Framework for Environment and Social Safeguards

(FESS)

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construction Management Unit-ECRUL

Department of Human Settlement -Ministry of Infrastructure and Transport

Royal Government of Bhutan

1. Background

The Enhancing Climate Resilience of Urban Landscapes (ECRUL) construction is a key initiative aimed at strengthening climate resilience in Bhutan's rapidly urbanizing cities of Thimphu and Paro. These cities face growing risks from riverine and surface flooding, cyclones, water stress, landslides, and forest fires, driven by changing climate patterns and urban pressures. The construction seeks to address these challenges through nature-based solutions, improved water management, climate-resilient infrastructure, and inclusive urban planning.

ECRUL will benefit over 146,000 residents by managing critical watershed areas, upgrading early warning systems, and constructing climate-resilient structures. The construction emphasizes gender-responsive approaches and community participation, empowering vulnerable groups, including women and youth, through climate adaptation initiatives and entrepreneurship.

To support effective implementation and ensure compliance with social and environmental safeguards, the construction requires a Local Consultant – Social and Environmental Safeguards Expert. This expert will provide technical guidance on safeguard policies, conduct social and environmental impact assessments, facilitate stakeholder engagement, and monitor safeguard compliance throughout major infrastructure activities. Working closely with the construction Management Unit (PMU) under the Ministry of Infrastructure and Transport (MoIT), the consultant will help ensure that ECRUL's interventions are socially inclusive, environmentally sustainable, and aligned with national and international standards.

2. Introduction

This framework provides a structured and comprehensive approach to integrating social and environmental safeguards into ECRUL construction constructions. It establishes the minimum requirements and procedures to identify, assess, manage, and monitor environmental and social risks and impacts associated with these constructions. The framework aims to ensure that all construction activities are conducted responsibly, minimizing adverse impacts on people and the environment while maximizing positive outcomes.

3. Policy Objectives

3.1. Prevent, mitigate, and manage negative social and environmental impacts.
3.2. Promote inclusive, rights-based, and sustainable development.
3.3. Protect the health, safety, and rights of workers and affected communities.
3.4. Ensure compliance with national laws and international best practices.
3.5. Foster stakeholder engagement, transparency, and effective grievance mechanisms.
3.6. Integrate environmental and social safeguards plan into the Bill of Quantities (BoQ).

4. Core Principles

4.1. Do No Harm: Avoid or minimize adverse impacts on communities and the environment.
4.2. Inclusiveness: Engage all stakeholders, including vulnerable and marginalized groups.
4.3. Transparency: Disclose construction information and decisions.
4.4. Accountability: Establish clear responsibilities and grievance mechanisms.

4.5. Continuous Improvement: Monitor, evaluate, and adapt safeguards as needed

5. Key Environmental Safeguards

5.1. Environmental Assessment and Management (EAM)

- Conduct EAMs for all major construction sites, including baseline studies through a checklist of potential environmental risk.
- Identify, predict, and evaluate potential environmental impacts.
- Develop Environmental Management Plans (EMPs) tailored to site specific risk and measures, such as:
    - Integrating topsoil conservation, and erosion control (silt fencing, sediment traps) into EMP for site clearance and earthworks.
    - Dust suppression measures (watering, covering stockpiles, paved access routes) for air quality management.
    - Addressing noise impacts by limiting construction hours and requiring noise-suppressing equipment.

5.2. Pollution Prevention and Resource Efficiency

- Minimize emissions, effluents, and waste generation.
- Promote efficient use of energy, water, and materials.
- Encourage recycling and use of sustainable, climate-resilient materials and tools.
- Incorporate the following:
    - Temporary waste management plans, segregated disposal, and use of approved landfills for construction and human waste.
    - Provisions for using treated or non-potable water for construction to prevent over-extraction of water resources.

5.3. Biodiversity and Natural Resource Protection

- Avoid or minimize impacts on critical habitats and ecosystems.
- Implement restoration or offset measures if impacts are unavoidable.
- Monitor biodiversity throughout the construction lifecycle.
- Specifically:
    - Avoid sensitive habitats and restore vegetated areas post-construction.
    - Prepare for and prevent fire hazards.

5.4. Site Rehabilitation

- Prepare and implement site rehabilitation plans for construction areas.
- Restore sites to agreed-upon conditions post-construction.

