

Environmental and Social Management Framework (ESMF)

Intergovernmental Authority on Development

For the

“Desert to Power Initiative – Phase II, IGAD Region”

OCTOBER 2021

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LIST OF ACRONYMS

Afdb	African Development bank
DtP	Desert to Power
E&S	environmental and social
EE	Environmental Evaluation
EHS	Environment, Health and Safety
EIA	Environmental Impact Assessment
EMCA	Environmental Management and Coordination Act
EMCR	Environmental Management and Coordination Regulation
EPA	Environmental Protection Agency
ESA	Environmental Sensitive Area
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
FAO	Food and Agricultural Organization
IGAD	Intergovernmental Authority on Development
LACP	Land Acquisition and Compensation Plan
NEAGPM	National Environmental Assessment Guidelines and Procedures Manual of Eritrea
NEMA	National Environment Management Authority
NGO	Non-Governmental Organization
OP	Operational Policy
PIU	Project Implementation Unit
PS	Performance Standard
TA	Technical Assistance

ToR	Terms of Reference
WB	World Bank
UN	United Nations

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EXECUTIVE SUMMARY

a) Brief project description

Desert to Power (“DtP”) is a flagship initiative led by the African Development Bank (“AfDB”) to harness the vast solar power potential across the Sahel region to provide access to electricity and enable socio-economic development as well as resilience in the region. The DtP initiative covers 11 countries: Burkina Faso, Chad, Djibouti, Eritrea, Ethiopia, Mali, Mauritania, Niger, Nigeria, Senegal, Sudan. Under this program (Phase I), seven countries in the Western, Central and Northern region (Burkina Faso, Chad, Mali, Mauritania, Niger, Nigeria and Senegal - together “the beneficiary countries”) are targeted.

The Second Phase covers Djibouti, Ethiopia and Sudan.

The purpose of the project is to accelerate regional-scale development of solar generation, transmission and decentralized energy projects across the IGAD Region.

The Second phase of the program under this project will benefit Eastern African DtP countries (Djibouti, Ethiopia and Sudan). It will be implemented through the Intergovernmental Authority on Development (“IGAD”) in collaboration with the East Africa Power Pool (EAPP). The direct project beneficiaries are the general population and economies of the IGAD members specifically, businesses, traders, households, investors but also development partners and international bilateral and multilateral agencies. The general population in the IGAD member countries will benefit from these projects by ultimately having well planned coordinated regional infrastructure projects and services to be used for more efficient movement within the region, but also for trade and economic development.

The Expected Outcomes and Outputs are: (i) To build a pipeline of regional solar projects, both grid-connected and decentralized solutions, as well as cross-border transmission projects; (ii) To strengthen the capacity of utilities to integrate intermittent solar energy in power systems; and (iii) To streamline planning and regulatory frameworks led by regional bodies. This in turn is expected to contribute to the global objective of DtP: 10,000 MW of new solar generation capacity and universal access to electricity by 2030.

The Total budget of the TA project is 5.5 million dollars with a total implementation period of four years.

- Component 1: Development and harmonization of appropriate regional policies, legal and institutional frameworks for renewable energy resources (US\$2.00 million);
- Component 2: Regional Solar Mapping and Development of Regional Solar Parks (US\$2.5 million);
- Component 3: Project Management and Capacity Building (US\$1.00 million).

b) Overview of the major environmental and social risks and stakes in the project implementation area

The project is a Technical Assistance (TA) activity which finances feasibility studies of proposed three solar park projects, and relevant capacity building activities. The project will not finance any physical activities or works that pose direct environmental and social impacts. However, the selected location of three site pilot during the implementation phase for solar park feasibility studies, could lead

future to potential for moderate to significant environmental or social impacts. Therefore, it is proposed that in order to mitigate the potential impact an ESIA is needed. For all the three feasibility studies, three EISA will be undertaken. Their budget is planned in the project.

c) Institutional framework, Laws & regulations/procedures

Nationals' environmental laws

For all the four countries, the sector has strategic planning documents as well as relevant legislative and regulatory texts, including a national environmental protection policy, a decree on environmental and social impact assessment studies (ESIA), etc. All participated countries have also signed and ratified several international conventions on environmental protection and natural resources.

Djibouti

The 2009 Code de l'Environnement (Loi n°106/AN/00/4ème) defines the requirement for the implementation of EIA. It requires all projects with consequences for environment and health to implement an EIA.

Eritrea

The National Environmental Management Plan for Eritrea addresses environmental problems and promotes sustainable development. The National Environmental Management Plan recognises the importance of Environmental Assessment and promotes a programme to establish legal requirements for carrying out Environmental Assessments.

Ethiopia

The Environmental Impact Assessment Proclamation no. 299/2002 regulates EIA in Ethiopia. It establishes the environmental protection agency (EPA) and regional environmental agencies as the main responsible authorities in licensing process. In addition, it provides guidelines for carrying out environmental assessments and sets clear timeframes for the authority to respond to the license applicant.

Sudan

The Environmental Protection Act of 2001 under section 9 provides the legal basis for EIA. It mentions EIA requirements for projects that might have a negative impact on the environment. However, Sudan has not legislated EIA as a mandatory requirement for all projects, but only for projects in specific sectors. In addition, there are natural resources laws and sectoral regulations dealing with health, water supply, land tenure, marine resources and other sector of natural resources (r7). Sudan does not have guidelines for conducting an EIA.

AfdB Operational Safeguard (OS) applies

The Bank's environmental and social safeguard policy applicable to the project's activities is Category Two.

The Bank developed five (5) Operational Safeguards as below:

- Environmental and Social Assessment: OS1
- Involuntary resettlement land acquisition, population displacement and compensation: OS2
- Biodiversity and ecosystem services: OS3
- Pollution prevention and control, hazardous materials and resource efficiency: OS4
- Labour conditions, health and safety: OS5

There are no Work activities under the project and therefore OS4 and OS5 will not be triggered. The project sites will be set up so as not to displace populations or destroy economic assets. There is no need for resettlement plan since there will be no resettlement. So OS2 will not be triggered. Furthermore, OS3 does not apply too for activities related to biodiversity and there will be no potential risk for cultural heritage degradation in beneficiaries' communities.

For the project, the bank environmental and social safeguard policy that will apply is OS1 on Environmental and Social assessment of the project.

d) Positive environmental and social impacts of the Project

The positive impacts of the project are:

At Regional level: 1st impact: Harmonization of rules and procedures for private investments will help jump-start solar energy development as promoted by DtP; 2nd impact: Enhancement of the Regional Integration and cooperation through development and endorsement of a regional renewable energy policy; 3rd impact: Increase regional-scale generation infrastructure using a pervasive, clean and endogenous resource (solar) and displacing of fossil fuel generation infrastructure relying on imports and vulnerable supply chains; 4th impact: Build the trust among Member states; 5th impact: Regional platform of knowledge sharing as solar mapping available; 6th impact: Contribute to the peace process of the region; 7th impact: response to the High five (5) of the Bank.

At National and local level: 8th impact: opportunity for member states to benefit from capacity building actions; 9th impact: improved living conditions and comfort of local populations; 10th impact: access to public lighting and improved security conditions; 11th impact: reduction of greenhouse gas emissions; 12th impact: Awareness raising through reduction of fossil energy consumption and promotion of renewable energies; 13th impact: alleviating of women's labour; 14th impact; improved household income levels and creation of income-generating activities for the long term.

e) Negative environmental and social impacts of the Project

The TA project is classified as Category 2 (AfdB ESAP). Environmental and social risks are likely to be limited to ***the site selection of solar park*** for the feasibility studies activities under Component 2.

The national different legal policy reviews, development of regional document(s), feasibility studies, capacity building and other project activities, it is not expected to have direct negative environmental and social impacts but only positive.

However, the site selection criteria for solar park development in Component 2, if not monitored and mitigated with a set of criteria in favor of the environment protection, could be both positive and adverse social impacts over the long-term during the construction phase which goes beyond the current project.

In order to reduce the potential negative impact related for the site selection, the following mitigation measures will be taken:

- Applying principle of **exclusion** as part of the selection criteria: **No solar site** for feasibility study will be chosen in a **protected area for biodiversity, land acquisition of private land and resettlement of persons, protected archaeological area and cultural and religious site**;
- All selected area will be screening as Annex 1 by the IGAD team and shared with Afd team PRIOR starting launching the recruitment of the feasibility study;
- And for the potential future positive and negative impacts of each selected area will be mitigated through a detailed ESIA for each site. All ToRs of the three ESIA will be shared PRIOR to Afd team for clearance and approval;

f) Public consultation during the preparation of the ESMF

The ESMF was developed based on the applicable standards and guidelines and integrated the existing systems for environmental mainstreaming of IGAD. Due to the fact that countries are eligible and neither project sites nor measures are selected, no specific site visits were conducted for the ESMF. The analysis of the legal framework and the related gap analysis are based on primary and secondary sources available online. **However, the main stakeholders, here the technical committee of IGAD member states, endorsed the IGAD Strategy 2021 – 2025 which the current DtP TA’s project was included, on March 2021 meeting at Mombasa, Nairobi.** <https://igad.int/executive-secretary/2644-igad-ambassadors-meet-in-mombasa-endorse-new-strategy-and-budget>

Public communication and consultation mechanism/plan throughout the project lifecycle

The identification of the key stakeholders, who will be informed and consulted about the project, including individuals, groups, or communities, is based on the previous historical stakeholder information related to the similar projects implemented by the IGAD with the support of the Bank like the IGAD Regional Infrastructure Master Plan (IRIMP). Those key stakeholders are categorized as those that:

- Are affected or likely to be affected by the project (project-affected parties); and
- May have an interest in the project (other interested parties).

Affected Parties

- **At national level:** a Project Steering Committee (PSC) will be established for the TA prior the launching event. They will be one designated from each country with functions of approving the Work Plans and Budget as well as providing inputs on behalf of the countries.
- **At the regional level:** IGAD Secretariat as the Executing Agency.

At the local level, the project outputs/outcomes at the local level aren’t directly applicable to IGAD’s activities. Impacts on these groups will be minimal and thus stakeholder engagement activities will be focussed at higher level.

Other interested parties (OIP)

- National Focal Persons (PSC), trainees and interns
- Energy professionals working at regional level
- National institutions responsible for energy

Purpose and timing of stakeholder engagement program

Stakeholder engagement is an inclusive process that must be conducted throughout the project cycle. The key stakeholder's engagement activities to take place during the preparation, implementation and closure are:

- **Preparation Phase:** the technical committee of IGAD member states, endorsed the IGAD Strategy 2021 – 2025 which the current DTP TA's project was included, on March 2021 meeting at Mombasa, Nairobi;
- **Implementation Phase:** IGAD will engage with the SC by organizing two SC meeting every year

g) Framework Environmental and Social Management Plan (Framework ESMP)

The project is a Technical Assistance (TA) activity which finances feasibility studies of proposed three solar park projects, and relevant capacity building activities. **The project will not finance any physical activities or works that pose direct environmental and social impacts.** However, the selected location of three site pilot for solar park feasibility studies, if not choose appropriately with set of criteria, in favor of environment protection, could lead future to potential for moderate to significant environmental or social impacts. For the entire three sites for solar park feasibility study in Component 2 of the project, after selected, it is planned to undertake a detailed ESIA. The ESMP is summarized in table 1.

