



Federal Republic of Nigeria

Federal Ministry of Education

Africa Centers of Excellence for Development Impact/ ACE Impact

NIGERIA

**ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK
(ESMF)**

Prepared by the Association of African Universities

Revised version

29 October 2018

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Currency equivalence (Exchange Rate Effective May 16, 2018):

Nigerian Naira (NGN) 314.75 = 1US\$

List of acronyms and abbreviations

AAU	Association of African Universities
ACE	Africa Center of Excellence
ECOWAS	Economic Community of West African States
EIA	Environmental Impact Assessment
ESFS	Environmental and Social Data Sheet
ESIS	Environmental and Social Information Sheet (ESIS)
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
FMinv	Federal Ministry of Environment
GHG	Greenhouse gas
IDA	International Development Assistance
MDAs	Ministries, Agencies and Departments
MESTI	Ministry of Environment, Science, Technology and Innovation
NCE	National Council on Environment
NEMA	National Emergency Management Agency
NESREA	National Environmental Standards and Regulations Enforcement Agency
NPE	National Policy on the Environment
NUC	Nigerian Universities Commission
OP	Operational policy
RFU	Regional Facilitation Unit
SSF	Simplified Screening Form
ToR	Terms of Reference
W-ESMP	Worksite-Environmental and social Plan
WB	World Bank

The Association of African Universities (AAU), in charge of implementing the ACE Impact Project, is the apex organization and forum for consultation, exchange of information and co-operation among institutions of higher education in Africa.

It represents the voice of higher education in Africa on regional and international bodies and supports networking by institutions of higher education in teaching, research, information exchange and dissemination.

EXECUTIVE SUMMARY

I. PURPOSE AND OBJECTIVES OF THE ESMF

The **Environmental and Social Management Framework (ESMF)** of the Africa Excellence Centers for Development Impact Project was prepared in Nigeria by the *Association of African Universities (AAU)* on behalf of the Federal Ministry of Education. It aims to provide a general view of the environmental and social conditions under which the Project is implemented.

Since the exact locations of the intervention sites of the Project are not yet known, this ESMF has been prepared by the borrower to provide the standard procedure and institutional arrangements for environmental and social screening, categorization and approval of sub-projects as well as guidelines for the preparation, implementation and monitoring of the site specific environmental work (such as simplified Environmental and Social Impact Assessments/Environmental Management Plans (ESIAs/EMPs) or environmental measures). These site-specific instruments include environmental clauses to be inserted in contractors' bidding documents.

II. DESCRIPTION OF THE PROJECT

The Project Development Objective is to improve the quality, quantity and development impact of postgraduate education in selected universities through regional specialization and collaboration.

The project has three components :

- ▶ **Component 1** aims to build and strengthen the capacity of competitively selected ACE Impact centers based in higher education institutions across West and Central Africa.
- ▶ **Component 2** seeks to expand the regional scope of impact of the ACEs funded under Component 1 by providing demand-side funding for partnering institutions and regional students to buy training and services from the ACEs.
- ▶ **Component 3** will fund, through a Regional IDA grant of US\$10 million to the Association of African Universities (AAU), the facilitation of the ACE Impact project's regional activities and support to centers under the project.

The total Project budget for activities in Nigeria is approximately USD **70 million** - a credit from the International Development Association (IDA).

The **Association of African Universities (AAU)** will be responsible for implementation support of Components 1 and 2 (as well as the overall regional facilitation of ACE Impact).

A project team, established within the **Nigeria Universities Commission (NUC)**, at the Federal Ministry of Education, will facilitate implementation of the ACE Impact project in Nigeria.

III. POLITICAL, INSTITUTIONAL AND LEGAL FRAMEWORK

In Nigeria, the protection of the environment constitutes a priority axis of the sustainable development policy. Mandate for environmental protection and management related to projects in various sectors of Nigerian economy are enforced under Federal, State and Local and relevant acts, rules, regulations and standards, and the common law of the Federal Republic of Nigeria; as well as International environmental agreements and treaties ratified by the Federal Government of Nigeria.

National policy and regulatory frameworks

Nigeria's environmental and social management systems comprise several Government Policies at Federal and State levels that are related to giving direction towards effective environmental

management. These laws emphasize protection, prevention and conservation of the natural resources and general environmental management.

- ▶ The **National Policy on the Environment (NPE)** (1988, revised in 1999), is the key policy aiming at achieving sustainable development in Nigeria, particularly in order to: secure a quality of environment adequate for good health and wellbeing; conserve and use the environment and natural resources for the benefit of present and future generations; and raise public awareness and promote understanding of the essential linkages between the environment, resources and development, and encourage individuals and communities participation in environmental improvement efforts

International conventions

Nigeria is linked to the international community through bilateral and multilateral cooperation agreements and has ratified almost all international conventions related to environmental issues. Nigeria was among the first group of developing countries that signed the *United Nations Framework Convention on Climate Change (UNFCCC)* and became a party as soon as the convention came into force. Nigeria also signed, among others, the *Convention on Biological Diversity (Biodiversity Treaty)* in 1992 and the *Convention on Combating Desertification* in 1994

National policy framework

In Nigeria, in the environmental sector, the institutional responsibilities are shared by three tiers of government: federal, state, and local.

Federal institutions

- ▶ The **National Council on Environment (NCE)** consists of the Minister of Environment, Minister of State for Environment, and State Commissioners of Environment and is the apex policy making organ on environment. The Council participates in the formulation, coordination, harmonization and implementation of national sustainable development policies and measures for broad national development.
 - ▶ The **Federal Ministry of Environment (FMEnv)** has the responsibility to administrate and enforce environmental laws in Nigeria, more specifically, especially by monitoring and enforcing environmental protection measures. Further, it ensures, in accordance with its mandatory functions, that implementation of projects/programs conforms to the Environmental Impact Assessment Act 1992.
 - **The National Environmental Standards and Regulations Enforcement Agency (NESREA)** assists the Federal Ministry of Environment (FMEnv) and the National Assembly to ensure compliance with environmental standards, guidelines and regulations. Some of its functions are to enforce compliance with : laws, guidelines, policies and standards on environmental matters; international agreements, protocols, conventions and treaties on the environment; and policies, standards, legislation and guidelines on water quality. It also ensures that environmental projects funded by donor organizations and external support agencies adhere to regulations in environmental safety and protection and enforces environmental control measures through registration, licensing and permitting Systems other than in the oil and gas sector.
- ➔ Under the ACE Impact Project, NESREA will play a key role in ensuring that environmental and social recommendations are fully adhered to.

State institutions

The State Governments do have a Ministry of Environment and their own Environmental Protection Bodies for the purpose of maintaining good environmental quality in the area of related pollutants

under their control. In each state, the Ministry of Environment participates in the EA processes and in project decision-making.

Legal framework

Federal Legislation

The **Environmental Impact Assessment (EIA)** is the most relevant environmental text for the ACE Impact Project is the EIA Act (No. 86 of 1992), which gives specific powers to the FMEnv to request and facilitate EIAs for all major public or private sector investments, i.e. any proposed physical work or activity that is likely to have significantly impacts on the environment.

- ▶ The decree deals with all EIA-related issues including: (a) timing and processing of EIA; (b) content of an EIA report including the factors to be considered in the EIA; (c) public involvement in the EIA process and public disclosure; (d) trans-boundary impact (covering state and international boundaries); (e) definition and requirement of environmental management plans for polluting development projects; (f) review of EIA and conflict resolution mechanisms; (g) powers of the FEPA now defunct to further regulate the EIA process; and, (h) lists of activities subject to mandatory EIA.

State Legislations

In order to protect public health and safety, and to restore and enhance environmental quality, and sustain economic vitality through effective and efficient implementation of environmental programs, the States have State Ministries/EPA. Inter alia, these are empowered by the respective State Government to give direction to all issues concerning the environment, monitor and control pollution and the disposal of solid, gaseous and liquid wastes generated by various facilities in the states.

Procedures for environmental management

The **Environmental Impact Assessment Act n. 86 of 1992** states the main principles of the EIA and the procedures related to the environmental assessment of projects. Among other things, the Decree defines: the structure of an environmental assessment; the situations when an EIA is not required; the procedures requiring – before the commencement of any project – a screening process and a screening report (and the outline of this report); the criteria used by the environmental Agency to approve or not approve a project; the role of a panel reviewing the agency's decisions, etc. It requires that development projects be screened for their potential impact. Based on the screening, a full, partial, or no Environmental impact assessment may be required.

World Bank safeguards policy

The World Bank Environmental and Social Safeguards Guidelines and Operational Policies enable the integration of environmental and social considerations into the development, planning and execution of development projects. These policies are designed to: (i) protect the environment and society from the potential negative effects of projects, plans, programs and policies; (ii) reduce and manage the risks associated with implementation of project activities; and (iii) assist in better decision-making to ensure sustainability of activities.

- ➔ **The ACE Impact project is classified as "category B",** because its adverse effects on the population or areas of environmental importance are **limited, site-specific, and likely reversible**, and mitigation measures can be more **easily designed/implemented**.

Among all the World Bank environmental and social safeguard policies, **two Operational Policies (OPs) and Bank procedures (BPs) are triggered under the ACE Impact Project**, namely:

- ▶ **OP/BP 4.01 Environmental Assessment**, which covers impacts on the environment, human health and safety, physical cultural resources, and global transboundary and environmental issues. OP 4.01 is triggered because the Project is likely to have environmental risks and impacts on its area of influence. This policy requires that environmental and social consequences be identified early in the project cycle and considered in the selection, location, planning, and design of the project to minimize, prevent, reduce, or compensate for adverse impacts and thereby maximize positive impacts and include processes for mitigation and management of environmental and social impacts during the project cycle.
- ▶ **OP/BP 4.11 Cultural Physical Resources**, which provides cultural heritage guidelines to avoid or mitigate adverse impacts of development projects. This policy applies to the following projects: (i) any project involving major excavation, demolition, earthworks, flooding or other environmental modifications; (ii) any project located on or near a site recognized as cultural property; (iii) any project designed to support the management or conservation of physical cultural property. As part of the ACE Impact Project, this will also concern buildings of historical value and which would be the subject of rehabilitation works.

No other operational policies of the World Bank are triggered under Project ACE Impact.¹

Under the Project, the following will also be used: (i) the World Bank Group's *Environmental, Health and Safety Guidelines*; and (ii) the 2010 *Access to Information Policy* for wide dissemination of all information concerning the nature and objectives of a project. The World Bank Group *guidelines on labor influx* will also be applied during construction phase of the project.

Comparing national procedures and World Bank policies

In general, there is great **convergence of views and similarity** between Nigeria environmental and social management system and that of the World Bank. All laws, regulations and instruments governing investments and activities in the natural resources sector are generally consistent with the Bank procedures. Environmental and social management systems comprise legal policies that are broadly consistent with World Bank policies.

However, there are also **some gaps and discrepancies**. When reviewed separately, some individual laws may not entirely reflect the principles of some policies. Detailed laws, regulations and guidelines have been developed and serve as the framework for environmental protection, but implementation has been poor due to inadequate enforcement. The ability of the relevant institutions to enforce the existent laws is rather weak and would require further strengthening. Implementation of the existing legal/regulatory provisions faces challenges, such as: multiple regulations; overstretched regulatory authorities; weak monitoring; inadequate and mismanaged funding; and a low degree of public awareness of environmental and social issues.

- ➔ If policy discrepancy exists in some domains, **World Bank policies will override** national policies and regulations.

¹ The other policies are the following: *OP 4.04 Natural Habitats*, which does not allow the financing of projects degrading or converting critical natural habitats; *OP 4.12 Involuntary resettlement*, which covers an impact on individuals or small businesses, with loss of housing or shelter, loss of income or, in some cases, expropriation of private land and physical displacement of dwellings or shelters. *OP 4.09, Pest Management*; *OP 4.10: Indigenous Peoples*; *OP 4.36: Forests*; *OP 4.37 Safety of Dams*; *PO 7.50 International Waterways*; and *PO 7.60, Disputed Areas*

IV. ENVIRONMENTAL AND SOCIAL EVALUATION OF THE PROJECT

Typology of the activities of the Project

The Centers of Excellence to be built or rehabilitated have not yet been selected. However, the main work that will likely be undertaken under the ACE Impact Project and that may have an environmental and social impact is as follows:

- ▶ Construction of new buildings or other facilities within the current boundaries of university campuses;
- ▶ Extension of current buildings and facilities;
- ▶ Rehabilitation of old buildings and facilities, including repair of recent buildings that do not meet current standards.

General environmental and social impacts

Overall, in relation to these activities, all the negative or harmful environmental and social impacts that are likely to be generated by the Project will be **limited in time and space**.

- ➔ The activities planned under the Project **exclude any form of land or property acquisition or resettlement or physical displacement of populations** (all work will be done in sites belonging to the universities).

General positive impacts

The Project will have **many positive effects**, which should be sustained over the long term. *In general*, it will help fight poverty and boost shared prosperity, as well as encourage investment in knowledge and skills in all sub-sectors of education. Promising investments will be made in regional infrastructure and economic integration, with a focus on initiatives to produce highly qualified human resources for priority growth sectors. *More specifically*, the Project will promote awareness among all national stakeholders about the environmental and social issues of Project activities and respect for the environment and the essential principles of sustainable development.

Risks or negative impacts during the pre-construction phase

During the pre-construction phase (preparation of the bidding documents), the main risk is the neglect of the environmental and social aspects and their low consideration during the technical studies and / or the preparation of unsatisfactory environmental studies. This risk can be compounded if the information aspects and public participation are not taken into account. Furthermore, site selection could include some potential environmental and social concerns and impacts: for example, in the siting of works on sections of campuses where they could conflict with adjoining land use outside the campus land, or on areas prone to soil erosion or damage.

Key mitigation measures for these risks will be the following: (i) public and stakeholder consultation during site selection and preparation and validation of studies; (ii) quality control and implementation of validation procedures for environmental studies and their dissemination; and (iii) regular supervision of building sites by environmental experts (in addition to the control of the relevant national institutions in relation to contractual specifications).

- ▶ The effects of **climate change** will be taken into account in the choice of materials, the overall design of buildings and the technological options for construction (e.g., energy efficiency). The building will be in consonance with local climatic, environmental, and meteorological conditions and will incorporate proper ventilation and provision of sunshine, air movement, and maximum usage of daylight.
- ▶ **Location and design of new buildings** should also take into account site-specific risks (such as location near gullies which are prone to flooding and erosion; near water bodies and designated forests etc.).

