Concept Environmental and Social Review Summary

Concept Stage

(ESRS Concept Stage)

Date Prepared/Updated: 02/11/2020 | Report No: ESRSC01104
BASIC INFORMATION

A. Basic Project Data

<table>
<thead>
<tr>
<th>Country</th>
<th>Region</th>
<th>Project ID</th>
<th>Parent Project ID (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Niger</td>
<td>AFRICA</td>
<td>P168779</td>
<td></td>
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</tbody>
</table>

| Project Name                                                                 |
| Niger Learning Improvement for Results in Education Project                      |

<table>
<thead>
<tr>
<th>Practice Area (Lead)</th>
<th>Financing Instrument</th>
<th>Estimated Appraisal Date</th>
<th>Estimated Board Date</th>
</tr>
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<tbody>
<tr>
<td>Education</td>
<td>Investment Project Financing</td>
<td>2/11/2020</td>
<td>3/31/2020</td>
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<tr>
<th>Borrower(s)</th>
<th>Implementing Agency(ies)</th>
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<tr>
<td>Ministry of Planning</td>
<td>Ministries of Basic Education</td>
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Proposed Development Objective(s)
To enhance teacher effectiveness and the instructional conditions in basic education

Financing (in USD Million)          Amount
---------------------------------------------------------
Total Project Cost                   140.00

B. Is the project being prepared in a Situation of Urgent Need of Assistance or Capacity Constraints, as per Bank IPF Policy, para. 12?
No

C. Summary Description of Proposed Project [including overview of Country, Sectoral & Institutional Contexts and Relationship to CPF]

The proposed project would support the government’s priority focus areas and planned reforms to enhance the quality of basic education. The project would be financed through a US$100 million from the International Development Association (IDA), using an Investment Project Financing (IPF) lending instrument. Project preparation is informed by the lessons learned from the implementation of the GPE – Support to Quality Education Project (PAEQ), a Bank-administered project under GPE financing that will close on June 30, 2019.

The development objective is to enhance teacher effectiveness and the instructional conditions in basic education. The project will consist of three components whose interventions are linked to achieve the desired outcomes: All Children complete the compulsory education cycle and master the basic skills.
D. Environmental and Social Overview

D.1. Project location(s) and salient characteristics relevant to the ES assessment [geographic, environmental, social]

The salient physical characteristics relevant to environmental and social assessment are mainly related to the Subcomponent 1.1 on Strengthening the capacities of Teacher Education Colleges to produce qualified teachers. Under this component and according to the needs of each institution, the Project will improve infrastructure and equipment. The rehabilitation/construction activities or any physical infrastructure will be undertaken at the level of the Teacher Training Colleges and therefore within existing structures. The LIRE project is nationwide. The existing 11 Teacher Training Colleges are targeted to be strengthened, but not all of them will require rehabilitation / construction. The Borrower is preparing an ESMF to provide guidance on screening for potential risks and on managing unavoidable environmental and social impacts. When the screening is completed, the Borrower will prepare the relevant instruments for the 11 sites.

D. 2. Borrower’s Institutional Capacity

The Borrower has weak capacity for environmental and social due diligence with respect to donor funded operations. The Ministry of Primary Education (MEP) and the Ministry of Secondary Education (MES), which are responsible for project implementation, have experience in implementing World Bank-funded projects such as the Education sector Support to Quality Education Project (P132405) and its related Additional Financing. This experience has provided the two Ministries with some capacity to apply World Bank environmental and social safeguards policies; and the development of appropriate safeguards mitigation instruments as well as their implementation and monitoring. However, both institutions lack experience with the new World Bank Environmental and Social Framework. The national legal and institutional framework for managing environmental and social risks and impacts exist and are adequate. However, implementation, monitoring and enforcement is weak and highly challenged due to understaffing and resource constraints. Significant efforts will be required to build the capacity of the PCU (such as the Implement Supporting Agency (ISA)) and familiarize the Bureau National d'Etudes Environnementales (BNEE) - the national body for the integration of environmental and social matters in development projects and programmes - with the ESF during project implementation. The PCU will hire a qualified, full-time Environmental and Social Development Specialist with the role and responsibility of ensuring the management of environmental and social standards requirements. This specialist will support and coordinate activities at the implementing institutions. The environmental assessment regulations in Niger are defined by the 1998 Law n° 98-56 of 29 December 1998 and the 2016 guiding procedures to support Environmental Assessments in Niger. The project will extend technical resources to the implementing agencies that will directly work directly participate in the implementation of the activities (such as the counterparts of the PCU) to strengthen their capacities to manage project environmental and social risks and impacts in Niger.
II. SCREENING OF POTENTIAL ENVIRONMENTAL AND SOCIAL (ES) RISKS AND IMPACTS

