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WORLD BANK

PROGRAM-FOR-RESULTS FINANCING

Sustainable Urban and Rural Water Supply Sanitation and Hygiene Program for Results (SURWASH) (P170734)

ENVIRONMENT AND SOCIAL SYSTEMS ASSESSMENT (ESSA)

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LIST OF ACRONYMS

AP	National Action Plan for the Revitalization of Nigeria's Water, Sanitation, and Hygiene Sector
CDA	Community Development Association
CHS	Community Health and Safety
CMU	Country Management Unit
CPF	Country Partnership Framework
CPS	Country Partnership Strategy
CSO	Civil Service Organization
CVA	Credible Verification Agent
DLI	Disbursement-linked Indicator
DLR	Disbursement-linked Result
DPG	Development Partners Group
EA	Environmental Assessment
EC	Eligibility Criteria
ERGP	Economic Recovery and Growth Plan
E&S	Environmental and Social
ESSA	Environmental and Social Systems Assessment
FCT	Federal Capital Territory
FGN	Federal Government of Nigeria
FMEnv	Federal Ministry of Environment
FMH	Federal Ministry of Health
FMoF	Federal Ministry of Finance
FMWR	Federal Ministry of Water Resources
FPIU	Federal Program Implementation Unit
FSA	Fiduciary Systems Assessment
FTCF	Fast Track COVID-19 Facility
FY	Fiscal Year
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GHG	Greenhouse Gas
GoN	Government of Nigeria
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
HCI	Human Capital Index
HCF	Health Care Facilities
IBRD	International Bank for Reconstruction and Development
IDA	International Development Association
IEC	Information, Education, and Communication
IPF	Investment Project Financing
IT	Information Technology
LGA	Local Government Area
M&E	Monitoring and Evaluation
MDA	Ministries, Departments and Agencies
NAWIS	National Water Information System
NEC	National Economic Council

NESREA	National Environmental Standards and Regulations Enforcement Agency
NGF	Nigeria Governors Forum
NGO	Non-Governmental Organization
NTGS	National Task Group on Sanitation
NWRI	National Water Resources Institute
O&M	Operations and Maintenance
ODF	Open Defecation Free
OHS	Occupational Health and Safety
PAD	Program Appraisal Document
PAP	Program Action Plan
PDO	Program Development Objective
PEWASH	Partnership for Expanded Water Supply, Sanitation, and Hygiene
PforR	Program for Results
PIU	Program Implementation Unit
POM	Program Operations Manual
PPSD	Program Procurement Strategy for Development
PWDs	People living with Disabilities
RA	Result Area
RUWASSA	Rural Water Supply and Sanitation Agency
SBCC	Social and Behavior Change Communication
SCD	Systematic Country Diagnostic
SDG	Sustainable Development Goal
SEA/SH	Sexual Exploitation Abuse/Sexual Harassment
SEP	Stakeholder Engagement Plan
SIASAR	Rural Water and Sanitation Information System
SMWR	State Ministry of Water Resources
SPIU	State Program Implementation Unit
SSC	State Steering Committee
STWSSA	Small Town Water Supply and Sanitation Agency
SWA	State Water Authority
SWB	State Water Board
SWC	State Water Corporation
TA	Technical Assistance
TBO	Toilet Business Owner
ToR	Terms of Reference
UN	United Nations
UNICEF	United Nations Children's Fund
WASH	Water Supply, Sanitation, and Hygiene
WSS	Water Supply and Sanitation

EXECUTIVE SUMMARY

1. The World Bank is proposing to support the Government of Nigeria (GoN) with a Program for Results (PforR) instrument in a program referred to as Nigeria Sustainable Urban and Rural Water Supply, Sanitation and Hygiene Program for Results (SURWASH) (hereafter, the Program). The Program will support the implementation of the National Action Plan (NAP or 'AP') for the Revitalization of Nigeria's WASH Sector. The NAP serves as the Government's overall strategy and vehicle for investment and sector reforms to attain the SDGs for WASH and provides a strategy to ensure that all Nigerians have access to sustainable and safely-managed WASH services by 2030, in compliance with the Sustainable Development Goals (SDGs) for Water (Goal 6.1) and Sanitation (Goal 6.2). The Program will target rural, small town and urban water supply.

2. The proposed Program takes a hybrid approach to financing via supporting a Program for results and an investment policy loan focusing on technical assistance. in order to support Government of Nigeria in achieving its objective: (i) a US$640 million Program-for-Results (PforR); and (ii) a US$60 million Technical Assistance (TA) component for states and select Federal institutions, which will be implemented as an IPF to address critical institutional development and capacity gaps within implementing institutions. The ESSA focuses on environmental and social concerns associated with the Program and will be supporting the mitigation, management and monitoring efforts of the seven selected front runner states to be supported under the Program.

3. The Program's implementation and institutional arrangements will follow existing structures as established in the National Water Supply and Sanitation Policy 2000 and later elaborated upon in the AP 2018 and, for rural communities, in the Partnership for Expanded Water Supply, Sanitation and Hygiene (PEWASH) Program Strategy 2016-2030. At the National level, the Federal Project Implementation Unit (FPIU) has been set up within the Federal Ministry of Water Resources (FMWR) as the implementing agency. It will be responsible for overall Program design, implementation oversight, and M&E, as well as for procurement and implementation of federal activities, namely TA. State level PIUs will be established within all Program states, and will be responsible for Program design, implementation oversight, and M&E for all activities within their state. Program funds will be channeled through the Federal Ministry of Finance directly to the states in accordance with the cost-sharing agreement with the FMWR. As states will be responsible for achieving the program results, they will lead implementation of the PforR component. At the State level, the State Ministry of Water Resources (SMWR), or equivalent state-level agency responsible for WASH, will lead state-level policy reform and sector coordination.

4. Under the PforR Component, the proposed Program is expected to contribute to two key result areas and seven disbursement linked indicators (DLIs) to achieve the Program Development Objective (PDO). The Program's two Results Areas under the PforR are: RA 1. Strengthened Sector Policies and Institutions for Improved Services; and RA 2. Improved Access to Water Supply, Sanitation and Hygiene Services.

5. Results Area 1: Strengthened Sector Policies and Institutions for Improved Services (US$85 million IDA): The RA will support activities designed to enact necessary policy reforms and enhance the capacity of institutions required for effective and sustainable service delivery, including the FMWR, state and local governments, service providers, technical assistance providers, and community-based organizations. The RA will involve two DLIs, namely, DL1 National WASH Fund established and operational (US$50 million IDA) and DL2 Design and implementation of a State policy, institutional, and regulatory (PIR) Plan and annual performance assessment (APA) (US$35 million IDA).

6. Results Area 2: Improved Access to Water Supply, Sanitation and Hygiene Services (US$555 million IDA): This RA will support an integrated package of investments to expand access to and use of WASH services in urban and rural areas and small towns. The Program embraces an LGA-wide approach to WASH, whereby participating LGAs will be supported to address critical gaps simultaneously in water supply, sanitation, and hygiene, and within communities, public institutions and public places. It includes the development of priority infrastructure to improve water supply service delivery, supports the implementation of the Clean Nigeria: Use the Toilet Campaign to improve sanitation and hygiene practices, and the development of WASH infrastructure in institutions (schools and healthcare facilities) and public places (markets, motor parks, etc.).

7. RA 2 covers five DLIs as follows:
    a. DLI 3. People provided with basic drinking water service under the Program.
    b. DLI 4. People with access to a sustainably functioning water service.
    c. DLI 5. Households with improved sanitation facilities constructed or rehabilitated under the Program.
    d. DLI 6. Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status.
    e. DLI 7. Schools and healthcare facilities with functional, improved water supply, sanitation and handwashing facilities constructed or rehabilitated under the Program.

8. The PforR component will not support certain high-risk activities and these will be excluded from financing under the Program. Excluded activities include the construction or rehabilitation of wastewater treatment plants, the desilting of surface waters, and large-scale water (surface and groundwater) resource infrastructure, including large dams or activities involving the allocation or conveyance of water, such as inter-basin water transfers or activities resulting in significant changes to water quality or availability. Furthermore, other proposed activities with an uncertain level of risk could be subject to additional screening mechanism for acceptability. Such activities include, but are not limited to, the construction or rehabilitation of water treatment plants and fecal sludge treatment facilities; and the large-scale construction of water supply mains. Large scale land acquisition for any Program activity is also deemed high risk which cannot be funded under the PforR. Any Program activity that entails large scale resettlement or livelihood displacement of more than 100 Project Affected Persons (PAPs) will not be funded by the PforR. For any resettlement below 100 PAPs, the implementing agencies will prepare

Resettlement Action Plans (RAPs).An exclusion list of high-risk E&S activities has been prepared which specifies activities/ impacts that will not be eligible for funding under the PforR as per the policies of the Bank. The exclusion list is presented in Annex 7.

9. The Environmental and Social Systems Assessment (ESSA) examines the extent to which the Federal and State Government's existing environmental and social management systems operates within, an adequate legal and regulatory framework to guide environmental and social impact assessments, mitigation, management and monitoring at the PforR Program level; and incorporate recognized elements of good practice in environmental and social assessment and management. The ESSA thereafter defines measures to strengthen the system and recommend measures that will be integrated into the overall Program. The ESSA is undertaken to ensure consistency with six core principles and key planning elements of PforR ESSA.

10. The ESSA was prepared by Bank team through a combination of detailed reviews of existing Program materials and available technical literature, including policies, regulations, guidelines and examples of due diligence and design documents, interviews and extensive consultations with government staff (Federal, State and LGA levels), non-governmental organizations, regulatory agencies, private sector organizations and sector experts associated with the WASH sector. An environmental and social risk screening was undertaken at the concept stage. The ESSA process was informed by the Bank Guidance on PforR Environmental and Social System Assessment (September 2020).