Table 1: summary of project activities, anticipated impact, mitigation managements with cost estimation

Project Activity	Anticipated Environmental and Social Impacts Proposed	Mitigation/Management Measure(s) and Objective of Mitigation/Management Measure(s)	Monitoring and Reporting (including performance indicators)	Implementation Plan and Institutional Responsibilities	Cost Estimates and Source of Funds USD	Comments
Component 1: Development and harmonization of appropriate regional policies, legal and institutional frameworks for renewable energy resources						
ALL Activities are Consultancy services and there are no any physical and work activities. As such there are not any direct negative environmental and social impacts to be anticipated.						
Component 2: Site selection for the three solar park feasibility study						
Implementation phase of the project	-Un proper site selection for solar park feasibility study	- Applying principle of exclusion as part of the selection criteria: No solar site for feasibility study will be chosen in a protected area for biodiversity, land acquisition of private land and	- Developed the set of criteria for the site selection PRIOR the feasibility study - Compliances	IGAD PIU for the entire project implementation. Only the consulting firms will be in charge for the production of the three ESIA reports under	Part of the IGAD staff time operation cost at Component 3 And budget of SC	

		<p>resettlement of persons, protected archaeological area and cultural and religious site</p> <p>-In addition of the above mentioned exclusion criteria, all site selected will be screened as Annex 1</p> <p>- Development of three ESIA for the three feasibility study sites</p> <p>-Approval of relevant authority at all locations</p>	<p>with laws and regulations</p> <p>- Developed three EISA ToRs for the three site PRIOR the ESIA studies</p> <p>- Preparation of the three ESIA reports</p>	<p>the supervision of IGAD PIU</p>	<p>meeting 40 000</p>	
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a) The Proposed Mitigation/Management Measure(s) and their Objective

- Approval of national relevant authorities at all locations;
- Careful site selection by developing and agreed a set of criteria with the project steering committee;
- Apply principle of exclusion as part the site criteria selection as Exclusion of protected area of biodiversity, protected archaeological area, land acquisition of private land and resettlement of persons and culture and religious site;
- Staff and Member states training.

b) Responsibilities at different level

At Regional Level:

IGAD and specifically the PIU have the overall responsibility for ensuring compliance with the laws and safeguards..

During the implementation, the PIU have the following responsibilities:

- Ensuring compliance with all relevant national legislation, as well as with the environmental controls and mitigation measures contained in the ESMP.
- Ensuring that the design and planning is in compliance with national requirements and aligned with international best practice.
- Monitoring the performance of staff as well as contractors and sub-contractors used for providing supplies and services.
- Acting as point of contact for consultation and feedback to stakeholders and the public (stakeholder engagement).

At National Level:

As defined by the national Environmental Impact Assessment legislations and procedures of all IGAD countries, the relevant environmental ministries and authorities will be involved. In the IGAD member states, they are:

- Djibouti: The Ministry of Habitat, Urban Planning, Environment & Town Planning is responsible for EIA and particularly for the approval of ESIA studies.
- Eritrea: The Department of Environment of the Ministry of Land Water and Environment is responsible for the implementation of the ESIA procedure. Depending on the project sector, other government institutions can be involved in the approval process (for example mining or petroleum).
- Ethiopia: The Environment Protection Authority is the responsible authority for the environmental assessments. It is an independent institution with a mandate to regulate and monitor all activities in the country that have an impact on the environment (r9). In addition to the central EPA, regional environmental agencies are also involved in the project approval process.
- Sudan: The responsible authority for the EIA process is the Higher Council for Environment and Natural Resources. It is the technical arm of the Ministry of Environment and Physical Development and responsible for policies for environmental protection.

At AfdB Level:

AfdB monitors compliance with E&S standards and specifically this ESMF. It reviews IGAD's reporting on E&S-related issues and conducts inspections that may include verification of compliance with E&S standards. All ToRs will be reviewed and cleared by AfdB team.

c) Monitoring indicators and time schedule of ESMF

At technical level it will concern the below area of intervention:

- During the selection (during the second year of the project implementation) of the three site solar park PRIOR start of their feasibility and ESIA study. Three screening reports will be produced;
- During the second and third year of the project, for the recruitment of ESIA contractors. Before the start of the activity, three ToRs will be cleared and approved by Bank. And at the final stage, three ESIA reports will be produced.

Safeguards Sensitization

- Sensitization and advocacy on the environmental and social safeguards and best practices during the first and last year will be monitored through number of sessions organized, number and profile of people participated;
- Dissemination of ESMF and Safeguard guides to stakeholders throughout the project cycle will be monitored by the Number of Reports Dispatched and Number of stakeholders received the documents.

GRM

- Implementation and Grievance redress mechanism, throughout the project cycle, will be monitored by Presence of GRM structure at sub-project level and Number of complaints received / number of complaints.

Training

- Training on environmental and social safeguards, evaluation and monitoring of sub-projects, during the first three years, will be monitored by the Number of Training, Number of Trainee and Trainee Types.

d) Budget

The budget that will be used to pay consultants to carry out ESIA studies and to implement recommendations will be part of the sub-project budget as for each study it is planned to be 100.000

USD. For the drafting the TORs of the three feasibility and ESIA studies this is part of the IGAD coordinators time cost and be part of the operations cost in Component 3.

d) Other safeguards documents to supplement ESMF

DtP TA project's ESMF prepared for sub-projects who have anticipated adverse environmental and social effects but didn't know its area of influence during project appraisals from the very nature that the concerned sub-projects are the selection criteria for the feasibility studies for a bankable solar park project to be developed later based on the demand and priority of the member state during the implementation. Therefore the effects of the ESMF have annexed sub-project screening format (Annex 1) and ESIA preparation minimum requirement for sub-projects that are subjected for separate ESIA study according with the national participated countries and AfDB safeguards policy and regulations.

I. INTRODUCTION

1.1 BACKGROUND

Desert to Power ("DtP") is a flagship initiative led by the African Development Bank ("AfDB") to harness the vast solar power potential across the Sahel region to provide access to electricity and enable socio-economic development as well as resilience in the region. The DtP initiative covers 11 countries: Burkina Faso, Chad, Djibouti, Eritrea, Ethiopia, Mali, Mauritania, Niger, Nigeria, Senegal, Sudan. Under this program (Phase I), seven countries in the Western, Central and Northern region (Burkina Faso, Chad, Mali, Mauritania, Niger, Nigeria and Senegal - together "the beneficiary countries") are targeted.

The Second Phase covers Djibouti, Ethiopia and Sudan.

The purpose of the project is to accelerate regional-scale development of solar generation, transmission and decentralized energy projects across the IGAD Region.

The Second phase of the program under this project will benefit Eastern African DtP countries (Djibouti, Ethiopia and Sudan). It will be implemented through the Intergovernmental Authority on Development ("IGAD") in collaboration with the East Africa Power Pool (EAPP). The direct project beneficiaries are the general population and economies of the IGAD members specifically, businesses, traders, households, investors but also development partners and international bilateral and multilateral agencies. The general population in the IGAD member countries will benefit from these projects by ultimately having well planned coordinated regional infrastructure projects and services to be used for more efficient movement within the region, but also for trade and economic development. The TA is classified as Category Two project and this is the TA Environmental and Social Management Frameworks.

1.2 ESMF STUDY OBJECTIVES

The purpose of the ESMF is to ensure that studies carried out under the TA to prepare projects, which may subsequently be implemented under separate financing, address and identify measures to avoid and minimize environmental and social impacts, as much as possible, and where they cannot be avoided, the impacts are adequately identified/assessed and necessary mitigation measures designed

and implemented following relevant participated countries' environmental and social legislation and the Afdb's safeguards policies.

1.3 SCOPE OF WORK

The project is Categorized Two. The TA program is aimed at acceleration of the regional growth and operational transformation of the DtP East Africa through regional policy initiatives that compliment pipeline development and scaling up bankability of regional projects. The activities focus on three key areas: (i) regional harmonization of the National RE Policies (all the seven IGAD member states)- this harmonization will need to be consistent with East Africa Power Pool (EAPP) arrangements and IGAD expected to request observer status at EAPP meetings; (ii) regional solar mapping and development of regional solar park (for the three participated countries); (iii) strengthen IGAD capacity to update the Energy sector of the IRIMP by including the RE part potential investment needed, implement and monitor the IRIMP through collaboration with the DtP East Africa countries and the East Africa Power Pool (EAPP).

Therefore, the project **will not finance any physical activities or works that pose direct environmental and social impacts**. However, the selected location of three site pilot for solar park feasibility studies, could lead future to potential for moderate to significant environmental or social impacts. This ESMF will apply to the activity related for the site selection for having anticipated environmental and social risks. It is planned to undertake for each site a detailed ESIA and their respective budget is planned under the project. In overall implementation of the DtP TA PIU with the close support of the IGAD Program Manger Environmental protection will ensure that the proposed subprojects will remain category II small scale activity and therefore manageable under the ESMF.

1.4 METHODOLOGY AND APPROACH

The ESMF was developed based on the applicable standards and guidelines and integrated the existing systems for environmental mainstreaming of IGAD. Due to the fact that a large number of countries are eligible and neither project sites nor measures are selected, no specific site visits were conducted for the ESMF. However, site visits to typical project sites undertaken as part of the feasibility study, inform the description of risks.

The analysis of the legal framework and the related gap analysis is based on primary and secondary sources available online. The analysis focuses on issues that are common for small infrastructure projects, i.e. the requirements and process of environmental and social impact assessment, labour and social aspects, and land and property rights.

The main stakeholders, here the technical committee of IGAD member states, endorsed the IGAD Strategy 2021 – 2025 which the current DtP TA's project was included, on March 2021 meeting at Mombasa, Nairobi. <https://igad.int/executive-secretary/2644-igad-ambassadors-meet-in-mombasa-endorse-new-strategy-and-budget>

II. PROGRAM DESCRIPTION

2.1. PROGRAM COMPONENTS

The purpose of the project is to accelerate regional-scale development of solar generation, transmission and decentralized energy projects across the IGAD Region.

The Second phase of the program under this project will benefit Eastern African DtP countries (Djibouti, Eritrea, Ethiopia and Sudan). It will be implemented through the Intergovernmental Authority on Development (“IGAD”) in collaboration with the East Africa Power Pool (EAPP). The direct project beneficiaries are the general population and economies of the IGAD members specifically, businesses, traders, households, investors but also development partners and international bilateral and multilateral agencies. The general population in the IGAD member countries will benefit from these projects by ultimately having well planned coordinated regional infrastructure projects and services to be used for more efficient movement within the region, but also for trade and economic development.

The Expected Outcomes and Outputs are: (i) To build a pipeline of regional solar projects, both grid-connected and decentralized solutions, as well as cross-border transmission projects; (ii) To strengthen the capacity of utilities to integrate intermittent solar energy in power systems; and (iii) To streamline planning and regulatory frameworks led by regional bodies. This in turn is expected to contribute to the global objective of DtP: 10,000 MW of new solar generation capacity and universal access to electricity by 2030.

The Total budget of the TA project is 5.5 million dollars with a total implementation period of four years.

- Component 1: Development and harmonization of appropriate regional policies, legal and institutional frameworks for renewable energy resources (US\$2.00 million);
- Component 2: Regional Solar Mapping and Development of Regional Solar Parks (US\$2.5 million);
- Component 3: Project Management and Capacity Building (US\$1.00 million).

Component I (USD 2.0 million): Development and harmonization of appropriate regional policies, legal and institutional frameworks for renewable energy resources. The project will assess and analyze existing policies, strategies and standards in the region; develop regional RE policies for the East Africa Sahel countries in collaboration with the East Africa Power Pool. Specifically, IGAD will lead the discussions and endorsement of the new draft policy across the region with a view of defining quality standards and regional norms to favor competition, transparency and openness. It is expected that the harmonized legal, regulatory and licensing systems will to increase the share of renewable (incl. solar) in the regional energy mix through regional energy trade. The draft policy will further harmonize the country specific National Determined Contributions (NDCs) in alignment with Paris Accord and linkages between the regional policy and cross-cutting issues (fragility, gender, youth, private sector, inclusiveness, green economy, skills, technology, local participation).

Component II (USD 2.5 million): Regional Solar Mapping and Development of Regional Solar Parks. This component aims to support the implementation of regional solar parks to respond to electricity demand in the region. In Djibouti, the government plans to develop solar parks in Petit Bara, Ali Sabieh and Goubet with an estimated photovoltaic potential of 250 MW by 2025. In Ethiopia, under the National Electrification Programme as guided by the Public Private Procurement proclamation, the government intends develop solar parks with an estimated capacity of 450MW. Collectively, this will allow for a fully functional and balanced regional electricity market. It is expected that the respective Regional Solar Parks incorporate battery storage capacity to shift power during evening peak as an alternative to imports from neighboring countries (electricity generated from gas or hydro) to address the issue of “security of supplies”.

