS FOR AN ENVIRONMENT & CLIMATE SAFEGUARDS SPECIALIST**

**BACKGROUND:** [This section must include the project background, ideally tailored to the specific PPMU]

**OBJECTIVE:**

The Environment & Climate Safeguards Specialist will be responsible for the implementation, monitoring, and reporting of all environment and climate-related safeguards for the project. This will include, when relevant, implementation of the project's Grievance Redress Mechanism (GRM), and any items listed in the Environmental, Social, and Climate Management Framework (ESCMF). You will work in close collaboration with the Gender & Social Safeguards Specialist, as well as the project's Monitoring & Reporting specialist. You will report to the lead of the Provincial Project Management Unit.

**RESPONSIBILITIES:**

- Prepare, implement, and monitor environmental safeguards instruments, including the environmental & climate-risk aspects of ESMPs and any Biodiversity Management Plans.
- Compile the environmental baseline data for ESMPs and Biodiversity Management Plans (when applicable) at sub-project sites based on requirements of the Government of Vietnam, IFAD, and GCF
- Identify key issues & ways to manage issues pertaining to the environment and climate.
- Conduct consultations, in collaboration with the Gender & Social Safeguards Specialist, with target communities in the project area to assess the (i) current environmental situation (at local level, this includes peoples' perception of the situation); (ii) environmental & climate-related impacts of sub-projects; and (iii) mitigation measures (including the communities' recommendations/solutions) that can be taken pertaining to any negative environmental/climate impacts
- Obtain data from, sensitize, and clearly explain to relevant government staff (or civil society organizations/partners, etc.) the data, M&E, and compliance requirements for environmental safeguards & climate risk considerations during project implementation.
- Manage, along with the Gender & Social Safeguards Specialist, the project's Grievance Redress Mechanism.

**MINIMUM REQUIREMENTS:**

- Manage, along with the Gender & Social Safeguards Specialist, the project's Grievance Redress Mechanism.
- Advanced University degree in Environmental Science, Biology, Environmental/Civil Engineering, or any related field.
- Minimum of 5 years of relevant operational experience and proven track record in working agricultural, forest management, and construction activities, including compliance with Environmental and Social standards
- Familiarity with climate science and management of climate risks
- Working knowledge of English and Vietnamese proficiency.
- National of Viet Nam.

**CORE COMPETENCIES:**

- Results Focus
- Teamwork
- Communication
- Building Effective Relationships
- Knowledge Sharing and Continuous Improvement

**TECHNICAL/FUNCTIONAL SKILLS:**

- Work experience in implementation and management of international safeguards standards pertaining to environment, climate, and agroforestry activities.
- Knowledge of issues pertaining to environment, climate, and biodiversity.

- Knowledge of computer-aided design programs, AutoCAD required and Structural Analysis programs.
- Knowledge and understanding of international environmental and social safeguards standards and practices

**SELECTION CRITERIA:**

- Demonstrated capacity supervise agricultural, forest management, and construction activities, including compliance with Environmental and Social standards
- Demonstrated ability to liaise with multiple agencies and contractors, effectively building an understanding and partnership with other UN bodies, NGOs, government agencies, and contractors
- Ability to plan, organize, implement, and report
- Excellent communication, writing, and presentation skills in English and Vietnamese
- Teamwork spirit, ability to work under minimum supervision
- Ability to build effective working relationships with national and international colleagues, with different cultural and technical backgrounds
- Proven strong communication, interpersonal and negotiation skills
- Analytical skills and experience.
- Ability to keep sensitive information as confidential.



## **APPENDIX 12. SAMPLE TORS FOR A GENDER & SOCIAL SAFEGUARDS SPECIALIST**

**BACKGROUND:** [This section must include the project background, ideally tailored to the specific PPMU]

**OBJECTIVE:**

The Gender & Social Safeguards Specialist will be responsible for the implementation, monitoring, and reporting of all environment and climate-related safeguards for the project. This will include, when relevant, implementation of the project's Grievance Redress Mechanism (GRM), and any items listed in the Environmental, Social, and Climate Management Framework (ESCMF). You will work in close collaboration with the Gender & Social Safeguards Specialist, as well as the project's Monitoring & Reporting specialist. You will report to the lead of the Provincial Project Management Unit.

**RESPONSIBILITIES:**

- Prepare, implement, and monitor social safeguards instruments, including the social aspects of ESMPs, the Labour Management Plan, and IP Plan.
- Compile the social baseline data for ESMPs, LMPs, and IP Plans at sub-project sites with information on demographics, ethnic/religious minorities and indigenous populations, overall population, education, health, social protection, language(s), religion, and any other areas required based on IFAD and GCF guidelines
- Identify key issues & ways to manage issues pertaining to gender, IP, and social inclusion.
- Conduct consultations, in collaboration with the Environment & Climate Specialist, with target communities in the project area to assess the (i) current social situation (at local level, this includes peoples' perception of the situation); (ii) social impacts of sub-projects; and (iii) mitigation measures (including the communities' recommendations/solutions) that can be taken pertaining to any negative social impacts
- Obtain data from, sensitize, and clearly explain to relevant government staff (or civil society organizations/partners, etc.) the data, M&E, and compliance requirements for social safeguards & gender/IP/social inclusion during project implementation.
- Manage, along with the Environment & Climate Safeguards Specialist, the project's Grievance Redress Mechanism.