11. Consultations were carried out prior to the development of the ESSA despite the COVID-19 pandemic. Initial consultations held with government officials and with a large group of stakeholders over a period led to the formulation of SURWASH Program. The outcomes of those consultations are embedded in this Program and influenced its design. Different stakeholders were consulted across the three tiers of government. Some consultations were also carried out prior to the development of the ESSA. In all consultations, complete adherence to GoN, tier one states' COVID-19 and the World Bank's guideline on consultation during the pandemic were followed under the context of the Pandemic and the need for remote communication. World Bank specialists undertook a series of meetings and consultations with different stakeholders, including federal, state and local government agencies and Non-Governmental Organizations (NGOs) The consultations were virtual via Webex meetings. Consultations were held for Program States, namely Delta, Ekiti, Gombe, Imo, Kaduna, Katsina, Plateau, and the Federal team. The teams comprised of top government officials responsible for the environmental and social management and WASH sector in the States including Commissioners of Water Resources Permanent Secretaries of relevant ministries, etc.

12. In line with the six core principles namely: 1) Environment 2) Natural Habitats and Cultural Resources 3) Public and Worker Safety 4) Land Acquisition 5) Vulnerable Groups and 6) Social Conflict, the relevant E&S risks associated with the Program and within the proposed Result Areas (RAs) under the PforR cover environmental and social issues include:

a. Generation and need for disposal and management of excavated material and other construction waste generated from construction/rehabilitation activities during the construction phase
b. Occupational health and safety of workers both during the construction and operational phases,
c. Occupational Health and Safety (OHS) issues both COVID-19 and non-COVID-19
d. Increased level of dust, noise and vibration from moving of construction vehicles and machinery, community health and safety risk, including nuances during the construction period and impacts that can come about due to unsound operation of WASH facilities Pollution of surface and groundwater sources due to mismanagement of WASH facilities during operational phase.
e. Generation of wastewater and fecal sludge from sanitation facilities and treatment processes.
f. Risk of exclusion of vulnerable and marginalized individuals / groups/disability exclusion, elite capture, SEA/SH, Capacity to capture beneficiaries etc.
g. Possibility of gender-based violence (GBV) and intimate partner violence (IPV) as programs that provide cash transfer and other social support can, in some circumstances, be associated with increases in GBV and IPV
h. Risk of spread of sexually transmitted diseases (like HIV/AIDs) and unwanted pregnancies due to influx of contractors
i. Safety risks if the sanitation facilities and water infrastructure are in poorly lit places or at long distances away from habitations.
j. Social conflicts in some Tier 1 states which may hinder implementation of the SURWASH program.

13. The environmental and social risks of proposed interventions have been assessed and deemed to be **Substantial**. Specific environmental risks have been assessed and deemed to be substantial due to geographically dispersed nature of supported small- to medium-scale civil works such as the construction and rehabilitation of WASH infrastructure in urban and rural communities, small towns, local institutions, schools, health facilities and public spaces across seven Tier 1 states. Civil works and household-level sanitation and hygiene activities will likely generate adverse site-specific risks and impacts, such as those stemming from the generation and disposal of excavated material and other construction waste generated from construction/rehabilitation activities during the construction phase, occupational health and safety of workers during construction and operational phases, increased levels of dust, noise and vibration from moving of construction vehicles and machinery, and community health and safety risks including nuances during the construction phase and impacts due to unsound operation of WASH facilities, in particular, the risk of pollution to surface and groundwater sources during construction and from wastewater and fecal sludge management systems. .

14. If the processes of management of environmental and social impacts pertaining to design, siting civil works and operations are not stringently managed and monitored throughout the process of implementation this may lead to significant impacts. While potential impacts could lead to adverse E&S consequences although less severe and diverse and reversible

with appropriate mitigation measures, gaps in the client's system to screen, address and manage environmental and social risks, elaborated further in this ESSA, indicate that the processes for risk screening need to be strengthened and the risks associated remain substantial. E & S risks are exacerbated due to poor capacity within the WASH agencies to effectively manage these E&S risks, which is currently assessed as weak, especially at the LGA level. Proposed ESSA recommendations to be implemented by the Client will require considerable capacity building which will help reduce the risks over time as the program is implemented. The weaknesses in the CLIENT'S system and possible lack of capacity to address the environmental and social impacts may limit the PforR' s ability to achieve its environmental and social objectives if ESSA recommendations are not institutionalized and implemented via the Program.

15. Some analysis was carried out to determine the range of environmental and social risks and benefits that are associated with the PforR program based on each of the DLIs. The PforR program will deliver some direct and indirect environmental and social benefits. The Program activities will have benefits for both the environment and the population (clean environment, access to drinking water service, improvement of living conditions, improvement of hygiene, etc.)due to improved and sustainable water and sanitation services, and reduced air pollution due to proper sanitation and hygiene management. Also, installation of meters proposed to be carried out as part of achieving **DLI 3** (Number of people provided with access to a basic drinking water service), could lead to reduced energy consumption and energy savings (with climate co-benefits) if smart meters are installed.

16. Associated activities may lead to cutting vegetation and impacts on fauna species thereby leading to loss of biodiversity. There could also be cumulative impacts due to pre-existing environmental conditions and other rehabilitation activities (in the schools and health facilities) not associated with the PforR. In addition, there is a potential for an increased energy use for generation of water, which may increase greenhouse gas (GHG) emissions although the plan to prioritize the use of solar systems in rural and small towns water supply can help ameliorate GHG. Moreover, installation of meters may lead to the generation of e-waste as old ones and malfunctioning ones will be removed. Also, the depletion of ground water due to increased and sustainable supply to customers may affect ground water dependent terrestrial ecosystems that will suffer from reduced water availability.

17. The SURWASH PforR has many social benefits that will result from the achievement of the DLIs. Sustainable access to potable drinking water will lead to enhanced and accelerated health gains due to reduced incidence of diseases especially water borne diseases (diarrhea, cholera, bilharzia, guinea worm, filariasis, dengue fever and some other opportunistic diseases etc.). Reduced disease incidence due to access to clean drinking water will lead to increased life expectancy. There will also be more hours available for work which will in turn lead to enhanced income and welfare and better quality of life for the people and reduced incidence of poverty and vulnerability to shocks and increased economic growth. Also, increased access to drinking water will save the labor used for fetching water, especially for women, and thus result in enhanced income and livelihoods of women. Increase in number of people with access to basic drinking water service will indirectly offer some political gains especially in terms of political stability and enhanced

cooperation of citizens in government activities. Furthermore, increasing access to water services in schools will help facilitate basic sanitation and hygiene practices and thus reduce incidence of water borne diseases especially, diarrhea, in schools, enhance teaching and learning and positive educations outcomes.

18. The social risks of this Program have been assessed and deemed to be substantial. Anticipated social risks include impacts due to land acquisition for construction (permanent and temporary), labor risks due to workforce brought into rural areas by contractors, occupational and health risks of workers and resultant impacts on community health and safety, impacts on cultural heritage, GBV, SEA and SH issues as a result of potential influx due to work force under the program and improved water and sanitation infrastructure, spread of communicable diseases like HIV/AIDs and potential conflict. There are also risks if the sanitation facilities and water infrastructure are not located with due consultation with communities. There could also be safety and social exclusion risks especially for women and vulnerable persons if facilities are in poorly lit places or at long distances away from habitations. There could also be inequities and gender discrimination in the selection of schools and hospitals for construction and rehabilitation of water facilities. There could be risks associated with the use of child labor and exposure to COVID-19. Other risks especially associated with DLI7 are disruption of academic activities and disruption of operations in health facilities which may lead to loss of an academic period, loss of income, and unintended health consequences (even death of patients who may not be able to receive urgent medical attention during the period of disruption).

19. Following the identification of environment and social risks, the E&S management system in place to manage the identified risks were assessed in the seven participating Program States and the Federal agencies. The assessment was done using the following criteria: strengths of the system, or where it functions effectively and efficiently and is consistent with Bank Policy and Directive for Program-for-Results Financing; inconsistencies and gaps between the principles espoused in Bank Policy and Directive for Program-for-Results Financing and capacity constraints; actions to strengthen the existing system. Information from this analysis, identification of gaps and opportunities/actions, were used to inform the recommendations and Program Action Plan (PAP).

