Environmental and Social Safeguards Lesson; Zambia

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Sustainability in many internationally funded developments heavily lies on an efficiently and effectively applied Environmental and Social Safeguard policy. It cannot be overemphasised that the sets of safeguard policies, set up by a number of International Financing Institutions (IFIs), notably, the World Bank (WB), International Financing Corporation (IFC), Kreditanstalt für Wiederaufbau **(**KfW) to mention but a few, have improved project performance in terms management of undue adverse impact as well as enhance positive ones. The main objective of these safeguards being preventing and mitigating the adverse impacts on humans and their environment. Almost always, anthropogenic activities arising from projects cause a lot of harm to the environment and in the end the human itself.

This paper shall present a case study of a Zambian transmission project, laying down some major impacts that arose and many more that may arise in such projects, where safeguards are not efficiently and or effectively applied. The paper shall show consequences that arise from the above inadequacies, their likely causes and see how best to mitigate the flaws through timely introduction of the safeguards in the Environmental Impact Assessment (EIA) process. The Zambian Environmental Management (EMA) Act No. 12 of 2011 and Environmental Impact Assessment (EIA) Regulation, SI 28, in particular[1], was the main tool that was used in the above project. However, the non-application or the untimely or better still, the ineffectively and inefficiently applied Environmental and Social Safeguards(ESS)[2], gave rise to the negative impact in form of project overruns.

Recommendation from the lesson learnt is that initial involvement of Environmental and Social Safeguards need to be incorporated from the planning phase through to the decommissioning phase of the project, while the conclusion is that "respective country domesticated" Environmental and Social Safeguards may promote and allow for sustainable development.

Introduction

Environmental Social Safeguards (ESS) objectives include preventing and mitigating undue harm to people and their environment in the development process. The WBG has been instrumental in making sustained efforts, supporting, hydropower, transmission and distribution line infrastructure over the last decade. These environmental social safeguards will be replaced during 2018 with the Environmental and Social Framework (ESF)[3]. However, "The two sets of policies will operate in parallel for Seven years to govern projects approved before and after the date the ESF starts to be applied"[4].

Transmission line projects in Zambia, be it new or rehabilitation, are averagely not less than 200 kilometres long. Most if not in all of these projects involve sourcing of finances from International Financing Institutions (IFIs). These projects automatically trigger observation of ESS. The long distances that transmission lines traverse give rise to land acquisition and resettlement that eventually adversely impact on livelihoods of locals. Mitigation of the adverse impacts above, may only be achieved through the effective and efficient use of ESS, allowing for sustainability in the project development. Infrastructure development such as above are critical to delivering Zambia's growth, poverty reduction and creating broader sustainable developmental projects.

Background

This Case Study involves a transmission line upgrade project[5]. The line had an initial capacity of 220kV and over distance of 300km. The main objective of the project was to increase carrying capacity of the line by replacing the 220kV carrying conductor with one that would carry 330kV. The total cost of both projects and compensation, were determined even before sourcing of funds from the WB.

The sourcing of funds from the WB immediately attracted adherence to Environmental Social Safeguards. This was, however, not adequately communicated to the contractor, let alone effectively monitoring of the project for adherence to the same. This resulted in the major awareness exercise, Viz; Social Safeguards, being missed.

Legal, Institutional and International Frameworks.

Principal environmental law in Zambia is the Environmental Management Act (EMA) No. 12 of 2011. Institutionally, the Energy Regulation Act[6] and Electricity Act[7] take prominence. Indeed, there are other Zambian laws and regulations that are to be adhered to during the entire project phases, in order to ensure sustainability. These include, Land Act[8] (Three different Tenures), Land Acquisition Act[9], to mention but a few.

It is worth noting that worldwide, particularly where finances are sourced from WB or other IFIs, Environmental and Social Safeguards and or IFC Standards, are ranked high among the environmental tools used for sustainability in development of infrastructure. The Word Bank Group (WBG) Strategy, in its Environmental and Social Framework commits to the above through "A Vision for Sustainable Development"[10]. The WB's assurance to borrowers is that Social Safe Guards ensures sustainability in developmental processes.

Transmission line projects, of such nature as above, definitely attract the World Bank Social Safeguards (WBSS) management. Adverse impacts may arise through failure to apply and or comply with the WBSS and indeed many other projects involving IFIs. Adverse impacts may include; late compensation, late undertaking of resettlement action plans, mismanagement of contractual obligations (proponent /contractor/ financier), late or no Integrated Vector Management, impromptu payments to Project

Affected People (PAPs) even after Project Closure (PC). These unwarranted penalties lead to overheads.