6. Key Social Safeguards

6.1. Social Impact Assessment

- Conduct baseline studies through a checklist of potential social risk.
- Screen for concerns to human rights, cultural heritage, displacements, vulnerable groups, and gender.
- Develop Social Management Plans (SMP) for identified risks such as:
    - Universal design principles to ensure accessibility for persons with disabilities (PwD) and gender-sensitive infrastructure.
    - Cultural sensitivity protocols to minimize disruption to local communities.

6.2. Stakeholder Engagement

- Identify and map stakeholders, including affected communities.
- Ensure meaningful consultations throughout the construction period.
- Prioritise culturally appropriate engagement methods to respect local traditions and customs.
- Document feedback and integrate into social management plans.

6.3. Labor and Working Conditions

- Enforce fair labor practices and prevent child or forced labor.
- Provide safe and healthy working environments by
    - Specifying provision of Personal Protective Equipment (PPE), training, clear signage, and fencing of hazardous zones.
    - Implementing a code of conduct, anti-harassment policies, and grievance mechanisms for workers.
    - Ensuring labor accommodation meets accepted standards.
- Prioritize local employment and transparent recruitment.

6.4. Community Health and Safety

- Assess risks related to construction activities (traffic, hazardous materials, etc.).
- Develop and implement a comprehensive Community Safety Plan, including:
    - Traffic management plans to reduce congestion and accident risks.
    - Emergency response plans to address potential accidents or health hazards.
- Ensure clear signage and fencing around hazardous areas to protect both workers and community members.

6.5. Grievance Redress Mechanism (GRM)

- Establish accessible and transparent channels for workers and Committees.
- Form a Grievance Redressal Committee to ensure prompt, fair, and culturally sensitive resolution of complaints.
- Align grievance procedures with the ECRUL GRM framework.

7. Implementation Procedures

7.1. Screening and Risk Assessment:

- Use the ECRUL ProDoc **Social and Environmental Screening Checklist** to identify potential environmental and social risks at the construction design stage. Classify risks as **low, moderate, or high**.

7.2. Mitigation Planning:

- Develop an **ESMP (EMP and/or SMP)** detailing mitigation measures, responsible parties, timelines, and monitoring indicators for all **moderate and high** category risks. Include contingency plans for emergencies.

7.3. Stakeholder Engagement:

- Identify stakeholders for all moderate and high category risks.
- Conduct consultations with affected communities, workers, and other stakeholders throughout the construction period. Document feedback and incorporate it into ESMP **(EMP and/or SMP)**.

7.4. Monitoring and Reporting:

- Regularly monitor environmental and social indicators. (weekly, monthly and end of construction)
- Submit monitoring reports to RPs and PTS, PMU.
- Adjust mitigation measures as needed based on monitoring reports.
- Monitoring activities must include but not limited to the following
    - Environmental Indicators: Dust levels, noise, and waste disposal using visual inspections and instrumental measurements.
    - Occupational Health & Safety: Standardized checklists and reports to ensure worker safety and compliance with safety protocols.
    - Community Grievances: Grievance log to promptly address and resolve community concerns.
    - Compliance with Safeguard Action Plans: Periodic site inspections to verify adherence to ESMP.

7.5. Capacity Building:

- Train construction workers, staff, contractors, and partners on safeguard requirements and implementation procedures.
- Conduct and facilitate outreach programs to train affected people on the social and environmental benefits of the construction.

8. Implementing Procedures and Responsibilities

SN	Activity	Responsibilities
1	Identify environmental and social risk	RPs and PTS-PMU/SES Expert
2	Develop draft ESMP (EMP and SMP)	RPs and PTS-PMU/SES Expert
3	Conduct social stakeholder consultation	SES Expert/RPs, PTS-PMU and relevant stakeholders
4	Incorporate feedback and finalise ESMP	RPs and PTS-PMU/SES Expert
5	Integrate ESMP with BoQs	RPs
6	Implement ESMP	SES Expert/PTS-PMU, Contractor, site supervisor/safety officer, and regulatory authorities (NEC, Immigration, Labour)
7	Develop capacity of affected people and /or construction workers/staff.	SES Expert/PTS-PMU
8	Prepare and submit ESMP (EMP and SMP) monitoring reports weekly and monthly.	SES Expert/PTS-PMU
9	Adjust ESMP (mitigation measures) from the monitoring reports.	RPs and PMU
10	Prepare and submit final ESMP Completion report.	SES Expert/PTS-PMU
11	Review and approve ESMP report for final payment of the construction.	PMU

9. Applicable Acts, Laws, Regulations and Standards for ESMP

The following Acts, Laws, Regulations and Standards shall apply but not limited to the following.