20. The recommendations are as follows:

- There is a need to modify some aspects of the EIA system to ensure that social assessments are fully covered and that impacted communities are consulted from the beginning until the end of the review process. Currently, effective monitoring of the EIA process is imperative. In this regard, government (state and federal) should create a tracking system to monitor environmental and social risks performance during program implementation. Social aspects of EIA process and E&S tracking system to be included in the POM;
- State governments should ensure that controls and staffing are included in the procurement, contractor selection, and supervision phases of civil works; Such requirements to be reflected in the POM;

- State governments should build and strengthen the capacity of technical staff and the PIUs to be able to manage and monitor environmental assessments processes, environmental pollutions, hazards and other environmental issues in the state. In the long run, there is need to equip the State Ministries of Environment with necessary facilities and equipment (including laboratory) to be able to monitor and report environmental issues (pollution, degradation, hazards etc.) in the states;
- State governments should develop guidelines and manuals for mainstreaming stakeholder engagement process, environmental, and OHS issues into the implementation of the Program, as further set out in the POM; The World Bank Groups' Environmental Health and Safety guidelines will be adapted for environmental and OHS issues and incorporated into the Program Operational Manual (POM). The manual should help guide the operation of potential contractors and workers and laborers (including those involved in subprojects) who are part of SURWASH Program. The POM guidelines should contain the requirement of adequate on-site training on OHS issues to workers and laborers, provision of personal protective equipment (PPE) and other guidelines relating to specific WASH activities;
- States should conduct environmental and social screening of Program activities (including, inter alia, against the Exclusion List and criteria for ensuring no Natural Habitats or sites of Physical cultural resource of importance are impacted either via siting or proximity to project interventions). An independent verification agent will prepare quarterly E&S monitoring reports on the proper application of the screening tool and the requirements set out in the POM, the status of implementation of the Program action plan and ongoing Program activities in the participating states, carry out bi-annual review and monitoring of progress on environmental and social issues and conduct annual environmental and social audits. This is to ensure compliance of the Program activities with the environmental and social standards and regulations and screening mechanism set out in the POM;
- Strengthen stakeholder engagement and any existing GRM at the state and community level and build the confidence of the beneficiaries on the system GRM.
- States without an agency responsible for grievance redress and peaceful resolution of disputes should institute a legal framework and create a department to facilitate grievance redress. Affected states should also set up community level GRM systems and conflict resolution committee (through relevant traditional rulers/ institution) to address conflict related to water users and other conflicts related to marginalization of ethnic minorities in the Program;
- States without a gender-based violence response team should quickly set up a Response Team for quick response to issues of GBV in the states and support it with robust public enlightenment program about the evils of Sexual Exploitation and Abuse and Sexual Harassment. States without Gender Policy should set in motion the process of developing their gender policy which will contain guidelines and processes of preventing discrimination against vulnerable groups and PWDs;
- All sub- projects should be designed to include universal access for all persons living with disability and ensure accessibility to the very poor and all minority ethnic groups in the program, as further reflected in the POM; and

- All State governments in collaboration with the Program, should adopt and implement a voluntary land donation (VLD) protocol to screen all land selected for community WASH projects to ensure that all land chosen for projects are community land, government land or individual land freely donated and free of all encumbrances. The land donation protocol must include the principle of informed consent and the power of choice, monitoring mechanism and grievance redress mechanism. As indicated in the exclusion criteria, any land selected for projects that will involve displacement / resettlement will not be eligible. The land acquisition and donation requirements will be set out in POM.

21. Following the recommendations, the actions to be included in the Program Action Plan (PAP) with indicative timeline, responsibility for implementation and indicators for measuring the completion of such actions are detailed in the Table ES1 below.

Table: ES1: Program Action Plan (PAP)

s/n	Action Description	Due Date	Responsible Party	Completion Measurement
1	Engagement of qualified ENB and SSI Officers and provide capacity building/system strengthen program to strengthen their skills	Prior to Effectiveness	State PIUs/Federal PIU and World Bank as part of the IPF TA workplan	Inclusion of the listed specialist in the team and maintained throughout the Program implementation; and Training Module and Implementation Support Supervision Report of World Bank Task team
2	Ensuring that a robust E&S screening mechanism is in place to guide environmental and social management of proposed interventions, guided by a comprehensive manual which will include inter alia the Exclusion List set out in Annex 7 [to be included in the POM] Use the E&S screening mechanism for the preparation of all activities under the Program	Prior to effectiveness Throughout the life of the Program	State PIUs/Federal PIU	Screening mechanism manual prepared and submitted to the Bank Verification Agent to submit quarterly reports to the Bank

3	Hire a credible verification agent (CVA) to conduct quarterly review of progress on environmental and social risks, especially regarding the compliance of the Program activities with the PAP and the E&S due diligence (based on the screening tool and requirements set out in the POM) CVA to conduct quarterly reviews	Prior to effectiveness Within every 3 months during program implementation	State PIUs/Federal PIU	Contract and TORs acceptable to the Bank Verification Agent to produce and submit Quarterly reports to the Bank including the progress of the implementation of actions
4	Establish and include within the Program Operational Manual (POM), a comprehensive E&S manual for E&S due diligence as well as social guidelines for participating states to explore core social inclusion activities such as gender, SEP, SEA/H, resettlement issues and protection of vulnerable groups Use the POM requirements for the preparation of all activities under the Program	Prior to effectiveness During the life of the Program	State PIUs/Federal PIU	Completed guidelines disseminated to stakeholders, training provided, and the guidelines operationalized
5	Establishment a strong GRM System to ensure that the stakeholders are well sensitized ahead of any project implementation	Prior to the start of activities in the relevant State	State PIUs, LGs and WASHCOMS	Appropriate GRM protocol and staffing is in place
6	Establishment of gender-based violence (GBV) response Committee at the state level to proactively create a safe place for all gender related issues.	Prior to the start of activities in the relevant State	State PIUs, LG, and WASHCOMS	First Minutes of Committee Meeting including the Committee composition satisfactory to the Bank

SECTION I: PROGRAM DESCRIPTION AND SCOPE

1.1 Introduction

22. The Government of Nigeria (GoN) has recognized the importance of WASH in the context of the ongoing global COVID-19 Pandemic situation that has also impacted the country. As part of the Government's broader COVID-19 response, the Federal Ministry of Water Resources is expediting a three-month WASH sector emergency response plan totaling almost US$26 million. In addition, the World Bank is supporting critical WASH interventions to complement the public health --focused Nigeria COVID-19 Preparedness and Response Project (P173980) under the Fast Track COVID-19 Facility (FTCF). Program financing will support emergency measures to ensure the provision of safe water and hygiene services in healthcare facilities and temporary isolation centers as well as within affected communities, with an emphasis on poor and vulnerable populations.
23. Beyond the current crisis, access to water supply, sanitation and hygiene (WASH) is an important determinant of human capital outcomes, including early childhood survival, health and educational attainment – all of which in turn affect labor productivity and efficiency. Approximately 73 percent of the total burden of enteric infections in Nigeria is associated with inadequate WASH. About 253,800 WASH attributable deaths occurred in Nigeria in 2016, with 119,900 of those deaths occurring from diarrheal diseases. There is robust evidence that access to safe water supply and improved sanitation decreases the incidence of diarrhea in young children. Also, a large part of the chronic malnutrition burden is owing to the unhygienic environment in which children grow up, often a result of high levels of open defecation across densely populated areas. Access to WASH can impact years of schooling by freeing up time that children spend collecting water to attend school, reducing the prevalence of disease that can keep them out of school, and contributing to a safe and healthy learning environment while at school. Gender inequities exacerbate such impacts on human capital.
24. Safely managed WASH services are an essential part of preventing disease and protecting human health during infectious disease outbreaks, including the current COVID-19 pandemic. One of the most cost-effective strategies for increasing pandemic preparedness, especially in resource-constrained settings, consists of investing to strengthen core public health infrastructure, including water and sanitation systems. Good and consistently applied WASH and waste management practices serve as essential barriers to waterborne diseases and to human-to-human transmission of infectious diseases in communities, homes, health care facilities, schools, and other public places.
25. Provision of safely managed WASH services is also critical during the recovery phase of a disease outbreak to mitigate secondary impacts on community livelihoods. These secondary impacts, which could include disruptions to supply chains and inability to pay bills or even panic-buying, have negative impacts on the continuity and quality of water and sanitation services, the ability of schools, workplaces, and other public spaces to maintain effective hygiene protocols when they re-open, and therefore the potential for further disease outbreaks such as cholera where the disease is endemic. Three out of four of the jobs worldwide are water-dependent (UN Water, 2016), meaning that water-related projects have a crucial role in mitigating the effects of the crisis on employment and fostering economic growth in the years to come. Given the labor-intensive nature of water supply and sanitation interventions, investments in WASH have a tremendous potential for job creation; previous

stimulus packages have been estimated to result in 17,600 man-days of work in direct and indirect jobs for every million USD invested in the sector.

26. All three tiers of government play a role in the delivery of WASH services, constrained by a lack of clarity for sanitation and significant variation in legal and institutional frameworks across states. At the national level, the Federal Ministry of Water Resources (FMWR) is responsible for policy making, oversight, and investment support for water resources management and development (surface water and groundwater), water supply and sanitation, and irrigation and drainage. With respect to sanitation, both the FMWR and the Federal Ministry of Environment (FMEnv) claim responsibility. While the FMEnv is responsible for the overall coordination of environmental sanitation in Nigeria and the provision of wastewater and fecal sludge management, President Buhari's 2019 Executive Order 009 entrusted the FMWR with leading the national campaign to end open defecation Ultimately, the responsibility for the delivery of all WASH services rests with state and local governments, both of which exhibit significant variation in legal and institutional frameworks. Under the reform agenda, state waster authorities (SWAs) are gradually taking on the responsibility of sanitation service delivery.

1.2 Program Description

27. The World Bank is proposing to support the GoN with a Program for Results (PforR) instrument in a program referred to as Sustainable Water Supply Sanitation and Hygiene for (SURWASH) (hereafter, referred to as the Program). The Program will support the implementation of the National Action Plan for the Revitalization of Nigeria's WASH Sector (the 'Action Plan' or AP). The AP[1] serves as the Government's overall strategy and vehicle for investment and sector reforms to meet the objectives of the Sustainable Development Goals (SDGs), namely SDG 6 on Clean Water and Sanitation, focused on the WASH sector. As the responsibility for WASH service provision rests with state governments, participating states are required to develop their own 5-year state Action Plans for the sector that better detail the state-level actions to be implemented, which are then translated into state-level annual investment plans. The proposed Program Development Objective (PDO) of the PforR are to increase access to water, sanitation, and hygiene services and strengthen sector institutions in select states of Nigeria. The progress towards the PDO achievement will be monitored through the following PDO level outcome indicators:

    (a) Number of states achieving PIR plan targets annually
    (b) Number of people provided with access to a basic drinking water service (number, disaggregated by gender, urban/rural)
    (c) Number of people provided with access to an improved sanitation facility (number, disaggregated by gender, urban/rural)
    (d) Number of communities or local government areas (LGAs) that achieve and/or sustain community-wide sanitation status (declared and verified as ODF+).