- ▶ **Sourcing of construction materials** should be considered, especially given the risk of contractors using non-registered quarries, illegal sand-mining or creating new quarries through illegal extractions.
- ▶ The design of the buildings under ACE Impact will take into account **the gender dimension**, especially in relation to the provision of a sufficient number of separate men's and women's washrooms (with the installation of lavatories, washbasins and urinals, etc.).
- ▶ All facilities, whether to be built or rehabilitated, will be properly designed in strict compliance with national standards for the protection and promotion of **persons with disabilities**, by removing barriers for their inclusion and improving their accessibility to physical infrastructure.

Risks or negative impacts at the construction phase

Construction phase risks and impacts at the construction phase will be site specific. Despite the fact that they are manageable and small, this phase will have **low to moderate impacts** and could be a source of inconvenience for workers and all those living or working on university campuses. Of these impacts, the most important are :

Air quality, noise, water and sanitation, solid waste

- Pollution and nuisance (noise, dust) due to the construction of facilities.
- Occasional forms of pollution generated in construction sites by waste.
- Solid and liquid waste from construction sites.
- Impact of some works on sources of drinking water.
- Damage to some underground networks and even temporary suspension of certain services (water, electricity, etc.).
- Emissions of greenhouse gas (GHG) related to the exhaust gases of construction vehicles, as well as olfactory nuisances, health risks and pollution.

Vegetation and soils

- Uprooting of trees and cutting of shrubs made necessary by certain activities, with reduction of green spaces.
- Risks of localized soil degradation, despite the fact that washout works will be limited in depth.
- Certain forms of soil erosion due to the construction activities.
- Risk of subsidence and landslides due to possible excavation work.
- Risks of floods, without the adoption of soil waterproofing techniques.

Hygiene, health and safety of workers, residents and users

- Accidents caused by construction machinery traffic and possible non-compliance with safety instructions.
- Risk of accidents around unreported excavations and open trenches, unmarked and poorly lit.
- Safety of university campus users due to poor organization of work sites and work areas.
- Accidents of workers (scaffolding falls, misuse of equipment, electrocutions, etc.).

Natural risks

- Some of the proposed development could be affected by risks associated with the effects of climate change (in particular, risks associated with floods caused by heavy rains).

Risks of conflicts between the workers and local populations

- The works may have impacts on university campuses, with the likely restriction of vehicle and pedestrian traffic in the vicinity of construction sites, noise and dust-related inconvenience, space congestion caused by building materials, construction and construction waste, not to mention negative impacts due to the transformation of the landscape.

- ▶ To avoid social tension, it is desirable to recruit a **local workforce**.

- ▶ Although it is expected that selected contractors would recruit a local workforce, it can be expected that **skilled and unskilled workers** may be brought in for temporary periods from outside the community. This would potentially increase risks of sexual harassment, prostitution and underage sex on vulnerable sections of the local population, especially women and minors.

Physical cultural resources

- Some historic and archaeological buildings may be affected by the work and some excavations may reveal archaeological and historical remains.

Risks or negative impacts during the maintenance phase

During the occupancy and maintenance phase, project activities should not pose any particular environmental or social problems. Potential negative impacts might generally be due to: inadequate design; lack of a system for the collection and transfer of waste, in particular solid waste; a possible lack of an effective, regulatory and adapted sanitation system; lack of regular maintenance procedures; insufficient enforcement of security measures; and lack of appropriate measures for people with disabilities.

Regulations of the **National Emergency Management Agency (NEMA)**) and **State Emergency Management Agency (SEMA)** will be strictly adhered to (mainly in terms of fires or explosions, with the installation of smoke detectors, extinguishers, and alarm devices).

- ▶ In compliance with national regulations, building companies working under the ACE Impact Project will be required **to regularly monitor** compliance with safety and health standards, and to periodically carry out measurements, analyses and assessments of environmental conditions and, where appropriate, undertake collective or individual protection measures to prevent damage to the safety and health of workers.

Measures mitigating the adverse impacts of the project

Different measures (identified in this report) will be planned to reduce the potential impacts during implementation of the various activities planned under the ACE Impact Project:

- ▶ *Normative measures* to be complied with by the proponent and its contractors (companies carrying out the works), in accordance with national regulations and World Bank OP 4.01 and OP. 4.11;
- ▶ *Mitigation measures* to reduce potential negative environmental and social effects;

V. ENVIRONMENTAL AND SOCIAL MANAGEMENT PROCEDURES

Under the ACE Impact Project, all the activities (sub-projects) must be subjected to *an environmental and social screening*, a procedure aimed to :

- ▶ Determine the nature and the extent of their anticipated adverse environmental and social impacts;
- ▶ Define the most appropriate backup tool, depending on the nature and extent of these impacts;
- ▶ Establish and implement appropriate mitigation measures.

Harmonizing national and World Bank procedures

Under the ACE IMPACT Project, the following sub-projects will be considered *ineligible*:

- ▶ **World Bank Category A subprojects**, which may have very negative, diverse, irreversible environmental and social impacts.
- ▶ Sub-projects for which the World Bank operational policies are not triggered.

In terms of Nigerian procedures (in compliance with the 2004 *Environmental Impact Assessment (EIA)*):

- ▶ The **Federal Ministry of Environment (FMEnv)** requests and facilitates EIAs for all major public or private sector investments, i.e. any proposed physical work or activity that is likely to have significantly impacts on the environment:
 - Registered sub-projects will be subject to **a screening process**, which aims at determining whether the proposed activity should be subjected to further assessment, and if so, the level of assessment that will be required.
 - FMEnv will more particularly deal with : timing and processing of EIA; content of an EIA report; public involvement in the EIA process and public disclosure; review of EIA and conflict resolution mechanisms; and lists of activities subject to mandatory EIA.
 - At the end of the process, an **environmental authorization** will be delivered by FMEnv.

In terms of World Bank requirements (in compliance with POs 4.01 and 4.11):

- ▶ An **Environmental and Social Information Sheet (ESIS)** will be drawn up to complement – if necessary - the *Environmental Assessment Preliminary Registration Form*.
- ▶ The screening process would be complemented by the parallel preparation of a **Simplified Screening Form (SSF)** (see the template in Annex 1) to make it possible, among other things, to determine from the outset – in a direct and concise way - the scope and level of potential negative environmental and social impacts of any activity, as well as define the social management tool which is required or
- ▶ For subprojects whose environmental and social impact will be considered **low**, a simple **Environmental and Social Information Sheet (ESIS)** will be drawn up. This will include appropriate measures to be eventually integrated into the Contractor's technical specifications.
- ▶ For sub-projects whose environmental and social impacts will be considered **moderate**, an **Environmental and Social Management Plan (ESMP)** will be prepared - even if, because of the nature of the works, a mandatory EIA is not required by Nigerian procedures). (This ESMF provides ToR and outline of an ESMP).
- ▶ Key elements of the ESMP will be included in the **Worksite-ESMP** to be prepared by the contractor. The outline of this document as well as an indicative list of environmental measures to be taken by the contractor are provided in this report.

Public **consultations with key stakeholder will be hold** during the entire process.

Under the ACE Impact Project, an adequate **Grievance Redress Mechanisms** will be set up at the level of each participating university (E-system). Within this system, all environmental and social related complaints and grievances will be addressed in a timely, effective and efficient manner.

VI. ENVIRONMENTAL AND SOCIAL MONITORING AND CONTROL

Environmental and Social monitoring and control is a crucial component of the ESMF during project implementation. The system aims to describe: (i) the elements to be monitored; (ii) monitoring methods and tools; (iii) the responsibilities for monitoring and reporting; and (iv) the periodicity of monitoring. Environmental and social internal monitoring is carried out by the Project's Safeguard expert with the aim of ensuring that environmental and social safeguards are respected. This monitoring will concretely include: (i) the inclusion of the mitigation measures recommended in the sub-project; (ii) the compliance oversight during the building activities; and (iii) the monitoring of environmental and social management measures in implementation of different activities.

- ▶ The **National Safeguards expert** will be assisted by the **Regional Safeguard Consultant** at the *Regional Facilitation Unit (RFU)* (based in Accra, Ghana), whose role is to ensure consistent implementation and monitoring of safeguards measures in all the countries under the ACE Impact Project.

The **external environmental and social monitoring**, carried out by federal / state environmental and social agencies, at their discretion, is intended to ensure compliance with national regulation and to verify the quality of implementation of environmental protection measures.

VII. ACTION PLAN : MAIN RECOMMENDATIONS

The main recommendations of the ESMF's Action Plan of the ACE Impact Project in Nigeria are the following:

- (i) **Environmental and social screening:** By Project effectiveness, each participating university must have prepared the description of its subproject (facilities to be built or rehabilitated). This will enable the Project's safeguards expert, in collaboration with the federal / state agencies, to move quickly to the next steps on environmental and social safeguards. This process will be updated each year as the annual work plan is prepared.
- (ii) **Qualified personnel:** Each selected university will use the services of a qualified person (appointed or recruited), who will be in charge of implementing the safeguards measures, including monitoring, surveillance, control and evaluation of risk mitigation measures, and keep the partnership links with the federal / state agencies throughout the project.
- (iii) **Operational Manual :** The Project's *Operational Manual* must include a section on the basic principles and regulatory measures of the ESMF, indicating in particular:
 - ▶ Subprojects' screening procedures;
 - ▶ The respective responsibilities of different stakeholders (such as, issuance of environmental permit by the national environmental agency or preparation of complete Worksite ESMP, including a *Safety and Hygiene Plan*, by the contractors).
 - ▶ Mechanisms to control and monitor environmental & social indicators.
 - ▶ Costs of environmental and social safeguards.
- (iv) **Information, sensitization and training on environmental and social management (ESM) issues:** : Information and sensitization sessions on ESM will be provided to all stakeholders involved in implementation of the Project, including the building companies (contractors).
 - ▶ Within the context of the *Impact boot camp* that, prior to Project effectiveness, the AAU will organize for all university teams, special sessions will focus on environmental and social safeguards issues and the key elements of the ESMF.

- (v) **Grievance redress mechanism :** Under the regional e-system for grievances management, which will be created within each participating university / center, a special section will concern all environmental and social safeguards-related grievances.

Once it has been discussed, approved and validated by all stakeholders, this Action Plan will be binding.

VIII. BUDGET

The budgeting for implementation of the ESMF will be done at two levels:

- ▶ **At the national level : each participating university** will have a budget of a maximum of **USD 50,000** to cover costs of technical measures related to environmental and social assessment procedures, including preparation and monitoring of ESIA's / ESMPs for sub-projects.
- ▶ **At the regional level:** the AAU will reserve **USD 200,000** for the regional safeguard consultant, national and regional disclosures, and associated missions/workshops

All costs related to environmental and social risk mitigation measures will be included in the budgets of the individual sub-projects.

I. PRESENTATION AND PURPOSE OF THE ESMF

I.1 Purpose of the ESMF

1. The ***Environmental and Social Management Framework (ESMF)*** of the Africa Excellence Centers for Development Impact Project was prepared in Nigeria by the *Association of African Universities (AAU)* on behalf of the Federal Ministry of Education. It aims to provide a general view of the environmental and social conditions under which the Project is implemented.
2. Since the exact locations of the intervention sites of the Project are not yet known, this ESMF has been prepared by the borrower to provide the standard procedure and institutional arrangements for environmental and social screening, categorization and approval of sub-projects as well as guidelines for the preparation, implementation and monitoring of the site specific environmental work (such as simplified Environmental and Social Impact Assessments/Environmental Management Plans (ESIAs/EMPs) or environmental measures). These site-specific instruments include environmental clauses to be inserted in contractors' bidding documents.
3. The ***main specific objectives*** of the ESMF are as follows
 - ▶ Integrate environmental and social issues into project planning.
 - ▶ Present the legal framework of social and environmental management in Nigeria.
 - ▶ Identify the main state and non-state institutions involved.
 - ▶ Establish a framework to identify, analyze and evaluate the potential environmental and social impacts of the activities planned under the project.
 - ▶ Define the methodology for subproject screening and required social and environmental safeguards.
 - ▶ Identify the main risk mitigation measures.
 - ▶ Clarify the roles and responsibilities of the stakeholders and define the monitoring and surveillance framework for implementation of the ESMF.
 - ▶ Determine budget implications for environmental and social project management.

I.2 Timetable

4. The ESMF was presented to representatives of key stakeholders national public consultation. The minutes of the public consultation, held on October 24th, 2018, are presented in Annex 9.
5. The revised version of the ESMF, incorporating most of these comments and the minutes of the public consultation, and other safeguard instruments (such as ESIAs/ESMPs) will be disclosed on two National Dailies by the Federal Ministry of environment (FMEnv) as well as other relevant ministries, agencies and departments (MDAs), and on the website of the Federal Ministry of Education of Nigeria and the World Bank external website.
6. The publication and disclosure of the ESMF must imperatively be completed before the evaluation of the Project.
7. Printed paper versions of the ESMF will be available at the Federal Ministry of Education.

II. PROJECT DESCRIPTION

II.1 Project Development Objective

8. The Project Development Objective is to improve the quality, quantity and development impact of postgraduate education in selected universities through regional specialization and collaboration..

II.2 Components

9. **Component 1 : Establishing new Africa Centers of Excellence and scaling up well-performing existing Africa Centers of Excellence (ACEs) for development impact.** This component aims to build and strengthen the capacity of competitively selected ACE Impact centers based in higher education institutions across West and Central Africa.

- **Sub-component 1.1 will establish new centers of excellence for skills and knowledge for development challenges.** About 30 centers will be competitively selected based on pre-established selection criteria to receive funding from ACE Impact Project.
- **Sub-component 1.2: Scaling up well-performing ACEs:** This sub-component will provide additional funding and support to approximately 12 existing ACEs (currently supported through ACE I) to enable them to scale-up their activities.
- **Sub-component 1.3 Additional support to the best Engineering and Technology ACE institutions:** Institutions will be selected to host an engineering and technology-focused ACE Impact center with capacity in other engineering and technology disciplines.