A. Environmental and Social Risk Classification (ESRC)  

Environmental Risk Rating  

Environmental risks are considered to be moderate because the environmental risks are expected to be of low magnitude, are mostly site-specific and located away from sensitive areas as the project plans to intervene on existing structures. Civil works will consist of the rehabilitation or construction of small classrooms. Although the provision of the Contingency Emergency Response Component could have potential negative environmental impacts and risks, no long-term or irreversible adverse impacts are expected from project implementation. To mitigate the weak capacity of the Borrower in managing social and environmental risks, the project will extend resources to the implementing agencies to strengthen their capacities to manage project environmental and social risks. An EMSF is also in preparation.

Social Risk Rating

The anticipated activities of the LIRE project will not involve significant or irreversible social risks. The anticipated social risks are related to potential small-scale and site specific community health and safety issues which can be adequately managed/mitigated. All civil works will be carried out within the premises of Teacher Training Colleges (ENI) on land owned by the Government of Niger. Overall, the project activities are not likely to involve land acquisition nor physical and economic displacement of populations. There are also risks associated with refugees in terms of regional stability, social cohesion and local perceptions, which will be mitigated through the following measures supported by the project: (a) intense community mobilization and sensitization, (b) adoption of a holistic and sustainable approach to address the educational needs of refugees and host communities simultaneously, and (c) the inclusion of refugee-related student data in the regular national data collection systems. Gender Based Violence (GBV) sensitization, would be carried out, as part of the Stakeholder engagement.

B. Environment and Social Standards (ESSs) that Apply to the Activities Being Considered

B.1. General Assessment

ESS1 Assessment and Management of Environmental and Social Risks and Impacts

Overview of the relevance of the Standard for the Project:

The proposed project is expected to generate positive social impacts by enhancing teacher effectiveness, student learning and the instructional conditions in basic and pre-primary education. Education investments are associated with strong positive externalities, including economic, social and wider benefits, which should be sustained over the long term.

Under Subcomponent 1.1 (Strengthening the capacities of Teacher Training Colleges to produce qualified teachers) the Project will improve infrastructure and equipment, which includes rehabilitation/construction activities that may have risks and negative impacts on the environment. If the CERC will be implemented, the project can further induce some effects that entail environmental and social concerns. It is not expected that there would be any long-term or irreversible adverse impacts during project implementation. The risks and impacts due to construction activities are expected to be limited and generally site-specific.
Despite the fact that risks are expected to be manageable and small-scale, constructions could have moderate impacts which could be a source of inconvenience for workers and all those living or working at the Teacher Training College sites. The most prominent likely impacts are:

- Air quality, noise/vibrations, water pollution, poor sanitation, solid waste
- Uprooting of trees and cutting of shrubs made necessary by certain activities, with reduction of green spaces
- Risks of localized soil degradation, despite the fact that washout works will be limited in depth.
- Accidents caused by construction machinery traffic and possible non-compliance with safety instructions.
- Safety of the Teacher Training Colleges students and workers due to poor organization of work sites and areas.
- Workers’ accidents of workers (scaffolding falls, misuse of equipment, electrocutions, etc.).

The Borrower is preparing an ESMF to provide guidance on screening for potential risks and on managing unavoidable environmental and social impacts and types of instruments needed when the nature, scope and the specific Teacher Training Colleges that need rehabilitation/construction activities are known. The draft ESMF will be publicly disclosed, both in-country and on the World Bank’s website before appraisal. Once the screening has been carried out, the Borrower will prepare the relevant instruments for the selected sites (ESIA/ESMPs) which will be disclosed prior to the commencement of construction/rehabilitation. Key elements of the ESMPs to be implemented by contractors will be included in the bidding documents in order to enable them to prepare their Contractor-ESMPs before the start of the works. Contractors will be required to prepare, and implement, Contractor ESMPs consistent with ESS1 requirements. GBV relevant mitigation measures will be reflected in the bidding documents.

