



**Millennium
Development
Authority**
Economic Growth and Poverty Reduction



**MILLENNIUM DEVELOPMENT AUTHORITY (MiDA)
GHANA**

**ENVIRONMENTAL AND SOCIAL MANAGEMENT SYSTEM
(ESMS)**

GHANA COMPACT II (POWER COMPACT)

May, 2016

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LIST OF ACRONYMS

BSP	Bulk Supply Point
CEO	Chief Executive Officer
ECG	Electricity Company of Ghana
EEDSM	Energy Efficiency and Demand Side Management
EFOT	ECG Financial and Operational Turnaround
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statements
EPA	Environmental Protection Agency (Ghana)
EPRP	Emergency Preparedness and Response Plan
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
ESP	Environmental and Social Performance
FIDIC	International Federation of Consulting Engineers
FESIA	Framework for Environmental and Social Impact Assessment
GoG	Government of Ghana
HSE	Health Safety and Environment
H&S	Health and Safety
HSPs	Health Safety Plans
IFBs	Invitation for Bids
IFC	International Finance Cooperation
IPP	Independent Power Producer
IRP	Integrated Resource Plan
LV	Low Voltage
MCA	Millennium Challenge Account
MCC	Millennium Challenge Cooperation
MV	Medium Voltage

MiDA	Millennium Development Authority
MSME	Micro Small and Medium Enterprises
NEDCo	Northern Electricity Development Company of Ghana
NFOT	NEDCo Financial and Operational Turnaround
PAPs	Project Affected Persons
PER	Preliminary Environment Report
PDT	Project Delivery Team
PMC	Program Management Consultant
PPE	Personal Protective Equipment
PS	Performance Standard
PSP	Private Sector Participation
RAP	Resettlement Action Plan
REOIs	Request for Expression of Interest
RFP	Request for Proposal,
RPF	Resettlement Policy Framework
SEP	Stakeholder Engagement Plan
SGIP	Social and Gender Integration Plan

1.0 INTRODUCTION

An Environmental and Social Management System is the means by which the Millennium Development Authority (MiDA) and its partners identify and manage environmental and social risks and opportunities. Doing so results in smarter and more sustainable economic development. This document captures key elements of this system. In addition, other documents developed which forms part of this ESMS include the following; Health Safety Policy and Procedures, Emergency Preparedness and Response Plan, Stakeholder Engagement Plan, and Resettlement Policy Framework.

1.1 Background

The Millennium Development Authority MiDA is an entity of the Republic of Ghana enacted by the President of the Republic and the Parliament of Ghana through Act 702 on March 2006 with subsequent amendment to Act 709 on July 2006. It is mandated to oversee the successful management and implementation of the Ghana Program under the Millennium Challenge Account of the United States Government for sustainable reduction of poverty through economic growth as contained in the Compact.

The United States Government through Millennium Challenge Corporation MCC and the Government of Ghana through MiDA have agreed to an extensive power sector development program that aims to contribute to poverty reduction through sustainable economic growth in Ghana. The objectives of the Compact are to increase private sector investment and the productivity and profitability of micro, small, medium and large enterprises; increase employment opportunities for men and women; and raise earning potential from self-employment and improved social outcomes for men and women.

1.2 Applicability and Key actors

This ESMS applies to:

- Internal MiDA operations
- All projects, activities and sub-activities funded under the Ghana Power Compact.
- Parties associated with the compact, including:
 - Parties to works contracts, including the engineer, and contractor.
 - Implementing entities
 - Consultants and contractors who will be engaged by MiDA within the life of the Compact.

1.3 Purpose of the ESMS

The purpose of this Environmental and Social Management System (ESMS) is to provide the framework for identifying and managing potential environmental, social, health and safety risks, impacts and opportunities of internal MiDA operations, as well as projects and activities under the Ghana Power Compact. This document outlines MiDA's management approach to safeguarding human health and safety and the natural and human environments in its operations and Compact funded projects. The objective is to promote good environmental and social performance standards and ensuring sustainability of compact benefits.

The ESMS is dynamic and is developed based on process of continual improvement. It will be reviewed annually for performance based on lessons learned from implementation of activities on the ground as well as internal operations. Key steps or processes of the ESMS are outlined in Fig.1 below.

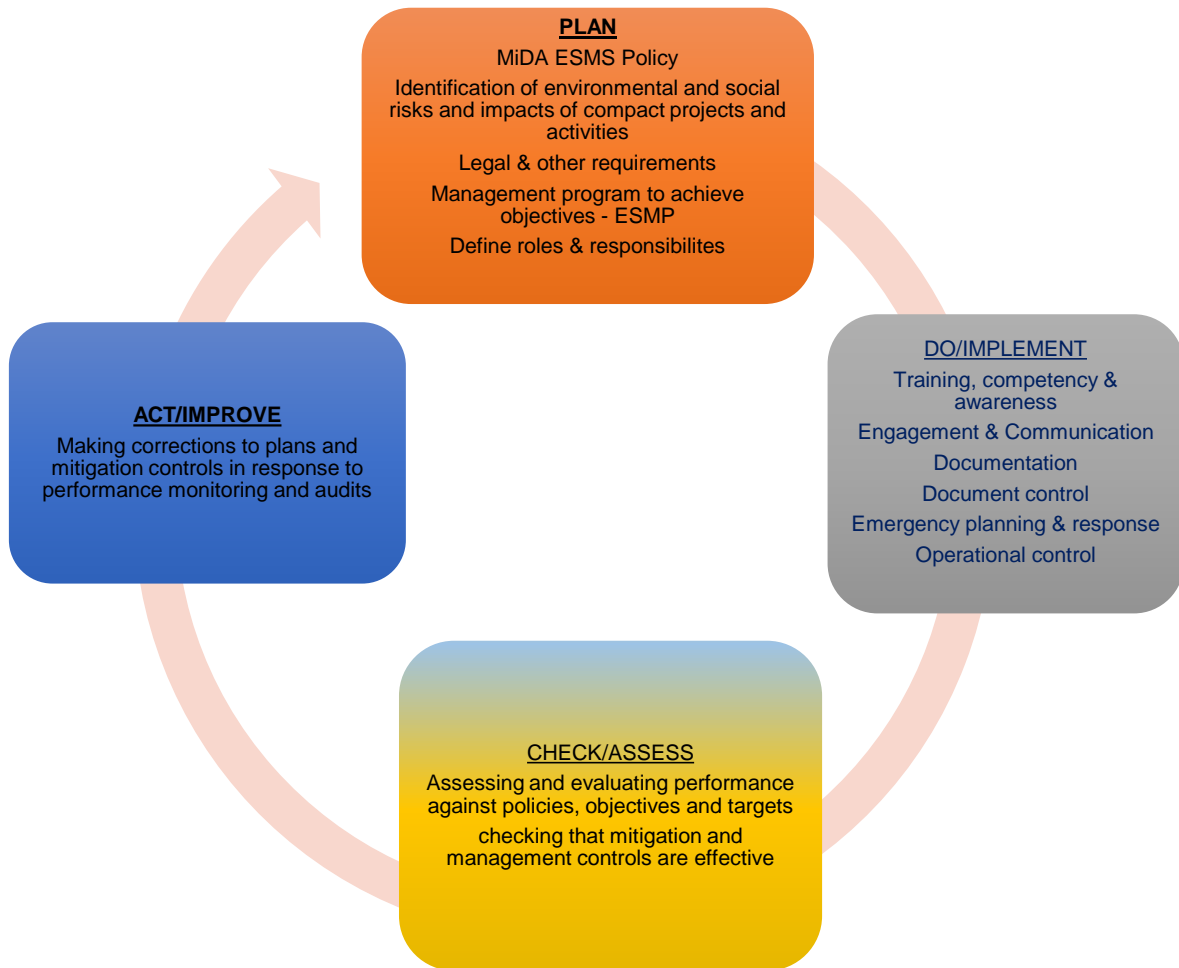


Figure 1 - Summary ESMS Overview

1.4 Description of Projects and Activities

The Compact consists of six projects:

- ECG Financial and Operational Turnaround Project, EFOT
- NEDCo Financial and Operational Turnaround Project, NFOT¹
- Regulatory Strengthening and Capacity Building Project
- Access Project
- Power Generation Sector Improvement Project
- Energy Efficiency and Demand Side Management Project

¹ The NEDCo Project is currently undergoing re-design. This ESMS shall be updated accordingly to incorporate key risks and impacts as well as management plans for operationalizing good ESP implementation for the project once re-designed.

This section presents an outline of the various infrastructure type activities to be carried out under the ECG Financial and Operational Turnaround Project (EFOT), which may have the largest environmental, social, health and safety risks and impacts under the Compact. Some investments associated with the NEDCO project have similar risks. It is imperative that MiDA and its partners are aware of these risks and impacts and that adequate planning, collaboration and allocation of resources are put in place to manage them within the life of the Compact. A summary overview of the other projects as well as associated impacts and risks are presented under section 4 of this ESMS.

The objective of the EFOT project is to improve the quality and reliability of electricity through reduced outages and cost-effective service delivery by ECG, reduce aggregate technical, commercial and collections losses, and to ensure ECG can serve as a creditworthy and credible off-taker under power purchase agreements. Technical and infrastructure components of planned interventions include the following;

- Bulk Supply Point (BSP) substation construction
- Primary substation construction
- Underground cables, installation of insulated cables underground
- Sub-transmission lines
- Medium Voltage (MV) transmission lines
- Low Voltage (LV) transmission lines
- LV feeder bifurcation

Table 1 presents a summary description of sub-activity components of the technical loss reduction activity under the EFOT project.

It is important to note that exact locations for sitting infrastructure for power distribution such as BSP, substations and distribution lines may change subject to internal planning and scheduling within ECG. It is however worth mentioning that approximately 6500km of power distribution lines will be constructed and or upgraded as part of interventions under the EFOT project.

Similar activity categorization is envisioned under the NEDCo Financial and Operational Turnaround project in terms of infrastructure upgrades although at a much smaller scale.

Table 1- Sub-Activity Technical Components for the EFOT Project

OH – Overhead, UG – Underground, MV – Medium Voltage, LV – Low Voltage

Name	Location	Type of Area	Sub-station	Distribution Components (km)					TOTALS (km)
				Sub-Transmission (33 kV)		MV (11 kV)		LV	
				UG	OH	UG	OH	OH	
Bulk Supply Point	Pokuase	Peri-urban	1	3	15	0	0	0	18
Nima substation	Kotobabi/Nima	Inner/dense/part slum	1	10	0	12	12	0	34
Madina substation	Ogbodzo/Madina	Outer/medium low density	1	0	15	12	12	0	39
Mataheko substation	Mataheko	Low medium	1	10	0	12	12	0	34
Teshie substation	Teshie	Peri-urban/low density/slum	1	10	0	12	12	0	34
Airport residential substation	Airport residential area	Low density/high income/commercial	1	10	0	12	12	0	34
Line Bifurcation	Throughout Accra						436	5,967	6,403
	Sub-total		6	43	30	60	496	5,967	6,596

1.5 Environmental and Social Impact Assessment and Reports to Date

The Millennium Challenge Corporation (MCC) on behalf of the Government of Ghana engaged the US Army Corps of Engineers USACE, CH2M HILL, and NRECA International Limited to undertake a two-phased project screening and feasibility study for potential distribution activities for the Electricity Company of Ghana (ECG) and Northern Electricity Distribution Company (NEDCo) in 2014. A Framework Environmental and Social Impact Assessment (**FESIA**), Draft Environmental and Social Management Plan (**EMSP**), and Resettlement Policy Framework (**RPF**) have been developed for project activities under the ECG and NEDCo Financial and Operational Turnaround Projects.

1.6 Relevant Findings from the Assessment

Activities to be undertaken under the ECG's EFOT project were screened for potential environmental and social impacts per the Ghana EPA and MCC screening criteria. All activities screened per the EPA's criteria were either category A or B, while the MCC screening criteria resulted in activities being category C or B.