10. **Component 2: Regional Partnerships and Scholarships.** Component 2 seeks to expand the regional scope of impact of the ACEs funded under Component 1 by providing demand-side funding for partnering institutions and regional students to buy the training and services from the ACEs that are most relevant:

- **Sub-component 2.1** will support regional institutional partnerships between higher education institutions and the ACEs (under component 1 of the proposed project) to strengthen the capacity of the higher education institutions.
- **Sub-component 2.2** will finance two types of regional scholarships to support primarily the training of the next generation of faculty for higher education institutions in the region.

11. **Component 3: Enhancing Regional Policymaking, Monitoring, and Facilitation. Component 3 will support regional policymaking for higher education and regional project monitoring and facilitation.** Component 3 will fund, through a Regional IDA grant of US\$10 million to the Association of African Universities (AAU), the facilitation of the ACE Impact project's regional activities and support to centers under the project.

II.3 Institutional arrangements

12. The **Association of African Universities (AAU)** will be responsible for implementation support of Components 1 and 2 (as well as the overall regional facilitation of ACE Impact).

13. A project team will be in place at the **Nigeria Universities Commission (NUC)** – one the agencies of the Federal Ministry of Education - to facilitate implementation of the Nigerian elements of the ACE Impact project, respectively (this is necessary due to the larger number of centers that Nigeria will host which will require a consolidated facilitation at the national level).

II.4 Budget

14. The total Project Budget for activities in Nigeria is approximately **USD 70 million**, on the basis of a credit from the International Development Association (IDA).

II.5 Biophysical and socioeconomic environment of the country

15. After the identification of the participating universities, the socio-environmental context of the sites will be described and analyzed in the Environmental and Social Data Sheets (ESDSs) and in the Environmental and Social Management Plans (ESMPs), which will eventually be prepared.¹

16. Nigeria has a population of about 160 million (47 percent of West Africa's population) spread over a land area of 924,000 square kilometers, the country spans a wide variety of ecological zones ranging from the fringes of the Sahara Desert in the far North, through the savannah region in the middle part, the rain forests in the southern part and ending in the swampy Delta region with 850 kilometers stretch of coastline. The coastal zone of the country covering about 153,000 square kilometers is a fragile ecological area which is very rich in biological diversity.

17. Nigeria's climate varies from arid in the north, tropical in the center and equatorial in the south. The climate is largely controlled by prevailing winds and nearness to the Atlantic Ocean. The two dominant air masses are the dry wind from the Sahara and the wet wind from the Atlantic Ocean. Marginal alterations have been recorded due to landform characteristics, configuration of surrounding shoreline and the generally flat topography of the country. Rainfall is the single most important element for defining the climatic seasons in the tropics. Hence, Nigeria has two dominant seasons; the wet and the dry seasons. Rainfall throughout Nigeria depends on the interaction of the tropical maritime air mass and the tropical continental mass which meet along the Inter-Tropical Convergence Zone (ITCZ). The annual average rainfall around the country is between 2000mm and 3000mm.

18. The southeast of Nigeria receives between 2,000 and 3,000 mm of rain per year. The southern region has a double rainfall maxima characterized by two high rainfall peaks. The tropical savanna climate or tropical wet and dry climate, is extensive in area and covers most of Western Nigeria to central Nigeria beginning from the Tropical rainforest climate boundary in southern Nigeria to the central part of Nigeria, where it exerts enormous influence on the region. The tropical savanna climate exhibits a well-marked rainy season and a dry season. Abuja, Nigeria's capital city, has an annual rainfall of about 1,500 mm. In the Sahel, with annual rainfall totals are lower compared to the southern and central part of Nigeria (the rainy season lasts for only three to four months (June–September). Finally, highland climate or mountain climate are found on highlands regions in Nigeria (well over 1,520 meters above sea level).²

19. Nigeria faces several **key environmental challenges**, such as the following:

- ▶ *Urbanization*, caused by high population growth rate and rural-urban migration, is characterized by city slums with serious environmental consequences. Environmental conditions in cities have gradually deteriorated due to the rapid growth of the cities and the inability of social services and infrastructures to keep pace with the rate of growth. Urbanization is responsible for the rapid accumulation of solid waste.

¹ See the outline of an ESMP in Annex 4.

² Source for all this sub-section: *Nigeria's Second National Communication*. Under the United Nations Convention on Climate Change, February 2014.

- ▶ *Overpopulation* is major factor in all environment-related issues. It causes stresses on the environment, and misuse of environmental resources cause degradation, erosion, desertification, etc.
- ▶ *Desertification*, induced either by natural process or by action of man, is more pronounced in the northern part of the country. Desertification leads to famine, diseases, destruction of crops, and extremely fragile livelihoods.
- ▶ *Environmental pollution* (atmospheric, water and land or surface area pollution) has largely been created by the growth and development of industries and urbanization.

III. POLICY, LEGAL AND INSTITUTIONAL FRAMEWORKS

20. In Nigeria, the protection of the environment constitutes a priority axis of the sustainable development policy. This chapter provides an overview of the relevant policies, laws and regulations specifically addressing sectors relevant to the activities of the ACE Impact Project, and focuses on the environmental legislation, policies, frameworks and procedures that are likely to be applicable to the Project.

21. Mandate for environmental protection and management related to projects in various sectors of Nigerian economy are enforced under Federal, State and Local and relevant acts, rules, regulations and standards, and the common law of the Federal Republic of Nigeria; as well as international environmental agreements and treaties ratified by the Federal Republic of Nigeria.

III.1 Policy framework

22. Nigerian's environmental and social management systems comprise several Government Policies at Federal and State levels that are related to giving direction towards effective environmental management. These laws emphasize protection, prevention and conservation of the natural resources and general environmental management. The key environmental policies and legal framework and procedures considered as relevant under the ACE Impact are presented below.

- ▶ The **National Policy on the Environment (NPE)** (1988, revised in 1999) is the key policy aiming at achieving sustainable development in Nigeria, particularly in order to: secure a quality of environment adequate for good health and wellbeing; conserve and use the environment and natural resources for the benefit of present and future generations; restore, maintain and enhance the ecosystems and ecological processes essential for the functioning of the biosphere to preserve biological diversity and the principle of optimum sustainable yield in the use of living natural resources and ecosystems; and raise public awareness and promote understanding of the essential linkages between the environment, resources and development, and encourage individuals and communities participation in environmental improvement efforts.

III.3 International conventions

23. Nigeria is linked to the international community through bilateral and multilateral cooperation agreements and has ratified almost all international conventions related to environmental issues. Nigeria was among the first group of developing countries that signed the *United Nations Framework Convention on Climate Change* (UNFCCC) and became a party as soon as the convention came into force. It signed the *Convention on Biological Diversity (Biodiversity Treaty)* in 1992; the *Convention on Combating Desertification* in 1994. Furthermore, Nigeria ratified the *World Heritage Convention* in 1974, as well as the *Convention on the Elimination of all forms of Discrimination Against Women* (CEDAW) in 2001. As such, it strives through implementation of development strategies, to observe international standards in terms of indicators of socio-economic development.¹ In addition, Nigeria also has obligations to protect the environment through various

¹ Nigeria is also a signatory to the following relevant international conventions: the *Basel Convention* on the control of hazardous wastes and their disposal; the *Bonn Convention* on conservation of Migratory Species; *Stockholm Convention* on Persistent Organic Pollutants; the *African Convention* on the Conservation of Nature and Natural Resources, The African Convention, 1968;; *Convention on International Trade in Endangered Species of Wild Fauna and Flora*, CITES, 1973; the *Framework Convention on Climate Change*, Kyoto Protocol, 1995; the *Convention on Biological Diversity*, 1992; the *Convention on the Prevention of Marine Pollution by Dumping of Waste*, MARPOL, 1972.

commitments to the African Union (AU), the Economic Community of West African States (ECOWAS) and the Commonwealth. It is also committed through relations with the European Community under the Lome IV Convention.

III.2 National institutional framework

24. In Nigeria, in the environmental sector, the institutional responsibilities are shared by three tiers of government: federal, state, and local.²

Federal institutions

25. The **National Council on Environment (NCE)** consists of the Minister of Environment, Minister of State for Environment, and State Commissioners of Environment and is the apex policy making organ on environment. The Council participates in the formulation, coordination, harmonization and implementation of national sustainable development policies and measures for broad national development. The Council meets regularly to consider and receive States' reports on environmental management; national environmental priorities and action plans as it affects Federal and State governments; and exchange ideas and information and where necessary the Federal Government through Federal Ministry of Environment gives financial and technical assistance to States having problems in implementing environmental policies.

26. The **Federal Ministry of Environment (FMEnv)** has responsibility to administrate and enforce environmental laws in Nigeria. The specific responsibilities of the ministry include: monitoring and enforcing environmental protection measures; enforcing international laws, conventions, protocols and treaties on the environment ; prescribing standards for and making regulations on air quality, water quality, pollution and effluent limitations, atmosphere and ozone protection, control of toxic and hazardous substances; and promoting cooperation with similar bodies in other countries and international agencies connected with environmental protection. Further, it ensures, in accordance with its mandatory functions, that implementation of projects/programs conforms to the Environmental (Impact) Assessment Act 1992.

- ▶ **The National Environmental Standards and Regulations Enforcement Agency (NESREA)** (Act 2007) assists the Federal Ministry of Environment (FMEnv) and the National Assembly to ensure compliance with environmental standards, guidelines and regulations. NESREA has responsibility for the protection and development of the environment, biodiversity conservation and sustainable development of Nigeria's natural resources in general and environmental technology including coordination and liaison with relevant stakeholders within and outside Nigeria on matters of enforcement of environmental standards, regulations, rules, laws, policies and guidelines.

Some functions of the Agency are aimed to enforce compliance with : laws, guidelines, policies and standards on environmental matters; the provisions of international agreements, protocols, conventions and treaties on the environment; policies, standards, legislation and guidelines on water quality, Environmental Health and Sanitation, including pollution abatement; guidelines, and legislation on sustainable management of the ecosystem, biodiversity conservation and the development of Nigeria's natural resources. It also ensures that environmental projects funded by donor organizations and external support agencies adhere to regulations in environmental safety and protection and enforces environmental control measures through registration, licensing and permitting.

² See the list of main national legal instruments on environmental issues in Annex 1.

- ➔ Under the ACE Impact Project, NESREA will play a key role in ensuring that environmental and social recommendations are fully adhered to.

State institutions

27. The State Governments do have a Ministry of Environment and their own Environmental Protection Bodies for the purpose of maintaining good environmental quality in the area of related pollutants under their control. In each state, the Ministry of Environment participates in the EA processes and in project decision-making that helps prevent or minimize impacts and to mitigate them and ensures conformity with applicable standards, environmental and social liability investigations, monitoring and evaluation process, etc.

The Federal Ministry of Education

The areas of statutory responsibilities and functions of the **Federal Ministry of Education**, in charge of the implementation of the ACE Impact in Nigeria, are, among others, the following: Formulate and coordinate a national policy on education; prescribe and maintain uniform standards of education throughout the country; harmonize educational policies and procedures of all the States of the Federation through the instrumentality of the National Council on Education; effect cooperation in educational matters on an international scale; and develop curricula and syllabuses at the national level.

The Federal Ministry of Education is currently divided into 13 Departments, each headed by a Director. These Departments are responsible for co-ordinating specific policy and implementation activities relating to the role of the Ministry in education delivery in Nigeria.

The National Policy on Education (NPE) which was reviewed in 2013 provides a lead on the development of Tertiary Education in Nigeria. Higher Education policies and implementation in Nigeria are co-ordinated by two Departments of the Federal Ministry of Education. They are responsible for supervising higher education agencies which also have responsibility for supervising or regulating higher educational institutions. The Departments are the Department of Tertiary Education (DTE) and the Department of Technology and Science Education (DTSE)

The ministry supervises the work of 24 different agencies - including the **National Universities Commission (NUC)**, in charge of implementing the ACE Impact Project. NCU is a statutory body with both regulatory and quality assurance functions. As at July 2018, there are 41 federal universities, 47 State owned universities and 74 private universities (total of 162 Universities)

II.4 Legal framework

Federal Legislation

28. The **2004 Environmental Impact Assessment (EIA)** is the most relevant environmental text for the ACE Impact Project. The EIA Act (No. 86 of 1992) gives specific powers to the FMEnv to request and facilitate EIAs for all major public or private sector investments, i.e. any proposed physical work or activity that is likely to have significantly impacts on the environment.

- The decree deals with all EIA-related issues including: (a) timing and processing of EIA; (b) content of an EIA report including the factors to be considered in the EIA; (c) public involvement in the EIA process and public disclosure; (d) trans-boundary impact (covering state and international boundaries); (e) definition and requirement of environmental management plans for polluting development projects; (f) review of EIA and conflict resolution mechanisms; (g) powers of the FEPA now defunct to further regulate the EIA process; and, (h) lists of activities subject to mandatory EIA.

State Legislations

29. In order to protect public health and safety, and to restore and enhance environmental quality, and sustain economic vitality through effective and efficient implementation of environmental programs, the States have State Ministries/EPA. Inter alia, these are empowered by the respective State Government to give direction to all issues concerning the environment, monitor and control pollution and the disposal of solid, gaseous and liquid wastes generated by various facilities in the states.

30. Some of the State functions include: (i) Liaising with the Federal Ministry of Environment, (FMEnv) to achieve a healthy or better management of the environment via development of National Policy on Environment; (ii) co-operating with FMEnv and other National Directorates/Agencies in the performance of environmental functions including environmental education/awareness to the citizenry; and (iii) monitoring implementation of EIA studies and other environmental studies for all development projects in the State.

III.5 Procedures for environmental management

31. The ***Environmental Impact Assessment Act n. 86 of 1992*** states the main principles of the EIA and the procedures related to the environmental assessment of projects.³ Among other things, the Decree defines: the structure of an environmental assessment; the situations when an EIA is not required; the procedures requiring – before the commencement of any project – a screening process and a screening report (and the outline of this report); the criteria used by the environmental Agency to approve or not approve a project; the role of a panel reviewing the agency's decisions, etc.