**MINIMUM REQUIREMENTS:**

- Advanced University degree in Social Sciences, Gender Studies, International Development, or any related field to social inclusion/gender and social safeguards.
- Minimum of 5 years of relevant operational experience and proven track record in working on development projects in the agriculture/forest sector.
- Working knowledge of English and Vietnamese proficiency.
- National of Viet Nam.

**CORE COMPETENCIES:**

- Results Focus
- Teamwork
- Communication
- Building Effective Relationships
- Knowledge Sharing and Continuous Improvement

**TECHNICAL/FUNCTIONAL SKILLS:**

- Work experience in implementation and management of gender and social inclusion activities, and social safeguards to international standards.
- Knowledge of issues pertaining to ethnic minorities, Indigenous Persons, gender, youth, and other vulnerable populations.
- Knowledge and understanding of international environmental and social safeguards standards and

practices

**SELECTION CRITERIA:**

- Demonstrated capacity supervise agricultural, forest management, and construction activities, including attention to issues of gender and social inclusion and compliance with Environmental and Social standards
- Demonstrated ability to liaise with multiple agencies and contractors, effectively building an understanding and partnership with other UN bodies, NGOs, government agencies, and contractors
- Ability to plan, organize, implement, and report
- Excellent communication, writing, and presentation skills in English and Vietnamese
- Teamwork spirit, ability to work under minimum supervision
- Ability to build effective working relationships with national and international colleagues, with different cultural and technical backgrounds
- Proven strong communication, interpersonal and negotiation skills
- Analytical skills and experience.
- Ability to keep sensitive information as confidential.

## APPENDIX 13. ESTIMATION OF PROJECT LABOR

RECAF project is anticipated to engage four type of workers: direct workers, contracted workers, community workers and workers of primary suppliers.

- Direct workers – people employed or engaged directly by provincial PMUs including the project proponent and the project implementing agencies to work specifically in relation to the project.
- Contracted workers – people employed or engaged through construction contractors, and subcontractors, to perform activities related to construction of the civil works. Contracted workers also include those mobilized under consultancy assignments.
- Primary supply workers – people engaged by PMU's contractors as primary suppliers. Primary supply workers include those who are hired by main suppliers of construction materials and goods for core functions of the project.
- Community workers – local people who are engaged to provide labor as a contribution to the project on a voluntary basis, such as village extension volunteers.

The total project workers is estimated to be 852 people. Each infrastructure scheme potentially involve 14 workers (which would be engaged by civil work contractors, on average). These workers come from four type of workers (as mentioned above), and from four project levels: central, provincial, district, and commune.

WORKER TYPES	Central	Provincial	District	Commune	TOTAL	Percent age
Direct Workers	5	78	-	-	83	9.7%
Contracted Workers	-	-	180	-	180	21.1%
Primary Supply Workers	-	-	-	300	300	35.2%
Community Workers	-	-	-	180	180	21.1%
Government civil servants working in connection with project	13	96	-	-	109	12.8%
	184	170	180	480	852	100%



## **APPENDIX 14. SUGGESTIVE OUTLINE FOR LABOR MANAGEMENT PROCEDURES**

### **1. INTRODUCTION**

- 1.1 Project Background
- 1.2 Project Descriptions
- 1.3 Purpose of the LMP

### **2. OVERVIEW ON LABOR USE UNDER THE PROJECT**

- 2.1 Type of workers
- 2.2 Direct workers
- 2.3 Contracted workers
- 2.4 Primary supply workers
- 2.5 Community workers
- 2.6 Other stakeholders working in connection with the project
- 2.7 Estimated number of workers

### **3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS**

- 3.1 Project activities involving labour
- 3.2 Key labor risks

### **4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS**

### **5. BRIEF OVERVIEW OF OCCUPATION HEALTH & SAFETY LEGISLATION**

### **6. RESPONSIBLE STAFF**

- 6.1 Responsibilities of MARD
- 6.2 Responsibilities of Provincial PMUs

### **7. POLICIES AND PROCEDURES**

### **8. AGE OF EMPLOYMENT**

### **9. TERMS AND CONDITIONS**

### **10. GRIEVANCE MECHANISM**

### **11. CONTRACTOR MANAGEMENT**

### **ANNEXES**

Annex 1 - Text related to labor risk management that must be included in a) Bidding Documents, and b) Work Contract for Civil Work Contractors.

## **APPENDIX 15. EMERGENCY PREPAREDNESS AND RESPONSE PLAN (EPRP)**

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    - 3.2 Characteristics of dam and appurtenant structures
  4. ROLES AND RESPONSIBILITIES OF KEY RELEVANT ENTITIES
    - 4.1 Owner
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  5. EMERGENCY IDENTIFICATION, EVALUATION, AND CLASSIFICATION PROCEDURES
    - 5.1 General introduction
    - 5.2 Emergency identification and evaluation procedures
    - 5.3 Emergency classification
      - 5.3.1 Large Flood Discharge (without Dam Failure)
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  6. NOTIFICATION PROCEDURE AND CONTACT LIST
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  8. PREPAREDNESS ACTIVITIES
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  9. TERMINATION AND DOCUMENTATION
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  10. EPP REVIEW, UPDATING, AND TRAINING
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- Annex 1. General Site Plans and Access Routes
  - Annex 2. Emergency Response Matrix
  - Annex 3. Emergency contact list
  - Annex 4. Emergency flowcharts
  - Annex 5. Dam break analysis report and inundation maps







## APPENDIX 16. ELABORATION OF SOME SELECT RISKS MENTIONED IN SECTION 4.3

### CHILD LABOR

**According to the Viet Nam National Child Labour Survey 2018**, two third of child labour work in 21 types of work - Eight types of work are in the agriculture - forestry - fisheries and six in the industry - construction sector. Nearly 20.1 % of working children worked long hours, often 40 hours per week, or more. The share of children in child labour, and of children in hazardous work, who worked over 40 hours per week was 34.2% and 40.6%, respectively.