Component III: Project Management and Capacity Building (USD 1.0 million). The Project will support the administration and management in the Implementation of the Project, Coordination of the Project activities under each Component and providing fiduciary services.

Preliminary Impact screening has done during the Environmental and social assessment for all proposed activities to identify anticipated types of subprojects who have potential adverse environmental and social risks so that should be included in the ESMF of TA implementation using the Bank guidance tools as part of development of integrated safeguard system 2013 AfDB.

As there is no plan to finance any physical activities or works that pose direct environmental and social impacts, the Identified anticipated subprojects to be financed by the TA that have potential adverse environmental and social impacts and classified as Category II sub-projects are under Component 2 during the selection of three solar sites for feasibility study. All the remaining activities as there are none of the resulting impacts are likely to lead to significant effects, are “scope out”. **Therefore, all activities planned under the TA are Categorized Two and will be financed by the project.**

2.2. PROJECT COORDINATION AND IMPLEMENTATION ARRANGEMENTS

AT REGIONAL LEVEL

IGAD Secretariat as the Executing Agency will implement and manage the project, as they have past and recent experience managing other Bank financed projects such as the Drought Disaster Resilience and Sustainability (DDRS) and IGAD Regional Infrastructure Master Plan (IRIMP) project respectively. Specifically, the TA will be implemented by the existing IGAD Economic Cooperation and Integration ECI who coordinated the IRIMP through the Natural Resources Management & Renewable Energy NRM/RE department which is in charge of the development of Renewable Energy policy. The Director of ECI has the overall authority and responsibility over implementation of the project but shall delegate day to day management of the project to the Program Manager of NRM/RE. Those two staffs will be fully dedicated for the implementation of the project with 25% extra staff time and be support in kind contribution to several sector expert such communication, climate change, gender, accountant, procurement, environmental protection, planning and coordination. Project Steering Committee (PSC) will be established for the TA prior the launching event. They will be one designated from each country with functions of approving the Work Plans and Budget as well as providing inputs on behalf of the countries.

When supervising contractors, the PIU have the following responsibilities:

- Ensuring compliance with all relevant national legislation, as well as with the environmental controls and mitigation measures contained in the ESMP.
- Ensuring that the design and planning is in compliance with national requirements and aligned with international best practise.
- Monitoring the performance of staff as well as contractors and sub-contractors used for providing supplies and services.
- Acting as point of contact for consultation and feedback to stakeholders and the public (stakeholder engagement).
- Monitoring and safeguarding E&S issues during operation.

AT NATIONAL LEVEL

As defined by the national Environmental Impact Assessment legislations and procedures of all IGAD countries, the relevant environmental ministries and authorities will be involved. In the IGAD member states, they are:

- Djibouti: The Ministry of Habitat, Urban Planning, Environment & Town Planning is responsible for EIA and particularly for the approval of ESIA studies.
- Eritrea: The Department of Environment of the Ministry of Land Water and Environment is responsible for the implementation of the ESIA procedure. Depending on the project sector, other government institutions can be involved in the approval process (for example mining or petroleum).
- Ethiopia: The Environment Protection Authority is the responsible authority for the environmental assessments. It is an independent institution with a mandate to regulate and monitor all activities in the country that have an impact on the environment (r9). In addition to the central EPA, regional environmental agencies are also involved in the project approval process.
- Sudan: The responsible authority for the EIA process is the Higher Council for Environment and Natural Resources. It is the technical arm of the Ministry of Environment and Physical Development and responsible for policies for environmental protection.

AT AFDB LEVEL

Afdb monitors compliance with E&S standards and specifically this ESMF. It reviews IGAD's reporting on E&S-related issues and conducts inspections that may include verification of compliance with E&S standards. All ToRs will be reviewed and cleared by Afdb team.

III. ENVIRONMENT AND SOCIAL BASELINE OF THE PROGRAM

3.1. LOCATION AND SIZE

The proposed intervention of three solar park feasibility and ESIA studies are targeting three (3) East Africa country members (Djibouti, Ethiopia and Sudan).

The location will be selected during the implementation of the TA based on set of criteria of selection. Those criteria will in line of the respective national environment policy and guidelines. They will be developed and agreed with member states with full participation of Afdb team.

The potential negative impact linked to solar site selection site during the implementation of the activity and ways to mitigate are defining as below:

- Applying principle of **exclusion** as part of the selection criteria: **No solar site** for feasibility study will be chosen in a **protected area for biodiversity, land acquisition of private land and resettlement of persons, protected archaeological area and cultural and religious site**;
- All selected area will be screening as Annex 1 by the IGAD team and shared with AfdB team PRIOR starting launching the recruitment of the feasibility study;
- And for the potential future positive and negative impacts of each selected area will be mitigated through a detailed ESIA for each site. All ToRs of the three ESIA will be shared PRIOR to AfdB team for clearance and approval;

During the implementation of the ESIA's activities, the contractors for each site pilot will provide a detailed baseline data of each selected area on Physical Environment, Climate, Relief, Catchment and Hydrology, Surface water, Groundwater, Lakes, Quality of water, different of Soils, Geology and soils, Wetlands, Use of soils, Biological Environment, Forests, Pastoral Zones, woodlands, Socio-economic and environment, Population and demographic characteristics, Poverty distribution, Energy sources of Households, Agriculture, Human settlements, Animal husbandry.

IV. REVIEW OF NATIONAL, INSTITUTIONAL POLICIES AND REGULATORY

The following AFDB OPERATIONAL SAFEGUARD (OS) applies:

- Environmental and Social Assessment: OS1
- Involuntary resettlement land acquisition, population displacement and compensation: OS2
- Biodiversity and ecosystem services: OS3
- Pollution prevention and control, hazardous materials and resource efficiency: OS4
- Labour conditions, health and safety: OS5

There are no Work activities under the project and therefore OS4 and OS5 will not be triggered. The project sites will be set up so as not to displace populations or destroy economic assets. There is no need for resettlement plan since there will be no resettlement. So OS2 will not be triggered. Furthermore, OS3 does not apply too for activities related to biodiversity and there will be no potential risk for cultural heritage degradation in beneficiaries' communities.

For the project, the bank environmental and social safeguard policy that will apply is OS1 on Environmental and Social assessment of the project.

And finally the different national's environmental, labour and social aspects, land and property legislation policy documents of the participated countries will apply. Those entire national policy frameworks are international standards.

DJIBOUTI

Environment

The 2009 Code de l'Environnement (Loi n°106/AN/00/4ème) defines the requirement for the implementation of EIA. It requires all projects with consequences for environment and health to implement an EIA. The law distinguishes two types of projects:

- Projects that pose great dangers and inconveniences. They require measures to prevent such dangers and inconveniences and require authorisation by the Ministry of Environment
- Projects that do not pose such dangers. They need to comply with general prescriptions of the Ministry of Environment and need to be registered with the Ministry.

The **2011 Environmental Impact Assessment Procedures** make detailed provisions on the content of an EIA, the elaboration and approval procedure, provisions for public consultation, monitoring and reporting: EIA studies need to conform to the content prescribed in the procedures and the Terms of Reference for EIA studies need to be reviewed by the Ministry of Environment. The procedures require public consultation including stakeholder meetings and disclosure of EIA studies. The procedures include a list of projects that require an EIA.

The EIA system of Djibouti conforms with international standards, but international standards make more detailed prescriptions in some respects. Djiboutian law assigns projects in two categories – international standards foresee three categories. Furthermore, the emphasis of public consultation and stakeholder engagement lies in the project development process with a focus on soliciting written remarks, while international safeguards mandate comprehensive stakeholder consultation during preparation and implementation with methods accessible to all target groups, including illiterate people. Furthermore, international standards specify that disclosure needs to be accessible to all people. For these differences, international standards will have to be used.

Labour and social aspects

The **2006 labour code** (Loi n°133) outlaws forced and compulsory labour. Furthermore, it prohibits child labour and sets the minimum working age at 16 years and protects the right to association, collective bargaining and industrial relations.

Djibouti has ratified all **eight fundamental ILO conventions** on freedom of association, forced labour, discrimination and child labour.

Land and property legislation

Law No. 171/AN/91/2eL classifies all property in Djibouti territory as part of the public domain. The private domain is organized by Law No. 178/AN/91/2eL. It lays down the basic regime of the private domain of the State including vacant land, land without any owner and land acquired by the State from donations, inheritance or other legal ways. Land ownership is regulated under Act No. 177/AN/91/2eL.

In many respects, Djiboutian land legislation and international standards on involuntary resettlements converge. However, several points are not taken into account by Djiboutian legislation, including the eligibility of irregular occupants, economic rehabilitation, cost of resettlement, and relocation of affected persons, vulnerable groups, and broad participation and compensation alternatives. If land acquisition is required for individual projects, the international standards need to be met.

ERITREA

Environment

Legislation and Policy

The **Constitution of Eritrea commits the country to sustainable development**. The Constitution of Eritrea was ratified with a provision that the state shall be responsible for land, water, air and natural resource management to ensure sustainable development: (Article 8 and 21):

“In the interest of present and future generations, the State shall be responsible for managing all land, water, air and natural resources and for ensuring their management in a balanced and sustainable manner; and for creating the right conditions to secure the participation of the people in safeguarding the environment.”

The National Environmental Management Plan for Eritrea addresses environmental problems and promotes sustainable development. The National Environmental Management Plan recognises the importance of Environmental Assessment and promotes a programme to establish legal requirements for carrying out Environmental Assessments. It was followed by the Draft Environmental Proclamation, but the Proclamation has been in a draft state for more than a decade.

EIA in Eritrea takes place on a voluntary basis, as there is no national legislation that requires compulsory EIA. A few sectors, such as petroleum and mining, however, are subject to legislation that requires EIA. Key areas of Environmental Policy have not been addressed, including specific lists of activities that are subject to EIA, different steps in the EIA process and time limitations (r1).

General principles and procedures related to EIA

The National Environmental Assessment Guidelines and Procedures Manual (NEAGPM) in 1999 outline the EIA process. The World Bank environmental assessment principles were the basis for the guidelines.

The first step of the procedure is a screening of the project to identify whether an EIA is required. The annex of the NEAGPM lists typical projects for each category:

- **Category A:** Projects which, because of their type, size, location, and/or mode of operation are likely to lead to a diverse range of significant negative environmental impacts and which are not easily predicted and assessed using existing information, require full EIA.
- **Category B:** Projects could lead to significant negative environmental impacts if not carefully designed and implemented, but whose impacts can usually be reduced to an acceptable level through the use of existing, appropriate design standards and mitigation measures; or when insufficient information exists to be able to make a definitive decision about likely environmental impacts; they require an Environmental Evaluation.
- **Category C:** Projects which, after preliminary screening, are considered unlikely to have significant environmental impacts, and which require no further environmental analysis before consideration for approval via the normal licensing procedures; they do not require an Environmental Assessment.

Several government agencies are involved in the EIA process. The Department of Environment is responsible for the screening and formulation procedures and has a coordinative role between the proponent and other government agencies. Screening is performed by the government agency responsible for regulation, development, implementation, management and/or supervision of a particular development project. If no relevant government agency exists for a particular project, the project screening is executed by the Department of Environment.

A full EIA is a five-step procedure that contains development of terms of reference for the EIA study, the actual EIA study and a draft for the environmental management plan. An EE is less comprehensive than a full EIA report for category A projects and is conducted on the basis of a questionnaire. It results in an Environmental Evaluation Report that focuses on the most relevant risk areas. The annex of the NEAGPM provides a project list for environmental screening, list of proposed environmentally sensitive areas (ESA), environmental assessment forms and a checklist for project scoping. ESA are relevant because proximity to ESA can lead to a higher categorization.