- ▶ The decree requires that development projects be screened for their potential environmental and social impacts. Based on the screening, a full, partial, or no Environmental impact assessment may be required. Guidelines issued in 1995 direct the screening process. According to these guidelines,
 - Category I projects will require a full Environmental Impact Assessment (EIA).
 - Category II projects may require only a partial EIA, which will focus on mitigation and Environmental planning measures, unless the project is located near an environmentally sensitive area--in which case a full EIA is required.
 - Category III projects are considered to have “essentially beneficial impacts” on the environment, for which the Federal Ministry of the Environment will prepare an Environmental Impact Statement.

III.6 World Bank safeguards policy

32. The World Bank Environmental and Social Safeguards Guidelines and Operational Policies enable the integration of environmental and social considerations into the development, planning and execution of development projects. These policies are designed to: (i) protect the environment

³ See Excerpts of the Decree in Annex 2.

and society from the potential negative effects of projects, plans, programs and policies; (ii) reduce and manage the risks associated with implementation of project activities; and (iii) assist in better decision-making to ensure sustainability of activities. The Bank Environmental and Social Safeguard Policies provide guidance to the World Bank on the process, scope and extent of environmental and social assessment required for project evaluation.

33. Every project is subject to a preliminary environmental and social review based on the type, location, degree of sensitivity, scale, nature and extent of its potential environmental and social impacts, which is class in one of the following categories:

- ▶ **Category A:** Project that is likely to have very negative, nerve, diverse or unprecedented impacts on the environment.
- ▶ **Category B:** Project whose adverse effects on the population or areas of environmental importance (land, forests, and other natural habitats, etc.) are moderate.
- ▶ **Category C:** Project whose likelihood of negative environmental impacts is considered minimal or zero.

➔ **The ACE IMPACT project is classified as "category B",** because its adverse effects on the population or areas of environmental importance are **limited, site-specific, and likely reversible**, and mitigation measures can be more **easily designed/implemented**.

34. Among all the World Bank environmental and social safeguard policies, **two Operational Policies (OPs) and Bank procedures (BPs) are triggered under the ACE Impact Project**, namely:

- ▶ **OP/BP 4.01 Environmental Assessment**, which covers impacts on the environment (air, water and land), human health and safety, physical cultural resources, and global transboundary and environmental issues. OP 4.01 is triggered because the Project is likely to have environmental risks and impacts on its area of influence. This policy requires that environmental and social consequences be identified early in the project cycle and considered in the selection, location, planning, and design of the project to minimize, prevent, reduce, or compensate for adverse impacts and thereby maximize positive impacts and include processes for mitigation and management of environmental and social impacts during the project cycle.
- ▶ **OP/BP 4.11 Cultural Physical Resources**, which provides cultural heritage guidelines to avoid or mitigate adverse impacts of development projects. This policy applies to the following projects: (i) any project involving major excavation, demolition, earthworks, flooding or other environmental modifications; (ii) any project located on or near a site recognized as cultural property; (iii) any project designed to support the management or conservation of physical cultural property. As part of the ACE IMPACT project, this will also concern buildings of historical value and which would be the subject of rehabilitation works. The borrower will ensure that the construction companies follow the key procedures of the *Cultural Heritage in Environmental Assessment. Environmental assessment Sourcebook* (1994), prepared by the World Bank.⁴

35. **No other operational policies of the World Bank are triggered under Project ACE Impact.** It is recalled that these are the following policies: *OP 4.04 Natural Habitats*, which does not allow the financing of projects degrading or converting critical natural habitats; *OP 4.12 Involuntary*

⁴ See Annex 3.

resettlement, which covers an impact on individuals or small businesses, with loss of housing or shelter, loss of income or, in some cases, expropriation of private land and physical displacement of dwellings or shelters. *OP 4.09, Pest Management; OP 4.10: Indigenous Peoples; OP 4.36: Forests; OP 4.37 Safety of Dams; PO 7.50 International Waterways; and PO 7.60, Disputed Areas.*

36. Under ACE Impact, the following will also be used:

- ▶ World Bank Group's *Environmental, Health and Safety Guidelines*.
- ▶ The 2010 *Access to Information Policy* for wide dissemination of all information concerning the nature and objectives of a project.
- ▶ The World Bank Group *Guidelines on Labor Influx*.⁵

III.8 Comparing national procedures and World Bank policies

37. In general, there is great **convergence of views and similarity** between Nigeria's environmental and social management system and that of the World Bank. All laws, regulations and instruments governing investments and activities in the natural resources sector are generally consistent with the Bank procedures.

38. However, there are also **some gaps and discrepancies**. When reviewed separately, some individual laws may not entirely reflect the principles of some policies. Detailed laws, regulations and guidelines have been developed and serve as the framework for environmental protection, but implementation has been poor due to inadequate enforcement. The ability of the relevant institutions to enforce the existent laws is rather weak and would require further strengthening. Implementation of the existing legal/regulatory provisions faces challenges, such as: multiple regulations; overstretched regulatory authorities; weak monitoring; inadequate and mismanaged funding; and a low degree of public awareness of environmental and social issues

- ➔ If policy discrepancy exists in some domains, **World Bank policies will override** national policies and regulations.

III.9 Other relevant policies

39. The **2003 Child Rights Act**, which codifies the rights of children in Nigeria (a person below the age of 18 years), consolidates all laws relating to children into a single law and specifies the duties and obligations of government, parents and other authorities, organizations and bodies. More particularly, the Act **gives full protection** to privacy, honor, reputation, health and prevention from indecent and inhuman treatment through sexual exploitation, drug abuse, child labor, torture, maltreatment and neglect to a Nigerian Child. Building companies operating under the ACE Impact Project **will strictly adhere to this legislation**.

40. The Government of Nigeria adopted **the National Gender Policy** in 2006 as a substitution of the Women's Policy adopted in 2000. The goal of the Policy includes **the elimination of cultural/religions gender-based biases** and harmful cultural and religious practices which rise to inequalities in gender-role relations in the Nigerian society. Major policy goals are to: ensure equal access to women, boys and girls to both formal and informal education; ensure that women have access to critical resources and invest in their human capital as a means of reducing extreme poverty in families; and eliminate the high risks linked to many harmful traditional cultural practices, which still put threaten the health of women.

⁵ See Annex 4.

III.10 Constitutional appeal bodies

41. In Nigeria, the administration established the *Public Complaints Commission* in 1975 under Decree 31 of 1975. It was later amended by Decree 21 of 1979 and now incorporated into the laws of the Federal Republic of Nigeria as *Public Complaints Act* Cap 377. It is given a constitutional status by its establishment by the 1979 constitution (section 274, (5) (6) and still by the present constitution of the Federal Republic of Nigeria. The *Ombudsman* is the political device for **the protection of the citizen** from the arbitrary, repressive and oppressive application of the executive powers of government, where the ombudsman act as a legal safeguard against the excesses of overzealous government officials (federal, state and local).

- ▶ In cases of major disputes, persons affected by the activities of the ACE Impact Project **will be assisted**, if necessary, to submit their claims to the Ombudsman.

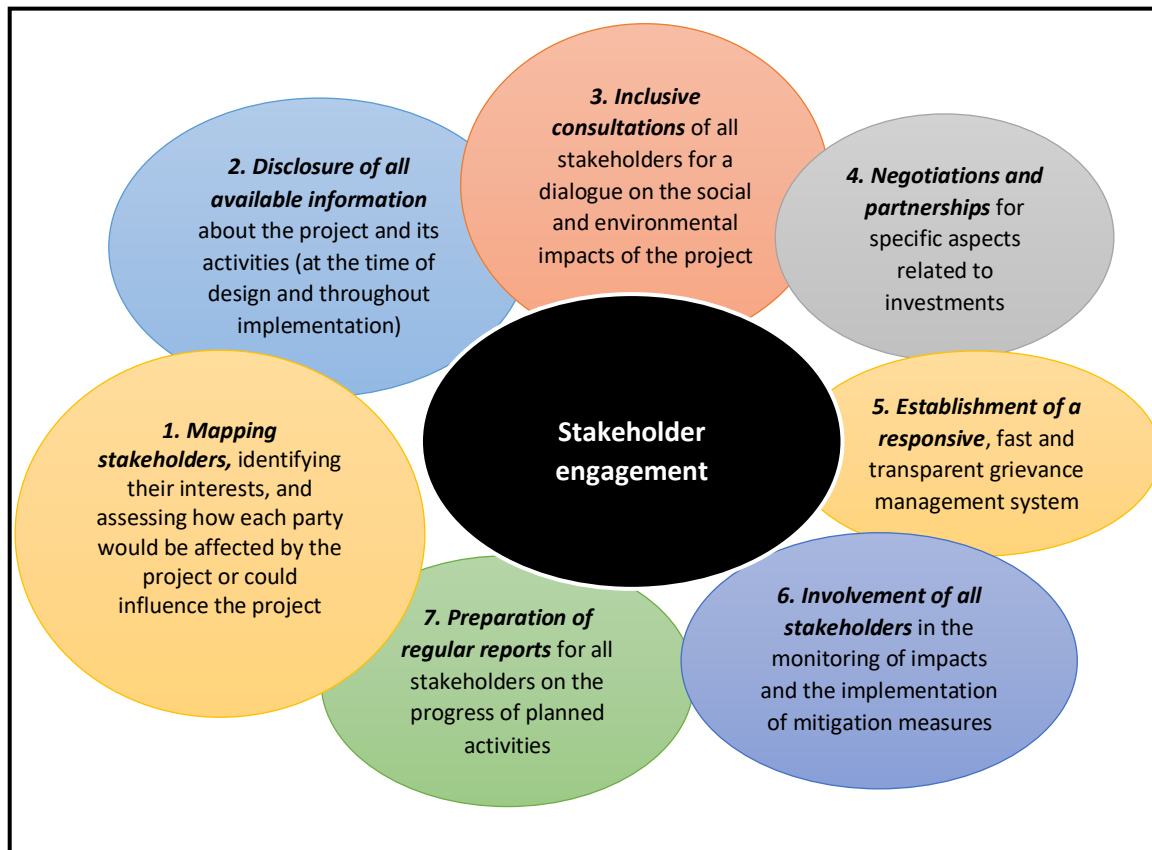
IV. CONSULTATION OF STAKEHOLDERS

IV.1 The stakeholders

42. The ACE Impact Project will define and adopt a comprehensive and balanced approach to social mobilization and stakeholder engagement. It will develop a plan to involve the active participation of all stakeholders in decision-making processes, to foster dialogue and reduce tensions

43. The elements of this social mobilization plan are presented visually in the Diagram below.

Diagram : Main components of stakeholder engagement



IV.2 Social engagement

44. Engagement of all stakeholders will be an inclusive, ongoing and expanded process during implementation of the CEA Impact Project. The goal is to develop and maintain open and constructive relationships with all stakeholders to facilitate the management of the project and its stakeholders. individual sub-projects, including their environmental and social effects and risks.

45. This ESMF was presented and discussed in a public consultation held on October 24th, 2018, with the participation of main stakeholders (the minutes of the public consultation are presented in Annex 9).

- The first phase of the ACE Project demonstrated the importance of active student participation in promoting academic excellence. These comments have been

through regular student surveys and regular supervision meetings with student groups.

Both mechanisms served as feedback and complaint management mechanisms in the first phase. In addition, civil society, including businesses and other non-governmental entities, will be part of the sectoral advisory committees of each of the Centers to guide the center's activities to ensure that education and research activities meet the needs of the community. of development

V. ENVIRONMENTAL AND SOCIAL EVALUATION OF THE PROJECT

46. This chapter considers potential environmental and social concerns likely to arise from these activities undertaken in Nigeria under the ACE Impact Project.

V.1 Typology of the activities of the Project

47. The Centers of Excellence sites to be built or rehabilitated have not yet been selected in Nigeria. However, the main work that will likely be done under the ACE Impact Project and that may have an environmental and social impact is as follows:

- ▶ Construction of new buildings or other facilities within the current boundaries of university campuses,
- ▶ Extension of current buildings and facilities
- ▶ Rehabilitation of old buildings and facilities, including adjustments of recent buildings that do not meet current standards.

V.2 General environmental and social impacts

48. Overall, in relation to these activities work, all the negative or harmful environmental and social impacts that are likely to be generated by the Project will be **limited in time and space**.

- ➔ The activities envisaged under the ACE Impact Project **exclude any form of acquisition of land or property or resettlement or physical displacement of populations** (all work will be done in land belonging to the universities).

V.3 General positive impacts

49. The Project will have **many positive effects**, which should be sustained over the long term. *In general*, it will help fight poverty and boost shared prosperity, as well as encourage investment in knowledge and skills in all sub-sectors of education. Promising investments will be made in regional infrastructure and economic integration, with a focus on initiatives to produce highly qualified human resources for priority growth sectors. *More specifically*, the project will contribute to raising awareness about environmental and social issues, in particular by including in the contract specifications of the building companies clauses specific to the respect of the environmental components and accompanying risk mitigation measures.

V.4 Risks or negative impacts during the pre-construction phase

50. During the pre-construction phase (preparation of the bidding documents), the main risk is neglect of the environmental and social aspects and their low consideration during the technical studies and / or the preparation of unsatisfactory environmental studies. This risk can be compounded if the information aspects and public participation are not taken into account. Furthermore, site selection could include some potential environmental and social concerns and impacts: for example, concerns in the siting of works on sections of campuses where they could conflict with adjoining land use outside the campus land, or on areas prone to or that have suffered soil erosion or damage.

51. Key mitigation measures for these risks will be: (i) public and stakeholder consultation during site selection and preparation and validation of studies; (ii) quality control and implementation of validation procedures for environmental studies and their dissemination; and (iii) regular supervision of building sites by environmental experts (in addition to the control of the relevant national

institutions in relation to contractual specifications). Finally, mitigation measures could include relocating the nuisance activity outside the campus, and boxing up remedial civil works with the proposed construction activity.