The environment and work conditions of children in child labour in terms of safety and health were not assure. Many risks that could affect children's physical development, particularly in the work places where conditions such as working at heights, working under water, contact with toxic chemicals, lifting heavy objects, operating machines and working with equipment were not suitable for the children's relative ages. Children who worked as paid workers can earn a wage from 2.5 to 3.5 million VND per month (US\$108 - US\$151).

Compared to the results of the 2012 National Child Labour Survey, the 2018 Survey indicated that there has been a positive change in the situation of working children in Viet Nam - Child labor has decreased sharply – from 15.5% in 2012 down to 9.1% in 2018. But, it is still noted that, nationally, 519,805 people children working in hazardous condition account, accounting for 2.7 % of the child population of that age and representing 29.6 % of all working children in that age group and 50.4 % of all children in child labour.

**According to the Viet Nam SDGCW Survey 2020-2021**, at national level, about 6.9% of children aged between 5-17 years of aged are engaged in child labour. Childre are involved in both economic activities and household chores<sup>21</sup>. It noted that that of the six key regions in Vietnam, child labour rate in Central Highland (where RECAF is located) is this highest – 13.8%. Child labour rate among ethnic groups is higher than that among the Kinh group.

It was noted by the survey that the proportion of rural children involved in child labour (8.1 percent) is **higher** than urban children (4.6 percent). Children not attending school are five times more likely to be engaged in child labour than those attending school (26.2 percent vs. 5.7 percent, respectively). Children in poorer households, those with mothers who have lower education, and those in ethnic minority groups tend to engage in child labour, and are more likely to perform hazardous work.

It is also found that the percentage of children (aged 5-17 years) who work under hazardous conditions is high (3.9%) of which carrying heavy objects is most popular (1.7%), followed by working in conditions that expose them to extreme cold, heat or humidity (1.4%), exposed to dust, fumes or gas (1.2%) and using dangerous tools or operating heavy machinery (1.2%).

#### **Proposed mitigation measures:**

- All contractors (for civil works) are required to perform an age check and ensure jobs are not offered to those who are under 18 years of age.
- Prior to the engagement of labor, contractors will require all potential workers to provide their identification card, or birth certificate, for age verification. In the absence of these

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<sup>21</sup> Economic activities include paid or unpaid work for someone who is not a member of the household, work for a family farm or business. Household chores include domestic activities such as cooking, cleaning or child care.

official documents, alternative methods will be used for age verification, such as a testimony/affidavit from village level where the potential employee was born, or currently live. Provincial PMU will check all supporting documents for age verification for its validity. A copy of the document used for age verification will be kept on the Contractor's record.

- If a worker is found to be under 18 years of age following mobilization, the Contract is required to stop the work of the worker involved. Contractor must explain to the workers and ask the worker to stop their work immediately. Contractor will then agree with the worker on how compensation for the time the worker have spent are paid, including payment of any unpaid overtime work, and other benefits. The contract should be ceased immediately on the day age verification is completed.

## FORCED LABOR

In Vietnam, forced labour is still dominant. The most popular form of forced labor is related to migrant workers. Each year, a total of 80,000 Vietnamese leave the country for work overseas<sup>22</sup>, and another 450,000 residing abroad as temporary workers<sup>23</sup>. To strengthen the commitment to prevention of forced labor, the National Assembly in Vietnam voted, on 8 June 2020, for the ratification of the Abolition of Forced Labour Convention, 1957 (No. 105). Convention No. 105 is the seventh ILO fundamental Convention ratified by Vietnam, and is testimony of its deep commitment to advancing fundamental principles and rights at work and paving the way for the ratification of all eight ILO Fundamental Conventions.

In the context of RECAF project, forced labor is anticipated but is likely in the form of local households sending young children and young family members (adult) to work in project's civil works (undertaken by local contractors) to earn income to pay debts, or the like.

### Proposed mitigation measures:

- All contractors (for civil works) are required to perform a check. This can be carried out by asking potential workers asking about a) why they apply for the work, b) can they decide on how their wage are used? And c) for what purpose their income are intended to be used.
- If a potential worker is likely a forced labor, the contractor will need to verify the information collected from the potential worker before deciding to hire the potential worker.