Many areas of Eritrean EIA process are in line with international standards, while gaps to international standards relate to the compulsory nature of EIA, to public consultation and to disclosure. While EIA is not officially legislated in Eritrea, it is required for all projects according to OP 4.01 and hence also for the projects under the TA. Similarly, disclosure of the outcomes of EIA reports is not compulsory and public consultations are only required for category A projects, while international standards require accessible disclosure and additional public consultations during implementation and also EIA for category B projects. These requirements need to be respected for the TA.

Labour and social aspects

The **Labour Proclamation of Eritrea No. 118/2001** regulates the employment relations between employees and companies in general terms. The Proclamation on the Formation of Political Parties and Organizations 2001 allows the freedom of association, collective bargaining and industrial relations.

Eritrea has ratified four fundamental ILO conventions (C098, C100, C105, C138). Eritrea has not ratified the ILO core labour standards related to equal opportunity, fair treatment (both C111) and hazardous work for children under 18 (C182). For the RMF all eight fundamental ILO conventions need to be respected.

Land and property legislation

All land is under state ownership by the Land Proclamation of 1994 but the government provides lifetime right of usufruct (“right of use”). All rights derived from state property and are temporary. Nevertheless, customary land tenure system of the highlands is in practice (r2).

The **customary land tenure system differs between the highlands and the low-lands.** In the highlands, the family or village systems of land ownership dominate, where the land is owned collectively and is periodically (five to seven years) distributed among the residents. In the lowland, government ownership (state land) plays a more important role (r3).

From information available online, it is unclear whether legislation regarding involuntary resettlement exists and conforms to international standards. This means that also people without formal legal rights to the land but with recognized claim to land or assets and people without a

recognizable legal right or claim are eligible for compensation. It is noteworthy that in Eritrea in several resettlement programs the indigenous population was not compensated for their loss of land (r4). If land acquisition is required for individual projects, the international standards need to be met.

ETHIOPIA

Environment

Legislation and Policy

The **Ethiopian Constitution Article 44** recognizes every individual's right to a clean and healthy environment and the right to appropriate compensation if one's livelihood has been adversely affected as a result of state programs.

The **Ethiopian environmental policy** stated goal is to "improve and enhance the health and quality of life of all Ethiopians and to promote sustainable social and economic development through the sound management and use of natural, human-made and cultural resources and the environment as a whole." The policy outlines several sectoral policies, as well as some cross-sectoral policies including a climate monitoring program, a commitment to mitigate emissions and protecting the ozone layer.

General principles and procedures related to EIA

The **Environmental Impact Assessment Proclamation no. 299/2002** regulates EIA in Ethiopia. It establishes the environmental protection agency (EPA) and regional environmental agencies as the main responsible authorities in licensing process. In addition, it provides guidelines for carrying out environmental assessments and sets clear timeframes for the authority to respond to the license applicant.

The Proclamation divides projects in two categories:

- projects not likely to have negative impacts, and so do not require EIA
- Projects likely to have negative impacts and thus require EIA. Categories of projects subject to Environmental Impact Assessment are specified in Directive No.1/ 2008.

The **Proclamation details the requirements for EIA**. The EIA has to be conducted by experts that need to meet requirements specified under any directive issued by the EPA. The duties of proponent consist to undertake EIA and to submit the environmental study report and necessary documents to the authority.

The EIA procedure in Ethiopia corresponds with international standards, but there are several gaps: The Ethiopian system requires EIA only for 22 specific project types, while Op 4.01 requires each individual project to be subject to EIA if environmental risks are significant. For the RMF, the international standard applies. Furthermore, public consultations are not an incremental part in the EIA process compared to the Development Partner's standard. Ethiopian law foresees public consultation only in the form of comments after the completion of the EIA only for specific projects, while OP 4.01 requires broad public consultation during preparation and implementation and accessible disclosure. For the RMF, these requirements need to be respected.

Labour and social aspects

Ethiopia has ratified all eight fundamental ILO conventions (C029, C087, C098, C100, C111, C105, C138, C182).

The Labour Proclamation No. 377/2003 provides the welfare of the workers in terms of wages of workers, issuance of contracts for employees, safe and secure working conditions.

The Trade Unions Organisation Proclamation No. 2 of 1982 states the right to collective bargaining.

The Ratification Proclamation No. 335/2003 prohibits forced labour and makes provisions to prevent hazardous work for children under 18.

Land and property legislation

In Ethiopia, land is a public property (constitution article 40) but land is available on lease-hold basis. The leaseholder has the right of use over urban land for periods of time between 50 to 99 years and it can be transferred (r5). At the same time, the constitution guarantees small-scale farmers land without charge. Ethiopian has introduced an extensive land certification process in 1998 and 2013 66 % of smallholder households hold certified rights to use their land (r6).

The requirements for expropriation are found in Proclamation 455/2005 and regulation 135/2007 that states the procedure and the basis of compensation. The landholder has the right to be compensated for the property situated on the land, permanent improvements to the land, for displacement and loss of land. The value of the land itself is not compensated. This is due to the fact that all land in Ethiopia is government owned, thus there is no private ownership of the land. Ideally the landholder should be compensated with replacement land for the land lost in the expropriation process. If there is no replacement land available, the compensation should be determined according to the rule of ten times the average annual income from the land.

Ethiopian legislation is in line with international standards. However, there are several gaps: OP 4.12 requires that compensation be completed prior to the start of the project, there are no similar time tables set out in Ethiopian laws or regulations. In addition, there is no provision for relocation assistance, transitional support, or the provision of compensation for loss of civic infrastructure under Ethiopian law. Furthermore, Ethiopian law does not make any specific accommodation for squatters or illegal settlers, other than recognition of some use-rights, such as when settlers can claim rights to the land.

SUDAN

Environment

Legislation and Policy

The Environmental Protection Act of 2001 under section 9 provides the legal basis for EIA. It mentions EIA requirements for projects that might have a negative impact on the environment. However, Sudan has not legislated EIA as a mandatory requirement for all projects, but only for projects in specific sectors. In addition, there are natural resources laws and sectoral regulations dealing with health, water supply, land tenure, marine resources and other sector of natural resources (r7). Sudan does not have guidelines for conducting an EIA.

The international standards require EIA for all projects with significant risks. Therefore, the TA uses these procedures for EIA, public consultation and disclosure.

Labour and social aspects

Sudanese labour legislation is not online available except in Arabic language.

Sudan has ratified seven of the eight fundamental ILO conventions (C029, C098, C100, C111, C105, C138, C182). It has not ratified the convention on the Freedom of Association and Protection of the Right to Organise (C087). For the RMF all eight fundamental ILO conventions need to be respected.

Land and property legislation

Information on land issues available online is insufficient for a complete gap analysis. The interim constitution of Sudan does not directly address land rights and ownership of natural resources, but it sanctions the establishment of an authority (National Land Commission) to direct the land policy, the adjudication of land disputes, and the development of policies for the recognition of customary land rights. The imposition of formal law results in land tenure insecurity and a lack of transparent procedures (r8).

V. PROGRAM ENVIRONMENTAL AND SOCIAL RISKS AND MITIGATION MEASURES

5.1. BENEFICIAL SOCIAL AND ENVIRONMENTAL IMPACTS

The target countries face enormous challenges to significantly reduce their deficits both in electricity supply and access, which limit their capacity to develop their agricultural and industrial sectors. This situation is aggravated by the drivers of political (instability), social and environmental fragility undermining the development progress across the Sahel region. Main challenges include insufficient grid infrastructure investments and limited financial and technical capacity of power utilities. However, Sahel countries benefit from high levels of solar irradiation and the continuous decline in solar prices and battery storage represents a great opportunity. Many of the countries have set ambitious objectives to increase the share of renewable energy in their energy mix by 2030. This requires significant investments to develop renewable energy generation projects at all scales and to reinforce the power systems to enable the integration of variable renewable energy technologies such as solar). **Regional project preparation to achieve scale and harmonization of rules and procedures for private investments can help jump-start solar energy development as promoted by DtP.**

The project will address fragility drivers and regional approach. An intrinsic aspect of DtP ambition is to address energy challenges whilst at the same time contributing to the reduction of extreme poverty, migration caused by socioeconomic insecurity, and food insecurity. Indeed, several of the target countries face diverse, complex and multifaceted fragility challenges. It is widely recognized that access to electricity has a positive impact on economic activity and households' incomes and improves the quality of social services, such as hospitals and schools. The initiative therefore takes a multi-sectoral view and is designed to boost sectors that will facilitate peoples' progress out of poverty, and directly contribute to improved quality of life, decent job creation, and resilience. The objective is

therefore to deploy affordable solar energy to support productive uses of electricity such as in agriculture production and food processing, and to improve access to basic public services such as education, health, water and sanitation, among others. It is noteworthy that electrification of rural and remote health centers will be a fundamental resilience factor in the prevailing COVID-19 context.

From the perspective of regional electricity markets, the national power demand in most countries is too low to justify large power plants. Power pools in the context of regional electricity markets offer opportunities for economies of scale and for each country to fully exploit its natural resources, explore complementarities in the energy mix, and reduce generation costs and associated tariffs. **DtP aims at supporting regional-scale generation infrastructure using a pervasive, clean and endogenous resource (solar) and displacing of fossil fuel generation infrastructure relying on imports and vulnerable supply chains.**

5.2. ENVIRONMENTAL AND SOCIAL POTENTIAL NEGATIVE IMPACTS OF SUB-PROJECT

The TA project is classified as Category 2 (AfdB ESAP). Environmental and social risks are likely to be limited to the selection of the location for solar park feasibility studies activities under Component 2.

The national different legal policy reviews, development of regional document(s), feasibility studies, capacity building and other assistance activities, it is not expected to have direct environmental and social impacts. However, the site selected for solar park development in Component 2, if not monitored and mitigated with a set of criteria in favor of the environment protection, could be both positive and adverse social impacts during the construction period as well as over the long-term at the regional level.

The potential negative impact linked to solar site selection site during the implementation of the activity and ways to mitigate are defining as below:

- Applying principle of **exclusion** as part of the selection criteria: **No solar site** for feasibility study will be chosen in a **protected area for biodiversity, land acquisition of private land and resettlement of persons, protected archaeological area and cultural and religious site;**
- All selected area will be screening as Annex 1 by the IGAD team and shared with AfdB team PRIOR starting launching the recruitment of the feasibility study;
- And for the potential future positive and negative impacts of each selected area will be mitigated through a detailed ESIA for each site. All ToRs of the three ESIA will be shared PRIOR to AfdB team for clearance and approval;

5.3. ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN (ESMP)

5.3.1. SUBPROJECTS ENVIRONMENTAL AND SOCIAL MANAGEMENT PROCEDURE

The project is a Technical Assistance (TA) activity which finances feasibility studies of proposed three solar park projects, and relevant capacity building activities. **The project will not finance any physical activities or works that pose direct environmental and social impacts.** However, the selected location of three site pilot for solar park feasibility studies, if not choose appropriately with set of criteria, in favor of environment protection, could lead future to potential for moderate to significant environmental or social impacts. For the entire three sites for solar park feasibility study in Component 2 of the project, after selected, it is planned to undertake a detailed ESIA. The ESMP is summarized in table 1.