Per the EPA criteria, category **A** activity is unlikely to have significant adverse negative environmental impacts. For such an activity, no EIA is required. The proponent will be required to fill form EA1. A category **B** activity may have specific negative environmental impacts. Such activities require carrying out Preliminary Environmental Assessment (PEA) after completing form EA1.

A category **B** activity per the MCC's criteria are those whose impacts are site-specific and mitigation measures more readily available. For these activities, MCC requires site specific ESIA, including ESMPs as appropriate. A category C activity per the MCC is unlikely to have adverse environmental and social impacts.

Potential Risks and Impacts

Potential environmental and social risks and impacts per the assessment could include the following:

- Groundwater disturbance resulting in sedimentation and possible impacts on surface water drainages
- Soil and groundwater impacts from the improper disposal of construction related chemicals, sanitary waste, and oil and grease associated with equipment maintenance
- Temporary localized impacts to air quality and noise from transportation of workers and materials and operation of construction equipment
- Generation and disposal of wastes from site clearing, equipment packaging and other small quantity sources
- Potential occupational as well as community health and safety
- Short term positive impacts on local economy
- Temporary impacts to traffic and commercial, residential, or recreational land uses during construction activities
- Involuntary resettlement and impacts on livelihoods of project affected persons

A draft Environmental and Social Management Plan developed that outlined the mitigation measures to be adopted, responsible party for mitigation and monitoring, frequency and timing of monitoring and verifiable indicators.

2.0 ENVIRONMENTAL AND SOCIAL MANAGEMENT POLICY OF MiDA

MiDA is committed to developing and applying good environmental, social, health and safety practice defined as meeting both national and international standards in its operations and projects. To this end, MiDA will assist the Government of Ghana (GoG) to develop and implement the most environmentally and socially viable mix of power sources and supply through the Power Compact by ensuring the following:

- Establish and maintain an effective Environmental and Social Management System (ESMS) that promotes continual review and improvement of environmental and social performance for all Compact funded projects and activities and MiDA operations.
- Adopt a mitigation hierarchy to, in order of priority, avoid, minimize, and compensate/offset risks and impacts to workers, affected communities, and the environment.
- Develop and implement effective Environmental and Social Management Plans (ESMPs) and Resettlement Action Plans (RAPs) to address risks and impacts associated with compact activities.
- Develop and implement effective health and safety policy and procedures ensuring stakeholders are aware of and are adequately trained to prioritize health and safety issues in the workplace.
- Strengthen the institutional capacity of MiDA staff and partners on an on-going basis, ensuring they have the necessary skills, knowledge and resources for environmental management and social and gender integration in project design and implementation in order to maximize socio-economic benefits and ensure long- term sustainability of compact funded projects
- Comply with applicable national laws and regulations of Ghana, MCC environmental, health and safety guidelines and gender policy, IFC Performance Standards on environment and social sustainability, and MiDA Social and Gender Integration Plan.
- Develop and implement a stakeholder engagement process that will (1) disseminate and disclose relevant project information in a timely and effective manner, and (2) collect and take into account the knowledge, concerns, and priorities of the affected communities and other stakeholders.
- Monitor and update the ESMS periodically during the life of the compact to ensure corrective actions are developed to address environmental and social risks and impacts during implementation.
- Develop and implement a grievance redress mechanism for MiDA and ensure that grievances from affected communities and external communications from other stakeholders are managed and responded to appropriately.
- Communicate this policy to all internal and external stakeholders.

All MiDA staff and partners are responsible for ensuring internal operations and Compact funded projects and activities comply with this environmental and social management policy. This policy will be reviewed and updated annually by management to reflect changing conditions and to achieve continual improvement in MiDA environmental and social performance.

Ing. Owura Kwaku Sarfo, CEO MiDA

Date: _____


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Signed


Ing. Owura Kwaku Sarfo, CEO MiDA

Date: MAY 20, 2016

**CHIEF EXECUTIVE OFFICER
MILLENNIUM DEVELOPMENT AUTHORITY
PMB 56, MINISTRIES
ACCRA**

3.0 LEGAL AND REGULATORY REQUIREMENTS

MiDA will ensure all its internal operations as well as projects and activities funded under the Power Compact will be implemented consistent with applicable national environmental, social and health and safety laws, MCC environmental guidelines, MCC Health and Safety Policy, and IFC Performance Standards on Environmental and Social Sustainability.

MCC follows the IFC PSs in its compacts. IFC Performance Standard 1 (PS1) underscores the importance of managing environmental and social performance² throughout the life of a project. PS1 requires that an Environmental and Social Management System (ESMS) be developed to support an organization's management system to effectively manage environmental and social risk and impacts. An effective ESMS is thus a dynamic and continuous process initiated and supported by management and involves engagement between all stakeholders.

This ESMS is developed to implement the mitigation hierarchy:

- To anticipate and avoid environmental and social impacts wherever possible
- To minimize impacts when it is not possible to completely avoid them
- To compensate/offset significant residual impacts

Appendix 1 provides a summary description of relevant environmental, social, health and safety laws and regulations applicable to the Compact. This section provides a brief summary of the IFC Performance Standards on environmental and social sustainability.

3.1 IFC Performance Standards

The International Finance Corporation (IFC) Performance Standards on Environmental and Social Sustainability are a set of international benchmarks for identifying and managing environmental and social risks and impacts. They promote smarter and more sustainable economic development by helping institutions promote economic development that is environmentally and socially sustainable, promote accountability and transparency, and manage risks and do business in a sustainable way. MCC recently amended its Environmental Guidelines to formally adopt the IFC Performance Standards.

There are eight performance standards (PS):

- *PS1 Assessment and Management of Environmental Risks and Impacts*: identifying and managing social and environmental risks and impacts.
- *PS2 Labor and Working Conditions*: addressing the four core labor standards and promoting the safety and fair treatment of workers.
- *PS3 Resource Efficiency and Pollution Prevention*: avoiding pollution from the project activities, promoting efficient use of resources and reducing greenhouse gas emissions.
- *PS4 Community Health, Safety and Security*: managing risks to local communities.

² Note: The use of Environmental and Social Performance include provisions for Health and Safety.

- *PS5 Land Acquisition and Involuntary Resettlement*: protecting and improving the livelihoods of displaced persons when resettlement is unavoidable.
- *PS6 Biodiversity Conservation and Sustainable Management of Natural Living Organisms*: protecting biodiversity and managing living natural resources sustainably.
- *PS7 Indigenous People*: protecting the dignity, human rights, aspirations, cultures, and customary livelihoods of indigenous peoples.
- *PS8 Cultural Heritage*: protecting cultural heritage from adverse impacts and supporting its preservation.

Table 2.below provides a summary of the applicability of the PS to all projects under the Power Compact.

Table 2 Application of PS to Compact Projects

		Projects					
PS	Standard	EFOT	NFOT	Regulatory strengthening and capacity building	Access	Generation	Energy Efficiency and Demand side Management
1	Assessment and Management of Environmental and Social Risks and Impacts	Yes	Yes	Yes	Yes	Yes	Yes
2	Labor and Working Conditions	Yes	Yes	No	Yes	No	Yes
3	Resource Efficiency and Pollution Prevention	Yes	Yes	No	Yes	Yes	Yes
4	Community Health, Safety, and Security	Yes	Yes	No	Yes	No	Yes
5	Land Acquisition and Involuntary Resettlement	Yes	Yes	No	Yes	No	No
6	Biodiversity Conservation and Sustainable Management of Living Natural Resources	Yes	Yes	No	Yes	No	No
7	Indigenous Peoples	No	No	No	No	No	No
8	Cultural Heritage	Yes	Yes	No	TBD	No	No

4.0 IDENTIFICATION OF RISKS, IMPACTS AND OPPORTUNITIES

MiDA recognizes the potential environmental, social, and human health and safety risks and impacts that its operations, projects and activities funded under the compact could pose. This section describes the various processes, tools and approaches to be deployed by MiDA as it identifies, evaluates, and manages risks in its internal operations as well as projects and activities under the Compact; thus ensuring good environmental and social performance standards and sustainability of its interventions.

4.1 Risks Identification at Operational Level

Within MiDA internal operations, key risks and impacts include accidents and driver safety, occupational health and safety of its staff and contractors involved in ³minor works and repairs; outbreak of fire; accidents resulting from slips, trips, and electrical shocks; and health and emergency in the office including but not limited to heart attack, stroke etc. MiDA staff responsible for project monitoring and visits could be exposed to accidents, health and safety, and threats from unresolved grievances from project affected communities and persons. MiDA's approach to addressing these risks include the following:

- Developing a health and safety policy and procedures manual, ensuring staff and partners are aware of key risks, and actions to take in such cases.
- Developing a stakeholder engagement plan taking on board the views of all stakeholders including project affected persons and establishing a grievance and redress mechanism for addressing all grievances.
- Developing an emergency preparedness and response plan to handle emergency situations within offices and project locations when they arise.
- Developing continuous training and refreshers for all staff and partners on good environmental and social, health and safety management best practice at the workplace.

4.2 Risks Identification at Project Level

At the project level, screening tools including MCC and Ghana EPA categorization of project activities with respect to impact level will be deployed to all projects, activities and sub-activities under the Compact from design to implementation. Involuntary resettlement and health and safety presents the largest risks to successful implementation of activities and sub-activities. Additional risks and impacts including waste generation, erosion, and customer disconnections could also adversely affect project implementation.

Key risks include:

- Involuntary resettlement has the potential to delay and interrupt project implementation. It also has the potential to impact negatively the livelihood of individuals and groups within project intervention areas. Proper planning and effective collaboration between stakeholders is key to ensure resettlement planning is properly addressed within the project life cycle. This will be done into taking account the needs of women, men, youth, the elderly and other vulnerable groups who are at risks of income loss and employment opportunities, and marginalization,. MiDA

³ Minor works include installation of access control for MiDA offices, repair and replacement of air conditioners, redesign of MiDA offices, etc. while most of these activities tends to be one off, some occur on a recurring basis.

Environment and Social Performance (ESP) directorate will collaborate effectively with MiDA infrastructure Team, GSI Directorate, Program Management Consultants (PMC), and relevant state institutions to ensure proper resettlement planning considers land acquisition processes, and also develops and implements action plans for involuntary resettlement.

- Health and Safety risks can affect implementation, operation, and maintenance of electric power installations. Risks include electric shocks, electrocution, slips, trips and falls from height, fire outbreak, poor accident reporting and data, lack of or poor use of personal protective equipment (PPE), use of hazardous chemicals, improper management of heavy equipment and machinery, hand and power tools, poor control of traffic, poor maintenance of equipment and vehicles, poor housekeeping, security, and poor use of signage. A culture encouraging and emphasizing health and safety can help reduce risk here.
- Customer disconnection arising from replacing legacy meters with pre-paid metering system will have the potential of impacting negatively especially on the poor, female headed households as well as other vulnerable groups such as People Living with Disability (PLWD) and People Living with HIV (PLWH) who may not be in a position to afford legalized metered power supply. Keeping customers informed of timelines for disconnection and reconnection will help in planning and minimizing the effect of disconnection. Additionally providing alternatives in a form of flexible payment schedule to these identified groups will help minimize the impacts of disconnection and loss of power.

To ensure proper planning and coordination between the ESP team, the Project Delivery Team (Infrastructure), and procurement at MiDA, a Resettlement Policy Framework (RPF) was developed by MiDA to outline the resettlement action and livelihood restoration implementation plan, and is separate document from this ESMS. The RPF highlights key resettlement planning actions from design through implementation of infrastructure activities. It spells out roles and responsibilities within MiDA and partners, including Project Management Consultants, to ensure proper coordination while considering project design, resettlement action plan, construction, and implementation timelines.