- ▶ The effects of **climate change** will be taken into account in the choice of materials, the overall design of buildings and the technological options for construction (e.g., energy efficiency). The building will be in consonance with local climatic, environmental, and meteorological conditions and will incorporate proper ventilation and provision of sunshine, air movement, and maximum usage of daylight.
- ▶ **Location and design of new buildings** should also take into account site-specific risks (such as location near gullies which are prone to flooding and erosion; near water bodies and designated forests etc.).
- ▶ **Sourcing of construction materials** should be considered, especially given the risk of contractors using non-registered quarries, illegal sand-mining or creating new quarries through illegal extractions.
- ▶ The design of the buildings under ACE Impact will take into account **the gender dimension**, especially in relation to the provision of a sufficient number of separate men's and women's washrooms (with the installation of lavatories, washbasins and urinals, etc.).
- ▶ All facilities, whether to be built or rehabilitated, will be properly designed in strict compliance with national standards for the protection and promotion of **persons with disabilities**, by removing barriers for their inclusion and improving their accessibility to physical infrastructure.¹
 - Major measures to be planned are as follows: access ramps should have resting places and be of low slope; pathways should be of limited slope and include sufficient turning radius; doors should be light and easy to turn, and entrances should be sufficiently wide; parking space should be close to the main entrance; furniture, counters, equipment, power sockets, and plugs should be placed at suitable heights reachable by persons who use wheelchairs; handrails should be easy to grasp; etc.

V.5 Risks or negative impacts at the construction phase

52. Construction phase risks and impacts at the construction phase will be site specific. Despite the fact that they are manageable and small, this phase will have **low to moderate impacts** and could be a source of inconvenience for workers and all those living or working on university campuses. Among these impacts, the most important are:

Air quality, noise/vibrations, water and sanitation, solid waste

- Pollution and nuisance (noise, dust) due to the construction of infrastructures (buildings).
- Dust generated by excavation work, improper storage of construction materials and cuttings, and the movement of construction machinery.
- Solid and liquid waste from construction sites.
- Noise and vibrations due to construction machinery and noisy equipment (jackhammers, air compressors, etc.).
- Presence of polluting paints, with resin and potentially toxic or dangerous solvents (for asthmatics, for example), asbestos and lead in products used for the rehabilitation of buildings.

¹ Nigeria has signed the *Convention and Protocol on the Rights of People with Disabilities* and the protocol in 2010. The Convention not only gives universal recognition to the dignity of persons with disabilities but it marks a paradigm shift in attitudes and approaches to persons.

- Occasional forms of pollution generated in construction sites by waste (some works could also affect the sewerage and waste disposal networks).
- Increased volumes of used oil due to certain work requiring the use of vehicles and various Class DD hazardous waste devices - these oils include hydraulic oils, motor, gearbox and lubricating oils and insulating and heat carrying fluids.
- Impact of some works on sources of drinking water.
- Damage to public utilities and some underground networks and even temporary suspension of certain services (water, electricity, etc.).
- Emissions of ozone depleting substances if air conditioners contain R22 fluid hydro-chloro-fluorocarbons (HCFCs).
- Emissions of greenhouse gas (GHG) related to the exhaust gases of construction vehicles, as well as olfactory nuisances, health risks and pollution.

Vegetation and soils

- Uprooting of trees and cutting of shrubs made necessary by certain activities, with reduction of green spaces.
- Risks of localized soil degradation, despite the fact that washout works will be limited in depth.
- Certain forms of soil erosion due to construction activities: in particular, the artificialization of the soil could contribute to making the soil impermeable, thus limiting the infiltration of rainwater and increasing the runoff, with a saturation of the networks of sanitation .
- Risk of subsidence and landslides due to possible excavation work.
- Risks of floods, without the adoption of soil waterproofing techniques.

Hygiene, health and safety of workers, residents and users

- Accidents caused by construction machinery traffic and possible non-compliance with safety instructions.
- Risk of accidents around unreported excavations and open trenches, unmarked and poorly lit.
- Safety of university users due to poor organization of work sites and work areas (e.g., poor gear location, improper storage of construction materials and equipment, etc.) and no signaling of certain areas at risk (for extension work or installation of equipment).
- Accidents of workers (scaffolding falls, misuse of equipment, electrocutions, etc.).

Natural risks

- Some of the proposed development could be affected by risks associated with the effects of climate change (in particular, risks associated with floods caused by heavy rains).

Risks of conflicts between the workers and local populations

- The works may have impacts on university campuses, with the likely restriction of vehicle and pedestrian traffic in the vicinity of construction sites, noise and dust-related inconvenience, space congestion caused by building materials, construction and construction waste, not to mention negative impacts due to the transformation of the landscape.
 - ▶ To avoid social tension, it is desirable to recruit a **local workforce**.
 - ▶ Although it is expected that selected contractors would recruit a local workforce, it can be expected that **skilled and unskilled workers** may be brought in for temporary periods from outside the community. This would potentially increase risks of sexual harassment, prostitution and underage sex on vulnerable sections of the local population, especially women and minors as well as risks of communicable diseases (including HIV/AIDS).²

Physical cultural resources

² See also Annex 4.

- Some historic and archaeological buildings may be affected by the work and some excavations may reveal archaeological and historical remains.³

V.6 Risks or negative impacts during the maintenance phase

53. During the occupancy and maintenance phase, project activities should not pose any particular environmental and social problems. Potential negative impacts might generally be due to: inadequate design; the lack of a system for the collection and transfer of waste, in particular solid waste; a possible lack of an effective, regulatory and adapted sanitation system; lack of regular maintenance procedures; insufficient enforcement of security measures; and the lack of appropriate measures for people with disabilities.

54. Regulations of the **National Emergency Management Agency (NEMA)** will be strictly adhered to under the Project (in terms of fires or explosions, with the installation of smoke detectors, extinguishers, and alarm devices). All these risks can cause a malfunction or a deterioration of the works and generate certain negative impacts.

- ▶ In compliance with national regulations, building companies working will be required **to regularly monitor** compliance with safety and health standards, and to periodically carry out measurements, analyses and assessments of environmental conditions and, where appropriate, undertake collective or individual protection measures to prevent damage to the safety and health of workers.

55. The environmental and social risks of the Project and the corresponding mitigation measures are summarized in Table 1 below (the indicative list of environmental and social clauses to be included in the contracts of the contracting companies and their respective Worksites-ESMP).

V.7 Measures mitigating the adverse impacts of the project

56. Different measures will be planned to reduce the potential impacts during implementation the various activities planned under the ACE Impact Project:

- ▶ *Normative measures* to be complied with by the sub-project promoter and its contractors (companies carrying out the works), in accordance with national regulations and World Bank OP 4.01 and OP 4.11;
- ▶ *Mitigation measures* to reduce potential negative environmental and social effects.

³ See Annex 3.

Table 1 : Check list. Environmental and social risks and mitigating measures

Types of risk	Assessment	Level of risk (*)	Main measures
1. Tendering process (pre-construction phase)	Neglecting environmental and social issues	Low to moderate	Preparation of appropriate Terms of Reference, which will be validated by NESREA and approved by the WB. All mitigation measures must be included into the contractor bid documents
2. Constructions	Risks related to large deep excavations; opening of trenches for laying extension and densification pipes.	Moderate	Selection of specialized companies Conduct of prior technical studies. Preparation of detailed technical specifications for contractors
3. Demolitions or extensions of building	Safety of workers, residents and users Compliance with the rules in the use of large machines for the demolition of buildings	Moderate	Preparation of detailed technical specifications for contractors During indoor demolition activities, debris must be kept in a controlled area. Water must be sprayed to reduce dust from debris. Eliminate dust during pneumatic drilling and destruction of walls by continuous vaporization of water and / or installation of dust screens on the site Maintain the surrounding environment (sidewalks, roads) free of debris, in order to minimize the amount of dust No open fire of construction / waste materials will be carried out on the site.
4. Soils	Pollution risks or accidental soil erosion (at the site and neighborhood level)	Low	Conducting preliminary geotechnical studies. Anti-erosion measures
5. Waters	Potential groundwater pollution and groundwater contamination (accidental spills of hydrocarbons and lubricating oils)	Low to moderate	Use of small structures allowing the flow of rainwater Wastewater management: Sanitary sewage disposal (or sealed and fenced pit) Quality control of drinking water Implementation of appropriate erosion and sediment control measures, such as hay bales and / or silt barriers to prevent the movement of sediments from the site and the generation of excessive turbidity in the yards, water and nearby rivers.
6. Debris	Construction debris	Moderate	Correct management of debris, according to the standards established in the contractor's ESMP-W
7. Waste	Construction site waste (during construction) Domestic waste (during maintenance)	Low to moderate	Adequate storage of products and waste (waterproof storage); Disposal of waste to authorized public landfills. Hygiene in construction sites Prohibition of waste in the open air Roadways and sites for waste collection and disposal will be identified for the main types of waste typically generated by demolition and construction activities. Mineral construction and demolition waste will be segregated from general waste, organic, liquid and chemical waste through on-site sorting and placed in appropriate containers. Construction waste will be collected and disposed of appropriately by licensed collectors

			<p>Waste disposal records will be maintained as evidence for the appropriate management planned.</p> <p>Where appropriate, the contractor will reuse and recycle suitable and viable materials (with the exception of asbestos)</p> <p>All these provisions must be reported in the Contractor's ESMP-W</p>
8. Hazardous toxic waste (including medical waste)	Management of hazardous toxic waste	Low	<p>Temporary on-site storage of any hazardous or toxic substances will be conducted in secure containers that provide compositional data, properties and handling information for those substances.</p> <p>Containers of hazardous substances must be placed in a leak-proof container to prevent spillage and leakage</p> <p>The waste is transported by specially authorized carriers and is disposed of at a site authorized for this purpose.</p> <p>Paints containing toxic ingredients or solvents or lead-based paints will not be used</p> <p>In accordance with national regulations, the contractor will ensure that newly constructed and / or rehabilitated health care facilities have sufficient infrastructure for the management and disposal of medical waste; this includes and is not limited to: (i) Special facilities for separate health care waste (including "sharps instruments" for soiled instruments and human residues or liquids) from other waste disposal systems , clinical waste: yellow bags and containers; special boxes resistant to perforation; household waste (non-organic): black bags and containers (ii) appropriate storage facilities for medical waste are in place; and (iii) If the activity includes institutional treatment, appropriate elimination options should be in place</p>
9. Asbestos	Management of asbestos	Low	<p>If asbestos is detected at the project site (demolition work), it must be clearly marked as a hazardous substance.</p> <p>If possible, asbestos will be suitably contained and sealed to minimize exposure</p> <p>Before removal (if such removal is necessary), asbestos will be treated with a wetting agent to minimize the amount of asbestos dust</p> <p>Asbestos will be treated and eliminated by qualified and experienced professionals</p> <p>If asbestos-containing materials are to be stored temporarily, the waste must be safely placed in closed containers and reported in an appropriate manner.</p> <p>Asbestos removed will not be reused</p>
10. GHG emissions	Exhaust gas	Low to moderate	Regular maintenance of construction machinery and vehicles
11. Vegetation	Some works involve the cutting or removal of vegetation (trees, shrubs) and the reduction or destruction of green spaces.	Low	<p>Establishment of a green zone</p> <p>Search for alternative solutions (to avoid cutting trees)</p> <p>Tree planting to compensate for the possible destruction of green spaces and the shortfall in terms of CO₂ sequestration capacities</p>
12. Air quality	Negative potential impact of heavy machinery on construction sites and	Moderate	<p>Air pollution control system (compliance with standards for exhaust emissions from construction equipment (work phase).</p> <p>Watering of construction sites;</p>

ESMF, ACE Impact Project, Nigeria

	vehicles		Systematic removal of unused embankments
13. Atmospheric pollution	The sites could contribute to increase air pollution and dust generation. Increased pollution and improper storage of materials and displacement and use of materials	Low to moderate	Adoption of strict safety standards in areas close to construction sites. Use of techniques to mitigate this risk in construction sites Organization of public awareness and information campaigns Watering the building sites
14. Noise pollution	Increased noise and vibration (rolling stock, jackhammers, air compressors)	Low to moderate	Establishment of regular control measures of the intensity of noise pollution Sound measurements according to NT 48.04 (ISO.1996 / 1) in case of complaints or perception of exceedance by controllers Respect of working hours on construction sites Noise from construction activities will be restricted to the schedule agreed in the permit During operation, the engine covers of generators, air compressors and other mechanical equipment shall be closed and the equipment will be placed as far as possible from the residential areas.
15. Health and safety of workers, residents and users	Accidents in construction sites Workers falling from scaffolding (the most common of accidents)	Moderate	Establishment of safety rules in construction sites and application of instructions and rules of hygiene Staff management Helmets door by workers Warning signs for places at risk
16. Building safety	Risk of fires and explosions	Low	Respecting NADMO's regulations (building safety and prevention of fire and explosion risks). Installation of smoke detectors, fire extinguishers and alarm devices.
17. Traffic and pedestrian safety	Direct or indirect hazards to public traffic and pedestrians through construction activities	Low to moderate	In accordance with national regulations, the contractor must ensure that the construction site is properly secured and that traffic related to the construction is regulated. This includes, but is not limited to, signage, warning signs, gates and diversions: the site will be clearly visible and the public warned of all potential dangers Traffic management system and staff training, particularly for site access and dense traffic near the site. Provide safe crossings and passages for pedestrians when construction traffic interferes. Adjustment of working hours to local traffic patterns Active management of traffic by trained and visible staff on the site, if necessary for a safe passage and convenient for the public. Provide safe and continuous access to offices, stores and residences during renovation activities, if the buildings remain open to the public.
18. Child labor	Use by contractors of child labor	Low	Strict compliance with national regulations on child labor by works contractors
19. Disabled people	Neglecting disabled people in building plans and rehabilitation of buildings	Low to moderate	Accessibility mechanisms for persons with disabilities in public buildings (access ramps, sanitary blocks, etc.)
20. Restauration of historic buildings	Neglecting the historic value of buildings	Low to moderate	Notify the local competent authorities and obtain the authorizations / permits. Full compliance with heritage management regulations regarding buildings of historical value.

ESMF, ACE Impact Project, Nigeria

21. Archaeological, cultural and historical heritage	Neglecting historic heritage	Low	Ensure that arrangements are in place to ensure that artefacts or other "finds" encountered during excavation or construction are noted, that officials are contacted and that work is delayed or altered to accommodate these discoveries. Compliance with national regulations for the protection of historical and cultural property. Possible involvement of the National Heritage Department and specialized centers. See Annex 3.
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(*) A more specific level of risks will be established during the preparation of the ESMP of each sub-project.

VI. ENVIRONMENTAL AND SOCIAL MANAGEMENT PROCEDURES

VI.1 Screening of sub-projects

57. The activities within the context of the ACE Impact Project must be subjected to *an environmental and social screening*, a procedure aimed to :

- ▶ Determine the nature and the extent of their anticipated adverse environmental and social impacts;
- ▶ Define the most appropriate backup tool, depending on the nature and extent of these impacts;
- ▶ Establish and implement appropriate mitigation measures.