9.1. Environment Assessment Act 2000, Bhutan
9.2. Water Act of Bhutan 2011
9.3. Waste Prevention and Management Act 2009
9.4. Labour and Employment Act of Bhutan 2007
9.5. UNDP Social and Environmental Screening Procedure
9.6. Bhutan Environmental Codes of Practice (ECoP)
9.7. Bhutan Biodiversity Act, 2003
9.8. Thimphu Structure Plan, 2023.

The contractor prepares and submits the TSAP completion report after completion of the construction. The PTS PMU shall verify the report. The RPs shall disburse the Security deposit only after satisfactory review by the PTS PMU.

Social and Environmental Risk Screening Checklist
INSTRUCTIONS: Answers to the checklist questions help to (1) identify potential risks, (2) determine the overall risk categorization of the construction, and (3) determine the mitigation measures.

SN	Potential Social and Environmental Risks	Answer (Y/N
Principles 1 and 2: Leave No One Behind and Human Rights		
~~P1~~	~~Have local communities or individuals raised human rights concerns regarding the construction (e.g. during the stakeholder engagement process, grievance processes, public statements)?~~	~~No~~
P2	Is there a risk that duty-bearers (e.g. contractor, engineer, site supervisor, workers) do not have the capacity to meet their construction obligations?	Yes
~~P3~~	~~Is there a risk that rights-holders (e.g. affected persons in the locality) do not have the capacity to claim their right?~~	Yes
Would the construction potentially involve or lead to:		
P4	Adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups?	No
P5	Inequitable or discriminatory impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups, including persons with disabilities?	Yes
~~P6~~	~~Restrictions in availability, quality of and/or access to resources or basic services, in particular to marginalized individuals or groups, including persons with disabilities?~~	~~No~~
P7	Exacerbation of conflicts among and/or the risk of violence to construction affected communities and individuals?	No
Principles 3: Gender Equality and Women's Empowerment		
P8	Have women's groups/leaders raised gender equality concerns regarding the construction (e.g. during the stakeholder engagement process, grievance processes, public statements)?	No
Would the construction potentially involve or lead to:		
~~P9~~	~~Adverse impacts on gender equality and/or the situation of women and girls?~~	~~No~~

SN	Potential Social and Environmental Risks	Answer (Y/N
P10	Reproducing discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?	Yes
~~P11~~	~~Limitations on women's ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services? *For example, activities that could lead to natural resources degradation or depletion in communities who depend on these resources for their livelihoods and well being*~~	~~No~~
P12	Exacerbation of risks of gender-based violence? *For example, through the influx of workers to a community, changes in community and household power dynamics, increased exposure to unsafe public places and/or transport, etc*.	Yes
***Principle 4 and 5**: Sustainability and Resilience, and Accountability*		
Would the construction potentially involve or lead to:		
P13	Exclusion of any potentially affected stakeholders, in particular marginalized groups and excluded individuals (including persons with disabilities), from fully participating in decisions that may affect them?	Yes
~~P14~~	~~Grievances or objections from potentially affected stakeholders?~~	~~Yes~~
P15	Risks of retaliation or reprisals against stakeholders who express concerns or grievances, or who seek to participate in or to obtain information on the construction?	No
Construction-Level Standards		
Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management		
Would the construction potentially involve or lead to:		
S1.1	Adverse impacts to habitats (e.g. modified, natural, and critical habitats) and/or ecosystems and ecosystem services? *Ex. through habitat loss, conversion or degradation, fragmentation, hydrological changes.*	Yes
~~S1.2~~	~~Activities within or adjacent to critical habitats and/or environmentally sensitive areas, including (but not limited to) legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?~~	~~No~~
~~S1.3~~	~~Changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods? (Note: if restrictions and/or limitations of access to lands would apply, refer to~~	~~No~~