In addition, the health and safety policy and procedures manual, as well as the Emergency Preparedness and Response Plan (EPRP) are developed as stand-alone documents to provide the framework for managing health, safety and emergency situations both at the operations and project levels.

The following table outlines key project risks and impacts for planned activities under EFOT project. Key risks and impacts worth highlighting include community as well as occupational health and safety and involuntary resettlement. These potential risks and impacts were arrived at based on a reconnaissance joint field visit embarked on by a team comprising MCC ESP and their consultants, MiDA ESP, and ECG to selected on-going ECG projects in Accra. The visit was undertaken on October 27, 2015 as part of a process to understand the operations of the ECG with respect to environmental and social management and oversight of construction and related activities.

Table 3- Key Environmental, Social, Health and Safety Risks of Project Activities under EFOT

Project	Health and safety	Involuntary Resettlement	Waste Management	Cultural Heritage	Retrenc hment	Biodiversity / Erosion	Air Quality / Greenhouse Gas Emissions	Customer Disconnection
Relevant Performance Standards	2, 4	5	4	8	2	6	3	1
ECG Financial and Operational Turnaround Projects								
Private sector participation					TBD			
Commercial losses reduction								Medium
Institutional support								
Outage reduction								
Technical Loss Reduction								
<i>Bulk Supply Point Installation</i>	High	High	Low	Low		Low		
<i>Primary Substations</i>	High	High	Low	Low		Low		
<i>Underground Cables</i>	High	Medium	Low	Low		Low		
<i>Sub-Transmission Lines</i>	High	Medium	Low	Low		Low		
<i>MV Distribution Lines</i>	High	Medium	Low	Low				
<i>Low Voltage Distribution Lines</i>	High	Medium	Low	Low				
<i>Low Voltage Feeder Bifurcation</i>	High	Medium	Low	Low				
<i>Modernizing Utility Operations Activity</i>								
NEDCo Distribution (additional risks not covered above)								
Irrigated agriculture		TBD				TBD		
Regulatory Strengthening and Capacity Building								
<i>Sector Performance Monitoring Capacity Building</i>								
<i>Tariff Review and Regulation</i>								

Project	Health and safety	Involuntary Resettlement	Waste Management	Cultural Heritage	Retrenchment	Biodiversity / Erosion	Air Quality / Greenhouse Gas Emissions	Customer Disconnection
Access Project								
<i>Improved electricity supply to micro, small and medium enterprises</i>	Medium	Medium	Low	Low		Low		Medium
<i>Improving service delivery and strengthening partnership</i>								
Power Generation Sector Improvement								
<i>Operationalize Gas-to-Power value chain</i>							TBD	
<i>Strengthen sector planning and IPP framework</i>							TBD	
Energy Efficiency and Demand Side Management								
<i>Development and enforcement of standards and labeling</i>								
<i>Improved energy auditing</i>								
<i>Education and public information</i>								
<i>Demand side management infrastructure activity</i>	Medium	Low	Low	Low		Low	Medium	Low

High

Medium all PAPs are fully cognizant of the negat

Low

TBD

4.3 Opportunities

Inasmuch as MiDA recognizes the risks and impacts with respect to environmental, social, health and safety of its activities both at the operational and project levels; it is also aware of the opportunities that these could present. An effective and efficient environmental, social, health and safety management system that is well implemented for the various projects and activities under the Power Compact could improve livelihood and social protection of the poor, vulnerable and marginalized groups, maximize equity, safe lives, and ensures sustainability of compact benefits.

4.4 Labor and Working Conditions

Labor and working conditions possess a major risk to both MiDA internal operations as well as projects funded under the Power Compact. IFC PS2 recognizes that the pursuit of economic growth through employment creation and income generation should be accompanied by protection of fundamental rights of workers. MiDA recognizes that the sustainability of interventions under the Power Compact hinges on a sound worker – management relationship. To this end, MiDA will ensure provisions of PS2 will be applied to all categories of workers within the life of the Compact including direct workers, contracted workers and supply chain workers (to the extent possible).

Potential risks associated with lack or absence of sound worker – management relationship and guiding principles could include labor agitations and strikes, lack of mutual trust, and delays in completion of assigned tasks. These risks have the potential to derail the benefits that the compact seek to achieve especially so when the compact has a fixed completion period upon EIF.

Appendix 3 provides a summary guiding principles MiDA and partners will adopt and apply to ensure effective working conditions for all. MiDA has developed an employee manual that addresses some of the guiding principles for effective labor and working conditions. MiDA ESP, Human Resource and Administration, legal and procurement directorates will collaborate to ensure applicable provisions of PS2 as outlined in appendix 3 is adopted and implemented for all categories of workers including works contractors. Refer to table 5 on ESMS implementation roles and responsibilities for detailed description of responsibilities of key MiDA directorates in respect of PS2 implementation.

5.0 MANAGEMENT PROGRAMS

The principle objective of MiDA's ESMS is to implement efficient and effective environmental, social, health and safety management plans to protect human life and the natural environment and to ensure sustainability of our interventions. MiDA ESP will provide oversight of all environmental and social management programs to assure adequate and ongoing implementation, a requirement for success.

5.1 Roles of Key Actors

Works contracts to be awarded by MiDA may either fall into the category of large works, small works, goods and services. For large works and design-build contracts, the FIDIC construct of Employer, Contractor, and Engineer will be applied using the FIDIC Red Book and Yellow Book wherein MiDA and contractors are parties to the contract and the contract provides for an Engineer (under contract to the

Employer). For small works, the contract (MCC small works contract is based on the World Bank small works contract) contemplates a similar tri-partite agreement. The same does not apply to contracts for goods and services to be procured by MiDA. For this Compact, the key institutions and their roles and responsibilities are outlined below:⁴

- **Employer: MiDA.** Under the requirements of FIDIC, which apply to this Compact, MiDA is the “employer.” The Government of Ghana’s Accountable Entity responsible to MCC for management, oversight, and monitoring of the Compact. MiDA will enter into contracts and will administer such contracts. MiDA is also responsible for managing political processes, reporting, and public relations. The key responsibilities of MiDA under FIDIC large works contracts include, among others: issuing drawings (design) in bid documents for the Works; issue appropriate performance standards and sufficient drawings; give right of access to and possession of the site to the Contractor; assist the Contractor with obtaining permits, licenses, and approvals; make available relevant site data; and take over the works after completion of construction.
- **Engineer: Supervising engineer (Program Management Consultant).** MiDA will appoint a consulting firm, the “Engineer” to act for MiDA. Its duties are assigned based on the respective FIDIC contract and in its own consultancy contract with MiDA as the Employer. Subject to the authority delegated under the construction contract, the Engineer’s duties and responsibilities include, among others: supervise construction including inspection and testing to ensure adherence to the contract, and issue of instructions to the Contractor.
- **Contractor: Works contractor.** Contractors will be responsible for executing the construction of works according to the designs and specifications developed by the Consultant, within the prices and schedule requirements allocated within their contract. The key responsibilities of the contractor under FIDIC large works or design build contract include, among others: design, execution, and completion of works in accordance with the contract and remedy any defects thereof; be responsible to inform self on risks and conditions; develop quality assurance system; comply with all applicable health and safety regulations and take care of the safety of persons on the site; take all reasonable steps to protect the environment and combat the trafficking in persons; and be responsible for staff and labor.

This ESMS applies to these three actors. It applies to internal MiDA operations and all projects, activities and sub-activities funded under the Ghana Power Compact. It applies to all MiDA staff, implementing entities, consultants and contractors who will be engaged by MiDA within the life of the Compact. This document also spells out how MiDA will engage and collaborate with the actors described above, their partners, and other key stakeholders to ensure good environmental, social, health and safety best practices on the ground.

As part of its procurement processes for works contracts and all activities and sub-activities that have the potential to adversely affect the environment, the Environmental and Social Performance ESP directorate shall collaborate effectively with the PMC, MiDA Procurement, Project Leads, and others to develop incentives into works contract by drafting specifications and requirements for works and structuring bill of quantities or activity schedule for good ESP implementation. ESP and MiDA Procurement directorate and

⁴ For more information, see “FIDIC key actors and responsibilities” document.

agent will incorporate these incentives into work contracts for good ESP implementation. In addition, RAPs, using the RPF as the guiding document, will be prepared. The incentives will be built into works contracts to ensure payment for reaching key milestones especially for infrastructure activities is linked to good environmental and social performance acceptable to MiDA.

MiDA shall require all its contractors directly involved in infrastructure works to develop and successfully implement site specific ESMPs for approval by MiDA

ESP prior to commencement of works. Proposals for works contracts shall be evaluated based on contractors approach and management program including requisite staffing for developing and implementing site specific ESMPs.

5.2 Relationship between Key Tools and Approaches of the ESMS

MiDA as an employer has developed an Environmental and Social Management System (ESMS) to provide the overall framework for good ESP implementation of Compact projects. This is a living document that will be updated at least once a year to reflect changing implementation issues, challenges and successes. MiDA plans to procure the services of Program Management Consultant to provide overall design and supervision services for works, goods and services. The PMC will be required to have an HSE specialist on board to provide oversight during design and implementation of activities. This specialist will be the eye of the PMC for good HSE design and implementation.

MiDA again plans to procure separate ESP consultants i.e. Resettlement Action Plan and Environment Health and Safety consultants. The RAP consultant will assist MiDA in developing and implementing site specific RAPs, whereas the HSE consultant will lead in developing ESAs. The HSE consultant will also assist MiDA in reviewing site specific ESMP and HSMP as well as developing and delivering training programs for contractors. Works contractors will be required by MiDA to develop site specific ESMP and HSMP for good on the ground ESP implementation.

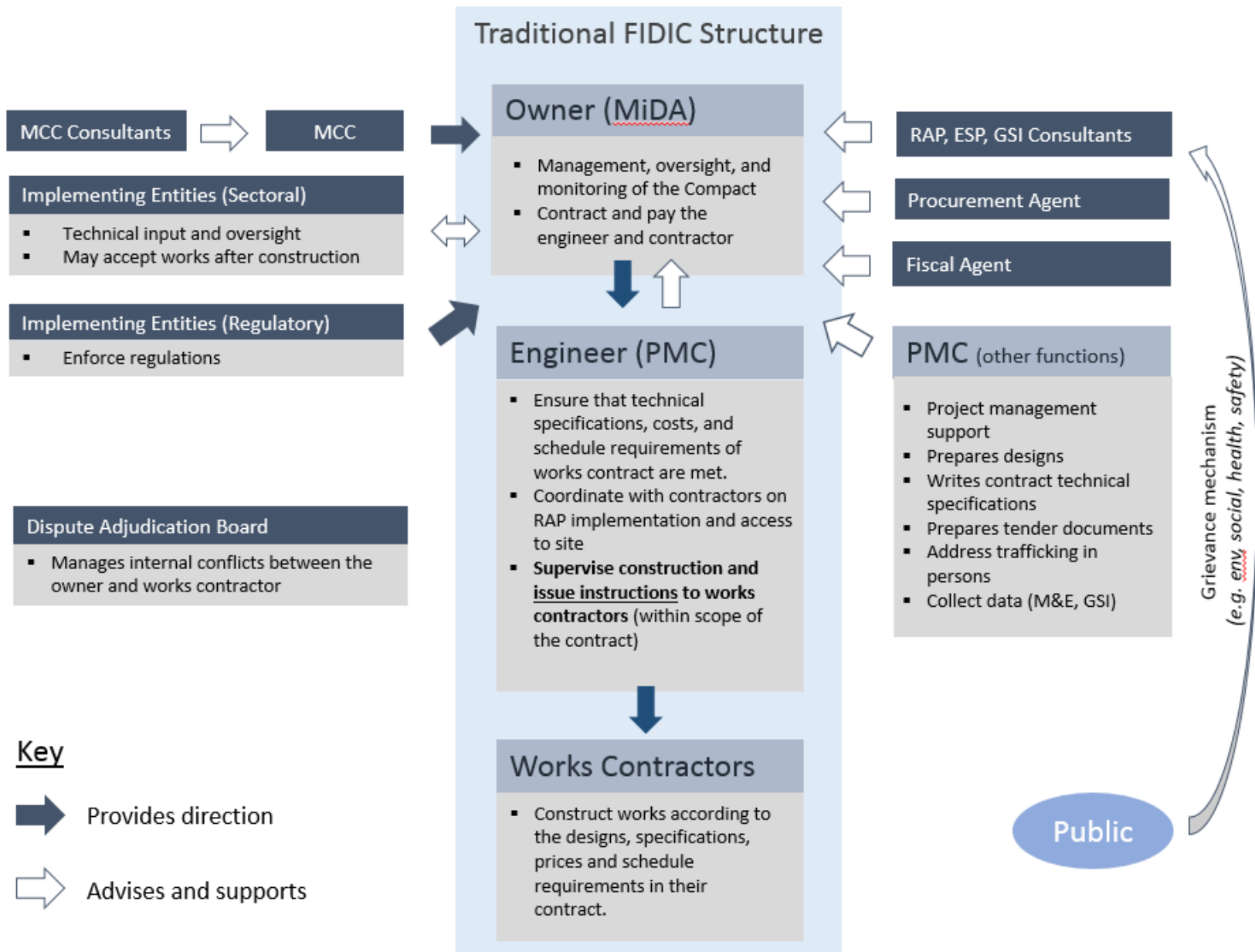
During design, MiDA ESP will facilitate effective collaboration between PMC and ESP consultants to ensure effective environmental and social sound design. To this end, MiDA ESP will coordinate the activities of the PMC and ESP consultants in respect of work plans and timelines and for key tasks. This will be done to ensure design avoids (if possible) or minimizes the potential for resettlement as well as ensuring RAPs are developed and implemented on time to avoid delays in construction.