VI.2 Environmental and social management tools

58. 42. Screening of sub-projects (individual sites for the construction, rehabilitation or extension of buildings) is an important element of the environmental and social management process (see Inset below).

Harmonizing national and World Bank procedures

Under the ACE Impact Project, the following sub-projects will be considered ***ineligible***:

- ▶ **World Bank Category A subprojects**, which may have very negative, diverse, irreversible environmental and social impacts.
- ▶ Sub-projects for which the World Bank operational policies are not triggered (i.e; *OP 4.04 Natural Habitats; OP 4.12 Involuntary resettlement; OP 4.09, Pest Management; OP 4.10: Indigenous Peoples; OP 4.36: Forests; OP 4.37 Safety of Dams; PO 7.50 International Waterways; and PO 7.60, Disputed Areas*).

In terms of Nigerian procedures (*in compliance with the 2004 Environmental Impact Assessment (EIA)*):

- ▶ The **Federal Ministry of Environment (FMEnv)** requests and facilitates EIAs for all major public or private sector investments, i.e. any proposed physical work or activity that is likely to have significantly impacts on the environment:
 - Registered sub-projects will be subject to **a screening process**, which aims at determining whether the proposed activity should be subjected to further assessment, and if so, the level of assessment that will be required.
 - FMEnv will more particularly deal with : timing and processing of EIA; content of an EIA report; public involvement in the EIA process and public disclosure; review of EIA and conflict resolution mechanisms; and lists of activities subject to mandatory EIA.
 - At the end of the process, an **environmental authorization** will be delivered by FMEnv.

In terms of World Bank requirements (in compliance with POs 4.01 and 4.11):

- ▶ An **Environmental and Social Information Sheet (ESIS)** will be drawn up to complement – if necessary - the *Environmental Assessment Preliminary Registration Form*.
- ▶ The screening process would be complemented by the parallel preparation of a **Simplified Screening Form (SSF)** (see the template in Annex 5) to make it possible, among other things, to determine from the outset – in a direct and concise way - the

scope and level of potential negative environmental and social impacts of any activity, as well as define the social management tool which is required.

- ▶ For subprojects whose environmental and social impact will be considered **low**, a simple **Environmental and Social Information Sheet (ESIS)** will be drawn up. This will include appropriate measures to be eventually integrated into the Contractor's technical specifications.
- ▶ For sub-projects whose environmental and social impacts will be considered **moderate**, an **Environmental and Social Management Plan (ESMP)** will be prepared - even if, because of the nature of the works, a mandatory EIA is not required by Nigerian procedures. (Annex 6 provides ToR and outline of the ESMP).
 - An ESMP is a detailed plan and schedule of measures necessary to minimize, mitigate or control any potential negative environmental and social impacts identified under the ACE Impact Project. An ESMP consists of a set of generic mitigation, monitoring and institutional measures to be taken during implementation and operation of the proposed project to eliminate negative environmental and social impacts, offset them or reduce them to acceptable levels.
- ▶ Key elements of the ESMP will be included in the **Worksite-ESMP** to be prepared by the contractor. The outline of this document as well as an indicative list of environmental measures to be taken by the contractor are provided respectively in Annex 7 and Annex 8 of this report.

Public **consultations with key stakeholder will be hold** during the entire process.

Under the ACE Impact Project, an adequate **Grievance Redress Mechanisms** will be set up at the level of each participating university (E-system). Within this system, all environmental and social related complaints and grievances will be addressed in a timely, effective and efficient manner.

59. To qualify as eligible, any sub-project with potential environmental and social risks must include **a budget line** to cover the costs of implementing any measures to mitigate environmental and social risks (negative impacts). This is a direct consequence of the legal "polluter pays" principle, which will apply to any sub-project regardless of its size and importance.

- ▶ In this perspective, mitigation measures are **an integral part of a sub-project**, which must themselves be considered as full-fledged investments.

Table 2 : Screening process : Objectives and responsibilities

PHASE	ACTIVITY	OBJECTIVE	RESPONSIBILITY
a) Site identification and sub-project	Identification of the sub-project	Describe the nature of the activities of the sub-project and its main characteristics	Promoter of the subproject (unit of the participating university)
b) Screening of the submitted subproject and preparation of the type of backup instrument required	Preparation of the SSF	Identify the nature and extent of the environmental and social impact of any sub-project	Safeguards Expert, in collaboration with federal / state environmental and social agencies (with information to the WB). Clearance from federal / state officers
	Categorization of the subproject	For sub-projects whose negative environmental and social impact is considered <i>minimal</i> : preparation of a simple ESIS. [ESIS mitigation measures will be directly integrated into the tenders and specifications of the contractors].	
	Preparation of a registration form of the sub-project		
	Analysis and validation of the results of the screening	<ul style="list-style-type: none"> • Verification of all the information. • Review of proposed mitigation measures • Categorization of subprojects and required safeguard tools • Decisions regarding the type of public consultation to be applied 	<p>Safeguards Expert with external resource persons</p> <p>Package sent to NESREA for clearance.</p>
	Combined preparation of EIA and ESMP	<p>A combined EIA / ESMP will be prepared for subprojects with potential negative impacts are considered as moderate</p> <p>Validation of the EIA/ESMP and issuance of the environmental permit</p> <p>ESMP mitigation measures will be directly incorporated into tenders and contractor technical specifications.</p>	<p>External firm / resource person (ToR validated by NESREA, if needed). As the ToR is already included in the present ESMF, the WB no objection will be not needed.</p> <p>NESREA</p> <p>PIU : coordinator and safeguards expert, with procurement officer)</p>
c) Communication and stakeholder engagement	Disclosure of information	EIA / ESMPs and records of consultations will be made available to the public through the most appropriate means.	The participating university has the overall responsibility for information to the public, by involving the appropriate national authority
	Public consultations	Stakeholders	PIU
	Grievance management	A grievance management	AAU will set up a regional

d) Grievances	and redress mechanisms	mechanism will be defined and put in place in place at the site level (grievance of those directly or indirectly affected by Project activities).	E-system (with the participation of each university / center at national level): the center will solve grievances in first instance, including issues related to environmental and social safeguards.
e) Monitoring & control and reporting	<p>Environmental and social monitoring</p> <p>Reporting</p>	<p>Monitoring of the proper implementation of sub-projects in accordance with proposed environmental and social measures, national laws and WB's Safeguards Policies (against a set of indicators)</p> <p>Maintenance and maintenance measures</p> <p>Preparation of an annual supervision report for safeguards at the regional level.</p>	<p>PIU Safeguards Expert (with external TA).</p> <p>Contractor : implementation of the EIA/ESMP environmental and social safeguard measures</p> <p>External control by federal / state officers .</p> <p>The safeguard consultant at AAU will develop this report based upon information from the PIU safeguards expert.</p>
f) Evaluations	Mid-term and final evaluation of the Project	Assess the implementation of safeguards	Participation of the PIU Safeguard expert in the preparation of the evaluations (conducted by external consultants)
g) Independent audit	Before mid-term review of the Project	Environmental/ social audit of all the sub-projects)	To be commissioned by PIU

() The different elements of this table will be specified during consultations and the forthcoming appraisal of the ACE Impact Project.*

VII. MONITORING, CONTROL AND EVALUATION

VII.1 Objectives of environmental and social monitoring and control

60. The Project Environmental and Social management Control & Monitoring System aims to describe: (i) the elements to be monitored; (ii) monitoring methods and tools; (iii) the responsibilities for monitoring and reporting; and (iv) the periodicity of monitoring. The system aims to ensure that: identified mitigation measures are appropriate and affectively implemented, and produce the anticipated results; any additional impacts not identified in the analysis of the potential environmental and social impacts of the rehabilitation and/ or construction of facilities are captured as early as possible and are modified, discontinued or replaced if they prove to be inadequate.

VII.2 Responsibilities

61. Environmental and social internal monitoring is carried out by the Project's Safeguards expert with the aim of ensuring that environmental and social safeguards of the project are adhered to. This monitoring will concretely include: (i) the inclusion of the mitigation measures recommended in the sub-project; (ii) the compliance oversight during the building activities; and (iii) the monitoring of environmental and social management measures in the implementation of different activities.¹

- ▶ The **National Safeguards expert** will be assisted by the **Regional Safeguard Consultant** at the *Regional Facilitation Unit (RFU)* (based in Accra, Ghana), which has the role of ensuring consistent implementation and monitoring of ACE Impact environmental measures in all the countries concerned.

62. The **external environmental and social monitoring**, carried out by NESREA at its discretion, is intended to ensure compliance with national regulations on environmental and social protection and to verify the quality of implementation of environmental protection measures.

63. The knowledge acquired with these two forms of environmental and social monitoring will make it possible to correct the mitigation measures and possibly to revise certain standards of environmental protection.

64. The environmental monitoring system (which will cover the construction phase and post-construction clean-up) must include, in particular:

- ▶ The list of all the parameters requiring environmental monitoring;
- ▶ The measures and means envisaged to protect the environment;
- ▶ An intervention mechanism in case of observation of the non-compliance with the legal and environmental requirements or the commitments of the sub-project promoters;
- ▶ The contracting parties' commitments - to submit monitoring reports (number, frequency, content).

65. From an annual periodicity, the verification of the execution of the measures is intended to ensure that the environmental and social mitigation measures are implemented in accordance with the described procedures in the ESMF.

VII.3 Tracking indicators

66. 49. In order to assess the effectiveness of the sub-projects, including the construction and rehabilitation of buildings and their subsequent maintenance, the environmental and social

¹ Refer also to Table 2 (above)

indicators are shown in Table 3 below. Several of these indicators will be further defined in the ESMP for specific activities and will be regularly monitored during implementation of the subprojects. They will be specified in the Technical specification of the different building companies or contractors as well as those of possible subcontractors.

Table 3 : Environmental and social management monitoring indicateurs

Measure	Category	Indicator
Technical mesures (screening a preparation of safeguard tools)	ESMP W-ESMP	Number of sub-project screened Number of ESMPs prepared, validated and approved Number of W-ESMPs prepared, validated and approved
Monitoring related measures	Environmental monitoring and control of sub-projects	Number of missions completed to monitor risk mitigation measures
Sensitization	Raising public awareness and advocacy on the environmental, health, safety and social issues of sub-projects and good practices	Number of people who benefited from these sessions (with percentage of women)
Grievance management	Management of grievances of persons directly or indirectly affected by Project activities	Number of grievances received Number of grievances treated

() All the indicators will be quantified during the forthcoming Project appraisal*

VIII. ACTION PLAN : KEY RECOMMENDATIONS

67. This chapter presents the main recommendations of the ESMF's Action Plan of the ACE Impact Project.

- (i) **Environmental and social screening:** By Project effectiveness, each participating university must have prepared the description of its subproject (buildings to be built or rehabilitated). This will enable the Project's safeguards expert, in collaboration with concerned federal and state agencies, to move quickly to the next steps on environmental and social safeguards. This process will be updated each year as the annual work plan is prepared
- (ii) **Qualified personnel:** Each selected university will use the services of a qualified person (appointed or recruited), who will be in charge of implementing the safeguarding measures, including monitoring, surveillance, control and evaluation of risk mitigation measures, and keep the partnership links with competent federal / state agencies throughout the project.
- (iii) **Operational Manual :** The Project's *Operational Manual* must include a section on the basic principles and regulatory measures of the ESMF, indicating in particular:
 - ▶ Subprojects' screening procedures: for any operation carried out under the Project;
 - ▶ The respective responsibilities of different stakeholders (acquisition of required authorizations by the promoters or preparation by the contractors of complete ESMP-Worksites, including a Safety and Hygiene Plan).
 - ▶ Mechanisms for monitoring and monitoring the environmental and social monitoring indicators;
 - ▶ Costs of environmental and social safeguards.
- (iv) **Information, sensitization and training on environmental and social management (ESM) issues:** Information and sensitization sessions on ESM will be provided to the representatives of the institutional actors involved in implementation of the Project, including the companies in charge of the construction activities. These initiatives These initiatives (to be coordinated by the Project safeguards specialist, in collaboration with federal / state environmental officers, and the assistance of external resource persons) will take place immediately after Project effectiveness, during the first six months of implementation. Costs related to these trainings will be included in the overall project management costs of outreach / training / capacity building. Particularly important is the information sessions of entrepreneurs on the preparation of their various comprehensive Worksite-ESMPs.
 - ▶ Within the context of the Impact boot camp that the AAU will organize (with the support of WB) prior to Project effectiveness, for all university teams, special sessions will focus on environmental and social safeguards issues and the key elements of the ESMF.
- (v) **Grievance redress mechanism :** Under the regional e-system for grievances management, which will be created within each participating university / center, **a special section will concern all environmental and social safeguards-related grievances.**

Once it has been discussed, approved and validated by all stakeholders,

this Action Plan will be binding.

IX. ESTIMATED COSTS

68. The budgeting for implementation of the ESMF will be done at two levels:

- ▶ **At the level of each participating university** : a budget of a maximum of **USD 50,000** to cover costs of technical measures related to environmental and social assessment procedures, including various capacity building initiatives and preparation and monitoring of ESIAs / ESMPs for sub-projects.
- ▶ **At the regional level**: the AAU will reserve **USD 200,000** for the regional safeguard consultant, national and regional disclosures, and associated missions/workshops

69. All costs related to environmental and social risk mitigation measures will be included in the budgets of individual sub-projects.