SN	Potential Social and Environmental Risks	Answer (Y/N
	~~Standard)~~	
~~S1.4~~	~~Risks to endangered species (e.g. reduction, encroachment on habitat)?~~	~~No~~
~~S1.5~~	~~Exacerbation of illegal wildlife trade?~~	~~No~~
S1.6	Introduction of invasive alien species?	Yes
S1.7	Adverse impacts on soils?	No
~~S1.8~~	~~Harvesting of natural forests, plantation development, or reforestation?~~	~~Yes~~
~~S1.9~~	~~Significant agricultural production?~~	~~No~~
~~S1.10~~	~~Animal husbandry or harvesting of fish populations or other aquatic species?~~	~~No~~
~~S1.11~~	~~Significant extraction, diversion or containment of surface or groundwater? *For example, construction of dams, reservoirs, river basin developments, groundwater extraction*~~	~~No~~
~~S1.12~~	~~Handling or utilization of genetically modified organisms/living modified organisms?[17]~~	~~No~~
~~S1.13~~	~~Utilization of genetic resources? (e.g. collection and/or harvesting, commercial development)~~	~~No~~
~~S1.14~~	~~Adverse transboundary or global environmental concerns?~~	~~No~~
Standard 2: Climate Change and Disaster Risks		
Would the construction potentially involve or lead to:		
S2.1	Areas subject to hazards such as earthquakes, floods, landslides, severe winds, storm surges, tsunami or volcanic eruptions?	Yes
~~S2.2~~	~~Outputs and outcomes sensitive or vulnerable to potential impacts of climate change or disasters? *For example, through increased precipitation, drought, temperature, salinity, extreme events, earthquakes*~~	~~No~~
~~S2.3~~	~~Increases in vulnerability to climate change impacts or disaster risks now or in the future (also known as maladaptive or negative coping practices)? *For example, changes to land use planning may encourage further development of floodplains, potentially increasing the population's vulnerability to climate change, specifically flooding*~~	~~No~~
~~S2.4~~	~~Increases of greenhouse gas emissions, black carbon emissions or other drivers of climate change?~~	~~No~~
Standard 3: Community Health, Safety and Security		
Would the construction potentially involve or lead to:		

SN	Potential Social and Environmental Risks	Answer (Y/N
~~S3.1~~	~~Construction and/or infrastructure development (e.g. roads, buildings, dams)? (Note: the GEF does not finance constructions that would involve the construction or rehabilitation of large or complex dams)~~	~~Yes~~
S3.2	Air pollution, noise, vibration, traffic, injuries, physical hazards, poor surface water quality due to runoff, erosion, sanitation?	Yes
S3.3	Harm or losses due to failure of structural elements of the construction (e.g. collapse of buildings or infrastructure)?	Yes
S3.4	Risks of water-borne or other vector-borne diseases (e.g. temporary breeding habitats), communicable and noncommunicable diseases, nutritional disorders, mental health?	Yes
~~S3.5~~	~~Transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g. explosives, fuel and other chemicals during construction and operation)?~~	~~Yes~~
S3.6	Adverse impacts on ecosystems and ecosystem services relevant to communities' health (e.g. food, surface water purification, natural buffers from flooding)?	No
S3.7	Influx of construction workers to construction areas?	Yes
S3.8	Engagement of security personnel to protect facilities and property or to support construction *activities*?	No
SA3.9	Are clear safety signage and instructions displayed at all relevant locations?	
SA3.10	Are hazardous zones *properly* fenced and restricted from unauthorised access?	
~~SA3.11~~	~~Has a comprehensive Community Safety Plan been developed and implemented?~~	
SA3.12	Is there a traffic management plan to reduce congestion and accident risks during construction?	
SA3.13	Are emergency response plans in place to address potential accidents or health hazards affecting the community?	
SA3.14	Are accessible and transparent channels established for workers and community members to submit grievances?	
SA3.15	Has a Grievance Redressal Committee been formed to ensure prompt, fair, and culturally sensitive resolution of complaints?	
Standard 4: Cultural Heritage		
Would the construction potentially involve or lead to:		