Table 2: summary of project activities, anticipated impact, mitigation managements with cost estimation

Project Activity	Anticipated Environmental and Social Impacts Proposed	Mitigation/Management Measure(s) and Objective of Mitigation/Management Measure(s)	Monitoring and Reporting (including performance indicators)	Implementation Plan and Institutional Responsibilities	Cost Estimates and Source of Funds USD	Comments
Component 1: Development and harmonization of appropriate regional policies, legal and institutional frameworks for renewable energy resources						
ALL Activities are Consultancy services and there are no any physical and work activities. As such there are not any direct negative environmental and social impacts to be anticipated.						
Component 2: Site selection for the three solar park feasibility study						
Implementation phase of the project	-Un proper site selection for solar park feasibility study	<ul style="list-style-type: none"> - Applying principle of exclusion as part of the selection criteria: No solar site for feasibility study will be chosen in a protected area for biodiversity, land acquisition of private land and resettlement of persons, protected archaeological area and cultural and religious site -In addition of the above mentioned exclusion criteria, all site selected will be screened as Annex 1 - Development of three ESIA for the three feasibility study sites -Approval of relevant authority at all locations 	<ul style="list-style-type: none"> - Developed the set of criteria for the site selection PRIOR the feasibility study - Compliances with laws and regulations - Developed three EISA ToRs for the three site PRIOR the ESIA studies - Preparation of the three ESIA reports 	IGAD PIU for the entire project implementation. Only the consulting firms will be in charge for the production of the three ESIA reports under the supervision of IGAD PIU	Part of the IGAD staff time operation cost at Component 3 And budget of SC meeting 40 000	

The screening process and other procedures specified in the ESMF will apply therefore to the solar site selection activity component. The following procedures are established as a framework to ensure compliance with safeguards throughout project implementation:

Screening: The IGAD PIU will identify the candidate solar park site selected for feasibility study. IGAD PIU will be responsible for initial screening of all selected areas of potential environmental and social safeguards to determine the nature and extent of the environmental requirements, and the applicable national laws and regulations. The results of the initial screening exercise will be used to determine the proposed safeguards documents that will be required for the Term of Reference (ToR) of the detailed Environmental and Social Impact Assessment consultancy service during the implementation.

In addition prior screening using Annex 1, following principles of exclusion as part of the selection criteria will apply:

No solar site for feasibility study will be chosen in a:

- Protected area for biodiversity
- Protected archaeological site
- Cultural and religious;

Scoping and Incorporation of Safeguards Requirements into ESIA's ToRs:

- After initial screening by PIU, the PIU shall submit the summary of initial screening (Annex 1 of ESMF) to the AfdB;
- The AfdB's Safeguards Secretariat will review, comment and finally confirm the conclusion of project categorization and necessary safeguards document instruments may need to be developed during the three ESIA studies. This will be done before through the development of detailed ESIA ToRs;
- PIU will be responsible for developing TORs of ESIA's with project-specific requirements based, shared with the bank for prior clearance and approval.

Incorporating ESMF into Contractual Documents

The PIU will be responsible for ensuring that the full ESMF (project-specific TORs for ESIA's, and other annexes) are incorporated into the contractual documents, which will contractually obligate the entities involved in a transaction to prepare ESIA study.

Review and Approval: Following internal review of the ESIA or ESMP by the PIU and AfdB, the ESIA or ESMP is forwarded to the national approving authority for final review and clearance. The review and approval process is carried out in parallel with the review and approval of the technical, economic, financial and other aspects of the projects by the implementing partner. Usually, implementation of projects which have been subjected to ESIA studies cannot commence until projects are approved by the relevant national authorities.

Disclosure: National authorities disclose the result of the ESIA according to their procedures. In addition, ESMPs are disclosed on the local level. For this purpose, information needs to be made accessible to the target communities/affected communities ensuring that affected communities have equal access to project information. Information must be provided e.g. through non-technical summaries in local language or through visual aid, such as posters and graphics.

5.3.2. PUBLIC COMMUNICATION AND CONSULTATION MECHANISM/PLAN THROUGHOUT THE PROJECT LIFECYCLE

The identification of the key stakeholders, who will be informed and consulted about the project, including individuals, groups, or communities, is based on the previous historical stakeholder information related to the similar projects implemented by the IGAD with the support of the Bank like the IGAD Regional Infrastructure Master Plan (IRIMP). Those key stakeholders are categorized as those that:

- Are affected or likely to be affected by the project (project-affected parties); and
- May have an interest in the project (other interested parties).

Affected Parties

At the local level: The project outputs/outcomes at the local level aren't directly applicable to IGAD's activities. Impacts on these groups will be minimal and thus stakeholder engagement activities will be focussed at higher level.

At national level: a Project Steering Committee (PSC) will be established for the TA prior the launching event. They will be one designated from each country with functions of approving the Work Plans and Budget as well as providing inputs on behalf of the countries.

At the regional level: IGAD Secretariat as the Executing Agency will implement and manage the project, as they have past and recent experience managing other Bank financed projects such as the Drought Disaster Resilience and Sustainability (DDRS) and IGAD Regional Infrastructure Master Plan (IRIMP) project respectively. Specifically, the TA will be implemented by the existing IGAD Economic Cooperation and Integration ECI who coordinated the IRIMP through the Natural Resources Management & Renewable Energy NRM/RE department which is in charge of the development of Renewable Energy policy. The Director of ECI has the overall authority and responsibility over implementation of the project but shall delegate day to day management of the project to the Program Manager of NRM/RE with extra time staff cost. The two IGAD staffs will be supported by the different IGAD departments/other IGAD agencies such IGAD Climate Prediction and Applications Center ICPAC, IGAD Center for Pastoral Areas and Livestock Development ICPALD, Conflict Early Warning and Response Mechanism CEWARN, Administration and Finance (communication, accountant, procurement). This internal mechanism will enhance the identification of water and energy uses aspects (livestock, impact of climate change, investment on infrastructure for domestic water supply, conflict cross-border assessment) inputs during the identification of the site selection under the Component 2.

Other interested parties (OIP)

The Other interested parties (OIP) include individuals/groups/entities that may not experience direct impacts from the Project but who consider or perceive their interests as being affected by the Project and/or who could affect the project and the process of its implementation in some way. Other interested parties include, among others, government institutions that may be involved in various ways in the project, as well as academia, civil society, international organizations, the media etc.

- a) IGAD host institution

The most important benefit of the host institution (IGAD) will be the coordination and linking of the

member states for better development of solar energy resources on a regional scale. At the regional level, some of the foreseen outputs will lead increasing solar mapping, monitoring, feasibility studies and information shared through a regional platform.

b) National-level beneficiaries

- *National Focal Persons (PSC), trainees and interns*

Under the TA, a SC will be established. It will be composed by one nominee from each member state. As further national-level direct beneficiaries will include country participants in conferences, workshops and training, and young professionals selected and or seconded to join the capacity building programme.

- *National institutions responsible for energy*

Institutional arrangements for energy development are similar across most IGAD Member States. Typically, they include a nationally responsible ministry (Ministries of energy) and localised institutions such as directorate of energy. In rural areas, in the majority of IGAD member countries, energy development is managed by the regional authority. Subject to country-by-country differences in participation, national energy institutions will benefit from multi-faceted programme efforts to build capacity, especially around the growth and institutional consolidation of renewable development in the broader renewable energy domain.

- *Energy professionals working at regional level*

As with energy professionals working at the national level, professionals working at the regional level benefit from the project, through access to information, tools and network connections. Consultants can benefit through the provision of services to regional research, information management, network facilitation and other IGAD-wide initiatives. This project also proposes the establishment of a Solar Information GIS platform that will create a connection between energy professionals at the regional level.

- c) Other Ministries and Governments agency involved in energy planning and investment: Ministry of Finance, Environment, Gender, Water etc
 - d) CSO, Academic National institutions and Local cross border government agencies at the : they were be involved during the feasibility and ESIA study through a detailed stakeholder analysis
 - e) International Financing Institutions and Partners: The World Bank, European Bank for Reconstruction and Development (EBRD), the Africa Development Bank (ongoing TA project) as the main financial institutions supporting the long term investment plan of the Horn of Africa Initiative
- *Disadvantaged/vulnerable individuals and groups* are also those who may do not have a voice to express their concerns or understand the impacts of the Project, are sometimes excluded from engagement. It is expected that the vulnerable households will benefit from the proposed project intervention by improving access to water and sanitation services and increasing their quality of life through access of energy. These groups will have priority energy supply. The IGAD team will closely monitor the consultation process during the feasibility and ESIA activities under the Component 2.

Purpose and timing of stakeholder engagement program

Stakeholder engagement is an inclusive process that must be conducted throughout the project cycle.

The key stakeholder's engagement activities to take place during the preparation, implementation and closure are:

- a) **Preparation Phase:** the technical committee of IGAD member states, endorsed the IGAD Strategy 2021 – 2025 which the current DtP TA's project was included, on March 2021 meeting at Mombasa, Nairobi;
- b) **Implementation Phase:** At the official launch project's meeting, the IGAD PIU will invite the designated PSC members. The interest of those key stakeholders is to help to steer the project through from start to completion approving the Work Plans and Budget as well as providing inputs on behalf of the countries. The Launch participation will be extended to IGAD representatives from other divisions and specialized institutions. The launch event will take place within 3 month of the project's effectiveness date. Two Steering Committee's meetings per year either virtual or face-to-face are foreseen for the project and One for TAC members. In addition, to those planned meetings, any other PSC could be organized as needed.

In case of any stakeholders consultations meeting/workshops either virtual or face-face, the PIU strive to provide relevant information to stakeholders with enough advance notice (10-15 business days) so that the stakeholders have enough time to prepare to provide meaningful feedback. The PIU will gather (written and oral comments), review them and report back to stakeholders on how those comments were incorporated, and if not, provide the rationale for reasons for why there were not reported within 10-15 working days from the stakeholder consultation event. The time frame notice for a ministerial foreseen event will be 3 month in advance with an official letters sent via email through the Ministry of Foreign Affairs IGAD Focal points.

During the feasibility and ESIA activities of Component 2, PIU will monitor closely that within two month after the signed contract of the consulting company, it provides a detailed stakeholder analysis report. It will include local cross border of the identified sites, vulnerable groups and any OIP consultations process.

Additional activities can be included following consultations with project beneficiaries, stakeholders and contractors if these are deemed useful and necessary.

5.4. SPECIFIC AND TARGET CAPACITY BUILDING

The capacity of the PIU and EIA experts of member states at the steering committee of the project will be critical to effectively implement environmental and social safeguards requirement under National participated countries legislation and AfdB policies. Capacity building activities are designed in the TA project to provide adequate training to strengthen the management and technical capacity of these agencies, which will be responsible for ensuring that safeguards requirements are enforced after the project, has closed.

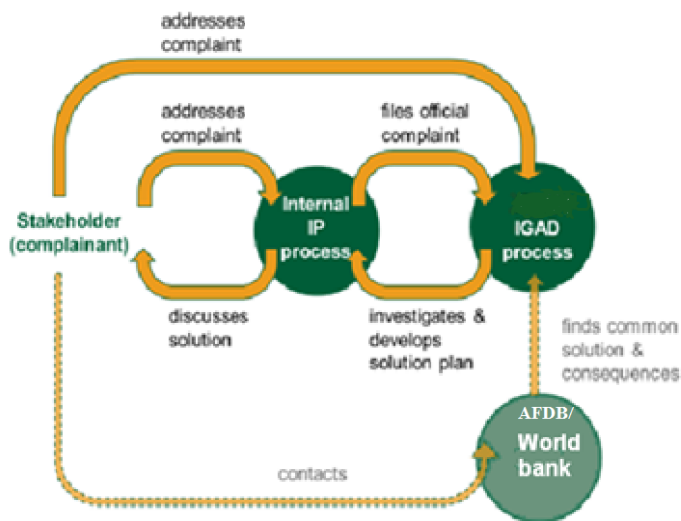
Capacity building and transfer knowledge has been designed under the project. Among the various activities that are expected to be carried out, environmental and social safeguards training will be conducted for the environmental staff of the PIU, environmental officers from line ministries. Potential training would focus on environmental and social safeguards policies and practices of the AfdB and international society, safeguards screening, environmental assessment techniques and good practices (energy infrastructure sectors), social assessments, and implementation supervision and monitoring.

5.5. GRIEVANCE REDRESS MECHANISMS

The purpose of the feedback, complaint and grievance redress mechanism is to allow all project users and stakeholders to communicate on adverse impacts of the projects, potential damages, injuries or routine project activities and to effectively address any complaints, concerns or suggestions related to the project implementation, especially with regard to the environmental and social safeguards. Thereby, the mechanism will ensure the continuous improvement of the program.

A grievance redress mechanism is required at all levels. The PIU manages the Project's complaints' mechanism and facilitate the resolution of any complaints that may arise. The PIU, in particular its Project Task team leader, ensures that it can be reached for complaints (e.g. hotline, mobile number, electronic address). When no local solution can be found, the PIU is informed and investigates complaints in more detail and develop a solution proposal. In exceptional cases, when the complainant deems it necessary, WB can be contacted directly. Please refer to the following website if you want to make a complaint directly to WB: <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>

The Figure below shows the Project complaint/grievance mechanism.