The project will apply the relevant requirements of the Environmental Health and Safety Guidelines (EHSGs) due mainly to construction or rehabilitation of infrastructures. The Borrower will monitor the environmental and social performance in accordance with the legal agreement.

As some works might require some excavations, all construction contracts will include a “Chance Find” clause which will require contractors to stop construction in the event that archaeological sites are encountered during construction.

The borrower’s commitments to prepare and implement safeguard instruments throughout the lifecycle of the project is outlined in the ESCP.

**Areas where “Use of Borrower Framework” is being considered:**

The operation will not use the Borrower’s E&S Framework in the assessment, development and implementation of sub projects. The project will comply with relevant national legal requirements.

**ESS10 Stakeholder Engagement and Information Disclosure**

In consultation with the Bank, the Borrower will prepare an inclusive and participatory Stakeholder Engagement Plan (SEP), proportional to the nature and scale of the project and associated risks and impacts, to be implemented throughout the project cycle. A draft of the SEP will be disclosed prior to Appraisal. The borrower will engage in meaningful consultations with all stakeholders and will continue to do so throughout the project life cycle paying
attention to the inclusion of vulnerable and disadvantaged groups. Borrower will provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation. The Borrower will maintain, and disclose, a documented record of stakeholder engagement, including a description of the stakeholders consulted, a summary of the feedback received and a brief explanation of how the feedback was considered, or the reasons why it was not.

B.2. Specific Risks and Impacts

A brief description of the potential environmental and social risks and impacts relevant to the Project.

ESS2 Labor and Working Conditions
For the construction/rehabilitation purpose, the project will involve direct workers (including some civil servants as counterparts "homologues"), contracted workers and primary supply workers. Most of the labor will be locally hired, except for skilled workers who cannot be found in the project location. The project will therefore work with the contractors to ensure that they hire local unskilled labor to the extent possible for construction/rehabilitation of infrastructures to minimize the influx of unskilled labor and reduce the potential for harm. The Environmental and Social Assessment process will recommend relevant labor management measures including labor management plan when necessary. To ensure health and safety of workers during the construction and operational phases of the project, the PIU will develop and implement a proportional Health, Safety and Environmental (HSE) plan in line with World Bank Group Environment, Health and Safety (EHS) Guidelines for construction activities. The plan will include procedures on incident investigation and reporting, recording and reporting of non-compliance, emergency preparedness and response procedures and continuous training and awareness to workers on a regular basis. The Borrower shall ensure that the ESS2 requirements are incorporated in: (a) the contracts between the Recipient and the Contractor and any entity (including the Owner’s Engineer) supervising the Project’s civil works; and (b) the contracts between the Contractor and any Contractors’ subcontractors.

All project staff will be provided with information and documentation that clearly presents their terms and conditions of employment. Any government workers working in connection with the project, on full or part-time basis, will remain subject to the terms and conditions of their existing public sector employment agreement, unless there is an effective legal transfer of their employment or engagement to the project.
This will be taken into account in a Labor management procedures instrument (LMP) following the requirements of the ESS2.

ESS3 Resource Efficiency and Pollution Prevention and Management
The rehabilitation/construction under the component 1.1 will involve consumption of energy, water and raw materials. The Borrower will develop, under the ESMF, site-specific ESIAs/ESMPs which will take into account adequate measures for improving efficient consumption of energy, water and raw materials, as well as other resources. It is anticipated that during the project implementation air emissions be generated due to transport vehicles, and dust generated by digging activities. Those most likely to be affected are workers and people living within the proximity of construction/rehabilitation sites. The implementation of mitigation measures such as dust
suppression and vehicle maintenance will be applied to minimize the impact of air emissions during construction/rehabilitation, and residual impacts are expected to be limited in scope and duration. Noise might likely be generated from the use of construction machinery and vehicle movements. The relatively short-term and small-scale nature of the works suggest that noise levels will not be excessive or cause long-term nuisances. The construction works will however, present short-term nuisance to the neighbors at some of the project sites. The Environmental and Social Management instruments to be prepared will include mitigation measures to minimize and manage the noise levels by applying standard restrictions to hours of site work. Construction/rehabilitation activities will generate solid waste which will primarily include excavated soil and solid wastes. The waste generated by the construction/rehabilitation works will largely be disposed of at approved sites in accordance with national laws and regulations.