[1] The National Action Plan for the Revitalization of Nigeria's WASH Sector (AP) provides a strategy to ensure that all Nigerians have access to sustainable and safely managed WASH services by 2030, in compliance with the SDGs for Water (Goal 6.1) and Sanitation (Goal 6.2). It seeks to both strengthen and expand Nigeria's WASH services while simultaneously improving their effective management and sustainability. The AP comprises five components that must be addressed in parallel: Governance, Sustainability, Sanitation, Funding and Financing, and M&E.

(e) Number of schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated (number, disaggregated by urban/rural

28. This proposed US$700 million lending operation will be implemented by participating states and the FMWR to deliver an integrated package of WASH interventions in select urban and rural areas and small towns of Nigeria. The Program will pursue an LGA-wide approach, whereby all communities will be targeted within each Program LGA. LGAs will be prioritized by states through a transparent selection process using established criteria. The Program takes a hybrid approach to financing via supporting a PforR component and an IPF component as follows: (1) a US$640 million performance-based financing component for state governments, which will be implemented as a PforR; and (2) a US$60 million Technical Assistance (TA) component for states and select Federal institutions, which will be implemented as an IPF to address critical institutional development and capacity gaps within implementing institutions.. Relevant ESF instruments, for the IPF component include: Stakeholder Engagement Plan (SEP), Appraisal Environmental and Social Review Summary (ESRS), Labor Management Plan (LMP), and Environmental and Social Commitment Plan (ESCP) have been prepared by the GoN and will be publicly disclosed prior to project appraisal by the Bank and the GoN.

29. Under the PforR Component, the proposed Program is expected to contribute to two key result areas and seven Disbursement Linked Indicators (DLIs) to achieve the PDO:

- RA 1. Strengthened Sector Policies and Institutions for Improved Services (US$85 million IDA);
- RA 2. Improved Access to Water Supply, Sanitation and Hygiene Services (US$555 million IDA);

30. The proposed Result Areas and DLIs are shown in Table 1.1 below.

Table 1.1 Disbursement-Linked Indicators

RA 1: Strengthened Sector Policies and Institutions for Improved Services		**US$85M IDA**
DLI 1	National WASH Fund established and operational.	US$50M IDA
DLI 2	Design and implementation of a State PIR Plan and APA to achieve required reforms.	US$35M IDA
RA 2: Improved Access to Water Supply, Sanitation and Hygiene Services		**US$555M IDA**
DLI 3	People provided with basic drinking water service under the Program.	US$213.5M IDA
	Sub-DLI 3.1: Performance improvement of state water supply sector institutions and service providers.	*US$47.5M IDA*
DLI 4	People with access to a sustainably functioning water service.	US$33.3M IDA
DLI 5	Households with improved sanitation facilities constructed or rehabilitated under the Program.	US$141.05M IDA
	Sub-DLI 5.1: Performance improvement of state sanitation sector institutions and service providers.	*US$47.5M IDA*
DLI 6	Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status.	US$16.65M IDA
DLI 7	Schools and healthcare facilities with functional, improved water supply, sanitation and handwashing facilities constructed or rehabilitated under the Program.	US$55.5M IDA

31. One of the required reforms that will be part of the State PIR plan under DLI2 incentivizes the Operationalization of a WASH E&S screening and assessment mechanism. The expected output/outcome is an established screening and assessment mechanisms (guided by a E&S due diligence comprehensive manual) as a required reform in each state's PIR plan, at the same level that other critical sector functions; and satisfactory annual implementation of requisite mechanism laid out in the manual for screening, assessment and compliance monitoring. The CVA will assess the establishment and the operationalization of the screening mechanism to determine how functional the screening mechanism for infrastructure activities are being used and determine if used as intended.

1.3 Program Implementation and Institutional Arrangements

32. The Program's implementation and institutional arrangements will follow existing structures as established in the National Water Supply and Sanitation Policy 2000 and later elaborated upon in the AP 2018 and, for rural communities, in the Partnership for Expanded Water Supply, Sanitation and Hygiene (PEWASH) Program Strategy 2016-2030. At the National level, the Federal Project Implementation Unit (FPIU) has been set up within the Federal Ministry of Water Resources (FMWR) as the implementing agency. It will be responsible for overall Program design, implementation oversight, and M&E, as well as for procurement and implementation of federal activities, namely TA. SPIUs will be established within all Program states, and will be responsible for Program design, implementation oversight, and M&E for all activities within their state. Program funds will be channeled through the Federal Ministry of Finance directly to the states in accordance with the cost-sharing agreement with the FMWR.

33. As states will be responsible for achieving the program results, they will lead implementation of the PforR component. At the State level, the State Ministry of Water Resources (SMWR), or equivalent state-level agency responsible for WASH, will lead state-level policy reform and sector coordination. To support the implementation of the Program in each state, a state steering committee (SSC) will be established for overall state-level coordination and policy guidance in each of the participating states. The membership of the committee shall include representation from the key MDAs responsible for achieving the DLIs. The state water commissioner or equivalent will chair the state steering committee. The SSC will approve the Program annual work plan and budget, prepared by the SPIU, and monitor and evaluate the performance of the SPIU and overall state-level Program results. The SPIU, meanwhile, will be responsible for management and implementation of state-level Program components, as well as for supervision and M&E of LGA-level activities. It will provide TA to Program LGAs for planning and implementing local projects. The SPIU will promote the use of performance contracts and, where possible, promote commercially viable tariff structures.

34. Although each state's SSC and SPIU will be led by the SMWR, both entities will be composed of representatives of the state-level MDAs responsible for each subsector. Although particular MDAs vary from state to state, they will generally include the following institutions, or equivalent: (1) the Rural Water Supply and Sanitation Agency (RUWASSA) for rural WASH, (2) the Small Town Water Supply and Sanitation Agency (STWSSA) for

small town WASH, (3) the State Water Authority (SWA) for urban water supply, and (4) the state urban sanitation authority. State Ministries of Environment and other MDAs with overlapping mandates will also be included.

35. At the Federal level, the FMWR is responsible for overall WASH policy reform, the allocation of national-level financial resources, and coordination between states, development partners, and other key stakeholders. While the PEWASH Coordination Office maintains responsibility for overall rural WASH subsector coordination, investment management, and oversight, a Federal Steering Committee (FSC) will be responsible for overall Program coordination and policy guidance. The FSC will approve the Program annual work plan and budget, prepared by the FPIU. The FSC will also monitor and evaluate the performance of the FPIU and overall Program results. The FSC is chaired by the FMWR Permanent Secretary and includes all state commissioners and state permanent secretaries, as well as development partners and other stakeholders. The FPIU will be responsible for overall Program management and implementation, and jointly with the World Bank Program team, the development of a detailed verification protocol.

36. The FPIU's key functions are to: 1) administer capacity assessments of relevant state agencies and implement required TA to additional (non-Program) states to strengthen required capacities for Program implementation; 2) lead program communications and outreach activities from the government side; 3) lead M&E activities for the overall program (not the individual state performance assessments carried out by the CVA) analyzing overall program performance, and results monitoring, as well as identifying Program-related gaps and how TA can address them; 4) ensuring compliance with the ESSA requirements, PAP, procurement and fiduciary management guidelines, and other World Bank standards; 5) oversee DLR verification including engagement of a CVA; 6) disburse annual PforR financing to the states on the basis of the APA results from the CVA; 7) provide accounting and reporting for the Program; 8) act as the interface with the Bank's supervision and implementation support team; and 9) act as the secretariat for the Central Steering Committee. Its work will be guided by the POM. The FPIU's capacity to carry out its responsibilities will be strengthened through the TA component, which may involve the hiring of required specialists or consulting firms.

1.4 Program Boundaries and Activities

37. The PforR will support the implementation of a subset of actions set out in the AP within a limited number of states. Participating states in the Program have been selected in a transparent process through the use of pre-determined criteria. The actions to be supported under the Program are limited based upon restrictions associated with the PforR instrument. The PforR has two result areas as follows:

38. **Results Area 1: Strengthened Sector Policies and Institutions for Improved Services** (US$75 million IDA): The RA will support activities designed to enact necessary policy reforms and enhance the capacity of institutions required for effective and sustainable service delivery, including the FMWR, state and local governments, service providers,

technical assistance providers, and community-based organizations. The RA will involve two DLIs, namely, DL1- National WASH Fund established and operational (US$50 million IDA) and DL12- Design and implementation of a State PIR Plan and APA to achieve required reforms. (US$35 million IDA).

39. **Establishment of National WASH Fund (US$50 million IDA).** Support to the FMWR under this RA specifically incentivizes the establishment of the National WASH Fund, which the NAP identifies as the key intergovernmental mechanism "to promote a renewed Federal-State partnership towards the credible pursuit of the SDGs" by improving efficiency in public spending and service delivery. As such, the Fund would facilitate acceleration in the delivery of sustainable and climate-resilient WASH investment projects in Program States that are equitable, effective, efficient and economical in the use of investment, energy, and water resources. As an intermediate step, critical milestones towards the consolidation and expansion of the PEWASH, for which the financing is to be subordinated to the Fund once established, will also be incentivized.