To ensure effectiveness of the collaboration between the PMC and ESP consultants for good on-the-ground environmental and social performance, MiDA ESP, Procurement directorate and agent, Project leads and others will collaborate to develop and incorporate contractual languages and clauses in the PMC and ESP consultants procurement documents and contracts that follow requiring them to collaborate and share responsibility for effective ESP implementation.

During implementation of works contracts, the PMC will be expected to provide on the ground day to day supervision of works including environmental, social, health and safety issue as well as gender consideration and report to MiDA. Joint field visits involving MiDA, PMC and ESP consultants will be facilitated and led by MiDA ESP to ascertain ESP issues on the ground and assist works contractors develop corrective measures to address instances of non-compliance with good ESP standards.

Figure 2.below presents an outline of a traditional FIDIC structure incorporating these key tools and approaches and how they relate to each other.

Figure 2. Traditional FIDIC Structure



5.3 Programs by Project Life Cycle

The following table outlines MiDA’s program for managing environmental, social, gender, health and safety risks throughout the project life cycle.

Table 4 Environmental Management Programs during the Project Life Cycle

Project Phase	Program for Environmental and Social Risks Management
Design	<p>During design of major infrastructure components of Compact projects and activities, MiDA ESP will collaborate effectively with the Infrastructure Team and GSI of MiDA, Program Management Consultants, other consultants and implementing entities to ensure design is environmentally and socially sound.as well as gender responsiveness.</p> <p>Environmental and social sound design is defined to include on the ground design approach that include the following;</p> <ul style="list-style-type: none"> ▪ Designing to minimizes the potential for both economic and social displacement either temporary and or permanent of project affected persons; ▪ Designing to avoid environmentally and culturally sensitive areas ▪ Designing to ensure high safety standards during implementation, operation and maintenance of infrastructure thus ensuring sustainability; and ▪ Designing that involves continuous engagement with key stakeholders including project affected persons. <p>Relevant environmental and social assessments and reports⁵ including but not limited to Environmental and Social Impact Assessments ESIAs, ESMP, Resettlement Action Plans RAPs will be developed collaboratively between MiDA and its consultants during project design phase. Gender and social analysis and assessments will also be undertaken during the project design phase to ensure gender and social inclusiveness.</p> <p>MiDA ESP and Infrastructure teams will collaborate with the PMC during design to ensure specifications and requirements for works include entries in the bill of quantities (BoQ) or activity schedule to cover plans to include operations and maintenance manuals for infrastructure, waste management plans, planned on-going capacity development programs for management of infrastructure, stakeholder engagement plans to engage</p>

⁵ Relevant environmental and social impacts assessments and reports could include preliminary Environmental Assessment PER per the Ghana EPA standards for activities that do not pose significant risks or impacts or by filling form EA1 i.e. Environmental Assessment form 1 for activities with no environmental and social risks.

Project Phase	Program for Environmental and Social Risks Management
	and report to project affected communities. Site specific closure plans will be required prior to handover of each project/sub-project
Procurement	<p>To ensure environmentally and socially sound contracting, MiDA ESP team⁶, Procurement, GSI and Infrastructure team will collaborate effectively to address social and environmental risks, especially for infrastructure projects.</p> <p>The ESP and Procurement teams shall work closely to ensure all procurement documents including Request for Proposals RFPs, Request for Expression of Interest REOI, and Invitation for Bids IFBs etc. contain the appropriate environmental, social, health and safety provisions and contractual incentives⁷ as developed at the design stage by effective collaboration between ESP, GSI and infrastructure team and PMC to support good performance. Properly structuring works contracts is likely the single most important strategy for good implementation.</p> <p>Relevant environmental and social assessments and reports including the ESIA's, framework ESMP and health and safety plans shall be included in the tender documents to support good environmental and social performance on the ground.</p> <p>During technical evaluation of bids especially for projects and activities with potential for environmental and social impacts, ESP team shall collaborate with MiDA Procurement staff and agent to assess bidders approach to;</p> <ul style="list-style-type: none"> ▪ Address and manage environmental, social, health and safety risks associated with project activities ▪ Team composition with respect to capacity for managing environmental, social and health and safety issues. Capacity will be assessed based on requisite experience and relevant educational qualifications ▪ Estimated budget for managing environmental and social impacts. To the extent possible, health and safety and other higher risks impacts shall be required to have budget line items as part of the overall project budget.

⁶ MiDA ESP Team generally refers to MiDA ESP staff and their consultants i.e. RAP and environment health and safety consultants

⁷ Contractual incentives – ESP team and MiDA Procurement and agent will collaborate to incorporate incentives into works contracts to ensure payment for reaching key milestones especially for infrastructure activities is linked to good environmental and social performance acceptable to MiDA ESP team. ESP Director shall sign off or approve of such milestones prior to payment of deliverables.

Project Phase	Program for Environmental and Social Risks Management
<p>Implementation, reporting and close out</p>	<p>Prior to start of construction, ESP team through MiDA’s PMC shall request of contractors where relevant appropriate site specific ESMPs including health and safety plans, training program for staff directly involved in construction, and designated point of contact persons responsible for leading efforts to mitigate risks and impacts associated with implementation.</p> <p>MiDA (PMC, ESP team, Infrastructure team) will build on the FIDIC system, evaluating contractor environmental, social, and health and safety performance and make this a factor considered in payment to contractors.</p> <p>Through the contractual incentives built into the tender documents for environmental and social performance, milestones for mitigating key risks and impacts shall be required of contractors in their monthly, quarterly, semi-annual and annual reports. A standardized framework template for reporting environmental, social, health and safety risks shall be developed by ESP team and shared with contractors.</p> <p>MiDA will ensure monthly or regular Works Contracts Payment Approval Form⁸ submitted by contractors for payment has a clearance line for MiDA ESP Director’s clearance. This will be done to ensure payment for works deemed to have significant adverse environmental and social impacts have satisfied the ESP requirements for the said works including contractors’ ESMP and HSMPs implementation. To this end, and to ensure its effective operationalization, MiDA ESP will require of the PMC to provide a monthly Environmental Compliance Certificate confirming that the contractor(s) have been complying with their approved ESP plans.</p> <p>MiDA (PMC, ESP team, Infrastructure team) shall undertake regular planned site visits to project locations to assess the effectiveness or otherwise of mitigation measures. Infrastructure team and PMC shall collaborate to ensure project regular reporting provides updates on their risks mitigation approaches, successes and challenges. Monitoring of project activities with respect to ESP will also include monitoring for gender and social impacts.</p> <p>ESP team shall lead efforts in collaboration with PMC and MiDA Infrastructure team to recommend approaches for addressing gaps in environmental and social performance.</p> <p>To ensure sustainability and to resolve any outstanding environmental, social, health and safety issues related to project/sub-project implementation, a site-specific closure plan will be required of contractors.</p> <p>This will be developed prior to completion of all project activities and sub-activities. These plans could include operations and maintenance manuals</p>

⁸ A draft sample of this form is annexed to this document as **appendix 4**.

Project Phase	Program for Environmental and Social Risks Management
	for infrastructure, waste management plans, planned on-going capacity development programs for management of infrastructure, stakeholder engagement plans to engage and report to project affected communities. Site specific closure plans will be required prior to handover of each project/sub-project.

6.0 ORGANIZATIONAL CAPACITY AND COMPETENCE

Ensuring high standards of environmental and social performance of MiDA operations and Compact funded projects and activities is the collective responsibility of all MiDA staff, implementing entities, consultants, and contractors engaged by MiDA. Given the diversity of individuals and institutions that must contribute, the first key is to clearly define roles and responsibilities.

6.1 MiDA

MiDA shall ensure Project Management Consultants (PMC) and contractors have competent staff with requisite expertise to lead and manage good ESP on the field of implementation. To this end, MiDA shall ensure that the processes leading to contracting the services of the PMC and contractors including but not limited to developing and reviewing Terms of References (ToRs), Request for Proposal (RFP), and technical evaluation of bids include the relevant provision for hiring experienced and competent ESP staff. MiDA ESP unit shall review the TORs making the necessary inputs into the professional and educational competence and qualifications for potential ESP staff. Again, MiDA ESP unit shall ensure technical evaluation of bids and financial proposals from bidders include line items for hiring experience and competent ESP staff at the senior level.