## WORKPLACE ACCIDENTS

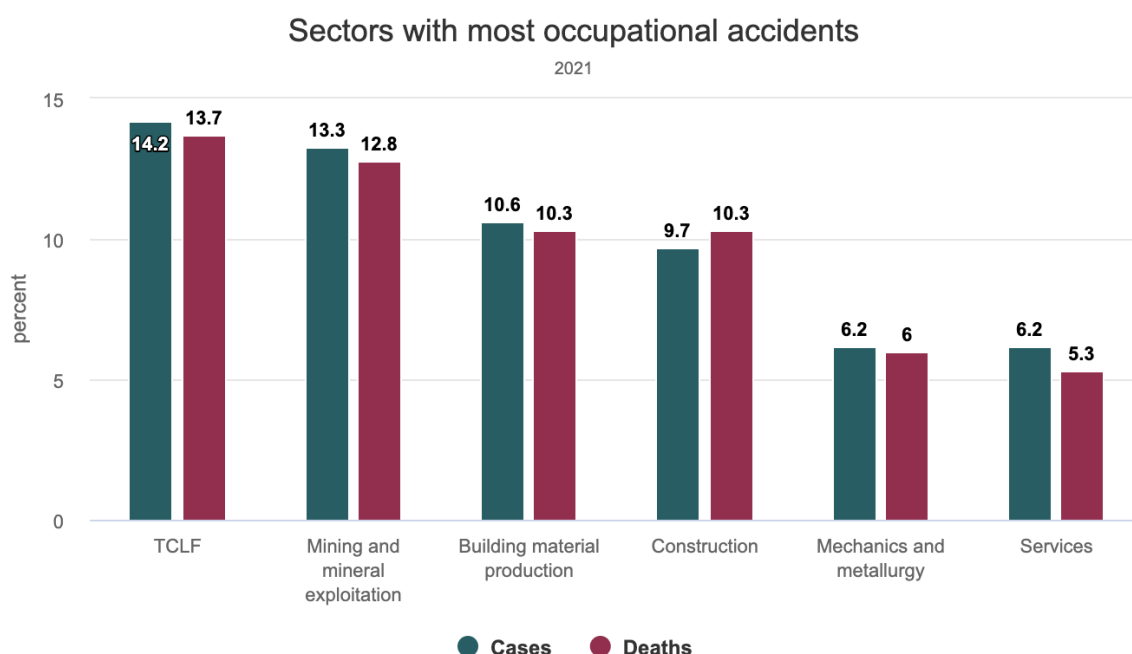
According to Ministry of Labor, Invalids and Social Affairs<sup>24</sup>, in 2022 alone, a total of 7,718 workplace accidents occurred nationwide last year, resulting in 7,923 people getting injured and significant losses of over VND14.1 trillion. Data in 2021 (see chart below) show that occupational accidents in construction ranks forth. Construction is considered the most dangerous job in Vietnam (according to VNExpress 2019) which reported that 46% of workplace accidents was due to employers' faults (e.g. failure to observe a working procedure).

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<sup>22</sup> ILO 2020. Labour Migration in Viet Nam. Web page consulted on 28.01.2020.

<sup>23</sup> IOM country web page consulted on 28.01.2020.

<sup>24</sup>



**Source.** <https://e.vnexpress.net/news/news/workplace-accidents-highest-in-labor-intensive-industry-grouping-4448787.html> (accessed on 21 August 2024).

In Vietnam, there is no study for workplace accidents that is specific to forestry sector. However, occupational safety is generally known to be low in forestry work, and may be similar in Southeast Asian countries where health and safety aspects are typically not taken seriously<sup>25</sup>.

#### **Proposed mitigation measures:**

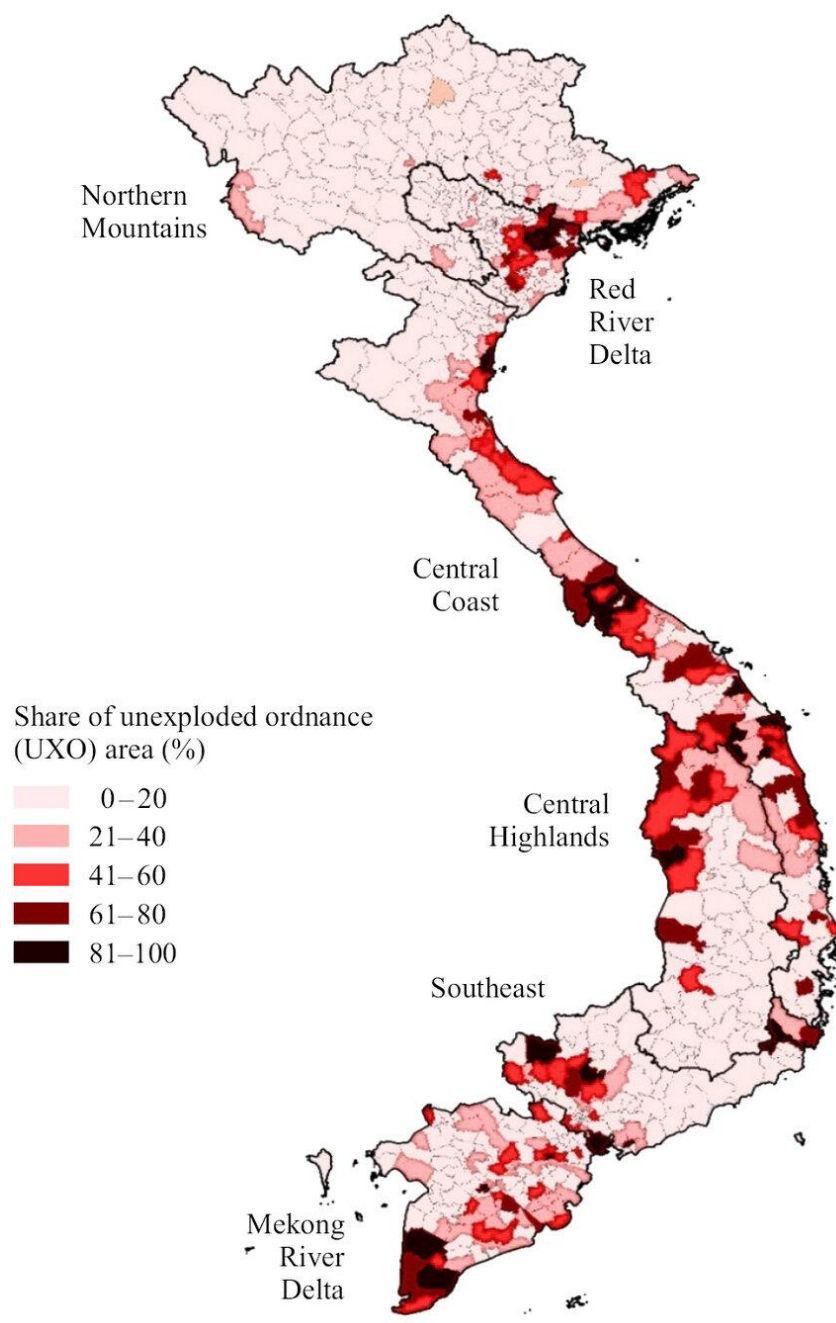
- Please see proposed mitigation measures of risks related to Occupational Health and Safety in Table 4 of Section 4.3 (Proposed Mitigation Measures).
- Please see suggested outline for Labor Management Procedures (project-level) which will be prepared in year 1 of project implementation.