40. **State Policies and Institutions Strengthening (US$35 million IDA).** Support to state- and local-level sector policies and institutions will be accomplished through a set of incentives designed to strengthen the PIR enabling environment. This will ultimately result in the improved sustainability and efficiency of WASH services that build resilience to Nigeria's climate risks. In order to account for the heterogeneity in institutional arrangements at state level, each state will be supported in developing and approving their own PIR plan that outlines a series of annual targets towards the establishment and effective operationalization of state- and local-level sector institutions, as well as an appropriate E&S screening and assessment mechanism. State progress in implementing their PIR plan will be assessed on an annual basis through an annual performance assessment (APA). See section II.E. for additional detail on the PIR plans.

41. **Results Area 2: Improved Access to Water Supply, Sanitation and Hygiene Services** (US$565 million IDA): This RA will support an integrated package of investments to expand the access and use of WASH services in urban and rural areas and small towns. The Program embraces an LGA-wide approach to WASH, whereby participating LGAs will be supported to address critical gaps simultaneously in water supply, sanitation, and hygiene, and within communities, public institutions and public places. It includes the development of priority infrastructure to improve water supply service delivery, supports the implementation of the Clean Nigeria: Use the Toilet Campaign to improve sanitation and hygiene practices, and the development of WASH infrastructure in institutions (schools and healthcare facilities) and public places (markets, motor parks, etc.). In addition, RA2 supports relevant state implementing agencies in preparing Performance Improvement Action Plans (PIAPs) to incentivize and track performance improvement. The Program will prioritize women while supporting the development of local entrepreneurs, artisans, technicians, and suppliers of spare parts for infrastructure and WASH materials. The details are as follows:

42. **Urban Water Supply:** In recognition of the underutilization of existing water networks nationwide, the program will place an emphasis on rehabilitation activities and small scale

works that improve the use and efficiency of existing infrastructure. Specific activities will vary based upon state needs, but may include: (a) the expansion of access to improved water supply through installation of metered household connections, public stand posts and water kiosks; (b) the rehabilitation of water supply infrastructure to boost production, including the rehabilitation of production facilities and pump and treatment plant components replacement; (c) the improvement of power supply to production facilities; (d) the rehabilitation of distribution networks, including leak detection and repairs; (e) the installation of bulk, zonal, commercial, and domestic meters; (f) the rehabilitation and furnishing of customer service centers, central stores, and electrical and mechanical workshops; (g) the expansion of water quality testing capacity through the renovation and construction of laboratories; (h) the development of water master plans; and (i) the development of feasibility studies for selected urban centers.

43. **Rural and Small-Town Water Supply:** The Program will support infrastructure development to increase sustainable access to improved water supply through both the development of new and the rehabilitation of existing water points and schemes, in adherence with the standards elaborated in the POM. RA 2 will also support the continued functionality of supported water points and schemes by promoting effective infrastructure operations, management, and maintenance by service providers and ongoing technical and financial support by relevant government institutions.

44. **Sanitation and Hygiene:** This will involve the development and use of sanitation and hygiene services through the Clean Nigeria: Use the Toilet Campaign by means of:
    a. a set of household-level sanitation and hygiene activities tailored to the local context, including (1) gender-sensitive community-driven total sanitation facilitation; (2) sanitation marketing; (3) hygiene and safe water handling, storage and treatment promotion; and (3) child-focused social and behavior change communication (SBCC) aiming to improve hygiene practices and promote the construction and use of latrines;
    b. provision of incentives to help the poorest households, with special provisions for households with persons with limited mobility, to access safely managed sanitation; and
    c. Information, Education and Communication (IEC) activities to promote the development of local actors such as artisans and small businesses to participate in the delivery of sanitation products and services across the entire sanitation service chain.

45. The Program could finance the construction of fecal sludge treatment plants subject to the additional screening mechanism for acceptability described in paragraph 50 below to support the safe management of excreta in urban areas when appropriate and based on the recommendations of environmental and social risk and capacity assessments.

46. **WASH in Institutions and Public Spaces:** Finally, RA 2 will support the construction and rehabilitation of water supply and sanitation facilities and handwashing stations in institutions (schools and HCF in accordance with relevant Federal Ministry of Education [FMEdu] and FMH guidelines) and public spaces (markets, motor parks, etc.) with a focus

on child and women safety and comfort and adequate provisions for menstrual hygiene management (MHM).

47. Result Area 2 covers the following 5 DLIs:

DLI 3. People with basic drinking water service under the Program.
Sub-DLI 3.1: Performance improvement of state water supply sector institutions and service providers.
DLI 4. People with access to a sustainably functioning water service.
DLI 5. Households with improved sanitation facilities constructed or rehabilitated under the Program.
Sub-DLI 5.1: Performance improvement of state sanitation sector institutions and service providers
DLI 6. Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status.
DLI 7. Schools and healthcare facilities with functional, improved water supply, sanitation and handwashing facilities constructed or rehabilitated under the Program.

1.5 Excluded Activities

48. The Program will exclude activities that do not meet the World Bank's Policy on eligibility for PforR financing (September 2020). The Client shall ensure that the Program excludes any activity which, in the opinion of the World Bank, are likely to have significant adverse impacts that are sensitive, diverse or unprecedented on the environment and/or requires significant land acquisition, displacement and or resettlement of affected people.

49. Excluded activities include the construction or rehabilitation of wastewater treatment plants, the desilting of surface waters, and large-scale water (surface and groundwater) resource infrastructure, including large dams or activities involving the allocation or conveyance of water, such as inter-basin water transfers or activities resulting in significant changes to water quality or availability.

50. Furthermore, other proposed activities with an uncertain level of risk could be subject to additional screening mechanism for acceptability. Such activities include, but are not limited to, the construction or rehabilitation of water treatment plant and fecal sludge treatment facilities; and the large-scale construction of water supply mains. Large scale land acquisition for any Program activity is also deemed high risk which cannot be funded under the PforR. Any Program activity that entails large scale resettlement or livelihood displacement of more than 100 Project Affected Persons (PAPs) will not be funded by the PforR. For any resettlement below 100 PAPs, the implementing agencies will prepare Resettlement Action Plans (RAPs).An exclusion list of high-risk E&S activities will be prepared which will specify activities/ impacts that will not be eligible for funding under the PforR as per the policies of the Bank. The exclusion list is presented in Annex 7.

1.6 Scope of the Environmental and Social Management System Assessment (ESSA)

51. The ESSA for the program examines the extent to which the Federal and State Government's existing environmental and social management systems: operates within, an adequate legal and regulatory framework to guide environmental and social impact assessments, mitigation, management and monitoring at the PforR Program level; It evaluates how the system incorporates recognized elements of good practice in environmental and social assessment and management, via due diligence including: (i) early screening of potential impacts; (ii) the consideration of strategic, technical, and site alternatives (including the "no action" alternative); (iii) explicit assessment of potential induced, cumulative, and transboundary impacts; (iv) the identification of measures to mitigate adverse environmental or social risks and impacts that cannot be otherwise avoided or minimized; (v) clear articulation of institutional responsibilities and resources to support implementation of plans; and (vi) responsiveness and accountability through stakeholder consultation, timely dissemination of the PforR Program information, and responsive grievance redress mechanisms; among others. Based on these findings the ESSA thereafter defines measures to strengthen the system and recommend measures that will be integrated into the overall Program. The ESSA is undertaken to ensure consistency with six core principles as defined by the World Bank's policies for PforRs and key planning elements defined for conducting ESSAs for such financing instruments.

52. This ESSA has been prepared for the SURWASH Program to ensure consistency with the "core principles" outlined in the World Bank's policy for the PforR instrument to effectively manage the Program's risks and impacts while promoting sustainable development. These six core principles are:

1) **Environment:** To promote environmental and social sustainability in the Program design; avoid, minimize, or mitigate adverse impacts, and promote informed decision-making relating to the Program's environmental and social impacts.
2) **Natural Habitats and Cultural Resources:** To avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program.
3) **Public and Worker Safety**: To protect public and worker safety against the potential risks associated with: (a) construction and/or operations of facilities or other operational practices under the Program; (b) exposure to toxic chemicals, hazardous wastes, and other dangerous materials under the Program; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.
4) **Land Acquisition:** To manage land acquisition and loss of access to natural resources in a way that avoids or minimizes displacement, and assist the affected people in improving, or at the minimum restoring, their livelihoods and living standards.
5) **Vulnerable Groups:** To give due consideration to the cultural appropriateness of, and equitable access to, Program benefits, giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups.
6) **Social Conflict:** To avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.

53. In line with the six core principles above, the relevant risks associated with the SURWASH Program and within the proposed Result Areas (RAs) under the PforR covers environmental and social issues and include:

a. Generation and need for disposal and management of excavated material and other construction waste generated from construction/rehabilitation activities during the construction phase;
b. Occupational health and safety of workers both during the construction and operational phases;
c. Occupational Health and Safety (OHS) issues both COVID-19 and non-COVID-19
d. increased level of dust, noise and vibration from moving of construction vehicles and machinery;
e. Community health and safety risk, including nuances during the construction period and impacts that can come about due to unsound operation of WASH facilities;
f. Pollution of surface and groundwater sources due to mismanagement of WASH facilities during operational phase;
g. Generation of wastewater and fecal sludge from sanitation facilities and treatment processes;
h. Risk of exclusion of vulnerable and marginalized individuals / groups/disability exclusion, elite capture, SEA/SH, Capacity to capture beneficiaries etc.;
i. Possibility of gender-based violence (GBV) and intimate partner violence (IPV) as programs that provide cash transfer and other social support can, in some circumstances, be associated with increases in GBV and IPV;
j. Risk of spread of sexually transmitted diseases (like HIV/AIDs) and unwanted pregnancies due to influx of contractors;
k. Safety risks if the sanitation facilities and water infrastructure are located in poorly lit places or at long distances away from habitations; and
l. Social conflicts in some Tier 1 states which may hinder implementation of the SURWASH program.