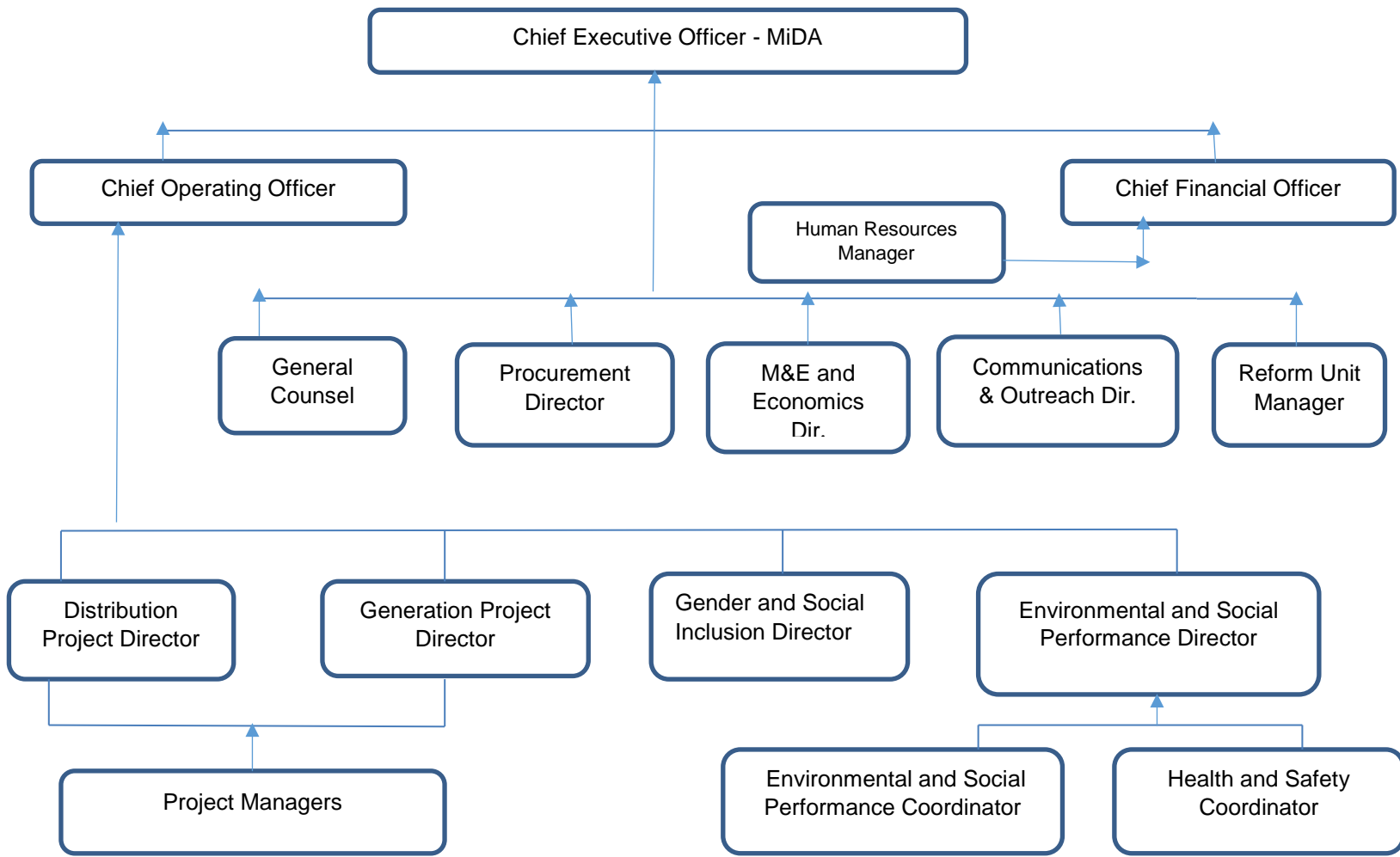


Figure 3. Management Structure Including Management set up for ESP at MiDA

Table 5 ESMS Implementation Roles and Responsibilities for MiDA and Partners

Position	ESMS Roles and Responsibilities
Chief Executive Officer	<p>Has the ultimate responsibility and authority for ensuring the good environmental, social, health and safety performance of the Compact</p> <p>Approval authority for Environmental, Social, Health and Safety Policy and Procedures of MiDA</p> <p>Final approval authority for environmental, social, health and safety training programs for MiDA staff and partners</p>
Chief Operating Officer	<p>Leads Infrastructure team, ESP and GSI to ensure environmental and socially sound and gender inclusive project design of projects and activities</p> <p>Supervises Infrastructure team, ESP and GSI to ensure MiDA’s environmental, social, health and safety policy is effectively implemented within the life of the Compact</p>
Chief Finance Officer	<p>Reviews and approves budget for ESMS implementation activities including training on environmental and social performance best practices for the Compact for MiDA staff and partners</p> <p>Plays active role in MiDA’s Resettlement Action Plan RAP implementation activities by ensuring availability and disbursement of funds to Project Affected Persons in a timely manner.</p>
Human Resources Manager	<p>Ensure staff orientation includes section on elements of MiDA’s environment, social, health and safety policy and procedures</p> <p>Ensure staff orientation includes section on guiding principles for effective worker – management relationship in accordance with provision of PS2</p> <p>Updates MiDA’s employee manual to capture provisions of labor and working conditions per PS2</p> <p>Coordinates with ESP team in planning for training on the ESMS for staff and partners</p>
Environmental and Social Performance Director	<p>Provide leadership on processes and approaches for developing and revising ESMS for MiDA</p> <p>Primary authority for providing leadership and technical direction for environmental and social performance of the Compact</p> <p>Primary lead for monitoring and oversight ensuring environmental and social aspects of projects and activities are well implemented</p> <p>Coordinates with directors and program managers at MiDA as well PMC to ensure environmental and social considerations are factored into project design, implementation and reporting</p>

Position	ESMS Roles and Responsibilities
	<p>Supervises MiDA’s health and safety coordinator to provide oversight of contractor safety and health performance including review of contractor’s monthly report, participation in safety meetings with site engineers and contractors</p> <p>Supervises the ESP coordinator to lead efforts to develop and implement RAP for Project Affected Persons PAPs</p> <p>Develop training manuals and lead on trainings for MiDA staff and partners on an on-going basis on environmental and social performance standards for projects and activities.</p> <p>Collaborates with procurement directorate, procurement agent and HR to ensure procurement documents (including but not limited RFP, IFB, Bill of Quantities, Technical proposal/approach) and contracts that follow adequately address relevant requirements of the IFC Performance Standards.</p> <p>Provide lead facilitation to ensure effective collaboration between PMC and ESP consultants during design and implementation of infrastructure activities.</p>
Environmental and Social Performance Coordinator	<p>Primary lead on overseeing involuntary resettlement planning and implementation</p> <p>Primary lead on grievance redress mechanism and procedures for Compact activities</p>
Health and Safety Coordinator	<p>Lead on developing Health and Safety policy and procedures for MiDA</p> <p>Lead on developing emergency preparedness and response plan for MiDA</p> <p>Provide oversight of contractor safety and health performance including review of contractor’s monthly report, participation in safety meetings with site engineers and contractors</p>
Gender and Social Inclusion (GSI)	<p>Provide lead role in ensuring issues of concern to women and other vulnerable groups are integrated into MiDA planning and implementation.</p> <p>Collaborate with ESP in stakeholder engagement activities ensuring women and vulnerable groups are identified, effectively engaged and that issues of concern to them are attended to on time.</p> <p>Stakeholder Engagement: contribute to the Identification of target groups, venues, methods and approaches for engaging the groups that guarantees participation and having the concerns and perspectives of women and vulnerable groups heard.</p> <p>Ensuring effective disclosure of information to stakeholders and soliciting feedback include the voice -- concerns and aspirations and suggestions of women and the vulnerable, such as People living with HIV and AIDS (PLWHAs) and People with Disability (PWDs)</p> <p>Ensure the Gender and Social Integration Plan assesses Ghana’s country status in addressing Trafficking in Persons (TIP) risks related to the compact projects; and in line with MCC policies on TIP, recommend mitigation measures and responsible parties for implementation.</p>

Position	ESMS Roles and Responsibilities
	Collaborate in monitoring compliance with HIV and AIDS requirements for contractors.
Infrastructure Team	<p>Coordinate effectively with ESP team during design and implementation of infrastructure type activities. This includes working closely with ESP and PMC to ensure environmental and social sound design, ensuring relevant environmental and social impacts assessments and management plans including ESIA, RAPs and project/site specific ESMPs are in place and on time.</p> <p>Collaborates with ESP team for joint site visits and ensuring contractor's reports have the appropriate environmental, social, health and safety implementation updates.</p>
Procurement Director	<p>Collaborates with ESP to assure tender documents and bill of quantities include contractor ESP considerations.</p> <p>Collaborates with ESP to assure key infrastructure type projects contracts have the requisite incentives for good environmental and social performance</p> <p>Collaborates with ESP, Project leads, GSI, HR and procurement agent to ensure bidders have policies and procedures that adequately addresses environmental, social, health and safety requirements consistent with the provisions of the IFC PS</p> <p>Ensure ESP expertise is represented in technical evaluation panels on key infrastructure projects</p> <p>Keep ESP team updated on procurement updates and planning especially infrastructure related.</p>
General Counsel	<p>Reviews and clear on revised MiDA's employee manual that incorporates the relevant provisions of the IFC PS</p> <p>Ensures general provisions and standard language in contract for MiDA staff as well as works contractor's captures provisions for effective worker – management relationships.</p>
Communication and Outreach Director	<p>Collaborates with ESP to develop communication tools and strategies as part of the overall stakeholder engagement plan</p> <p>Assist with planning and execution of public forums and preparation of public notices needed as part of communication for PAPs and the general public</p>
Monitoring, Evaluation and Economics Director	<p>Collaborates with ESP to develop and track indicators that focuses on involuntary resettlement and health and safety. This could include percentage project affected persons compensated disaggregated by gender. This indicator will form part of the MiDA ESP indicators for tracking performance with respect to environmental and social risks and impacts.</p> <p>Collaborate with ESP to track and report on indicators related to health and safety. This could include number of incidents/accidents, number of person days lost due to</p>

Position	ESMS Roles and Responsibilities
	injury etc. This indicator will assist MiDA in monitoring and tracking accidents, incidents and near misses and also help in assessing how efficient and effective the management plans for health and safety are working. .
Program Management Consultants PMC	<p>Collaborates effectively with ESP team to ensure environmental and socially sound design of infrastructure activities.</p> <p>The PMC will be required to work closely with RAP and HSE consultant during design to avoid (if possible) or minimizes the potential for significant adverse environmental and social impacts by considering alternatives to design and siting of infrastructure. Monitoring for good on the ground ESP implementation on day-to-day basis shall be responsibility of the PMC.</p> <p>Supervise construction to ensure specifications, costs, and schedule requirements are met, including those related to environmental and social performance</p> <p>Issue instruction to works contractors</p> <p>Issue to MiDA certification that contractors are meeting the environmental and social requirements of their contracts</p> <p>Assist in joint field visits and monitoring for infrastructure activities to assess the effectiveness of environmental, social, health and safety measures on the ground</p> <p>Collaborates with ESP team to ensure induction programs for contractors incorporates best practice environmental, social, health and safety standards ensuring site specific ESMPs are in place and implemented.</p> <p>Supervise construction including inspection and testing to ensure adherence to the contract, and issue of instructions to the Contractor.</p>
Contractors	<p>Ensure site specific ESMPs are in place and implemented effectively</p> <p>Provide a safe and healthful working environment free from recognized hazards</p> <p>Ensure staff are properly trained and provided with appropriate Personal Protective Equipment PPE</p> <p>Notify PMC and ESP consultants on challenges and issues hindering successful implementation of site specific ESMPs</p> <p>Ensure regular project reports include sections on ESMP implementation</p> <p>Execute and complete works in accordance with the contract and remedy any defects thereof; be responsible to inform self on risks and conditions; develop quality assurance system; comply with all applicable health and safety regulations and take care of the safety of persons on the site; take all reasonable steps to protect the environment and combat the trafficking in persons; and be responsible for staff and labor.</p>
Fiscal Agent	Contracted by MiDA and responsible for handling all fund provided by MCC. This includes cash management, approving and executing payment requests, controlling

Position	ESMS Roles and Responsibilities
	access to bank accounts, performing reconciliations, preparing budgets and reports, preparing disbursement requests, undergoing audit reviews by and independent audit firm, etc.
Procurement Agent	<p>Procurement Agent (PA): Contracted by MiDA and responsible for managing all the procurement activities associated with the Compact. The Consultant shall provide technical content for bid packages to the PA and provide assistance when requested by PA during procurements. The role of the PA is to ensure that all procurements comply with the principles, rules, and procedures set out in the MCC Program Procurement Guidelines.</p> <p>Collaborates with ESP, Project leads, GSI, HR and MiDA procurement to ensure bidders have policies and procedures that adequately addresses environmental, social, health and safety requirements consistent with the provisions of the IFC PS</p>
RAP Consultant	Contracted by MiDA and responsible for providing assistance to MiDA for development and implementation of site-specific RAPs. The RAP consultant will be required to collaborate with the PMC during design to avoid (if possible) or minimize the potential for involuntary resettlement and to ensure site specific RAPs are developed and implemented on time. The RAP consultant will lead in preparing site specific RAPs and assists MiDA in implementing these RAPs in a timely manner.
ESP Consultant	<p>Contracted by MiDA and responsible for providing assistance to MiDA for developing project specific ESIA's, developing and delivering training programs for contractors, assist in reviewing site specific ESMPs and Health Safety Management Plans</p> <p>This consultant will be responsible for coordinating closely with ESP and the PMC to ensure good contractors performance is consistent with the environmental, social, health and safety terms of their contracts including associated plans.</p>
Electricity Company of Ghana ECG	<p>Collaborates with PMC and ESP to identify potential safety and health concerns for the operation and maintenance period post compact so they may be addressed during design and implementation</p> <p>Provide feedback and review on contractors health and safety management program</p> <p>Assist PMC and MiDA on regular site visits for health, safety, environmental and social monitoring.</p>
Environmental Protection Agency of Ghana EPA	<p>Provide expedited review and approval of environmental and social assessments reports</p> <p>Collaborate with MiDA and partners to conduct site visits especially for infrastructure type activities</p>