ESS4 Community Health and Safety
The Borrower will evaluate the risks and impacts of the project on the health and safety of the affected communities that are living within or in the construction/rehabilitation areas, during the project life cycle. In addition, the PIU will identify, evaluate and monitor the potential traffic and road safety risks to workers, students, affected communities and road users during construction/rehabilitation and, where appropriate, will develop measures and plans to address them. The ESMF will provide an assessment of the current security situation and the impact of access to schools and GBV risks for teachers and students. The ESMF will make use of the general EHSGs and also more specifically the EHSGs for construction activities for the identified subprojects in relation to community health and safety.

ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement
The project activities do not involve land acquisition nor physical or economic displacement of populations as construction/rehabilitation of infrastructures are conducted within Teachers' Training Colleges (ENI).

ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources
This ESS is expected to be of minimal relevance to this project. The existing ENI are not located in the vicinity of legally protected areas or areas of high biodiversity values. Major parts of project activities are likely to happen on existing footprints. The project will not involve primary production and/or harvesting of living natural resources. Uprooting of trees and cutting of shrubs may be necessary under the rehabilitation/construction, but very minimal in general.

ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities
At this stage and considering the country knowledge related to Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, this ESS is currently considered as not relevant.
ESS8 Cultural Heritage
The ESMF will include in the screening process questions to prevent impacts on any known tangible or intangible cultural heritage. Since the project will be financing civil works, some excavation, movement of earth and impounding can be expected. These types of activities pose the possibility of encountering unknown cultural heritage. All construction contracts will include as described under ESS1, a “Chance Find” clause which will require contractors to stop construction in the event that cultural heritage sites are encountered during construction.

ESS9 Financial Intermediaries
Not relevant because the project will not finance activities that involve Financial Intermediaries.

C. Legal Operational Policies that Apply

| OP 7.50 Projects on International Waterways | No |
| OP 7.60 Projects in Disputed Areas | No |

III. WORLD BANK ENVIRONMENTAL AND SOCIAL DUE DILIGENCE

A. Is a common approach being considered?  
Financing Partners
The Common Approach is not relevant at this time

B. Proposed Measures, Actions and Timing (Borrower’s commitments)

Actions to be completed prior to Bank Board Approval:
- Preparation, consultation and disclosure of an ESMF
- Preparation, consultation and disclosure of the Stakeholder Engagement Plan (SEP)
- Institutional Capacity Assessment

Possible issues to be addressed in the Borrower Environmental and Social Commitment Plan (ESCP):
- Implementation of SEP;
- Development and Implementation of Institutional Capacity Strengthening Plan;
- Development and implementation of a proportional Health, Safety and Environmental (HSE) plan in line with World Bank Group Environment, Health and Safety (EHS) Guidelines (for construction activities).
- Labor Management Procedures
- Development of relevant ESIA/ ESMPs/NIES;
- Review and monitoring of Construction-ESMPs
- Monitor the environmental and social performance in accordance with the legal agreement.
C. Timing

Tentative target date for preparing the Appraisal Stage ESRS 08-Feb-2020

IV. CONTACT POINTS

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Implementing Agency(ies)
Implementing Agency: Ministries of Basic Education

V. FOR MORE INFORMATION CONTACT

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VI. APPROVAL

Task Team Leader(s): Pamela Mulet
Practice Manager (ENR/Social) Aly Zulficar Rahim Recommended on 07-Feb-2020 at 13:16:39 EST
Safeguards Advisor ESSA Hanneke Van Tilburg (SAESSA) Cleared on 11-Feb-2020 at 13:09:43 EST