54. The details of applicability of Core Environmental and Social Principles (CP) to Nigeria SURWASH Disbursement Linked Indicators (DLIs) is presented in Annex 1.

1.7 Objectives of this ESSA

55. The specific objectives of this ESSA are to:

- Identify the potential environmental and social impacts/risks applicable to the Program's interventions;
- Review all relevant Nigerian policy and the legal framework of the Government of Nigeria (GoN) and relevant State Governments related to management of environmental and social impacts of the Program's interventions;
- Review the environmental and social due diligence and management procedures and institutional responsibilities that are being used by the GoN for the SURWASH program
- Assess institutional capacity within the institutions of the WASH sector and Environmental and Social management within the public sector operating systems of the GoN put in place for environmental and social impact management within the Program system;

- Assess the Program's system performance with respect to the core principles of the Program-for-Results (PforR) instrument as well as to identify gaps in the Program's performance.
- Recommended actions to fill gaps identified that will be embedded into the Program Action Plan (PAP) to strengthen the Program's performance with respect to the core principles on Environment and Social of the PforR instrument to ensure sustainable implementation via good due diligence.

56. The environmental and social risks have been assessed and deemed to be **Substantial.** Specific environmental risks were assessed as substantial because the program involves the construction and rehabilitation due to the geographically dispersed nature of supported of WASH infrastructure across seven Tier 1 states. If the processes of management of environmental and social impacts pertaining to design, siting civil works and operations are not stringently managed and monitored throughout the process of implementation this may lead to significant impacts on the ground. While potential impacts could lead to adverse E&S consequences although less severe and diverse and reversible with appropriate mitigation measures, gaps in the CLIENT'S system to screen, address and manage environmental and social risks, elaborated further in this ESSA, indicate that the processes for risk screening need to be augmented and thus the risks associated remain substantial. E & S risks are exacerbated due to poor capacity within the WASH agencies to effectively manage these E&S risks, which is currently assessed as weak, especially at the LGA level. Proposed ESSA recommendations to be implemented by the Borrower will require considerable capacity building which will help reduce the risks over time as the program is implemented. The weaknesses in the CLIENT'S system and possible lack of capacity to address the environmental and social impacts may limit the PforR's ability to achieve its environmental and social objectives if ESSA recommendations are not duly institutionalized and implemented via the Program.

1.8 Approach of ESSA

57. The ESSA was prepared by Bank team through a combination of detailed reviews of existing program materials and available technical literature, including policies, regulations, guidelines and examples of due diligence and design documents, interviews and extensive consultations with government staff, non-governmental organizations, regulatory agencies, private sector organizations and sector experts associated with the WASH sector. The findings, conclusions and opinions expressed in the ESSA are those of the Bank based on the analysis conducted.

58. An environmental and social risk screening of proposed activities was undertaken at the concept stage. The purpose of the screening was to:

- Confirm that there are no activities which meet the defined exclusion criteria included in the PforR in line with the Bank Guidelines for the ESSA; and
- Establish the initial scope of the ESSA. This includes identification of relevant systems under the PforR and relevant stakeholders for engagement and consultations.

59. The ESSA process was informed by the Bank Guidance on PforR Environmental and Social System Assessment (September 2020). The guidance sets out core principles (See Section I.5) and planning elements used to ensure that PforR operations are designed and implemented in a manner that maximizes potential environmental and social benefits while avoiding, minimizing or mitigating environmental and social harm.

60. Following the initial screening, the system review was conducted using a two-step approach:

- Identification of relevant systems that are pertinent to the ESSA was addressed in Section IV which presents an overview of relevant government environmental and social management systems; and
- Assessment of CLIENT'S environmental and social management systems for consistency with the applicable Core Principles including capacity and enforcement of certain environmental and social measures, was addressed in Section V while environmental and social recommendations was addressed in Section VI.

SECTION II: STAKEHOLDER CONSULTATION

61. This section provides a summary of the stakeholder consultation activities undertaken for the ESSA as well as future engagement activities for ESSA disclosure.

62. The ESSA process included extensive stakeholder consultations and disclosure of the ESSA Report, in accordance with the World Bank Policy and Directive for Program for-Results Financing and Access to Information Policy. At present, the ESSA consultation process is embedded in the Program consultation process. Feedback from stakeholders have been instrumental in designing and revising the Program Action Plan, indicators, and program operations manuals and appraisal documents via providing data and details on the existing situation, management status and priorities for the WASH sector in the various project States

63. Initial consultations held with the government and with a large group of stakeholders over a period led to the formulation of SURWASH Program. The outcomes of those consultations are embedded in this Program and influenced its design. Different stakeholders were consulted across the three tiers of government. Those consulted at the Federal level included:

- Federal Ministry of Water Resources (FMWR)
- FPIU, SURWASH Program
- FPIU NUWSRP3
- National Task Group on Sanitation (NTGS),
- Clean Nigeria Campaign Secretariat
- Partnership for Expanded Water Supply, Sanitation and Hygiene (PEWASH)
- Nigeria Water Resources Institute (NWRI)
- National Water Resources Council
- Federal Ministry of Environment (FMEnv)
  - Environmental Health & Sanitation Division

Those consulted at the state level (Kaduna, Ekiti, Gombe, Delta, Plateau, Imo and Katsina)

- State Commissioners of Water Resources
- Permanent Secretaries of relevant ministries,
- State Ministry of Water Resources (SMWR)
- State Water Boards and Corporations (SWB/SWC)
- State Project Implementation Units (SPIU)
- PEWASH teams
- State Ministry of Environment
- State Ministry of Gender Affairs and Social Development
- State Ministry of Labor
- State Ministry of Education (FME) to support institutional WASH
- State Ministry of Health to support institutional WASH
- State Ministry of Works & Housing

Those consulted at the Local Government level included:

- Rural Water Supply and Sanitation Agencies (RUWASSAs) and Small Towns Water Supply and Sanitation Agencies (STWSSAs)
- LGA WASH Departments/Units
- community-level WASH committees (WASHCOMs)/ Water Consumer Associations (WCAs) or other community water providers
- CSO/NGOs/CBOs (Federal/State/Local level)

Some consultations were also carried out prior to the development of the ESSA. In all consultations, complete adherence to GoN, tier one states' COVID-19 and the World Bank's guideline on consultation during the pandemic were followed under the context of the Pandemic and the need for remote communication. World Bank specialists undertook a series of meetings and consultations with different stakeholders, including federal, state and local government agencies, NGOs.

64. The consultations were virtual via Cisco Webex meetings. Consultations were held for States SURWARSH team from the tier one states, namely Delta, Ekiti, Gombe, Imo, Kaduna, Katsina, Plateau, and the Federal team. The teams comprised top government officials responsible for the environmental and social management and WASH sector in the States including Commissioners of Water Resources, Permanent Secretaries of relevant ministries, etc. The environmental and social issues, the questionnaire and discussion points used for the consultation (see Annex 3) were sent to participants prior to the meetings. The list of participants is presented in Annex 4. The schedule of the consultations with the respective States and the Federal team is shown in Table 2.1.

Table 2.1: Schedule of consultation with the States and the Federal Teams

Date	Nigeria Time	State
Tuesday Dec 8, 2020	10.00am- 12.30pm	Kaduna
	1.00 -3.30pm	Imo
	4.00 -6.30pm	Plateau
Wednesday Dec 9, 2020	1.00 -3.30pm	Katsina
	1.00 -3.30pm	Delta
Thursday Dec 10, 2020	10.00am- 12.30pm	Ekiti
	1.00-3.30pm	Federal
Monday Dec 14, 2020	9.00-11.30 am	Gombe

65. During the consultation, the detail of the PforR program was presented to the participants after which some questions were raised which each of the State representatives were given time to respond. The states were thereafter requested to respond to the questions in writing and forward to the World Bank team with supplementary documentation also attached to support the responses provided. Following the consultation plan, the States were also requested to submit additional documents relating to their environmental and social systems and institutional frameworks. Some states were thereafter contacted for further information on specific issues where clarification and further elaboration was required to complete the findings. Summaries of the key questions/discussion points and responses from the

stakeholders are presented in Table 2.2, 2.3 and 2.4 for Result Area 1 and 2 respectively. The full detail of the questions/discussion points and their responses per State is presented in Annex 3. The outcomes of the consultations have been incorporated into the ESSA and the proposed Program Action Plan.