The grievance mechanisms at all levels need to be:

- scaled to address the risks and impacts on affected communities,
- culturally appropriate,
- clear and accessible for any individual or group at no cost (vulnerable groups),
- transparent and including regular reporting, and
- Preventive of retribution and to not impede access to other remedies.

Important design principles include:

- **Accessibility:** the grievance mechanism should be directed to and disclosed to all people affected, in particular to: construction workers and suppliers (Contractors and subcontractors) as well as community members.

- **Acknowledgement:** the receipt of a complaint should be acknowledged in a short time frame (e.g. 5 days) after submission.
- **Timely and appropriate response:** the response should be scaled according to the risk.
- **Record:** the complaint should be recorded including information on: 1) name and contact details (unless requesting anonymity), 2) date of contact, 3) issue(s) raised, 4) proposed response, 5) status (recorded, active closed).
- **Confidentiality:** If a complainant wishes to remain anonymous this will be accepted. No personal data will be made public. Details of the grievance will only be provided to those directly involved in the examination process.
- **Data management:** Personal data contained in the Complaints Register will be kept only as long as necessary to investigate the Complaint and implement a resolution. Personal data will then be either deleted or modified and transferred to an archive for a reasonable period.

For the Project workers (project implementation staffs, consultants and firm companies hired under the Project) in addition of the above grievance mechanism, they will sign the IGAD Code of conduct 2018, the IGAD Sexual harassment policy 2018. The IGAD Whistleblower Policy will be available to the workers to report grievances relating to accountability and integrity. Project workers are invited to report concerns relating to fraud, theft, use of inside information, bribes, and gifts (etc), inappropriate disclosure of confidential information, conflicts of interest and illegal acts. The three mentioned IGAD documents are in the Annex 2, 3 and 4 respectively.

5.6. COMPREHENSIVE INSTITUTIONAL ARRANGEMENT FOR THE IMPLEMENTATION OF THE FRAMEWORK

As stated above, the **anticipated environmental and social impacts of the project** are under **sub-component 2 of the project regarding the activity of the three solar site selections** before undertaking their feasibility study and the corresponding detailed ESIA.

THE PROPOSED MITIGATION/MANAGEMENT MEASURE(S) AND THEIR OBJECTIVE

- Approval of national relevant authorities at all locations;
- Careful site selection by developing and agreed a set of criteria with the project steering committee;
- Exclusion of protected area of biodiversity, protected archaeological area, land acquisition of private land and resettlement of persons and culture and religious site;
- Staff and Member states training.

RESPONSIBILITIES AT DIFFERENT LEVEL

At Regional Level:

IGAD and specifically the PIU have the overall responsibility for ensuring compliance with the laws and safeguards. The project coordinator has two main responsibilities: 1) As IGAD has easy access to its member states, the project coordinator facilitates the liaison with National Environmental Agencies and sector ministries and agencies (e.g. to initiate EIA screening); 2) and the project coordinator reviews implementation of the ESMF.

When supervising contractors, the PIU have the following responsibilities:

- Ensuring compliance with all relevant national legislation, as well as with the environmental controls and mitigation measures contained in the ESMP.
- Ensuring that the design and planning is in compliance with national requirements and aligned with international best practise.
- Monitoring the performance of staff as well as contractors and sub-contractors used for providing supplies and services.
- Acting as point of contact for consultation and feedback to stakeholders and the public (stakeholder engagement).
- Monitoring and safeguarding E&S issues during operation.
-

At National Level:

As defined by the national Environmental Impact Assessment legislations and procedures of all IGAD countries, the relevant environmental ministries and authorities will be involved. In the IGAD member states, they are:

- Djibouti: The Ministry of Habitat, Urban Planning, Environment & Town Planning is responsible for EIA and particularly for the approval of ESIA studies.
- Eritrea: The Department of Environment of the Ministry of Land Water and Environment is responsible for the implementation of the ESIA procedure. Depending on the project sector, other government institutions can be involved in the approval process (for example mining or petroleum).
- Ethiopia: The Environment Protection Authority is the responsible authority for the environmental assessments. It is an independent institution with a mandate to regulate and monitor all activities in the country that have an impact on the environment (r9). In addition to the central EPA, regional environmental agencies are also involved in the project approval process.
- Sudan: The responsible authority for the EIA process is the Higher Council for Environment and Natural Resources. It is the technical arm of the Ministry of Environment and Physical Development and responsible for policies for environmental protection.

At AfdB Level:

AfdB monitors compliance with E&S standards and specifically this ESMF. It reviews IGAD's reporting on E&S-related issues and conducts inspections that may include verification of compliance with E&S standards. All ToRs will be reviewed and cleared by AfdB team.

MONITORING INDICATORS AND TIME SCHEDULE OF ESMF

At technical level it will concern the below area of intervention:

- During the selection (during the second year of the project implementation) of the three site solar park PRIOR start of their feasibility and ESIA study. Three screening reports will be produced;
- During the second and third year of the project, for the recruitment of ESIA contractors. Before the start of the activity, three ToRs will be cleared and approved by Bank. And at the final stage, three ESIA reports will be produced.

Safeguards Sensitization

- Sensitization and advocacy on the environmental and social safeguards and best practices during the first and last year will be monitored through number of sessions organized, number and profile of people participated;
- Dissemination of ESMF and Safeguard guides to stakeholders throughout the project cycle will be monitored by the Number of Reports Dispatched and Number of stakeholders received the documents.

GRM

- Implementation and Grievance redress mechanism, throughout the project cycle, will be monitored by Presence of GRM structure at sub-project level and Number of complaints received / number of complaints.

Training

Training on environmental and social safeguards, evaluation and monitoring of sub-projects, during the first three years, will be monitored by the Number of Training, Number of Trainee and Trainee Types.

VI. CONCLUSION AND RECOMMENDATIONS

The project is a Technical Assistance (TA) activity which finances feasibility studies of proposed three solar park projects, and relevant capacity building activities. The project will not finance any physical activities or works that pose direct environmental and social impacts. However, the selected location of three site pilot for solar park feasibility studies, could lead future to potential for moderate to significant environmental or social impacts.

Therefore, all activities planned under the current TA are categorized two. The only activity can have some impact is the selection of the solar park site during the implementation of the feasibility study. In order to mitigate the potential future impact of the mentioned activity detailed ESIA for each site is planned and budgeted in the project.

REFERENCE

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ANNEXES

Annex 1 Screening list

Annex 2 IGAD Code of conduct 2018

Annex 3 IGAD Sexual harassment policy 2018

Annex 4 The IGAD Whistleblower Policy

ANNEX 1: SCREENING CHECKLIST

The checklist should be adapted to include questions relevant for the national impact assessment.

Geographical Location:

Project Name:

Project Location:

Environmental and Social Issues:

Proposed Actions:

Environmental and Social Category:

Justification/Rationale for Environmental and Social Category:

Reporting Schedule:

Remarks:

Project Description

Description of the project and its major components

Project Location

Name of Locality	
Community	
Present Land Use & Development	
Who owns the land	

Potentially Significant Environmental or Social Impacts and Risks

The following checklist indicates the potential level of impact and is abbreviated as follows:

- **S:** Significant impacts
- **S/M:** Potentially significant impacts but mitigatable to less than significant levels
- **NS:** No significant impacts
- **No**
- **Yes**

Morphological and foundation issues

Will the project result in?	S	S/M	NS
Exposure to or production of unstable earth conditions such as landslides, soil creep, mudslides, ground failure (including expansive, compressible, collapsible soils)			
Disruptions, displacements, compaction or over-covering of the soil by cuts, fills, or grading?			
Permanent changes in topography?			
The destruction, covering or modification of any unique geologic or physical features?			
Any increase in wind or water erosion of soils, either on or off the site?			

Changes in deposition, or erosion or siltation that may modify the channel of a river, or stream, or any water body?			
Excessive grading on slopes of over 20%?			
Sand or gravel removal or loss of topsoil?			
Vibrations, from short-term construction or long-term operation, which may affect adjoining areas?			
Excessive spoils, tailings or over-burden?			

Impact Discussion:

Mitigation Measures:

Water resources / flooding

Will the project result in?	S	S/M	NS
Changes in the course or direction of water movements?			
Changes in percolation rates, drainage patterns or the rate and amount of surface water runoff?			
Change in the amount of surface water in any water body?			
Discharge into surface waters, or alteration of surface water quality, including but not limited to temperature, dissolved oxygen, turbidity, solids?			
Alterations to the course or flow of flood waters, or need for private or public flood control projects?			
Exposure of people or property to water related hazards such as flooding, or accelerated runoff?			
Alteration of the direction or rate of flow of groundwater?			
Change in the quantity of ground waters, either through direct additions or withdrawals?			
Overdraft of any groundwater basin? Or, an increase in the existing overdraft of any groundwater basin?			
The substantial degradation of groundwater quality?			
Substantial reduction in the amount of water otherwise available for public water supplies?			

Impact Discussion:

Mitigation Measures:

Transportation / circulation

Will the project result in?	S	S/M	NS
Generation of substantial additional vehicular movement (daily, peak-hour, etc.) in relation to existing traffic load and capacity of the street system?			
A need for private or public road maintenance, or need for new road(s)? Effects on existing parking facilities, or demand for new parking?			
Substantial impact on alteration of present patterns of circulation or movement of people or goods?			
Increase in traffic hazards to motor vehicles, bicyclists or pedestrians (including short-term construction and long term operational)?			
Transport of dangerous goods?			

Impact Discussion:

Mitigation Measures:

Air quality

Will the project result in?	S	S/M	NS
The generation of air pollutants, a contribution to an existing or projected air quality			
Violation or exposure of sensitive receptors to substantial pollutant?			
The creation of smoke, ash or odors?			
Dust generation?			

Impact Discussion:

Mitigation Measures:

Biological resources

Will the project result in?	S	S/M	NS
Flora			
Removal or disturbance of natural vegetation?			

A loss or disturbance to a unique, rare or threatened plant community?			
A reduction in the numbers or restriction in the range of any unique, rare or threatened species of plants?			
A reduction in the extent, diversity, or quality of native vegetation (including bush removal for fire prevention and flood control improvements)?			
Introduction of herbicides, pesticides, or other factors that would change or hamper the existing habitat?			
Fauna			
A reduction in the diversity or numbers of animals onsite?			
A deterioration of existing fish or wildlife habitat?			
Introduction of barriers to movement of any resident or migratory wildlife species?			
Introduction of any factors (light, fencing, noise, human presence and/or domestic animals) that could hinder the normal activities of wildlife			

Impact Discussion:

Mitigation Measures:

Energy

Will the project result in?	S	S/M	NS
Substantial increase in demand, especially during peak periods, upon existing sources of energy?			
Requirement for the development or extension of sources of energy?			
Additional power lines?			

Impact Discussion:

Mitigation Measures:

Archaeological / cultural resources

Will the project result in?	S	S/M	NS
Disruption, alteration, destruction, or adverse effect on a recorded historic or archaeological site?			
Disruption or removal of human remains?			

Increased potential for vandalizing, or sabotaging archaeological resources?			
Ground disturbances in an area with potential cultural resource sensitivity based on the location of known historic sites?			

Impact Discussion:

Mitigation Measures:

Historic and cultural resources

Will the project result in?	S	S/M	NS
Adverse physical or aesthetic impacts on a structure or property at least 50 years old and/or of historic or cultural significance to the community?			
Beneficial impacts to a historic resource by providing rehabilitation, protection, conservation, etc.?			
Impact on indigenous peoples?			
Impact on cultural heritage?			