Position	ESMS Roles and Responsibilities
	<p>Provide advice to MiDA as needed concerning arrangements for compliance of Compact-funded activities with national environmental laws and regulations.</p> <p>Assist MiDA in developing training manuals and delivering training programs centered on environmental and social risk, impacts and mitigation for compact activities.</p>
Lands Commission and Agency's	<p>Provide timely technical review and valuation of properties and assets affected by the project to ensure that Project Affected Parties can be compensated consistent with the RAPs and Project timelines.</p> <p>As the implementing entity responsible for Land administration issues; ensure land acquisition, valuation of properties and registration of acquired parcels of land are delivered in a timely manner</p>

6.2 Training, Education and Competency

Training and education are an integral part of a broader strategy to achieve sound environmental, social, health, and safety performance. MiDA assumes overarching responsibility for implementation of this ESMS and as such, it is important that MiDA staff, implementing entities, contractors and consultants responsible for the implementation of the tasks and requirements contained in the ESMS are competent on the basis of education, training and experience. MiDA will undertake internal training and education activities to ensure that project expectations regarding environmental and social performance are achieved. In addition, MiDA will provide guidance to contractors regarding expectations for environmental and social impact management training, education and competencies. Environmental and social competencies will be appropriate to the respective parties' scope of activity and level of responsibility. MiDA will undertake an initial evaluation of training needs associated with this ESMS and, on this basis, develop and maintain an ESMS training matrix that will be updated annually

MiDA's environmental and social training programs will include several levels of competency, depending on each individual's level of involvement and responsibility. All training and capacity building programs related to environmental, social, health and safety issues will be coordinated, facilitated and in most instances led by ESP staff of MiDA.

6.2.1 MiDA staff

A number of training, capacity building and refresher programs on environment, social, health and safety requirements for MiDA operations and Compact funded projects and activities shall be developed and delivered by MiDA ESP team for all staff. These training programs will be targeted to ensure maximum efficiency and usefulness. For staff involved in MiDA internal operations, targeted programs and refreshers in health and safety as well as emergency preparedness and response shall be offered annually by the ESP team.

Infrastructure team and other project delivery staff including gender, monitoring and evaluation, communications and outreach, legal, procurement and finance at MiDA shall be trained on an annual basis on the environmental, social, health and safety requirements of projects and activities under the compact. Emphasis shall be placed especially on key risks that could impact negatively on projects and

activities i.e. involuntary resettlement, health and safety and labor and working conditions. Semi-annual refreshers shall be provided to all staff as a means of continual capacity development for good environmental and social performance.

ESP staff shall collaborate with human resources division of MiDA to ensure staff orientation especially for new staff includes relevant sections of this ESMS.

6.2.2 Implementing Entities

MiDA shall commission an environment, health and safety consultant(s) to carry out needs assessments and capacity gaps on good environmental and social performance defined to include developing and implementing environmental and social best practices that meets the Ghana EPA, MCC, IFC and other internationally accepted best practice standards for key implementing entities i.e. ECG and NEDCo.

Based on the outcome of the assessments, a number of training and continuous capacity development programs shall be developed by the consultants for key staff of these entities to promote the culture of good environmental, social, health and safety best practices. This will target good ESP implementation within and beyond the life of the Compact in developing, implementing, operation and maintenance of infrastructure installations.

The consultants will assist ECG and NEDCo in developing their own ESMSs. As part of its continuous capacity building efforts for good ESP implementation, MiDA ESP shall engage the Health Safety and Environment point persons at these entities on a continuous basis through working group meetings and joint site visits to learn lessons to promote and adopt best ESP approaches in managing key infrastructure installations related to Power supply.

The ESMS for ECG and NEDCo will be developed to target interventions under the Compact. Developing and adopting these ESMS will require the support and buy-in of management of these entities. Management support and ownership of their ESMS could result in the adoption of the good industry practice per the ESMS and eventual culture change for good ESP during and beyond the life of the Compact.

6.2.3 Contractors

Contractors and their sub-contractors implementing key infrastructure components of Compact projects shall be trained to implement mitigation measures for environmental, social, health and safety risks and impacts associated with their projects and activities. These training programs shall be developed by MiDA ESP team in collaboration with the environment, social, health and safety team of the contractors and delivered jointly twice every year. This will be done to create the awareness and build internal capacity for good ESP within the operations of the contractors.

7.0 EMERGENCY PREPAREDNESS AND RESPONSE PLAN (EPRP)

While MiDA recognizes that majority of accidents and emergency situations it faces are associated with project implementation and are site specific; it also are aware that accidents and emergency situations can occur within its internal operations. These could include traffic accidents involving MiDA staff, fire in MiDA office building, health emergency in the office including but not limited to heart attack, stroke, fall or laceration, electric shock etc. The Emergency Preparedness and Response Plan (EPRP) which is a stand-

alone document and forms part of the ESMS family of instruments for MiDA is designed to focus on internal MiDA operations and all phases of projects and activities within the life of the compact.

It is designed to avoid (if possible) and minimize the potential for accidents and emergency situations and to provide corrective actions or measures to address such incidents when they happen. All MiDA staff, consultants, contractors and implementing entities that work with MiDA are responsible for ensuring compliance with the approved EPRP.

An emergency preparedness and response team comprising of select health and safety personnel and environment officers from MiDA, contractors and consultants and headed by the Director ESP MiDA will be set up. This team will be ultimately responsible for ensuring incidents of accidents and emergency situations are identified early on, prepared for and mitigated appropriately. Staff and stakeholder capacity, competence and awareness for complying with the EPRP will be facilitated and led by this team.

In developing the emergency preparedness and response plan, the following key elements are considered:

7.1 Framework for emergency preparedness and response planning

- Identification of emergency scenarios
- Specific emergency response procedures
- Training response teams including fire wardens, first aid, Cardiopulmonary resuscitation (CPR) and clear designation of responsibilities
- Training programs including fire and life safety, first aid training, Cardiopulmonary resuscitation (CPR), automated external defibrillator (AED), Emergency drills and their periodicity based on assigned emergency levels or tiers, training for emergency and first aid personnel and clear designation of responsibilities
- Protocols for the use of emergency equipment and facilities and monthly review of all site equipment to assure functionality
- Clear identification of evacuation routes and muster points
- Emergency drills and their periodicity based on assigned emergency levels or tiers
- Decontamination procedures and means to proceed with urgent remedial measures to contain limit and reduce pollution within the physical boundaries of the project property and assets to the extent possible.
- Review and revision of the plan to reflect changing conditions

A detailed EPRP addressing all these components is developed and attached as a stand-alone document to this ESMS.

8.0 STAKEHOLDER ENGAGEMENT

Stakeholder Engagement Plan (SEP) is a critical element of MiDA Environmental and Social Management System ESMS to ensuring smooth implementation and sustainability of compact projects and activities.

MiDA acknowledges the importance of engaging all stakeholders involved in its operations and compact projects on an on-going basis to ensure smooth running of operations and projects, buy-in from potential project beneficiaries and affected persons and sustainability of its interventions. MiDA's stakeholder engagement plan is developed on the sound principles of transparency, fairness and equity, consensus building, continuous dialogue and feedback.

To this end, this stakeholder engagement plan encompasses the following key elements; stakeholder mapping, engagement strategies, awareness creation among vulnerable groups, external communication, grievance and redress mechanisms for affected communities and disclosure of relevant project information.

8.1 Stakeholder Mapping

This will involve identification of relevant stakeholders at all levels of MiDA operations and projects including design, awards and implementation. This will help access their level of interest or concerns on operations and projects, influence on the outcome of project interventions, roles and responsibilities, and ways of engaging and managing expectations.

8.2 Stakeholder consultation

Having buy-in and inputs from key stakeholders including beneficiaries and project affected persons and communities early on in project design and implementation is key to ensuring sustainability of interventions. MiDA will ensure all stakeholders are properly consulted, engaged and involved where necessary at all stages of its operations and projects. Mechanisms for ongoing process of engagement, information disclosure and dissemination will be promoted within the life of the compact

8.3 External Communication and on-going reporting to affected communities

Procedures for external communication including receiving and registering communications, complaints and issues from the public, screening and assessing issues raised and determining how to respond, track and document responses will be outlined in detail in MiDA's stakeholder engagement plan.

8.4 Grievance and Redress Mechanism

Mechanism for receiving, documenting, addressing and communicating to project affected persons and communities will be established to guide operations and projects.

MiDA will develop, publicize, and implement a Grievance and Redress Procedure that is described in the Stakeholder Engagement Plan (SEP). The Grievance and Redress Procedure describes how project affected communities and persons can raise grievances regarding project's activities. The Grievance Procedure addresses verbal or written grievances, which must include sufficient information about the complaint or claim so that a proper and informed evaluation of the grievance can be made. The grievance and redress procedure also ensures that women and other vulnerable groups are consulted and their grievances captured. When a grievance is filed, it will be logged and evaluated using the process outlined in the SEP. All grievances will be tracked for monitoring and reporting purposes and to ensure timely and proper resolution.

A detailed stakeholder engagement plan that addresses all the key elements in detail is developed as a stand-alone document to this ESMS.

9.0 MONITORING AND REVIEW

Monitoring, reporting and review of environmental and social management plans is a key component of MiDA ESMS. Environmental and social monitoring will be a normal component of project monitoring and evaluation. Project monitoring will be carried out to ensure mitigation measures as contained in approved

project environmental and social management plans, health and safety plans and resettlement action plans are adequate, effective and are working.

Environmental and social performance monitoring will be mainstreamed in MiDA operations and all phases of project cycle. To this end, environmental and social performance working groups comprising personnel from project design teams, procurement, monitoring and evaluation, project management consultants and contractors will be established to provide ESP oversight within the life of a compact project. A number of actions, templates and checklists will be developed to monitor effectiveness of the ESMS within the life of the compact. Corrective actions will be developed to address instances of non-compliance.

Responsibility for monitoring of project activities will be shared between contractors and their sub-contractors, program management consultants, implementing entities and MiDA ESP team. For infrastructure type interventions, contractors and their sub-contractors will develop an internal monitoring and auditing system to monitor the implementation of all approved environmental, social, health and safety management plans and report to MiDA ESP through the PMC. Program management supervision consultants and implementing entities will complement MiDA ESP team effort in carrying out planned monitoring and site visits to verify the effectiveness of mitigation measures and together with the ESP team prescribe corrective measures for non-compliance situations.

The table below provides an outline of the ESMS monitoring requirements at various stages of the project life cycle.