Table 2.2: Result Area 1 Key questions and discussion points and responses from the representatives from States

Result Areas	Key Questions	Responses
RA 1: Strengthened sector policies and institutional capacity for improved services	What specific laws, regulations, procedures, legislation or other mandatory legal instruments through which to ensure that the technical capacity for assessing and managing E&S risks, preparing or reviewing ESIAs, supervising environmental management on construction sites and WASH assets/supervising OHS aspects.	Most of the States indicated that they have environmental laws but apply the National EIA Act. No. 86, 1992 as the overarching instrument for Environmental Assessment and due diligence on E&S. Kaduna State has the Kaduna Environmental Protection Authority (KEPA) and competent staff in the headquarters and zonal offices responsible for ESIA. In addition, the states of Delta, Gombe, Ekiti, Katsina and Plateau also have designated agencies focusing on Environmental Management defined by a state specific EPA law.
	Do you have an environmental law and regulation in your state?	All the States have environmental law and agencies. While applying the EIA Act. No.86 1992 all states have domesticated EPA laws establishing the state environmental protection agencies and their mandates.
	Does the law and regulations in your state contain environmental assessment requirements for projects and procedures for carrying it out?	Plateau, Katsina, Kaduna, Imo, Ekiti, Delta and Gombe refer to the processes in the National EIA regulations.
	Do you have an EIA process in your state or follow that of the EIA Act of the Federal Government?	Ekiti, Gombe, Imo, Plateau and Katsina follow the Federal Government EIA Process. Kaduna has an EIA process in the State although the Federal is responsible for transboundary projects. Delta indicated that they have an EIA process.
	Are EIA certificates given at the completion of ESIAs for proposed activities?	Imo, Plateau and Katsina State depends on the FMEnv to facilitate the EIA/ESIA process. Kaduna and Delta issue EIA certificates.
	Do you have labor laws in your state? If yes, does it cover the issues of child labor especially for the water sector? Do you have any past experiences with child labor issues?	The States rely on the Federal Labor Law. Ekiti Child Right Law is domiciled in the Ministry of Women Affairs. Delta has no experience with child labor issues.
	Do you have OHS standards for WASH related infrastructure/services and contractors operating in your state? If yes, what are the means of enforcement?	The Kaduna EPA (KEPA) indicated that OHS is mandated within the Ministry of Health. Imo includes OHS as part of contract documents for civil works. Ekiti has Standard Operating Principals (SOPs) that was developed via the

Result Areas	Key Questions	Responses
		support of UNICEF. Delta indicated that OHS is imbedded in the WASH policy. The state of Gombe adopts the Federal procedure for OHS. Plateau State has domiciled an Occupational and Health Safety Policy in Building Construction Projects. None for Katsina.
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the water sector.	All Program States have waste management laws. Kaduna registered 5 dumpsites for construction debris and waste. All states have sites for waste disposal that have been identified and designated by the respective state EPA. However, the State of Ekiti has no fecal waste disposal sites within its state boundaries and partake in the transboundary transport of waste, including from WASH facilities to designated sites in Ondo State as per formal state to state agreements.
	Do you have the appropriate staff strength and qualifications of staffing assigned for environmental and social management?	Adequate and appropriate staff, who are technically trained and experienced in conducting E&S due diligence and monitoring, are not available in the states of Ekiti, Imo, Plateau and Katsina. Kaduna has adequate staff (KEPA has 7 staff in EIA unit, 10 staff in each of the 3 zonal offices). Delta and Gombe indicated that they have staff however of minimal numbers All states have indicated the need to increase the manpower in terms of staff strength that focus on E&S.
	What are the processes for Information Dissemination, Public Disclosure, and Communication	In all States, all reports pertaining to the WASH sector and subsequent E and S assessments, are advertised on print and electronic media and displayed publicly for 21 working days at State and LGA levels. The states also use social media to conduct communication and information dissemination among stakeholders, via tools such as WhatsApp and designated Facebook pages.
	Are there non-state actors such as NGOs that play important roles in the WASH sector in your state?	Non-State actors are present and active in the WASH sector in the states of for Delta, Ekiti, Gombe, Imo, Plateau, Katsina, Kaduna.
	Do you have requisite skill sets to collect and process WASH data related to environmental and social issues? Do you collect data related to project siting and convenience for women, the physically challenged and the vulnerable? Do you collect data on gender issues, harassment and exclusions?	Skills for data collection on key E and S areas are not undertaken in Plateau and Katsina. Kaduna has small laboratories and a Central laboratory for water quality analysis. The KEPA has public complaints unit. Imo representatives indicated that they have a laboratory for testing water quality, and they collect data. Ekiti indicated that they collect relevant data with Staff trained under

Result Areas	Key Questions	Responses
	Do you collect data related to project grievances? How do you escalate project related grievances and manage feedback system with stakeholders?	WSSSRPIII and NUWSRP-3. Delta and Gombe indicated that they have requisite skills and that they undertake data collection along the inquired areas.
	What mechanisms do you have in place to measure the E&S parameters in existing WASH institutional policies?	For the states of Gombe, Imo, Plateau and Katsina indicated that they currently have no mechanism in place to measure the E&S parameters pertaining to the WASH sector. Kaduna indicated that mechanisms are embedded in the applicable laws and policies. Ekiti indicated that they have mechanisms which were part of the urban water sector reform project. Delta has mechanisms implemented through stakeholder forum.
	What E&S monitoring systems exist to ensure inclusiveness and adherence to standards in health and sanitation services?	For the states of Imo, Plateau and Katsina, they do not have any existing streamlined process for monitoring the implementation of E&S processes. Kaduna indicated that post EIA monitoring is undertaken. Ekiti indicated that they have an M&E framework for WASH. Delta indicated the presence of a State Regulatory Unit that undertakes monitoring activities.
	▪ Do you collect WASH utility implementation data in any part of the state? ▪ How do you collect, collate and further process and warehouse the data? ▪ On what platform is this data processed and stored? ▪ Where this data relates to people, are they analyzed demographically to reflect gender, age, location and category of issues? ▪ Is any data collected on issues such as project siting, grievance issues, contaminations, gender issues, etc.?	A majority of the States do not collect data although Ekiti and Delta indicated that they do. Gombe indicated that they collect WASH utility implementation data in any part of the state.
	▪ Do you have a database of urban water utilities that monitors performance? ▪ What are the KPIs or issues tracked that informs performance or otherwise of water utilities?	Most States do not have data bases to consolidate and store collected data although Ekiti and Delta indicated that they have a data base where data is compiled.

Table 2.3: Result Area 2A Key questions and discussion points and responses from the representatives from States

Result Areas	Key Questions	Responses
RA 2A: Improved access to water supply	Do you have a Grievance Redress Mechanism for all stakeholders? How are public complaints channeled and what is the process for handling & resolving complaints?	Plateau State has a public service grievance procedure where public complaints are channeled through a customer care office and via a customer consultative forum. Kaduna, Ekiti and Delta have a GRM in place at state level. Representatives from IMO indicated that they carry out GRM through a customer care unit. There is no specialized GRM in Gombe and Katsina, according to the state representatives, although customer relations teams register complaints with regard to WASH services.
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	In Kaduna, relevant officials guided by the public procurement Act oversee these aspects in contracts. Imo, Ekiti and Delta also have a system of tracing E&S performance in contracts. In Gombe, the due process office is responsible for tracking contract management however they do not deal with E&S and therefore do not investigate the relevant aspects it in particular The Plateau State procurement process is based on the state procurement rules and includes aspects on Environmental areas however social is not adequately covered.
	What E&S quality assurance and control systems exists and how does this work?	Plateau indicated that they hold quarterly sector coordination meetings at state level**.** In Kaduna, K-MAP tracks the progress of projects and ensure compliance with quality, while the project implementation and Result Delivery (PIRD) office monitors all infrastructural projects and ensure compliance with quality and standards. In Imo, this is done via monitoring through the Ministry of Environment and Imo State Environmental Protection Agency (ISEPA). Ekiti indicated that they inspect and report on project stages. Delta indicated that various department supervise and monitor. Both Katsina and Gombe do not partake in an E&S quality assurance mechanism. For Gombe in particular it was shared that there is no institutional mandate in sate urban water board to manage E&S concerns.

Result Areas	Key Questions	Responses
	What is the organizational policy, structure, procedure, and culture to carry out stakeholder engagement and publicly disclose appropriate information?	In Kaduna, the State WASH Steering committee coordinates the WASH sector while Kaduna State Water Services Regulatory Commission interfaces between service provides and stakeholders. In Imo, ISEPA, Ministry of Environment and Communities through Newspapers and Radio. Ekiti did not provide a clear practice. Delta indicated that it is through WASH media forum and CSO platform. For the states of Gombe, Plateau and Katsina there are no structures set up for meaningful stakeholder engagement.
	Are the appropriate E&S staff domiciled in your organization? And what are their technical skills?	Domiciled staff were reported within environmental agencies for Delta but not for the states of Plateau, Katsina, Kaduna, Imo, Ekiti and Gombe WASH agencies.
	Do you have the capacity to conduct environmental and social assessment of proposed projects such as: preparation of TORs for E&S Assessments, institutional responsibilities for mitigation and monitoring measures; organizational, financial and human resource arrangements for implementing every mitigation and monitoring measures?	For the states of Plateau, Katsina, Imo and Gombe, indicated that capacity was low and inadequate for Kaduna with need to further increase the E&S capacity. In Ekiti, Delta there was capacity noted and in Gombe, they rely on sister agencies that are not from the WASH sector to conduct these activities.
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	In Plateau, technical departments within the Ministry of Water Resources do have a system in place to manage the contracting process and E&S elements within their purview. In Kaduna, as representatives indicated, the operationalized harmonized procurement guidelines govern contractor's selection, quality control and corrective action while the project monitoring systems are used to track progress of works and supervise contractors. No special mechanisms are present for the WASH sector in Imo State. Ekiti and Delta have mechanisms to look into contractor selection. In Gombe, this is done by the procurement team. None for Katsina,
	Capacity to set up a Grievance Redress Mechanism to receive and facilitate resolution of project-related concerns and grievances	Capacity to set up a Grievance Redress Mechanism are present in Plateau, Delta and Ekiti None in Katsina, some mechanisms are present in Kaduna although there is a need for technical support and capacity building. Imo representatives also indicated that capacity is available. Gombe rely on public complaints office as there is no procedure in place.