#### **UXO**

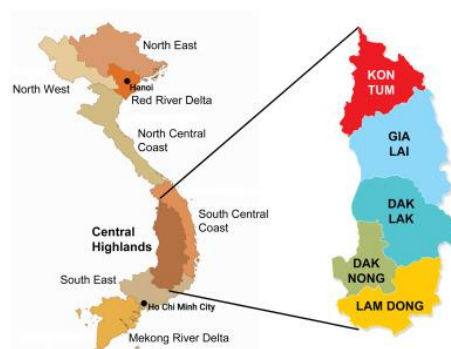
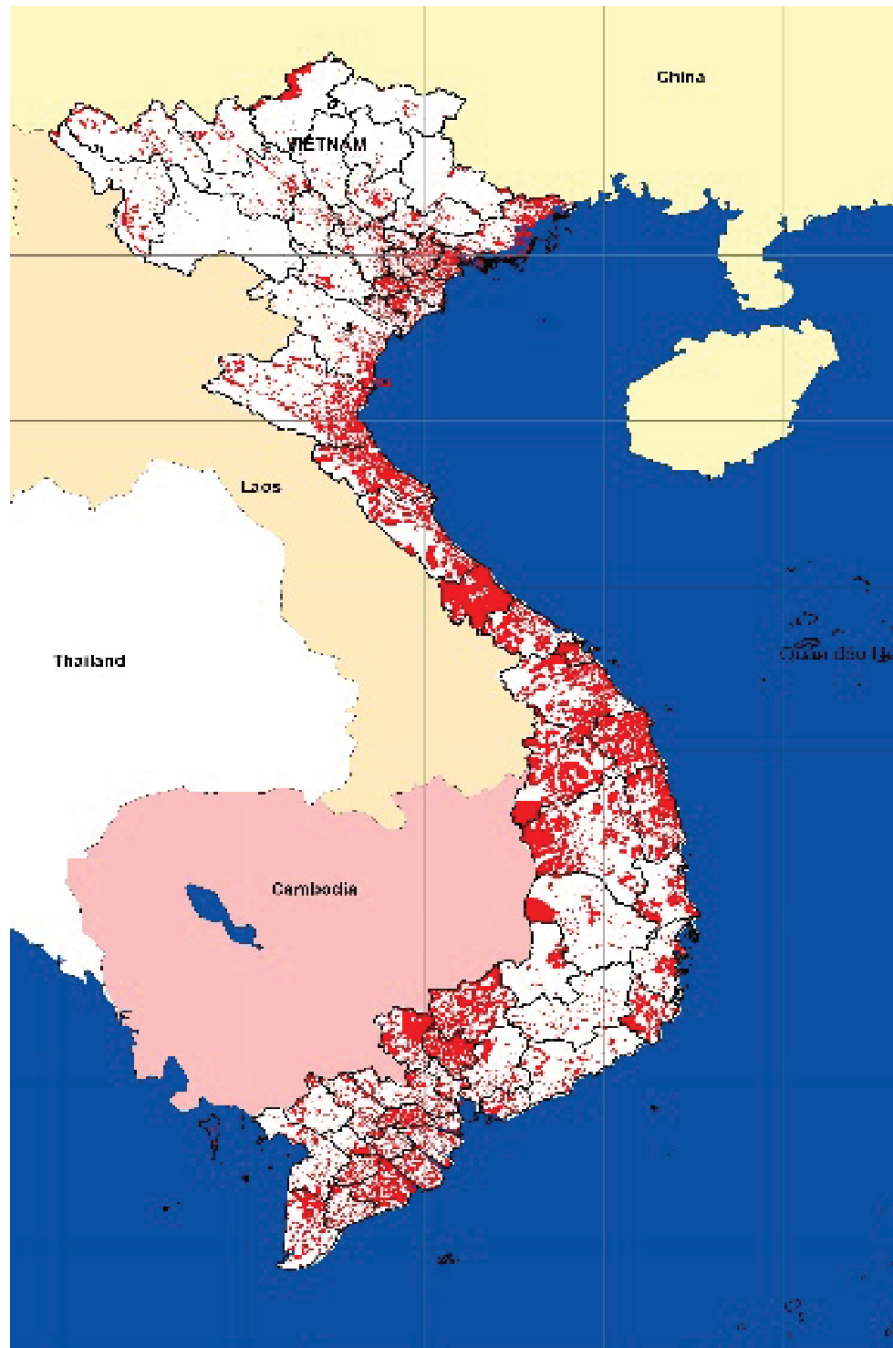
This risk of the presence of UXO in the subproject area is identified and initially rated as low risk because the project will mainly rehabilitate existing canals. Excavation of land and/or earthwork is minimal except for cases where minor extension of existing canal or farm road are needed. The following step will be undertaken to screening for UXO risk for subproject that involves soil excavation:

- Provincial PMU will conduct consultation with local authorities for the subproject area where civil works potential involves soil excavation. The consultation aims to check if UXO risk is present in the subproject area and if UXO screening should be carried out.
- If local authorities recommends that UXO screening should be carried out, a professional UXO screening service will be engaged to screen for UXO, and clear UXO if found for the subproject area.
- Upon completion of clearance for the subproject area, a certificate of UXO clearance will be issued by the professional service before the subproject area is handed over to the construction contractor.

<sup>25</sup> Kaakkurivaara, T.; Borz, S.A.; Kaakkurivaara, N. Risk Factors and Occupational Safety Failures in Forest Work in the Southeast Asian Region. *Forests* 2022, 13, 2034. <https://doi.org/10.3390/f13122034>



**Source.** Nguyen, Thuy & Tran, Tuyen & Vu, Huong. (2022). Unexploded ordnance contamination and household livelihood choice in rural Vietnam. *Russian Journal of Economics*. 8. 276-294. 10.32609/j.ruje.8.79738. ER - Authors' calculation using data from VNMAC (2021)

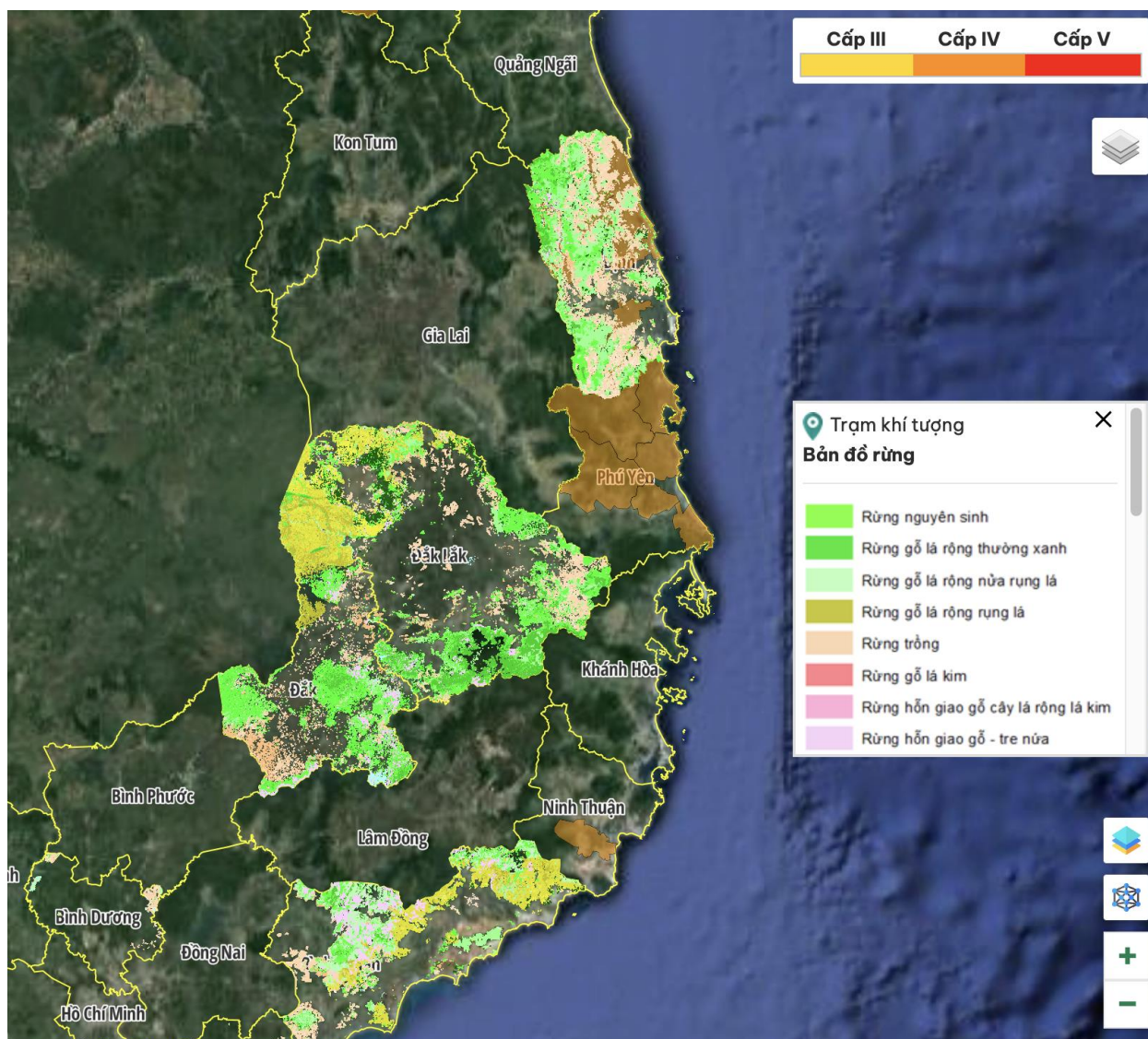


## FOREST FIRE

Of the five project provinces, Ninh Phước district of Ninh Thuan province is the only project area that has the highest forest fire classification (Class V) which mean “very dangerous”, according to the Department of Forest Ranger.