Table 6 ESMS Monitoring Requirements

Project phase	Monitoring and or Review Action
Design	<ul style="list-style-type: none"> • Design considerations to minimize potential for adverse environmental and social impacts during implementation, operations and maintenance • Monitor sitting/routing considerations in design especially for infrastructure type activities to avoid (if possible) or minimize the possibility of involuntary resettlement. • Ensure that recommendations from Social and Gender Integration Plan (SGIP) are captured. • Develop appropriate environmental and social assessment and management plans
Implementation and reporting	<p>Site visits</p> <ul style="list-style-type: none"> • Trip reports • Checklist • Visual field guides • Action plans • Meeting minutes • ESMPs • RAPs • Corrective actions <p>Audits</p> <ul style="list-style-type: none"> • Internal audits - contractor’s own internal auditing mechanism • External - MiDA, PMCs and Implementing entities audits based on approved ESMPs, RAPs and HSE plans <p>ESMS review and update</p>
Compact close out	Site visits

Project phase	Monitoring and or Review Action
	<ul style="list-style-type: none"> • Trip reports • Checklist • Visual field guides • Action plans • Meeting minutes • ESMPs • RAPs • Corrective actions <p>Audits</p> <ul style="list-style-type: none"> • Internal audits - contractor’s own internal auditing mechanism • External - MiDA, PMCs and Implementing entities audits based on approved ESMPs, RAPs and HSE plans <p>ESMS review and update</p>

9.1 Reporting

Regular monthly reporting will be required of all contractors and their subs working on compact projects. Reports will provide an auditable record of compliance with approved environmental and social management plans. Regular project reports will include separate sections on environmental and social performance. These sections will provide sufficient information on the status of the ESMPs implementation for MiDA to effectively fulfill its oversight and performance monitoring role.

9.2 Review of ESMS

Performance and effectiveness of MiDA ESMS will be measured against a set of indicators. Annual review and updates of the ESMS will be carried out by MiDA ESP staff based on experiences and lessons learned from field of implementation.

An illustrative sample ESMS action plan template is presented in attached **Appendix 2**. This template will capture all the elements of the ESMS and key indicators and will be revised annually.

10.0 REFERENCES

Environmental Laws and Regulations of Ghana

<http://www.epa.gov.gh/web/index.php/legislation/2014-03-14-10-01-43>

MCC Environment Guidelines

<https://www.mcc.gov/resources/doc/environmental-guidelines>

IFC Performance Standards - General

Overview document on PS objectives:

http://www1.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/publications/p_ps-objectives

http://www1.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/publications/publications_brochure_businesscaseforsustainability

Stakeholder engagement

Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets. This handbook explains new approaches and forms of engagement with affected local communities, including guidance on grievance mechanisms.

http://www1.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/publications/publications_handbook_stakeholderengagement_wci_1319577185063

For a template/sample contents of a SEP, see Guidance Note 1 Annex B:

http://www1.ifc.org/wps/wcm/connect/b29a4600498009cfa7fcf7336b93d75f/Updated_GN1-2012.pdf?MOD=AJPERES

Examples of Stakeholder Engagement Plans:

- [http://www.ifc.org/ifcext/spiwebsite1.nsf/0/00DB06A86B84D253852576BA000E2AF0/\\$File/Stakeholder%20Engagement%20Plan.pdf](http://www.ifc.org/ifcext/spiwebsite1.nsf/0/00DB06A86B84D253852576BA000E2AF0/$File/Stakeholder%20Engagement%20Plan.pdf)
- [http://www.ifc.org/ifcext/spiwebsite1.nsf/0/D8A67E4647784ED385257A62005D32E1/\\$File/D14.pdf](http://www.ifc.org/ifcext/spiwebsite1.nsf/0/D8A67E4647784ED385257A62005D32E1/$File/D14.pdf)
- http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&sqi=2&ved=0CC0QFjAA&url=http%3A%2F%2Fwww.riotintosimandou.com%2Fdocuments%2FStakeholder_Engagement_Plan.pdf&ei=vKWrUI6EL_OJ0QHk9IG4CA&usq=AFQjCNE76k5ziadFBHH0U4ixE83fQOJc5g
- http://www.pngln.com/media/pdfs/committment/Appendix_27_PGGP-EH-SPENV-000018-031_Stakeholder_Engagement_Rev1.pdf

Grievance mechanisms

Good Practice Note: Addressing Grievances from Project-Affected Communities

http://www1.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/publications/publications_gpn_grievances

A Guide to Designing and Implementing Grievance Mechanisms for Development Projects

www.cao-ombudsman.org/howwework/advisor/.../implemgrieveng.pdf

FIDIC key actors and responsibilities document

http://fidic.org/sites/default/files/construction_manager_role_pgb_24mar08.pdf

11.0 APPENDICES

11.1 Appendix 1: Summary of Relevant Ghana Laws & Regulation and IFC Performance Standards

IFC Performance Standards	Ghana Laws and Regulations
IFC Performance Standards Summary	Summary
<p>PS1 – Assessment & Management of Environmental and Social Risks and Impacts</p> <ul style="list-style-type: none"> • To identify and evaluate environmental and social risks of the project; • Adopt a mitigation hierarchy to anticipate and avoid, minimize and, where residual impacts remain, compensate for the impacts to the society and environment; • Ensure the engagement of Affected Communities throughout the project cycle and the grievances are responded; 	<p>The 1992 Constitution of the Republic of Ghana Provides the broad policy basis for the protection of the environment as well as health, safety and wellbeing of workers and the general public.</p> <p>Environmental Protection Agency Act, 1994, Act 490 Responsible for the enactment and enforcement of regulations for protection of the environment and for development of sector policy guidelines. The act gives mandate to EPA to formulate policies for the protection of the larger environment.</p> <p>Environmental Assessment (EA) Regulations 1999, LI 1652 Ensure that environmental considerations and alternatives are addressed as early as possible and at par with socio-economic issues in policy, plan or program development and implementation. The EA Regulations requires proponents to register and conduct an environmental impact evaluation of proposed projects.</p>
<p>PS2 – Labor & Working Conditions</p> <ul style="list-style-type: none"> • To promote the fair treatment, nondiscrimination, equal opportunity for workers. • To establish, maintain, and improve the worker-management relationship. • To promote compliance with national employment and labor laws. • To protect workers, including vulnerable categories of workers in the client’s supply chain. • Promote safe and healthy working conditions of the workers. • Avoid the use of forced labor. 	<p>Factories, Offices and Shops Act, 1970 (Act 328) Enable inspections of MiDA premises and Compact project site by an Inspector of Factories and to ensure compliance with provisions of the act relating to health, welfare and safety of workers including protection from the dangers posed by chemicals and other activities to employees in the working environment. The administrative offices and project sites are guided by this regulation.</p> <p>Labor Law, 2003 (Act 651) Relates to industrial relations, health safety and wellbeing of employees at work places. The Act prescribes the work hours and determination for overtime and holiday compensations for employees. The labor law defines the processes for determination of fair compensation to employees for overtime work and also determines the conditions under which industrial strikes can be embarked upon by workers.</p> <p>The Workmen's Compensation Law, 1987 (PNDC 187)</p>

IFC Performance Standards	Ghana Laws and Regulations
	This Act specifies requirements for determination of compensation awarded to employees for personal injuries arising out of and in the course of their employment. This law is the primary guidance regulation when accidents occur involving an employee that demands fair and suitable compensation to be paid to the affected employee.
	Ghana Children’s Act No. 560 (1998) This prohibits children from exploitative labor. Thus, labor depriving the child of health, education and development.
<p>PS3 – Resource Efficiency & Pollution Prevention</p> <ul style="list-style-type: none"> • To avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities. • To promote more sustainable use of resources, including energy and water. • To reduce project-related GHG emissions. 	<p>Local Government Act 462 (1993) Empowers the Metropolitan Planning Department to regulate, permit and control the siting and construction of buildings, streets, and fences, placement of sign boards as well as adequate provision of drainage and sanitation facilities. The local Government Act requires that all wastes generated should be disposed of through an approved contractor of the municipal assemblies.</p> <p>Environmental Protection Agency Act, 1994, Act 490 Responsible under section 2(f) of EPA Act 1994 for the issuance of environmental permits and pollution abatement notices for controlling waste discharges, emissions, deposits or other sources of pollutants. They also issue notices in the form of directives, procedures or warnings for the purpose of controlling noise in the environment.</p>
<p>PS4 – Community Health, Safety & Security</p> <ul style="list-style-type: none"> • To anticipate and avoid adverse impacts on the health and safety of the affected Community during the project life from both routine and non-routine circumstances; • To ensure that the safeguarding of personnel and property is carried out in accordance with relevant human rights principles and in a manner that avoids or minimizes risks to the affected communities. 	<p>Ghana Public Health Act 851 (2012) It ensures that the environment is healthy and hygienic, public nuisance, prevents the spreading of contagious and non-contagious diseases and prohibition of smoking in public places.</p> <p>Ghana AIDS Commission Act 613 (2002) Regulates general principles on HIV/AIDS preventive actions, infection testing and HIV/AIDS infected treatment and care issues, HIV/AIDS infected and related personnel rights and obligations, monitor and evaluation HIV/AIDS programs, provide high level advocacy for HIV/AIDS prevention and control.</p>
<p>PS5 – Land Acquisition & Involuntary Resettlement</p> <ul style="list-style-type: none"> • To avoid, and/or minimize displacement; • To avoid forced eviction; 	<p>Lands Commission Act 767 (2008) This act integrates four of the public sector agencies (survey and mapping division, land registration division, land valuation division and public and vested lands management division) to secure efficiency and effectiveness in land administration.</p>

IFC Performance Standards	Ghana Laws and Regulations
<ul style="list-style-type: none"> • To avoid, or minimize adverse social and economic impacts from land acquisition or restrictions on land use by providing compensation and ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected. • To improve, or restore, the livelihoods and standards of living of physically displaced persons. 	<p>The State Lands Act 125 and Amendments (1962) Provide for the acquisition of land in the National interest and for other purposes.</p> <p>Lands (Statutory Wayleaves) Act 186 (1963) Provide for entry on land for the purpose of construction, installation and maintenance of works of public utility, and for the creation of rights of way and any other similar rights in respect of those works and for related matters.</p> <p>Land Title Registration Act 1986, PNDL 152 and Regulations 1986 LI 1341 It is to provide a machinery for the registration of title to land and interests in land. Title Registration has two fold purpose, first to give certainty and facilitate proof of title. Secondly, to render dealings in land safe, simple and cheap as well as prevent fraud on purchasers and mortgagees.</p> <p>Ghana Land Policy of 1999 These guidelines are aimed at enhancing conservation and environmental quality, thereby preserving options for present and future generations. The key objectives of the Land Policy, which are relevant to the sub-activities identified in this RPF, are the protection of the rights of landowners to receive adequate compensation for land acquired, the promotion of public awareness of the proposed project and their legal rights at all levels, and community participation in sustainable land management</p> <p>Valuation and Payment Compensation Recognize the importance of compensation payments to make up for losses suffered. The 1992 Constitution, for instance, requires that prompt payment of adequate compensation be provided before the exercise of eminent domain.</p> <p>1992 Constitution of Ghana No property of any description or interest in or right over any property shall be compulsorily taken possession of or acquired by the State unless the taking of possession or acquisition is necessary in the interest of defense, public safety, public order, public morality, public health, town and country planning or the development or utilization of property in such manner as to promote the public benefit. Compulsory acquisition of property by the State shall only be made</p>

IFC Performance Standards	Ghana Laws and Regulations
<p>PS6 – Biodiversity Conservation & Sustainable Management of Living Natural Resources</p> <ul style="list-style-type: none"> • To protect and conserve biodiversity. • To maintain the benefits from ecosystem services. • To promote the sustainable management of living natural resources through the adoption of practices that integrates conservation needs and development priorities. 	<p>under a law which makes provision for: The prompt payment of fair and adequate compensation.</p> <p>National Wetland Conservation Strategy (1999)/ Ramsar Convention 1971 Recognizes the importance of wetlands as habitat for wildlife, in the maintenance of the water table, mitigation of flood conditions and water purification. Wetlands resources are also known to be of socio-economic importance and have been harvested for construction poles, fuel-wood, timber for furniture and craft work. Furthermore, wetlands are of importance as fishing, hunting and grazing areas, and play an important role in crop production and domestic water supply.</p> <p>Forest and Wildlife Policy (1994)</p> <ul style="list-style-type: none"> • Manage and enhance Ghana's permanent estate of forest and wildlife resource for preservation of vital soil and water resources, conservation of biological diversity and the environment and sustainable production of domestic and commercial produce; • Promote the development of viable and efficient forest-based industries, particularly in secondary and tertiary processing, so as fully utilize timber and other products from forests and wildlife resources and satisfy domestic and international demand for competitively-priced quality products; • Promote public awareness and involvement of rural people in forestry and wildlife conservation so as to maintain life-sustaining systems, preserve scenic areas enhance the potential of recreation, tourism and income-generating opportunities; • Promote research-based and technology-led forestry and wildlife management, utilization and development to ensure resource sustainability, Scio-economic growth and environmental stability; • Develop effective capability at national, regional and district levels for sustainable management of forest and wildlife resources