ANNEXES

Annex 1 : Existing National legal instruments applicable to environmental protection

N	REGULATION	YEAR	PROVISIONS
1	National Environmental Protection (effluent limitation) Regulations	1991	The regulation makes it mandatory for industrial facilities to install anti-pollution equipment, makes provision for effluent treatment and prescribes a maximum limit of effluent parameters allowed.
2	National Environmental Protection –Pollution and Abatement in Industries o Facilities Producing Waste) Regulations	1991	Imposes restriction on the release of toxic substances and stipulates requirements for monitoring of pollution. It also makes it mandatory for existing industries and facilities to conduct periodic environmental audits.
3	National Environmental Protection (Management of Solid and Hazardous Waste) Regulations	1991	Regulates the collections, treatment and disposal of solid and hazardous wastes from municipal and industrial sources.
4	Harmful Wastes (Special Criminal Provisions) Decree n. 42	1988	Provides the legal framework for the effective control of the disposal of toxic and hazardous waste into any environment within the confines of Nigeria
5	Environmental Impact Assessment Act (Decree n. 86)	1992	The decree makes it mandatory for an EIA to be carried out prior to any industrial project development.
6	National Guideline and Standard for Environmental Pollution Control	1991	The regulations provide guidelines for management of pollution control measures.
7	Workmen Compensation Act	1987	Occupational health and safety
8	Urban and Regional Planning Decree n. 88	1992	Planned development of urban areas (to include and manage waste sites)
9	Environmental Sanitation edicts, laws and enforcement agencies	-	General environmental health and sanitation. Enforcing necessary laws.
10	State waste management laws	-	Ensure proper disposal and clearing of wastes
11	Public Health Law	-	Covering public health matters
12	National Guidelines on Environmental Management Systems (EMS)	1999	Recognizes the value of EMS to EIA and sets out objectives and guidelines on general scope and content of an EMS
13	National Policy on Environment	1988	The policy identifies key sectors requiring integration of environmental concerns and sustainability with development and present their specific guidelines.
14	National Guidelines and Standards for Water Quality	1999	It deals with the quality of water to be discharged into the environment, sets standards and discharge measures.
15	National Air Quality Standard Decree n.59	1991	The World Health Organization air quality standards were adopted by the then Federal Ministry of Environment I n1991. These standards define the levels of air pollutants that should not be exceeded in order to protect public health.
16	National environmental standards and Regulations Enforcement Agency (NESREA Act)	2007	Established to ensure compliance with environmental standards, guidelines, and regulations.
17	National Policy on Flood and erosion Control	2006	Addresses the need to combat erosion on the country.
18	National Oil Spill Detection and Response Agency (NOSDRA Act)	2005	This statutory regulation makes adequate regulations on waste emanating from oil production and exploration.

Annex 2 : Excerpts of the Environmental Impact Assessment Decree no 86 of 1992

Part I: General Principles of Environmental Impact Assessment; and Part II : Environmental Assessment of Projects

Part I: General Principles of Environmental Impact Assessment

1. The objectives of any environmental Impact assessment (hereafter in this Decree referred to as "the Assessment") shall be -
 - (a) to establish before a decision taken by any person, authority corporate body or unincorporated body including the Government of the Federation, State or Local Government intending to undertake or authorize the undertaking of any activity that may likely or to a significant extent affect the environment or have environmental effects on those activities shall first be considered;
 - (b) to promote the implementation of appropriate policy in all Federal Lands (however acquired) States and Local Government Areas consistent with all laws and decision making processes through which the goal and objective in paragraph (a) of this section may be realized;
 - (c) to encourage the development of procedures for information exchange, notification and consultation between organs and persons when proposed activities are likely to have significant environmental effects on boundary or trans-state or on the environment of bordering towns and villages.
2.
 - (1) The public or private sector of the economy shall not undertake or embark on public or authorize projects or activities without prior consideration, at an early stages, or their environmental effects.
 - (2) Where the extent, nature or location of a proposed project or activity is such that is likely to significantly affect the environment, its environmental impact assessment shall be undertaken in accordance with the provisions of this Decree.
 - (3) The criterion and procedure under this Decree shall be used to determine whether an activity is likely to significantly affect the environment and is therefore subject to an environmental impact assessment.
 - (4) All agencies, institutions (whether public or private) except exempted pursuant to this Decree, shall before embarking on the proposed project apply in writing to the Agency, so that subject activities can be quickly and surely identified and environmental assessment applied as the activities being planned.
3.
 - (1) In identifying the environmental impact assessment process under this Decree, the relevant significant environmental issues shall be identified and studied before commencing or embarking on any project or activity covered by the provisions of this Decree or covered by the Agency or likely to have serious environmental impact on the Nigerian environment.
 - (2) Where appropriate, all efforts shall be made to identify all environmental issues at an early step in the process.

Part II : Environmental Assessment of Projects

14.
 - (1) Notwithstanding the provisions of Part I of this Decree, an environmental impact assessment shall be required where a Federal, State or Local Government Agency Authority established by the Federal, State or Local Government Council -
 - (a) is the proponent of the project and does any act or thing which commits the Federal, State or Local Government authority to carrying out the project in whole or, impact;
 - (b) makes or authorises payment or provides a guarantee for a loan or any other form of financial assistance to the promoter of a sub-project for the purpose of enabling the project to be carried out in whole or in part, except when the financial assistance is in the form of any reduction, avoidance, deferral, removed, refund remission or other form of relief from the payment of any tax, duty or excise under Customs Tariff (Consolidated) Act or any Order made thereunder, unless that financial assistance is provided for the purpose of enabling an individual project specifically named in the enactment, regulation or order that provides the relief to be carried out;
 - (c) has the administration of Federal, State or Local Government and leases or otherwise disposes of those lands on or any tests in those lands or transfers the administration and control of those lands or invest therein in favour of the Federal Government or its agencies for the purpose of enabling the project to be carried out in whole or in part.

- (d) under the provisions of any law or enactment, issues a permit or licence, grants an approval or takes any other action for the purpose of enabling the project to be carried out in whole or in part.
- 16. Whenever the Agency decides, that there is the need for an environmental assessment on a project before the commencement of the project the environmental assessment process may include -
 - (a) a screening or mandatory study and the preparation of a screening report;
 - (b) a mandatory or assessment by a review panel as provided in section 25 of this Decree and the preparation of a report;
 - (c) the design and implementation of a follow-up program.
- 17. (1) Every screening or mandatory study of a project and every mediation or assessment by a review panel shall include a consideration of the following factors, that is –
 - (a) the environmental effects of the project, including the environmental effects of malfunctions or accidents that may occur in connection with the project and any cumulative environmental effects that are likely to result from the project in taking into consideration with other projects, that that have been or will be carried out;
 - (b) the significance or, in the case of projects referred to in section 43 44 or 45, the seriousness of those effects;
 - (c) comments concerning those effects received from the public, accordance with provisions of this Decree;
 - (d) measures that are technically and economically feasible and that would mitigate any significant or, in the case of projects referred to in sections 43, 44, or 45 any serious adverse environmental effects of the project.

Annex 3 : Procedures in case of fortuitous discovery of physical cultural property

It is possible that, during the implementation phase, Project activities may have unforeseen effects on physical cultural properties, particularly in case of incidental discoveries.

The "physical cultural property" to which the procedures of OP 4.11 apply are "*movable or immovable objects, sites, works or groups of works of archaeological, paleontological, historical, architectural, religious, aesthetic or other value*".

To this end, in accordance with the chance find procedures of World Bank OP 4.11:

- *Project officials* should ensure that ESMP / EIS *Terms of Reference* include aspects of incidental discovery of physical cultural property and that procedures for incidental discoveries are effectively provided for in construction contracts, in collaboration with legally responsible services.
- The contractor charge of the works must include in its *Environmental and Social Management Plan – Worksite* (ESMP-BS) and actually follow the procedures provided in case of incidental discovery of cultural property:
 - Beforehand, inform the workers about the goods concerned and the procedure to follow;
 - After discovery: secure the site; stop immediately the work in the case of an archaeological remains (cave, furnaces, cemetery, burial, old objects of art, figurines, statuettes);
 - Inform the local branch of the Ministry of Tourism and Culture and the National Council of Arts and Culture;
 - Delimit the site of the discovery;
 - Do not resume work unless authorized by the responsible local authorities and the Ministry of Tourism and Culture.

[Source : World Bank (2009) *Cultural Heritage in Environmental Assessment* (1994)]

See the full text of this document on-line:

[https://siteresources.worldbank.org/INTSAFEPOL/1142947- 1116497775013/20507410/ Update8 Cultural HeritagInEASeptember1994.pdf](https://siteresources.worldbank.org/INTSAFEPOL/1142947-1116497775013/20507410/Update8CulturalHeritageInEASeptember1994.pdf)

Annex 4: Managing the risks of adverse impacts from temporary project induced labor influx

Excerpts from MANAGING THE RISKS OF ADVERSE IMPACTS ON COMMUNITIES FROM TEMPORARY PROJECT INDUCED LABOR INFLUX (*Note prepared in 2016 by Operations Policy and Country Services (OPCS) and Environmental and Social Safeguards Advisory Team (ESSAT)*).²

Bank-financed investment projects often involve construction of civil works for which the required labor force and associated goods and services cannot be fully supplied locally for a number of reasons, among them worker unavailability and lack of technical skills and capacity. In such cases, the labor force (total or partial) needs to be brought in from outside the project area. In many cases, this influx is compounded by an influx of other people (“followers”) who follow the incoming workforce with the aim of selling them goods and services, or in pursuit of job or business opportunities. The rapid migration to and settlement of workers and followers in the project area is called labor influx, and under certain conditions, it can affect project areas negatively in terms of public infrastructure, utilities, housing, sustainable resource management and social dynamics.

The influx of workers and followers can lead to adverse social and environmental impacts on local communities, especially if the communities are rural, remote or small. Such adverse impacts may include increased demand and competition for local social and health services, as well as for goods and services, which can lead to price hikes and crowding out of local consumers, increased volume of traffic and higher risk of accidents, increased demands on the ecosystem and natural resources, social conflicts within and between communities, increased risk of spread of communicable diseases, and increased rates of illicit behavior and crime. Such adverse impacts are usually amplified by local-level low capacity to manage and absorb the incoming labor force, and specifically when civil works are carried out in, or near, vulnerable communities and in other high-risk situations. While many of these potential impacts may be identified in a project’s Environmental and Social Impact Assessment (ESIA), they may only become fully known once a contractor is appointed and decides on sourcing the required labor force. This means that not all specific risks and impacts can be fully assessed prior to project implementation, and others may emerge as the project progresses.

Key Principles that are key to properly assessing and managing the risks of adverse impacts on communities that may result from temporary project induced labor influx.

- Reduce labor influx by tapping into the local workforce.
- Assess and manage labor influx risk based on appropriate instruments.
- Incorporate social and environmental mitigation measures into the civil works contract.
- Risk of social conflict (conflicts may arise between the local community and the construction workers, which may be related to religious, cultural or ethnic differences, or based on competition for local resources).
- Increased risk of illicit behavior and crime
- Influx of additional population (“followers”) (people who expect to get a job with the project, family members of workers, as well as traders, suppliers and other service providers).
- Impacts on community dynamics.
- Increased burden on and competition for public service provision.
- Increased risk of communicable diseases and burden on local health services (the influx of people may bring communicable diseases to the project area, including sexually transmitted diseases (STDs), or the incoming workers may be exposed to diseases to which they have low resistance).

² The full document may be found on-line : <http://pubdocs.worldbank.org/en/497851495202591233/Managing-Risk-of-Adverse-impact-from-project-labor-influx.pdf>.

- Gender-based violence (inappropriate and criminal behavior, such as sexual harassment of women and girls, exploitative sexual relations, and illicit sexual relations with minors from the local community).
- Child labor and school dropout.
- Local inflation of prices.
- Increased pressure on accommodations and rents.
- Increase in traffic and related accidents.

Annex 5 : Simplified Screening form (SSF) for environmental and social impacts

<p>1. Nature of the activity :</p> <p>2. SSF Number :</p> <p>3. Location :</p> <p>4. Name and address of the Promoter of the sub-project :</p>
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A) GENERAL ELIGIBILITY

Does the activity ...	Yes	No
Have an impact on areas for which the World Bank operational policies have not been triggered? In particular:		
<ul style="list-style-type: none"> Impact on natural habitats (<i>under OP 4.04, Natural Habitats</i>) Use of pesticides to control pests (<i>under OP 4.09, Pest Management</i>)? Disrespect for human dignity, human rights, economic systems and cultures of indigenous peoples (<i>under OP 4.10: Indigenous Peoples</i>)? Involuntary taking of land (<i>Under OP 4.12: Involuntary resettlement</i>) Impact on forest health and quality (<i>under OP 4.36: Forests</i>) ? Serious consequences resulting in malfunctioning or stopping a dam (<i>under OP 4.37 Safety of dams</i>)? Effects on waters of two or more states (<i>under OP 7.50 International waterways</i>)? Sub-projects located in disputed areas (<i>under OP 7.60, Disputed areas</i> ? 		

If the answer is YES to one of these general eligibility questions: the sub-project is not eligible under the ACE IMPACT Project.

B) ENVIRONMENTAL IMPACT

	Will the activity ...	Yes	No
1	Include removal and/or cutting of a considerable number of trees?		
2	Potentially affect the ecology of a protected area (eg interference on mammalian or bird migration routes) ?		

3	Potentially affect geological or soil instability (eg, erosion, landslides and subsidence)?		
4	Be located in an area threatened by silting ?		
5	Is located in an area where there is no household waste management system?		
6	Generate non-hazardous waste that will be stored on the project site?		
7	Involve the use of an already over-exploited groundwater?		
8	Contribute to reducing the amount of water available to other local users?		
9	Is located in an area where there is no sanitation network?		
10	Occur in old establishments that may contain asbestos cement ?		
11	Include large deep excavations?		
12	Have important potential accidental soil erosion, groundwater pollution and contamination?		
13	Greatly increase air pollution and dust generation ?		
14	Greatly increase noise pollution and vibrations?		

- **If the answer is YES to one of these general eligibility questions:** An Environmental and Social Management Plan (ESMP) will be prepared in line with WB requirements – even if, because of the nature of the works, national procedures do not require the preparation of a PER or of an EIA.
- **If the answer is NO to all questions:** According to national regulations, an PER or an EIA will not be mandatory. However, in compliance with WB policies 4.01 and 4.11, the preparation of an SSF or, in certain cases, of a fully-fledged ESMP, will be considered as necessary.

Annex 6 : Terms of Reference : Preparation of an ESMP

I. INTRODUCTION AND CONTEXT

This section of the ToRs will be completed at the appropriate time and will provide basic information regarding the nature and activities of a sub-project under the ACE IMPACT Project.

II. OBJECTIVES

This section will: (i) present the objectives and activities planned under the specific sub-project (construction, rehabilitation or extension of buildings or other facilities); and (ii) indicate activities that may have environmental and social impacts and that require attenuation measures.