Provinces	Districts	Alarm Level
Đắk Lắk	Huyện Buôn Đôn	I
Đắk Lắk	Huyện Ea H'leo	I
Đắk Lắk	Huyện Ea Súp	I
Đắk Lắk	Huyện Lắk	I
Đắk Lắk	Thành phố Buôn Ma Thuột	I
Đắk Nông	Huyện Cư Jút	I
Đắk Nông	Huyện Đắk Glong	I
Đắk Nông	Huyện Đắk Mil	I
Đắk Nông	Huyện Đắk R'Lấp	I
Đắk Nông	Huyện Đắk Song	I
Gia Lai	Huyện Chư Păh	I
Gia Lai	Huyện Chư Prông	I
Gia Lai	Huyện Chư Sê	I
Gia Lai	Huyện Đức Cơ	I
Gia Lai	Huyện Krông Pa	I
Gia Lai	Huyện Mang Yang	I
Gia Lai	Thị xã Ayun Pa	I
Lâm Đồng	Huyện Bảo Lâm	I
Lâm Đồng	Huyện Cát Tiên	I
Lâm Đồng	Huyện Đạ Huoai	I
Lâm Đồng	Huyện Đạ Tẻh	I
Lâm Đồng	Huyện Di Linh	I
Lâm Đồng	Huyện Đơn Dương	I
Lâm Đồng	Huyện Đức Trọng	I
Lâm Đồng	Huyện Lạc Dương	I
Lâm Đồng	Huyện Lâm Hà	I
Lâm Đồng	Thành phố Đà Lạt	I
Ninh Thuận	Huyện Bác Ái	I
Ninh Thuận	Huyện Ninh Phước	IV
Ninh Thuận	Huyện Ninh Sơn	I





## APPENDIX 17. PROCEDURES FOR VOLUNTARY DONATION

### 1. Principles

The following principles apply to the project:

- When an infrastructure scheme affects the assets of the local people but the impacts on assets are minor and affected people wish to voluntarily donate the affected assets without receiving compensation entitlement, their donation is acceptable.
- It is required that provincial PMUs inform affected people of their compensation entitlement – based on the monetary value of the full compensation package, before affected people are approached to explore if they are interested in donating part, or all of their affected assets. Affected people can exercise free will - they can refuse to donate.

- Donations that may be induced through informal pressure or, in extreme cases, coercion, is not acceptable under the project.

## **2. Donation Eligibility**

The following households are **NOT eligible** for donation under this project:

- Households who meet at least one of the following criteria: a) **ethnic minority households**, b) **poor or near-poor households** (based on government issued certificates), c) **female-headed households with dependents**, and d) **households that receive regular allowance** from government under any support program, e) **households** without poor or near-poor certificate but are in especially difficult circumstance – as recognized by local community.

The following households **are eligible** for be considered for donation:

- Are **direct beneficiary household** of the planned infrastructure scheme.
- Have **sole ownership** to the land portion and/or affected assets that are intended for donation.
- **No legal disputes** associated with the donated land and non-land assets.
- **Have a total productive land of more than 300m<sup>2</sup>.**
- Potentially donated land area **does not exceed 5% of the total landholding** (both productive land and residential land) of the donating households;
- Land portion (intended to be donated to the infrastructure scheme) is **free of houses, structures or other fixed assets**.
- Donating household are **not physically resettled** because of land donation.
- **Will not face any risk of failure** in maintaining their livelihood due to donation.

## **3. Benefits of donating households**

- **Be exempt from any tax and transaction fee(s)** that may be associated with the portion of land that is donated. If such cost is involved, the project will cover all related costs.
- **Be recognized** by local government for their donation.

## **4. Step to be taken by Provincial PMUs for voluntary donation**

### **Step 1. Prepare Inventory of loss**

- Inform all affected people of the infrastructure scheme (e.g. purpose, impacts and risks, mitigation measures, grievance redress procedures).
- Conduct survey to establish an Inventory of Loss to indicate the location and amount of land, and/or affected assets at household level.
- Calculate the monetary value of affected assets for each affected household.

### **Step 2. Conduct Initial Screening for Eligibility for Voluntary Donation**

- Collect necessary demographic information about affected individuals/households.



- Conduct consultation with affected people on project's compensation policy, introducing voluntary donation as an option.
- Screen for households that are potentially qualified for VD using Screening Form below
- Prepare of list of households that meet eligibility criteria for donation.

### **Step 3. Consult with Potential VD**

- PMU (district) staff will assure that only household that meet the above VD criteria are approached to inform project's VD procedure.
- Consult with potential qualified donors to explain project's compensation policies and the voluntary as an option for affected households.
- When consulting potential donors, emphasize affected peoples' right to either receiving compensation or donating part or full amount of their affected assets.
- Finalize the list of people who wish to donate affected assets.
- Consult with local Department of Natural Resource and Environment before undertaking Step 3.
- Identify if there are anyone who are using the part of land intended for donation; if there is, consult with them to obtain their consent related to planned donation.
- Submit all above VD documents to the IFAD for review prior to conducting Step 3.