SN	Potential Social and Environmental Risks	Answer (Y/N
~~S4.1~~	~~Activities adjacent to or within a Cultural Heritage site?~~	No
S4.2	Significant excavations, demolitions, movement of earth, flooding or other environmental changes?	Yes
S4.3	Adverse impacts to sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)? (Note: constructions intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts).	Yes
~~S4.4~~	~~Alterations to landscapes and natural features with cultural significance?~~	No
~~S4.5~~	~~Utilization of tangible and/or intangible forms (e.g. practices, traditional knowledge) of Cultural Heritage for commercial or other purposes?~~	No
Standard 5: Displacement and Resettlement		
Would the construction potentially involve or lead to:		
S5.1	Temporary or permanent and full or partial physical displacement (including people without legally recognizable claims to land)?	No
S5.2	Economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocati	No
~~S5.3~~	~~Risk of forced evictions?~~	
	on)?	
		No
S5.4	Impacts on or changes to land tenure arrangements and/or community based property rights/customary rights to land, territories and/or resources?	No
Standard 6: Indigenous Peoples		
Would the construction potentially involve or lead to:		
S6.1	Areas where indigenous peoples are present (including construction area of influence)?	Yes
S6.2	Activities located on lands and territories claimed by indigenous peoples?	No
S6.3	Impacts (positive or negative) to the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the construction is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country	Yes

SN	Potential Social and Environmental Risks	Answer (Y/N
	in question)? *If the answer to screening question 6.3 is "yes", then Standard 6 requirements apply, and the potential significance of risks related to impacts on indigenous peoples must be Moderate or above.*	
S6.4	The absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories and traditional livelihoods of the indigenous peoples concerned?	No
S6.5	The utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples?	No
S6.6	Forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources? *Consider, and where appropriate ensure, consistency with the answers under Standard 5 above*	No
S6.7	Adverse impacts on the development priorities of indigenous peoples as defined by them?	No
S6.8	Risks to the physical and cultural survival of indigenous peoples?	No
S6.9	Impacts on the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices? *Consider, and where appropriate ensure, consistency with the answers under Standard 4 above.*	No
Standard 7: Labour and Working Conditions		
Would the construction potentially involve or lead to: (note: applies to construction and contractor workers)		
S7.1	Working conditions that do not meet national labour laws and international commitments?	No
S7.2	Working conditions that may deny freedom of association and collective bargaining?	No
S7.3	Use of child labour?	No
S7.4	Use of forced labour?	No
S7.5	Discriminatory working conditions and/or lack of equal opportunity?	Yes
S7.6	Occupational health and safety risks due to physical, chemical, biological and psychosocial hazards (including violence and harassment) throughout the life cycle?	Yes
SA7.7	Is PPE provided to all workers?	

SN	Potential Social and Environmental Risks	Answer (Y/N
SA7.8	Has a code of conduct been established and communicated to all workers?	
SA7.9	Are anti-harassment policies in place and enforced?	
SA7.10	Is there a grievance mechanism available for workers to report concerns?	
SA7.11	Does labor accommodation meet accepted health, safety, and welfare standards?	
Standard 8: Pollution Prevention and Resource Efficiency		
Would the construction potentially involve or lead to:		
S8.1	The release of pollutants to the environment due to routine or non-routine circumstances with the potential for adverse local, regional, and/or transboundary impacts?	No
S8.2	the generation of waste (both hazardous and non-hazardous)?	Yes
S8.3	The manufacture, trade, release, and/or use of hazardous materials and/or chemicals?	No
S8.4	~~the use of chemicals or materials subject to international bans or phase-outs? *For example, DDT, PCBs and other chemicals listed in international conventions such as the Montreal Protocol, Minamata Convention, Basel Convention, Rotterdam Convention, Stockholm Convention.*~~	No
S8.5	~~The application of pesticides that may have a negative effect on the environment or human health?~~	No
S8.6	Significant consumption of raw materials, energy, and/or water?	No

Define high, medium and low.

GEF nine minimal standards

What are safeguards?

Safeguards are policies and procedures designed to ensure that construction activities protect both people and the environment by effectively managing social and environmental risks.

Why are safeguards necessary?

They help prevent negative impacts associated with construction while safeguarding human rights and preserving ecological integrity.

Where are safeguards applied?

Safeguards are applied wherever construction activities occur, especially in areas within or near construction zones where social or environmental risks may exist.

When are safeguards implemented?

Safeguards are implemented throughout the entire construction period—from planning and execution to the completion and handover of the project by the contractor.

Who is responsible?

All stakeholders involved in construction activities—including Responsible Parties (RPs), the Project Management Unit, contractors, local communities, and UNDP staff—share responsibility for the effective implementation of safeguards.