III. TASKS OF THE CONSULTANT

The consultant will be mandated to prepare a single document including an Environmental and Social Impact Assessment (ESIA) and an Environmental and Social Management Plan (ESMP) of the sub-project in accordance with national procedures for EIA and World Bank operational policies that were triggered under the Project (ie PO 4.01 Environmental evaluation and 4.11 Physical cultural resources). To do this, the Consultant should refer directly to the results of the analyzes and recommendations of the Project's Environmental and Social Management Framework (ESMF).

This document should be prepared with a level of detail sufficiently precise to be included in the tender for construction companies, in order to allow a correct estimate of the costs of these activities and to be part of the specifications of the successful bidder.

IV. THE MANDATE OF THE CONSULTANT

- Prepare a complete ESMP (see Outline in appendix)
- Provide a general description of the characteristics of the environment in which the activities of the sub-project will take place.
- Highlight the major constraints that need to be taken into account when preparing the land, construction and during operation.
- Conduct a detailed risk analysis.
- Evaluate the potential environmental and social impacts due to sub-project activities.
 - Determine the significance of positive and negative impacts, direct and indirect impacts and immediate and long-term impacts associated with the sub-project
 - Identify risk mitigation measures.
 - Consider the potential impacts of a project on physical cultural resources and follow the required procedures.
- Analyze alternative options.
- Identify work supervision mechanisms
- Define the framework of information, consultation and public participation.
- Present institutional arrangements for the monitoring and reporting systems
- Describe the arrangements for handling complaints and resolving potential conflicts

V. QUALIFICATIONS AN PROFILE OF THE CONSULTANT

- ▶ University degree at the Master's level (or equivalent), specialization in environmental sciences or geography or agronomy or development studies or affiliated disciplines.
- ▶ At least 5 years of experience conducting environmental studies or environmental assessment of projects or implementing environmental initiatives.

APPENDIX : General outline of the ESMP

The ESMP will include the following elements :

1. Description and rationale of the sub-project (area, area, population affected, etc.)
2. Role of key stakeholders and definition of their responsibilities
3. Identification of the eligible beneficiaries of the sub-project and the persons affected
4. Detailed presentation of the main potential environmental risks (pre-construction phase, work phase, maintenance phase)
5. Detailed presentation of the various technical measures envisaged to mitigate the risks
6. Framework concerning the Information, Consultation and Participation of stakeholders
7. Presentation of training initiatives and capacity building
8. Presentation of work supervision mechanisms
9. Definition of monitoring indicators and control of mitigation measures
10. Outline of the program for monitoring the implementation of the mitigation measures
11. Definition of the monitoring, supervision and control system
12. Schedule of implementation of sub-project activities
13. Description of the organizational responsibilities for the implementation of the sub-project
14. Description of the arrangements for handling complaints and settling potential conflicts
15. Definition of reporting system (fact sheets)
16. Presentation of the public disclosure system of the ESMP
17. Detailed budget

Annex 7: General Outline of a Worksites-Environmental and social Plan (W-ESMP)

(To be prepared by a contractor). A simplified ESMP-W will be prepared by small enterprises involved in minor works

1. ENVIRONNEMENTAL POLICY OF THE CONTRACTOR: General Statement
2. OBJECTIVES
 - 2.1 Preparation of the ESMP
 - 2.2 Responsibilities of the Contractor
 - 2.3 Responsibilités of sub-contractors
 - 2.4 Documentation related to monitoring and control
 - 2.5 Security and Hygiene Plan (SHP)
 - 2.6 Implementing and updating the W-ESMP
3. ENVIRONNEMENTAL MANAGEMENT SYSTEM
 - 3.1 Responsibilities of the contractor
 - 3.2 Sub-contractors
 - 3.3 Planning the Environment, Health, Hygien and Security documentation
 - 3.4 Request for approval of site
 - 3.5 Management of non compliances
 - 3.5 Humain resources
 - 3.6 Controls
 - 3.7 Reporting
 - 3.8 Notification of accidents
 - 3.9 Internal regulations
 - 3.10 Training on Environmentn Health, Hygien and Security
 - 3.11 Standards
4. PROTECTION OF THE ENVIRONMENT
 - 4.1 Protection of sourrounding areas
 - 4.2 Selection of escavation and site access areas
 - 4.3 Effluents
 - 4.4 Water management
 - 4.5 Rivers and streams
 - 4.6 Emissions and dust
 - 4.7 Noises and vibrations
 - 4.8 Waste management
 - 4.9 Clearing of vegetation
 - 4.10 Erosion and sedimentation
 - 4.11 Cleaning up after works
 - 4.12 Documentation concerning the site (after the works)
5. SECURITY AND HYGIENE
 - 5.1 Safety and hygien plan
 - 5.2 Daily and weekly meetings
 - 5.3 Equipment and operating standards
 - 5.4 Working licenses
 - 5.5 Equipment and individual protection
 - 5.6 Hazardous material
 - 5.7 Emergency planning
 - 5.8 Ability to work
 - 5.9 First help
 - 5.10 Health center and medical staff
 - 5.11 First aid kits
 - 5.12 Emergency medical evacuation

- 5.13 Health care access
- 5.14 Medical monitoring
- 5.15 Sanitary repatriation
- 5.16 Hygiene
- 5.17 Sexually transmitted diseases and infections
- 5.18 Substance abuse

6. LOCAL WORKFORCE AND RELATIONS WITH THE COMMUNITIES

- 6.1 Local recruitment
- 6.2 Transportation and housing
- 6.3 Meals
- 6.4 Damage to people and property
- 6.5 Occupation or acquisition of land
- 6.6 Traffic and rolling stock management

7. ADDITIONAL AND SPECIFIC MEASURES

- 7.1 Security in risk areas
- 7.2 Relations with neighboring communities
- 7.3 Grievances management
- 7.4 Gender issues
- 7.5 Procedure in case of incidental discovery (chancefinds) of archaeological artifacts
- 7.6 Internal audits

ANNEXES

ANNEX 1 : Mitigation measures: Pre-construction

ANNEX 2 : Mitigation measures : Construction phase

ANNEX 3 : Responsibilities to monitor and control the implementation of mitigation measures

Annex 8 : Indicative list of environmental measures

These measures could be included (partially or entirely) as environmental and social clauses in contracting firms' contracts.

1. Prohibited actions

The following actions are prohibited on the subproject site or in its immediate vicinity:

- Cut trees outside the construction zone;
- Use unauthorized raw materials;
- Intentionally destroying a discovered physical cultural resource;
- Continue to work after discovering an archaeological remains (cave, cave, cemetery, burial ground);
- Use firearms (except authorized guards);
- Consume alcohol on the job site and during working hours.

2. Management measures

2.1 Environmental measures management (precautions to be taken by the building company during the works to avoid the occurrence of nuisances and impacts).

- Waste management
 - o Minimize the production of waste and then eliminate it;
 - o Set up controlled assembly sites;
 - o Identify and classify potentially hazardous waste and apply specific disposal procedures (storage, transportation, disposal);
 - o Entrust the disposal to the approved professional structures;
 - o Store and dispose of construction waste consistent with national regulations
- Equipment maintenance
 - o Delimit garage, repair and maintenance areas (washing, emptying) of materials and equipment away from any source of water;
 - o Carry out maintenance on the demarcated areas;
 - o Properly manage the draining oils.
- Fight against erosion and filling of water courses
 - o Avoid creating trenches and deep furrows along developed access roads;
 - o Avoid disposing of loose materials on sloping ground;
 - o Erect protections around borrow pits and deposits of fine soft materials
- Materials in reserves and loans
 - o Identify and delineate areas for stockpiled materials and borrow pits, ensuring that it is at a safe distance (at least 50 m) from steep slopes or erosion-prone soils and drainage areas. water close;
 - o Limit the opening of borrow pits to the strict minimum necessary.
- Fight against dust and other nuisances
 - o Minimize dust emission to avoid or minimize negative consequences influencing air quality
 - o Limit speed to 24 km / h within 500 m of the site;
 - o Regularly water areas prone to dust emission during the day;
 - o Respect the hours of rest for work in residential areas in the city, or during school hours for repairs and rehabilitations.

2.2. Safety management (safe layout on the site to be taken by the contracting company, according to national health and safety standards for the benefit of the workers and adequate signage of the site to avoid accidents).

- Properly and permanently sign site access roads and hazardous areas of the site;
- Make staff aware of the wearing of safety equipment (nose cover, glove, helmet, etc.);
- Regulate traffic on leaving school;
- Interrupt all work during heavy rains or in case of emergency.

2.3 Relations with the neighborhood

- Inform local authorities about the detailed schedule of work and the risks associated with the site;
- Systematically recruit local workers of equal competence;
- Contribute to the maintenance of tracks used by vehicles serving the site;
- Avoid supply disruption of basic services (water, electricity, telephone) due to work otherwise inform at least 48 hours in advance;
- Do not work at night. Otherwise, inform the local authorities at least 48 hours in advance.

2.4. Implementation of “Chance Find Procedure”. Its application makes it possible to safeguard the historical vestiges for the benefit of the culture and the economic activities like the tourism. It consists in alerting the competent authority in case of discovery of vestige (objects of ancient art, archaeological vestiges, etc.) during the opening and the exploitation of the quarries and pits of loan, and during the scours for the constructions themselves. same. It will be for the contractor to:

- To inform workers of the goods concerned and the procedure to be followed;
- Immediately stop the work in the case of an archaeological remains (cave, cave, furnaces, cemetery, burial) pending the decision of the competent authority;
- In the case of objects (figurines, statuettes) circumscribe the area and alert the competent authority;
- Do not resume work unless authorized by the competent authority.

Annex 9 : Summary of Proceedings at Public Consultation Forum

In the Table below, there is a summary of the issues/comments raised by the various stakeholders and how the issues were addressed at the meeting.

Table: Summary of Proceedings at Public Consultation Forum

Items	Description
Date of Public consultation	24 October 2018
Name of Stakeholders	Centers of Excellence
Name of Stakeholders	Centers of Excellence in University of Benin, University of Jos, African University of Science and Technology (AUST), Benue State University Markurdi, Bayero University Kano and Obafemi Awolowo University Ife.
Language of communication	English
Introduction	The Project Coordinator, ACE Impact, Joshua gave an opening remark, and gave an overview of the project background and proposed project interventions. He encouraged active participation in the public consultation as the forum would address all concerns as the project works towards the finalization and disclosure of the ESMF. The World Bank (WB) Senior Environmental Specialist; Joseph Akpokodje highlighted on the objectives and the need of a stakeholder consultation in order to more efficiently deliver improved project sustainably especially the poor and vulnerable.

Issues/Comments Raised by the stakeholders	How the concerns were/are addressed
Ugochukwu Mmegwa from the Phytomedicine Research Laboratory, University of Jos gave an overview of ongoing activities in the lab as part of the ACE 1 project. He noted that there were ongoing projects which include the production of mushrooms in an organic park as well as establishing a proposed vegetable farm. He noted that safety protocols are in place and no NPKs or chemicals are used in growing the mushrooms. Regarding the renovation of buildings, there is an existing plan prepared and SOPs in place. He however raised concerns on the solid waste and waste water management.	The WB specialist highlighted on various best practice and innovative technologies that could be implored to contain different waste streams. However, he noted that project teams share experiences and Standard Operating Procedures (SOP) to learn on these best practices.
Jane Enobakhare from Reproductive Health Laboratory, University of Benin, reported that there the construction of buildings were carried out and noted that scientists require adequate training to carry out due diligence on environmental issues.	It is expected that the ESMP report prepared and disclosed is adhered to especially in the construction and operations phases of the project.
Paul Bija form the center for food technology and research, Benue State University reveled that there were construction of a buildings including labs and the construction of a fish lab	The WB specialist iterated on the safeguards policies triggered for the ACE Impact project as it is expected that there will no land acquisitions or loss of livelihood. However, OP

which disposes its waste water into a farm within the university premises.	4.12 is not triggered on the project. It is expected that all lands are within and owned by the university and wastes generated are adequately disposed.
Bukola Ojo from Software Engineering Obafemi Awolowo University Ile-Ife disclosed that all labs have been constructed and commissioned and the ESMP prepared and disclosed..	The WB specialist emphasized on electronic waste management and the need for effective collection and reuse of electronics.
Kabir M. Umar from Centre for Dryland Agriculture, Bayero University Kano stated that an ESMP has been prepared for ACE I activities for activities which includes the upgrade of farms including fence, and laboratories. He noted that staff had undergone trainings in collaboration with UNIDO on SOPs for Labs. In addition, plant tissue wastes are usually incinerated.	It is expected that the ESMP report prepared and disclosed is adhered to especially in the construction and operations phases of the project.
Inegbenose Osoba from Pan African Institute, African University of Science and Technology (AUST) indicated that the institute focuses on the improvement of learning outcomes at the post graduate level. Activities includes the procurement of equipment, waste management systems such and filtration systems for liquid and gas waste	The WB specialist noted that issues about laboratories polluting ground water should be avoided and urged other centers of excellence with similar activities to share SOPs and experiences

Attendance

s/n	Name	Institution	Designation	Email	Phone
1	Jane Enobakhare	University of Benin	Safeguard Officer	Sede.jane@yahoo.com	08036872631
2	Onoh Vivian Ifunanya	University of Benin	Program Manager	vivianonoh@gmail.com	08039101991
3	Ugochukwu Mmegwa	University of Jos	Safeguard Officer	Ugo.mmgwayahoo.com	08036810673
4	Inegbenose Osoba	African University of Science and Technology (AUST)	Safeguard Officer	eosoba@aust.edu.ng	08160854067
5	Paul Bija	Benue State University Markurdi	Safeguard Officer	paulbija@gmail.com	08032254632
6	Kabir M. Umar	CDA/Bayero University Kano	Safeguard Officer	Kmumar.cda@buk.edu.ng	08109953370
7	Bukola Ojo	Obafemi Awolowo University Ife	Safeguard Officer	Bukyojo68@yahoo.com	08033449627

8	Joseph Akpokodje	World Bank	Senior Environment Specialist	jakpokodje@worldbank.org	08033740948
9	Omezikam Onuoha	World Bank	Environmental Specialist	oonuoha@worldbank.org	08106928160

Photo of the participants