### **Step 4. Start Donation Process**

- Establish a formal statement of donation which will be signed by each donating household.
- Establish informed consent and confirm that no dispute exists over the ownership of the donated part of land/asset, and that there are no claims by renters, users, squatters, or encroachers.
- Proceed the formal procedures for donating the part of land/asset – as per government's donating procedures.
- Provincial PMU will maintain all records of asset donations and donated lands are notarized to avoid future disputes. Ensure supporting documents are available for review in case where grievance arises.
- Indicate that Provincial PMU maintain proper documentation and complete donation process.

### **Step 5. Hand over the donated land to project.**

## **5. Responsibilities of Provincial PMUs**

Provincial PMUs are responsible for the entire VD process and outcome. In collaboration with relevant governmental agencies (e.g. Department of Natural Resources and Environment), Provincial PMUs will:

- Develop transparent procedures for VDs in consultation with affected households (AHs).
- Guide local staff and ensure the relevant local government agencies are involved when preparing a Voluntary Land Donation Report. This aims to indicate all affected people have been fully informed of the infrastructure scheme and of their right to refuse donating their land and/or other assets;

- Screen for eligible donating household(s) who meet the eligibility criteria for donation – to explore if they wish to make voluntary donation based on the VD principle.
- Ensure eligible potential donating household(s) are appropriately informed<sup>26</sup> that by donating their affected land and/or asset for the infrastructure scheme purpose, they are reneging on their right to compensation.
- Ensure the affected households have been provided with sufficient time to consider their disposition of the assets and has knowingly rejected the right to renege on his or her decision.
- Ensure that donated assets are owned and used by the owner, and that if others are using the asset, land or asset users are fully consulted on the potential donation by the asset owner<sup>27</sup>;
- Ensure that household donating land/asset pay no fee associated with their donation. Any fees or taxes incurred due to land donation and any update of land ownership documents are covered by Provincial PMUs.
- Obtain the consent of the community involved, including individuals who are using or occupying the land in case where community or collective land is proposed for donation.
- Keep affected household informed timely and appropriately about the VD process, including their rights and project's grievance redress procedure.
- Inform potential donors of their right in deciding the extent of their VD (out of the total impact that the project may cause to them).
- Resolve any grievances that may occur in relation to VLD process; and
- Ensure that the entire VD process and its outcome is fully and timely documented by Provincial PMU and submitted to the IFAD for review.
- Provincial PMU will document fully and carefully the entire VD process, and compile a report which includes the followings:
  - Infrastructure scheme name, location, geographical area (including timing of the report and disclosure information).
  - Description of the Infrastructure scheme: construction site, area of influence, and the extent of impacts on assets.
  - Description of consultation activities and procedures that have been undertaken to ensure donors are appropriately informed of the project's VD procedures and requirements, including their rights to choosing compensation payment or opting for VD.
  - A detailed list of assets voluntarily donated and corresponding donors.
  - Minutes of consultation, including consultation process and consultation outcomes as to asset donation, and grievance redress mechanism.
  - Ensure that VD process is regularly monitored as part of PMU' internal monitoring arrangements.

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<sup>26</sup> “Appropriately informed” means that the potential donor has all available information regarding the proposed project activity and its impacts, its land requirements, and its alternative activity sites, as well as the potential donors' rights to compensation as per local regulations. The potential donor has also been provided with sufficient time to consider his or her disposition of the affected assets and has knowingly rejected the right to renege on his or her decision.

<sup>27</sup> For instance, if part of a business stall is leased and is being donated by the owner, the person leasing the stall should also be consulted.



## Screening Form for Voluntary Donation

<b>A. Information about affected household</b>						
Province:	District:	Commune:	Village:			
Name of infrastructure scheme	Name of representative of Commune's People Committee					
Names of Potential Donating Persons	Name of Husband:	Job:	ID Number:	Age:		
	Name of Wife:	Job:	ID Number:	Age:		
Address:						
<b>B. Screening of Eligibility for Donation</b>					<b>Yes</b>	<b>No</b>
1. Is your household from vulnerable/disadvantaged group?						
1. Does your household have a valid <b>Certificate of Poor Household</b> ?						
2. Does your household have a valid <b>Certificate of Near-Poor Household</b> ?						
3. Is your household from an <b>Ethnic Minority</b> group?						
4. Is your household <b>Female Headed with Dependents</b> ?						
5. Does your households <b>receive regular allowance from government</b> under any support program?						
6. Is your household <b>living in an especially difficult circumstance</b> ?						
If response to above question(s) is "Yes", please ask to collect supporting evidence to confirm.						
<b>C. Screening of Total Land Assets</b>						
1. Total area (m2) of the <b>residential land</b> (including house and surrounding area):						
2. Total area (m2) of <b>annual cropland</b> (e.g. rice land and others):						
3. Total area (m2) of <b>perennial land</b> (e.g. fruit trees, industrial trees):						
4. Total area (m2) of <b>aquaculture land</b> :						
5. Total area (m2) of <b>animal husbandry land</b> :						
6. Total area (m2) of other lands:						
7. Do you have sole ownership of the above lands?					Yes/ No	

By signing or providing thumbprint on this form, the household confirms the accuracy of the information provided to allow the project to proceed to the next step of land donation procedure – as per local regulation.

District Implementation Unit

Affected persons

Date:  
Signature

Date:  
Signature of Husband and Wife

Commune People's Committee (Witness)

Date:  
Signature