Findings

Resettlement and compensation were adequately managed, with all PAPs receiving their entitlements prior to project implementation. However, a few months after project implementation and contractor demobilisation, social issues began to surface; One (1) of them was very evident and unique, as the family under discussion where in no way affected through loss of assets or land but pregnancy of a schoolgoing girlchild.

A grade 8 pupil, seventeen (17) year old girl and under the custody of her aged grandmother, had been impregnated by a Contractor's employee during project construction phase. This only came to light after Project Closure when the contractor/employee had demobilized and since left site, for South Africa and to their village of residences, respectively.

3.1 ZESCO's Inherited Responsibility

At its revelation, during a WB mission trip, deliberations between WB (the financiers) and ZESCO (the proponent), took place and the following were arrived at:

3.1.1 Welfare of the Aged Woman-headed Household in view of the pregnancy

ZESCO Limited committed itself to sustaining the family livelihood through empowering the grandmother with a capital outlay of K5,000 (Kwacha Five Thousand) for her to engage in trading of fast moving consumer goods needed by the locals in the area (such as soap, sugar and salt)

3.1.2 Upkeep of Mother during Pregnancy and Preparation of layette

The Company committed itself to contributing money towards upkeep and providing layette for the un-born child.

3.1.3 Continuation of Education for the Girlchild

ZESCO committed itself to meeting school requirements for the affected girl until she finishes her secondary school education.

3.1.3 Monitoring of Progress on Girlchild, Child

ZESCO staff have to travel (210Km), to and fro site, monitoring and report progress to WB, on a monthly basis.

Definitely resulted in overheads for ZESCO.

Lessons Learnt

Environmental and Social Safeguards (ESS) need to be incorporated from the planning phase through to the decommissioning phase of the project. However, lessons learnt from the case under review presented the following:

i. **Environmental and Social Impact Assessment (ESIA) and - Environmental and Social Management Plan (ESMP)[1]**
The ESIA and its ESMP, with little emphasis on incorporating WBSS, did not adequately deal with the social issues that arose from the project. Non-monitoring of Labour camps (ESS4and awareness raising on consequences of labour force and community interaction.

ii. **Obligations – Proponent and Contractor**
There was no clear understanding of how or who to ultimately be responsible to manage social impacts that arose at Project Closure. ZESCO ended up inheriting the issue.

iii. **Nature of Most Social Issues**
Social issues, unlike environmental, are seldom tangible and or obvious. They are mostly of a secret and intimate nature and the affected may not wish to disclose in the public domain.

iv. **Onset of Social Issues on Project**
Social issues usually arise long after project implementation. Example of these being; HIV and AIDs, where the infected may not disclose their status to the unsuspecting community. A slight increase in STIs figures, from the labour force, were recorded, at the project clinical. It follows that with the increase in STIs figures, at the project clinic, there could be a possibility of new HIV/AIDs case. Though actual figures are not published in this report, for obvious reasons, the above was attributed to the project

Others cases include; numbers of pregnancies and wedlock children in the project area. However, when such information comes to light, the proponent incurs penalties from IFIs and certainly from the WB, for not instituting Social Safeguards.

v. **Cultural Connotations**
Given the cultural setting in the immediate project area, the populace is matrilineal and polygamous, it is an acceptable norm to have extra-marital affairs. Social issues are also dependant of norms and traditions (Culture) in respective areas of development.

Recommendation and Conclusion

Authors identify that one cannot overemphasise on the application of WBSS throughout all project phases of an infrastructure development project, especially when funded by the IFIs, the World Bank in particular.

The authors recommend that while WBSS are a very important aspect of sustainability in development for infrastructure development, WB and all other IFIs should develop policy frameworks that shall easily be domesticated, in respective countries without drastically affecting or overriding local policies (law and regulations) including cultural practices. The use of the currently realised World Bank's Environmental and Social Framework (ESF)[11], that has 10 Environmental Social Standards (ESS) together with the WB Environment and Social Safeguards, with its Operation Procedures, are a promising tool and may suffice, but yet to be tested over the next 7 years they are set to work together.

In conclusion, environmental risks and impacts on projects in Zambia, where multi-cultural practices cover over 72 tribes and dialects[12], may be very complicated and unpredictable. These are not only intimate but dwell on the wellbeing of person(s) deeply rooted in tradition and cultural norms. Responsibilities in ESIA and ESMP documents may be specified, but the dividing line between Proponent and Financier, need to be adhered to, as explicitly stated in ESS1; Assessment and Management of Environmental and Social Risk and Impacts. Domesticated ESS are a real sustainable tool!

References

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