Impact Discussion:

Mitigation Measures:

Safeguard Policies

OP No.	Safeguard Policy	Triggered/Not Triggered	Remarks
OP 4.01	Environmental Assessment		
OP 4.04	Natural Habitat		
OP 4.09	Pest Management		
OP 4.10	Indigenous peoples		
OP 4.11	Physical Cultural Properties		
OP 4.12	Involuntary Resettlement		
OP 4.36	Forests		
OP 4.37	Safety of Dams		
OP 7.50	Projects on International		

OP No.	Safeguard Policy	Triggered/Not Triggered	Remarks
	Waterways		
OP 7.60	Projects in Disputed Areas		

Land use

Will the project result in?	S	S/M	NS
Space restriction for local residents and wildlife?			
Structures and/or land use incompatible with existing land use?			
The induction of substantial growth or concentration of population?			
Expected risks for local residents?			
The extension of water pipe lines or access roads with capacity to serve new development beyond this proposed project interventions?			
The conversion of prime agricultural land to non-agricultural?			
The loss of open space?			
An economic or social effect that would result in a physical change?			
Use of communal land?			

Impact Discussion:

Mitigation Measures:

Housing

Will the project result in?	S	S/M	NS
Loss of existing dwellings through demolition, conversion, or removal?			
Displacement of current residents?			

Impact Discussion:

Mitigation Measures:

Occupational health and safety

Will the project result in?	S	S/M	NS
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Hazards at the workplace (construction and/or operation)?			
Blasting operations?			
Construction site with camps?			
Armed security at the project site?			

Impact Discussion:

Mitigation Measures:

Labour and social risks

Which of the risk factors are met?	Yes	No
Work with heavy equipment		
Welding work		
Electric work		
Work at height		
Blasting works		
Creation of work camp		
Use of migrant labour is common in the country		
Use of child labour is common in the country		
Use of more than 100 workers		

Impact Discussion:

Mitigation Measures:

Overall impacts

Will the project result in?	S	S/M	NS
Negative effects and risks?			
Transboundary effects?			
Cumulative effects of associated and other planned projects?			

Impact Discussion:

Mitigation Measures:

SUMMARY OF THE SCREENING

No.	Criteria	Level of Impact	Level of impact for RRF Interventions
01.	Magnitude	How severe is the impact? Is the impact reversible?	
02.	Prevalence	Is it a one-off impact? Even if it is of low magnitude, a large number of similar developments (such as housing developments) could lead to a severe cumulative impact.	
03.	Duration and frequency of the impact.	Is the impact likely to be short or long term? The frequency of occurrence is also important, especially in relation to natural systems.	
04.	Risks	What is the probability of a serious event related to the project happening?	
05.	Importance	What importance do we attach to the issue being discussed?	
06.	Mitigation	If the potential risks/impacts can be mitigated, there may not be any significant difficulties involved and hence no need for an EA.	

ANNEX 2: IGAD CODE OF CONDUCT 2018

Statement by the Executive Secretary

Recognizing that local laws and cultures differ considerably from one country to another this code of conduct is based on International/Regional Intergovernmental Organizations legal standards. This code of Conduct is applicable to all employees as defined in the IGAD Service Regulation, and provides guidance in terms of behavior and conduct in all circumstances. In accepting appointment; you undertake to discharge your duties and to regulate your conduct in line with the requirements of this Code. This Code is, of course, broadly stated and therefore, is not intended to be a complete listing of detailed instructions for every conceivable situation. Rather, it is intended to help you develop a working knowledge of the Rules and Regulations that affect your job as well as maintaining a conducive work environment.

1. Purpose

This code of conduct seeks to capture and encompass the spirit of cooperation and collegial respect under which a working environment will be sustained.

Employees will be expected to:

a) Treat all people fairly and with respect and dignity.

- b) Observe all local and international laws and be sensitive to local customs.
- c) Ensure that my professional conduct and behavior does not bring IGAD into disrepute.
- d) IGAD engages with governments, public interest groups, Regional Economic Communities and a broad range of other similar bodies around the world. In doing so, we must ensure we comply with all laid down guidelines.
- e) The Authority recognizes each employee's right to participate as an individual in social and political activities. However, these activities must be kept separate from the workplace.
- f) IGAD disassociates itself from any political or religious activity that incites extremism or undermines our commitment to cultural diversity and equal opportunity.

2. Conflict of Interest

This involves a conflict between the public duty and private interests of an employee in which the employee's private interests would improperly influence the performance of their official duties and responsibilities.

2.1 Gifts, Meals and Entertainment

An employee will not accept gifts, meals, entertainment or any remuneration from governments, beneficiaries, donors, suppliers and other persons, which have been offered with the intention to influence an outcome.

3. Health, Safety and Security

The Authority shall provide a safe, secure and healthy working environment for all employees. As far as possible, it shall safeguard health and safety in all its premises. Employees shall make good use of IGAD facilities.

All employees are expected to adopt a proactive, co-operative attitude towards the health, safety and security of all IGAD staff and suppliers, and others working at or visiting IGAD premises. All our operations must be conducted in compliance with applicable health and safety laws and regulations, Authority standards and best practice in workplace health, safety and security.

- a) Each employee should be aware of applicable IGAD safety and health programmes, as well as, regulations. IGAD staff should be appropriately trained for their respective roles, in order to conduct their activities in a safe, healthy and responsible manner.
- b) We will act to mitigate risks which arise from deliberate or accidental breaches in our physical security or threats to our people.
- c) Promptly report accidents, incidents, near misses, non-compliance with regulations or anything else posing a risk to health, safety and security, as may be applicable.
- d) Understand the hazards associated with our own job and those associated with our colleagues' jobs.
- e) Manage the risks responsibly and ensure any required health and safety training has been completed.
- f) Integrate health, safety and security consideration into our day-to-day working activities.

- g) Make sure we know what to do in case an emergency occurs at our place of work.
- h) Challenge unsafe behavior by others in a timely manner to demonstrate that unsafe behavior is unacceptable.

4. Substance Abuse

IGAD is committed to promoting the wellbeing of its staff by creating a safe and healthy work environment. Additionally, the authority recognises the negative impact that alcohol and drugs may have on the individual's ability to work safely and correctly. IGAD aims to ensure a working environment free from inappropriate use of substances where employees are unable to carry out their duties in a safe and efficient manner.

Any misbehavior witnessed as a result of intoxication shall be deemed unacceptable and will be handled as a disciplinary issue.

5. Physical Violence

In keeping with the laws of the land and staff regulations, physical violence of any nature by one member of staff against another is strictly prohibited. Differences between staff are expected to be resolved amicably with the respect that each deserves.

6. Use of Authority Resources

IGAD employees are expected to make responsible use of the information and resources to which they have. For the purposes of this section, resource & assets, shall be defined by the Financial Rules and Regulations.

Employees:

- a) Should not use Authority assets for their personal benefit or the benefit of anyone other than the Authority, unless allowed contractually.
- b) Are expected to make sensible use of facilities including the occasional personal phone call or e-mail from your workplace. Excessive personal calls or e-mail is a misuse of assets.
- c) Should use responsibly any digital communication channels that allow individuals to create and share content and post comments
- d) Should not use the Organization's resources to visit third party websites and gambling websites. This is strictly prohibited.
- e) Should not operate the Authority's assets unless authorized.

Misuse or theft of Authority assets whether by:

- a) Unauthorized removal or;
- b) Unauthorized information sharing or;
- c) Embezzlement or intentional misreporting of time or expenses may result in disciplinary measures being taken.

The Authority treats workplace theft of assets belonging to other employees the same way it treats theft of Authority assets.

7. Authority Information

7.1 Use of Information

For the purposes of this section, non-public information is any information which may not yet be disclosed to the public. Safeguard the Authority's non-public information is a responsibility of every IGAD employee.

7.2 Confidential Information

a) Do not disclose non-public information to anyone outside the Authority, including to family and friends, except when disclosure is required by law. Even then, take appropriate steps, such as execution of a confidentiality agreement, to prevent misuse of the information.

b) Do not disclose non-public information to others inside the Authority unless they have authority from the Executive Secretary.

c) Only authorized employee's can issue external communications on behalf of the Authority.

d) Employees are obligated to protect the Authority's non-public information at all times, including outside of the workplace and working hours, and even after employment ends.

e) Refer to IGAD Service Regulation, Financial Rules and Regulation, IT Policy and any other additional regulations for guidance and tips on safeguarding information.

7.3 Information Security

All employees using the IGAD digital systems must ensure that these resources are used appropriately and used in line with the IGAD IT Policy.

7.4 Record Management & Data Privacy

Accurate and complete record keeping is everyone's responsibility. Employees who handle the records must:

a) Act in accordance with applicable law;

b) Act in accordance with any relevant contractual obligations;

c) Exercise confidentiality and prevent unauthorized disclosure.

8 Non-Discrimination, Intimidation & Undue Influence

8.1 Non-Discrimination

All persons working or affiliated to IGAD, shall not practice any form of discrimination, instead, they shall be entitled to equal treatment irrespective of political inclination, gender, color of skin, religion, culture, education, social status, ethnic affiliation or nationality.

- a) In all aspects of employment, IGAD will treat individuals justly, solely according to their abilities to meet the requirements and standards of their job.
- b) IGAD recognizes the diverse skills and contributions of the workforce and will ensure that individuals are equitably remunerated for their contributions to the Authority.
- c) Physical, sexual, racial, psychological, verbal, or any other form of harassment or abuse will not be tolerated, any staff who engages in such conduct will be liable to disciplinary action.

8.2 Intimidation & Undue Influence

IGAD staff members either by their position or any other factor of influence shall not coerce, induce, intimidate or unduly influence any member staff or third parties with an intention of influencing their decision.

9. Sexual Harassment

IGAD will operate a zero-tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. (Refer to Sexual Harassment policy)

10. Implementation of this policy

IGAD will ensure that this policy is widely disseminated to all relevant persons.

All new employees must be sensitized on the content of this policy as part of their induction into the company. It is the responsibility of every employee to comply ensures that they are aware of the policy.

11. Staff commitment

I have read carefully and understand the IGAD Code of Conduct and hereby agree to abide by its requirements and commit to upholding the standards of conduct required to support IGAD’s aims, values and beliefs.

Name

Signature.....

Date.....

ANNEX 3: IGAD SEXUAL HARASSMENT POLICY 2018

1. The Policy Statement

The Intergovernmental Authority on Development (IGAD) is committed to providing a safe environment for all its employees free from any form of discrimination. IGAD will operate a zero tolerance policy to any form of sexual harassment in the workplace, treat all incidents seriously and undertake prompt investigation of all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action. This could culminate in dismissal from employment. All complaints of sexual harassment will be treated with respect and in confidence. Furthermore, all employees who bring forward legitimate sexual harassment cases will be free of any and all reprisal or retaliation.

2. Purpose of the Policy

To define and institutionalise IGAD's response to sexual harassment and document the process, which is to be followed, should any grievances arise.

3. Sexual Harassment

Sexual harassment under this policy constitutes any unwelcome verbal, non-verbal or physical conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated; and interferes with work, productivity or wellbeing of others. It includes situations where a person is asked to engage in sexual activity as a condition for employment, promotion or benefit from a service or opportunity. Sexual harassment can involve one or more incidents.

Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

3.1 Physical conduct

- a) Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching;
- b) Physical violence, including sexual assault;
- c) The use of job-related threats or rewards to solicit sexual favours.

3.2 Verbal conduct

- a) Comments on a worker's appearance, age, private life, etc.
- b) Sexual comments, stories and jokes
- c) Sexual advances
- d) Repeated and unwanted social invitations for dates or physical intimacy
- e) Insults based on the sex of the worker
- f) Condescending or paternalistic remarks, sending sexually explicit messages (by phone or by email or any other means)

3.3 Non-verbal conduct

- a) Display of sexually explicit or suggestive material
- b) Sexually-suggestive gestures
- c) Whistling
- d) Leering

Both female and male employees, service providers, applicants, partners and clients of IGAD may be exposed to sexual harassment.

4. Scope of application of the Policy

IGAD recognises that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and subordinate. Anyone, including employees of IGAD, suppliers, casual workers, contractors or visitors engaging in any acts of sexual harassment shall be reprimanded in accordance with this Policy. All forms of sexual harassment are prohibited under this Policy whether occurring within IGAD's premises or outside, including but not limited to: social events, official mission trips, training and other stakeholder workshops, meetings or conferences convened by IGAD.