11.2 Appendix 2. ESMS Action Plan Template

Action	Completion Indicators	Timeframe	Comments
ESMS Document developed	ESMS v.1 submitted to MCC ESP for initial review on September 30, 2015. Revised ESMS main document is being worked on as of Nov. 24, 2015	Revisions to the ESMS main document is an on-going process with final approval expected far ahead of Entry into Force EIF	MCC ESP staff and consultants undertook a week and half working visit to MiDA from September 26 to Nov. 4, 2015 to share more light and experiences including assisting with field visits and stakeholder engagement to feed into the ESMS
Environmental, Social Health and Safety Policy of MiDA Developed	Draft policy for environment, social, health and safety completed awaiting final review by management and approval by CEO	Draft policy as part of the overall ESMS is expected to be approved prior to EIF.	
Identification of Risks	Key risks have been identified as involuntary resettlement and health and safety		
Management program	Develop RAPs and site specific ESMPs during design and before commencement of infrastructure works	RAP will be developed for each construction phase/package. Prior to commencement of infrastructure works, contractors will be made to develop site specific ESMP for MiDA ESP approval prior to commencement of works	RAP development and implementation will be done in close collaboration with PMC and infrastructure team to ensure proper planning and to allow for timely commencement of works without interference
Organizational Capacity and Competency Programs	Presentation on Environmental and Social Performance requirements for MiDA operations and compact projects and activities was delivered by Director ESP MiDA on September 1, 2015 to management.	Training and capacity development for staff and partners on the requirements for the ESMS will be an ongoing process within the life of the compact	Annual training plan for ESMS implementation shall be developed by ESP directorate for all MiDA staff and partners.

Action	Completion Indicators	Timeframe	Comments
Emergency Preparedness and Response Plan EPRP Developed	Draft EPRP is developed as stand-alone document to this ESMS for internal MiDA's management review and approval and MCC no objection before EIF	EPRP shall be updated by MiDA EPP as a way of ensuring its effectiveness and usefulness.	As part of MiDA's EPRP, an emergency service provider contract is currently being discussed by management to ensure MiDA staff and partners within MiDA offices have proper coverage in emergency cases.
Stakeholder Engagement Plan Developed	Draft Stakeholder Engagement Plan SEP is developed as a stand-alone document to this EMSM for MiDA's management review and approval and MCC no objection	Stakeholder engagement shall be a continuous process from project design, implementation, commissioning, operation and maintenance.	
Monitoring and Review	Updating the ESMS template annually, developing checklists and tools for ESP monitoring and reporting	On-going.	

11.3 APPENDIX 3: Labor and Working Condition Guiding Principles

This strategy is envisioned as a guide for direct workers of the Ghana Power Compact, Contracted Workers and Supply Chain Workers (as appropriate). Contracted Workers and Supply Chain Workers may apply their own employee handbooks.

OBJECTIVES

MiDA shall:

- Promote the fair treatment, nondiscrimination, equal opportunity for workers.
- Establish, maintain, and improve the worker-management relationship.
- Promote compliance with international and national employment and labor laws.
- Protect workers, including vulnerable groups as women, youth, migrant workers, contracted workers engaged by third parties and workers in the client’s supply chain.
- Promote safe and healthy working conditions of all workers.
- Prohibit the use of forced labor.
- Provide logistical support consistent with the principles of non-discrimination and equal opportunity.
- Freedom of movement or of association.

LABOR AND WORKING CONDITION PRINCIPLES

APPLICATION	REQUIREMENTS
<p>Direct workers (Applies to MiDA and Works Contractors)</p>	<p>Entering Employment</p> <ul style="list-style-type: none"> • MiDA shall provide workers with documented information that is clear and understandable regarding their rights under national and international labor and employment laws. This shall include rights related to hours of work, wages, overtime, access to training, hiring and recruitment, working conditions and terms of employment, disciplinary practices, termination of employment, compensation and benefits (insurance) upon beginning the working relationships. • MiDA recognize workers right to form or join workers organizations of their choice without interference and to bargain collectively. <p>Termination of Employment</p> <ul style="list-style-type: none"> • Prior to implementing any collective dismissals, carry out analysis of alternatives to retrenchment. • In the case of termination MiDA has the right to notify the employee in writing and stating the reason for such a decision. The employee will be compensated in accordance with national and international laws. <p>Non-Discrimination, Harassment and Equal Opportunity</p> <ul style="list-style-type: none"> • MiDA shall prohibit making employment decision based on any type of discrimination (in relation to race, gender, ethnicity, religion, color race, color, language, ethnicity or social status, nationality, material status or position, place of residence, age, sex, sexual orientation, marital status, handicap, religious, public, political or other affiliation, including affiliation to trade unions or political parties • Identify migrant workers and ensure they are engaged on equal terms and condition as non-migrant workers carrying out similar works

APPLICATION	REQUIREMENTS
	<ul style="list-style-type: none"> • MiDA shall address and prevent harassment of a person aimed at or resulting in creating an intimidating, hostile, humiliating, degrading, or abusive environment for that person, or creating the circumstances for a person directly or indirectly causing their condition to deteriorate as compared to other persons in similar circumstances. <p>Grievance Mechanism</p> <ul style="list-style-type: none"> • MiDA shall provide grievance mechanism for workers to raise workplace concerns. These issues shall be managed by MiDA. A grievance committee shall be established to identify procedures and practices that addresses concerns promptly, transparently and without retribution (Refer to the ESP SEP). • MiDA and contractors shall inform employees of the grievance mechanism at the official start of duty and make it readily accessible to them. <p>Trafficking in Persons/Child Labor</p> <ul style="list-style-type: none"> • MiDA shall ensure contractors adhere to guidelines for trafficking in persons and ensure bidding documents have requirement on forced labor, child labor and trafficking in persons • MiDA prohibits employment of children that is economically exploitative that deprives the child of education or harmful to health or physical, spiritual, moral or social development. <p>Occupational Health and Safety</p> <ul style="list-style-type: none"> • MiDA shall ensure workers health safety and wellbeing are properly managed. • MiDA will assess risks and impacts to the health and safety of their direct workers, contracted workers, supply chain workers and the affected Communities during the project life- cycle and institute preventive and control measures consistent with good international industry practice (GIIP), such as in the IFC Performance Standards, MCC Environment Social, Health and Safety Guidelines, World Bank Group Environmental, Health and Safety Guidelines (EHS Guidelines) or other internationally recognized sources. • MiDA will develop Health and Safety Policy statement, Principles, Safe work practices and procedures as well as an Emergency Preparedness Response Plan which will apply to direct and indirect workers. <p>Conflict of Interest</p> <ul style="list-style-type: none"> • MiDA Employees will not participate in the appointment, award, or administration of a contract, grant or other benefit or transaction financed in whole or in part (directly or indirectly) by funding provided by MCC or in connection with the Compact in which (a) the employees, members of the employee’s immediate family, the workers business associates, or members of organizations controlled by or substantially involving the employees have a financial interest, or (b) the employee is

APPLICATION	REQUIREMENTS
	<p>negotiating or has any arrangement concerning prospective employment, unless the employee has first disclosed in writing the conflict of interest to the Supervisory Board of MiDA and following such disclosure the Supervisory Board has agreed to proceed notwithstanding such conflict.</p> <ul style="list-style-type: none"> • MiDA employees shall not accept gifts, services or other benefits, which are or may be seen as being given in exchange for decisions or actions taken in the scope of the Employment <p>Infrastructure and Equipment Design and Safety</p> <ul style="list-style-type: none"> • MiDA will design, construct, operate, and decommission the structural modules or components of the project in accordance with GIIP, taking into consideration safety risks to direct workers, third parties or affected Communities. When new infrastructure are in place or old infrastructure are upgraded to improve reliable access to electricity, MiDA and other stakeholders will consider incremental risks of the public’s potential exposure to operational accidents and/or natural hazards and put in place measures to mitigate those potential risks and hazards. • Structural elements will be designed and constructed by competent professionals, and certified or approved by competent authorities or professionals. • For projects that operate moving equipment on public roads and other forms of infrastructure, MiDA will attempt to avoid the occurrence of incidents and injuries to direct workers, third parties or members of the public associated with the operation of such equipment. <p>Hazardous Materials Management and Safety</p> <ul style="list-style-type: none"> • MiDA will avoid or minimize the potential for direct workers, contracted workers, or community exposure to hazardous materials and substances that may be released by the project. Where there is a potential for direct workers, contracted workers, or the public (including workers and their families) to be exposed to hazards, particularly those that may be life threatening, MiDA and contractors will exercise special care to avoid or minimize their exposure by modifying, substituting, or eliminating the condition or material causing the potential hazards. • Where hazardous materials are part of existing project infrastructure or components, MiDA will exercise special care when conducting decommissioning activities in order to avoid exposure to direct workers, contracted workers, or the community. • MiDA will ensure contractors exercise commercially reasonable efforts to control the safety of deliveries of hazardous materials, and of transportation and disposal of hazardous wastes, and will implement measures to avoid or control direct workers, contracted workers, and community exposure to pesticides, in accordance with the requirements of IFC Performance Standards. <p>Disciplinary Measures</p>

APPLICATION	REQUIREMENTS
	<ul style="list-style-type: none"> • A worker who engages in misconduct, or who neglects to perform assigned tasks without reasonable excuse, may be subject to disciplinary measures. Depending on the seriousness of the offense and other relevant factors, the disciplinary measures taken in a particular case may be censure, suspension from duty with pay, demotion, reduction in pay, or separation of the staff member from the service of MiDA as provided in this document.
Contracted Workers	<ul style="list-style-type: none"> • MiDA shall ensure that third parties who engage these workers are reputable and legitimate enterprises and have an appropriate ESMS that will allow them to operate in a manner consistent with the requirements of IFC Performance Standard (IFC PS2). • MiDA shall establish policies and procedures for managing and monitoring the performance of such third party employers in relation to the requirements of IFC Performance Standard (IFC PS2) or equivalent management. • MiDA will use practical efforts to incorporate requirements of IFC Performance Standard (IFC PS2) in contractual agreements with such third party employers.
Supply Chain Workers	<ul style="list-style-type: none"> • MiDA shall identify and address high risks of child and forced labor concerns in relation to compact implementation and operations. • Where there is a high risk of significant health and safety issues related to supply chain workers, MiDA shall introduce procedures and mitigation measures to ensure that primary suppliers within the supply chain, specific to Compact activities, are taking steps to prevent or to correct life-threatening situations.

11.4 APPENDIX 4 SAMPLE WORKS CONTRACT PAYMENT APPROVAL FORM

CONTRACT DETAILS		
Contract Name:		
Budget Allocation Code as per Chart of Accounts:		
Payment Code:		
Contractor/Vendor:		
Contract Manager:		
PAYMENT DETAILS		
		Comments (Optional)
Payment Certificate No:		
Certificate Type:		
Consultants Certificate Date:		
Contractors Invoice Date:		
Certificate Process Date:		
Payment as per Payment Certificate and Contractors Invoice (State Currency):		
APPROVAL DETAILS		
ESP Compliance:		
Payment Certificate approved by:		
Payment Certificate approval endorsed by:		
Approvals Certified by:		