5. Complaints procedures

Anyone who is subject to sexual harassment should, as soon as possible, inform the alleged harasser that the conduct is unwanted and unwelcome. He/she should then file a complaint with the human resources officer or any director or other senior member of management that he/she is most comfortable with. Where the victim is unable to directly inform the alleged harasser due to any reasonable cause, he/she may file a complaint with the Human Resources Office or any director or other senior member of Management that he/she is most comfortable with.

When a complaint is received the following action should be taken:

- i) Statement of fact recording the dates, times and facts of the incident(s)
- ii) Ascertain the views of the Complainant as to what outcome he/she wants.
- iii) Ensure that the Complainant understands the Organization's procedures for dealing with the complaint.
- iv) Discuss and agree on the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the Complainant from pursuing a formal complaint if he/she is not satisfied with the outcome.
- v) Keep a confidential record of all discussions.
- vi) Respect the choice of the Complainant.
- vii) Ensure that the Complainant knows that they can lodge the complaint outside IGAD through the relevant processes and applicable national law(s).

Throughout the complaints procedure, a Complainant is entitled to be helped by a skilled counsellor. IGAD will identify and train a number of counsellors to enable them assist victims of sexual harassment.

5.1 Informal complaints mechanism

If the Complainant wishes to deal with the matter informally, particularly for offenses that are not classified as serious or criminal, the designated/appropriate manager shall:

- i) Give an opportunity to the alleged harasser to respond to the complaint;
- ii) Ensure that the alleged harasser understands the complaints mechanism;

- iii) Facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant; or if an amicable settlement cannot be reached refer the matter to another party (senior manager within IGAD), with the consent of both complainant and accused;
- iv) Ensure that a confidential record of proceedings is kept. All officials involved in the investigations/ case management must be bound by the duty to maintain confidentiality and impartiality during the hearing or after conclusion of the case;
- v) Follow up after the outcome of the complaints mechanism to ensure that the behaviour has stopped;
- vi) Ensure that the above measures are taken expeditiously and within a period not exceeding 14 days from the date of filing the complaint.

5.2 Formal complaints mechanism

If the Complainant wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the Complainant, the formal complaint mechanism should be used to resolve the matter.

The designated/appropriate person who initially received the complaint will refer the matter to the Executive Secretary to instigate a formal investigation. The Executive Secretary may deal with the matter, refer the matter to an internal or external investigator or refer it to a committee.

The person carrying out the investigation will:

- i) Interview the Complainant and the alleged harasser separately;
- ii) Interview other relevant third parties separately;
- iii) Ascertain whether or not the incident(s) of sexual harassment took place;
- iv) Produce a report detailing the investigations, findings and any recommendations;
- v) If the harassment took place, decide what the appropriate remedy the Complainant is, in consultation with the Complainant (i.e.- an apology, a change of working arrangements, a promotion if the Complainant was demoted as a result of the harassment, training the harasser, discipline, suspension, dismissal or possible prosecution under applicable national penal laws for offences such as rape;
- vi) Follow up to ensure that the recommendations are implemented, that the behaviour has stopped and that the Complainant is satisfied with the outcome;
- vii) Keep a record of all actions taken;
- viii) Ensure that all records concerning the matter are kept in trust and strict confidence. Such information shall be used only for the purposes required in fulfilling the purpose of this policy and as such shall not be used for any other purpose, or disclosed to any third party without approval;
- ix) Ensure that the process is done as quickly as possible and in any event within 21 working days of the complaint being made.

6. Sanctions and disciplinary measures

Anyone who has been found to have sexually harassed another person made false and malicious allegations thereof, under the terms of this policy liable to any, but not limited to, the following sanctions:

- a) Verbal or written warning;
- b) Transfer;
- c) Demotion;
- d) Suspension;
- e) Dismissal;
- f) Prosecution under national penal laws for serious offences such as rape.

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial.

Where, after proper investigations, there is evidence to support allegations of severe sexual assaults such as rape or attempted rape, such offences shall upon consultation with IGAD Legal Counsel, be referred to national authorities for criminal prosecution.

7. Appeals Process

Both the complainant and the accused may seek a review of any alleged failure to implement the procedures and principles of this policy fairly and reasonably. The subject may request a review of disciplinary action taken pursuant to this policy; the appeal must be in writing and submitted to the Human Resource Office within a reasonable time frame, not exceeding 30 days after the date of the disciplinary action, with clearly outlined grounds for the appeal.

8. Freedom from Reprisal

A person who brings a complaint in good faith should not be subjected to retaliation, and adverse action taken against a complainant that appears to stem from the registering of a complaint will be thoroughly investigated in accordance to the IGAD Whistle-blowing Policy Section 7 (Prevention of recriminations, victimization or harassment).

9. Implementation of this policy

IGAD will ensure that this policy is widely disseminated to all relevant persons.

All new employees must be sensitized on the content of this policy as part of their induction into the Organization. It is the responsibility of every employee be aware of the policy and comply.

Every IGAD Employee shall be required to read this Policy and sign a declaration affirming to have understood his/her rights, duties and responsibilities therein. The signed declaration shall form part of the employee's personal file.

10. Declaration

I _____ do hereby affirm

that I have read and fully understood my rights, duties and responsibilities under the IGAD Sexual Harassment Policy.

Position: _____

Duty Station/Section: _____

Signed _____

Date _____

ANNEX 4: THE IGAD WHISTLEBLOWER POLICY

1. INTRODUCTION

Employees of organizations are often the first to realize that there may be something wrong with their organization, or that an employee or member of management or another affiliated person or organization has been involved with wrongdoing detrimental to IGAD's interests. However, they may decide not to express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organization. They may also fear harassment or victimization. In these circumstances, they may feel it would be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

IGAD's Whistle-Blowing Policy is intended to encourage and enable staff members to raise serious concerns within IGAD, rather than overlooking a problem or seeking a resolution for the problem outside IGAD, and to make it clear that IGAD will take necessary steps to protect them from victimization, subsequent discrimination or disadvantage.

This Policy is also intended as a clear statement that if any wrongdoing within IGAD or by any of its management or staff or by any of its projects or grant recipients is identified and reported to IGAD, this wrongdoing will be dealt with expeditiously and will be thoroughly investigated and remedied. IGAD will also examine how to prevent such wrongdoing in the future.

This Policy applies to all of the Secretariat's and project staff, including staff at Specialized Offices. It is also intended to provide a method for other stakeholders (suppliers, grant or aid recipients, project affiliates, etc.) to voice their concerns. The Internal Auditor is responsible for recommending any changes to this Policy.

2. DEFINITIONS FOR THIS POLICY

2.1. Whistle-Blowing

Whistle-blowing can be described as giving information about potential illegal and/or unethical practices, i.e. wrongdoing.

2.2. Wrongdoing

Wrongdoing involves behaviour that can result in financial harm or bring discredit to IGAD. It includes but is not limited to:

- An unlawful act, whether civil or criminal in the applicable Member State or country where the act occurred;

- Acceptance or offering of bribes or favours related to their association with IGAD;
- Undue favouritism or discrimination with respect to national, religious, tribal, or other ethnic groups in hiring, procurement, provision of service or any other form;
- Conflict of interest;
- Breach of or failure to implement or comply with any published IGAD policy;
- Knowingly breaching IGAD's regulations;
- Serious unprofessional conduct;
- Questionable or fraudulent accounting or other practices;
- Misuse of assets;
- Knowingly making a misstatement;
- Dangerous practice likely to cause physical harm/damage to any person/property;
- Failure to rectify or take reasonable steps to report a matter likely to give rise to a significant and avoidable cost or loss to IGAD or a project;
- Abuse of power or authority for any unauthorized or ulterior purpose;
- Sexual harassment;
- Providing false information on official documents or reports;
- Risking the organisation's resources;
- Consistently overriding controls

3. BASIC POLICY

Any IGAD or project staff/supplier/conference attendee/consultant/recipient/affiliated person or organization that makes a disclosure or raises a concern under this Policy will be protected if he/she:

- a) Discloses the information in good faith;
- b) Believes it to be substantially true;
- c) Does not act maliciously or make false allegations; and
- d) Does not seek any personal or financial gain.

4. PROCEDURE

Anyone with a complaint or concern about IGAD should try to contact Internal Audit, their own supervisor or director or the Human Resources Officer. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. Therefore contact directly with the Executive Secretary, Audit Committee Member or any member of the Council or of the Committee of Ambassadors may also be warranted. Contact details for the Heads of Internal Audit, Human Resources and designated Audit Committee member are listed at the end of this Policy.

5. IGAD'S RESPONSE

IGAD will respond positively to any concerns, although whistle-blowers must remember that checking the concerns is not the same as either accepting or rejecting them. Where appropriate, the matters raised may:

- a) Be investigated by management, the Internal Auditor, or through a disciplinary process;
- b) Be referred to forensic accountants, the police or other authorities or investigators.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

6. TIME SCALE

Within 15 calendar days of a concern being raised, the person contacted or a representative thereof will write to the whistle-blower:

- (i) acknowledging that the concern has been received;
- (ii) indicating how IGAD proposes to deal with the matter;
- (iii) explaining whether any initial enquiries have been made;
- (iv) explaining whether further investigations will take place and if not, why not; and
- (v) giving an estimate of how long it will take to provide a final response.

Concerns will be investigated as quickly as possible. The seriousness and complexity of any complaint may have an impact on the time taken to investigate a matter.

The amount of contact between the persons considering the issues and the whistle-blower will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, IGAD will seek further information from the whistle-blower.

IGAD will take steps to minimise any difficulties which the whistle-blower may experience as a result of raising a concern. IGAD accepts that the whistle-blower needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, IGAD will inform the whistle-blower of the outcomes of any investigation.

7. PREVENTION OF RECRIMINATIONS, VICTIMISATION OR HARASSMENT

IGAD will not tolerate an attempt on the part of anyone to apply any sanction, detriment or punishment to any persons who have reported to IGAD a genuine concern that they may have concerning an apparent wrongdoing. Retaliation against staff who report concerns in good faith is against IGAD's policy and IGAD will take all reasonable measures to protect all legitimate whistleblowers from any retaliation, ostracising, discrimination or subsequent disadvantage.

If, having made a report of suspicious conduct, the whistle-blower subsequently believes that he/she has been subjected to retaliation or mistreatment of any kind, he/she should immediately report it to his/her Director, Internal Audit, the Human Resources Officer, or Committee of Ambassadors or Audit Committee member. Reports of retaliation will be investigated promptly, in a manner intended to protect confidentiality, consistent with a full and fair investigation. The party conducting the investigation will notify the whistle-blower of the results of such investigation. Any staff member who is found to have engaged in retaliation to or mistreatment of a whistle-blower will be subject to discipline.

8. CONFIDENTIALITY AND ANONYMITY

IGAD will respect the confidentiality of any whistle-blowing complaint received by IGAD when the complainant requests confidentiality. However, it must be appreciated that it will be easier to follow up and to verify complaints if the complainant is prepared to give his or her name. In addition,

confidentiality cannot be maintained if such confidentiality is incompatible with a fair investigation or if disclosure of the identity of the complainant is required by law. If anonymity is requested, the person may request anonymity of the Internal Auditor, Executive Secretary or Council Member, or he/she may send an anonymous message to the Internal Auditor.

9. FALSE AND MALICIOUS ALLEGATIONS

IGAD will regard the making of any deliberately false or malicious allegations by any employee of IGAD as a serious disciplinary offence, which may result in disciplinary action.

10. STATUS OF THIS POLICY

This Policy should be in accordance with all other Policies and the Service Regulations. In the event of a conflict, this Whistle-Blowing Policy shall prevail. Under the direction of the Audit Committee, the Internal Auditor is responsible for preparing updates as needed of this Policy to be submitted to the Council of Ministers for approval.

11. CONTACTS

Position Name Email/Telephone

Internal Auditor

Human Resources Officer

Designated member of Audit Committee