Result Areas	Key Questions	Responses
	Do you have environment, health and safety guidelines for urban water supply in the state?	Although Health and Safety manuals are available however, in the state of Plateau or Kaduna they have an environment, health and safety guideline in the water and sanitation policy of the state. Imo representatives indicated that they also have guidelines they use. Ekiti State indicated that they apply Federal guidelines. Delta also has guidelines that are used but the state of Katsina has no guidelines currently being utilized for health and safety management in the urban WASH sector projects be it for civil works or operations.
	Do you have regulations or guidelines on water quality/effluent management?	All Program States relies on the standard of the National Environmental Agency, the World Health Organization (WHO) and Standard Organization of Nigeria (SON), Nigerian Standard for Drinking Water Quality, Nigerian guidelines for rural drinking water quality monitoring and surveillance (2017). Kaduna adopts the National Drinking Water Standard, Imo and Ekiti adopts National Guidelines as well. Delta has guidelines they use as well. Gombe State indicated that all construction is done in line with standard specifications to ensure management no standards are adhered to for discharge and quality.
	How do you manage on-site and post-project runoff of polluted water, controlling sources of pollutants, and treating contaminated water before discharge into drainage systems or receiving waters?	In the state of Plateau, the Assessment and Pollution Control Departments conduct test on effluent before discharges. No analysis of effluent and run off is conducted in Katsina, and Kaduna. Imo indicated that routine sampling and testing is conducted by the WASH agencies. Ekiti treats and discharge wastewater into drainage systems with some routine monitoring. Delta representatives indicated that it is through a quality control department within Ministry of Water Resources that they undertake this task. Gombe indicated that they carry out management via customers who have catered to the service, for instance industries.
	What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of water services for healthcare facilities and schools?	In Katsina, Kaduna and Imo E&S risks associated with WASH infrastructure set up are managed by School Based Management Committee (SBMC), Water, Sanitation and Hygiene Committees (WASHCOM). In Ekiti, they apply SEPA and housing/urban development laws. Delta indicated that it is the

Result Areas	Key Questions	Responses
		State's WASH policy. Gombe has a WASH in School for safety in school and other public spaces policy that looks at the process. In Plateau State, the Plateau Environmental Protection and Sanitation Agency (PEPSA) and MDAs on Health and Education synergize to monitor contractor activities.
	What are the systems in place to manage the environmental and social risks associated with the operation and maintenance of water services in schools and healthcare facilities?	In Katsina, policies include the School National Environmental Safety Policy; in Kaduna, the Kaduna state Environmental Sanitation Law addresses public and worker safety in all infrastructural project including WASH facilities. In Imo, it is carried out under the Ministry of Public Safety. Ekiti adopts national policies. The Delta State also has policies and guidelines addressing public and worker safety and school health. Plateau and Gombe also adopts national EA policies
	Do you have policies and guidelines addressing public and worker safety and school health, including for school infrastructure?	In Katsina, policies include the School National Environmental Safety Policy; in Kaduna, the Kaduna state Environmental Sanitation Law addresses public and worker safety in all infrastructural project including WASH facilities. In Imo, it is carried out under the Ministry of Public Safety. Ekiti adopts national policies. The Delta State also has policies and guidelines addressing public and worker safety and school health. Plateau and Gombe also adopts national EA policies.
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the health and education sector	Plateau has a specific waste management law. The project proponent prepares a waste management plan that must conform to these State Laws. In Katsina solid waste is handled based on the State's environmental law. Kaduna, Ekiti and Imo has waste management laws as well. Delta has waste management laws while waste management is through private sector participation. Gombe adopts national EA policies
	UBEC/SUBEBs has put in place the Minimum Standards for Infrastructure Development including gender-sensitive toilets. What are the regulatory mechanisms on synergy?	In Katsina, they use harmonized drawing and technical specification that is gender sensitive. In Kaduna, the Kaduna State Infrastructure Development Council provides a synergistic platform for infrastructural projects. In Imo, operated under the Ministry of Education minimum standards are followed. In Ekiti, WASH and the Project Implementation Unit Regulatory unit. Yes, for Delta, collaboration between Ministry of Water, Works and

Result Areas	Key Questions	Responses
		Housing. No response from Gombe. None in Plateau.
	What are the state policies on gender, disability and gender-based violence in the state and plans in addressing them?	Plateau has a Gender Equal Opportunity Law, a Violence Against Person's Prohibition Bill. In Kaduna there is Kaduna State Disability Law and Kaduna State Amended Penal Code on Matters related Gender Based Violence (GBV). Imo State representatives indicated that the State has a Gender and Disability Policy. Ekiti applies the State GBV law. Delta adopts Federal gender policy. No response from Gombe. Katsina has no relevant legal provisions in place.
	Do you have E&S policies/regulations/action plans with respect to installing water facilities/ services in the health and education sector in your state	None in Plateau, Katsina, and Kaduna. Imo and Ekiti indicated that they have E&S policies/regulations/action plans with respect to installing water facilities/ services in the health and education sector. In Delta it is conducted through a PEWASH investment plan. No response from Gombe.
	What are the procedures to ensure that the safety of workers is guaranteed?	Katsina representative talked about the use of a Workers Compensation Act. Kaduna representatives indicated that Standard OHS protocol and operating procedures for construction works is applicable to all WASH projects as well. In Imo State, it is embedded in contracts, also signs and announcement are common in strategic places and PPEs are provided. Ekiti representatives indicated that they manage the safety of workers by preparation and application of E&S suitable instrument for projects. In Delta, these aspects are managed via community engagement and sensitization. In Gombe, PPE maintained and in use as based on OHS policy. In Plateau State there is a public service grievance procedure under the office of the head of civil service which stipulates the grievance procedures for employees, however, these are not well defined and are not fully functional at the urban water and PRUWASSA level relating to E&S management issues.
	Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	Most Program States adopt the FMEnv policies, however, in some states, Contractors prepare CESMP in Plateau as routine process for WASH projects as indicated, the Kaduna,

Result Areas	Key Questions	Responses
		agency responsible for a particular WASH project prepares ESMPs. Ekiti and Imo and Delta States representatives indicated that they too have contractors prepare CESMP.
	Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	This is not done in Gombe, Plateau, Katsina but contractors' specification has E&S aspects. In Kaduna, Imo, Ekiti and Delta E&S measures were said to be mitigation measures/clauses captured in bidding documents/contracts by the representatives
	What is the mechanism in place to identify suitable land for the establishment of WASH facilities?	Plateau indicated that suitable land for WASH projects is selected via geophysical and hydrological surveys. In Katsina, through needs assessment and request from communities. In Kaduna, community engagement, geographical/geophysical survey, EIA etc. Ekiti State representatives indicated that it is done through community and stakeholder engagement while compensation is paid based on open market value. In Delta, through community engagement.
	How do you track the functionality of the different E&S systems In WASH project?	Katsina does this via Water, Sanitation and Hygiene Information System (WASHIMS) as shared during the consultations. In Kaduna, through activities of WASHCOMs and WASHIMS and K-MAP real-time data tracking. In Imo, periodic monitoring by Ministries and Agencies. In Ekiti, through WASH coordination and change management meeting. In Delta, through monitoring and evaluation. Representatives in Gombe, indicated that the State monitors the process using checklists. Plateau currently does not track the functionality of E&S systems in WASH projects.
	Are drainage management systems built into the design of water facilities?	Drainage management systems are built into the design of water facilities in Plateau, Katsina, Kaduna, Imo, Ekiti, Delta and Gombe.

Table 2.4: Result Area 2B Key questions and discussion points and responses from the representatives from States

Result Areas	Key Questions	Responses
RA 2B: Improved access to sanitation and hygiene	• What were the safety considerations for the location of sanitation and hygiene facilities? • Are there issues of child abuse or GBVH associated with influx in any of the communities where sanitation and hygiene facilities have been provided? • Was there adequate consultation of stakeholders in the provision of sanitation and hygiene facilities? • What are the systems in place for human waste management? • What capacities exists in communities to sustainably operate, manage and maintain rural water supply facilities	In Plateau, safety consideration is made based on distance of facility to water sources. Issues of child labor have been recorded. They have conducted adequate consultation with stakeholders. In plateau, they ensure evacuation, transportation and proper disposal of human waste as they have designated dumps for solid waste, sludge and waste from soakage pits. Community institutions (WASHCOMs, WCAs) facilitate the sustainable management of rural WASH facilities. In Gombe, they consider source of water, waste collection and topography. No incidence of child labor or GBV or SH were indicated. Gombe did not indicate the system in place for human waste collection. In Katsina, safety considerations are ease of access and privacy. No incidence of GBV, SH and child abuse were reported. The stakeholders were consulted. No system in place for human waste management, however, biodegradation (Anaerobic condition) occurs when the toilet is filled mostly in rural communities where there is abundant land. In Kaduna, they consider distance from water bodies, proximity to the communities and gender and disability friendliness. There has not been any report related GBV and SH and child labor. Adequate Consultation is incorporated in the conception, execution and management of the projects. For management of human waste, Kaduna provides improved toilets for containment of human wastes. They evacuate, bury and compost human waste. In Imo State, they consider the presence of institutions and community leadership. No issues child abuse and GBV and SH. They consult with stakeholders. Human waste handling is by evacuation, transportation and dumping in designated areas. In Ekiti, they consider location, accessibility and environmental condition. No issues of child labor, GBV and SH. Stakeholders and communities are consulted. Human waste is stored in septic tanks

Result Areas	Key Questions	Responses
		and after 10 years are evacuated to dumping sites in Ondo State as Ekiti State has not dumping site for human waste, but they have designated sites for solid waste management. They currently undertake transboundary transport of waste via a state to state agreement. In Delta, safety considerations are in line with the State WASH policy. There has been issues of child labor, GBV and SH. There was adequate consultation with stakeholders. Human waste management is through private operators in the state. WASHCOMs operate and manage facilities through area mechanics for minor repairs.
	• What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of sanitation and hygiene facilities for healthcare facilities and schools?	In Gombe, GOSEPA is responsible to identify and manage the E&S risks associated with the construction of WASH facilities in healthcare facilities and schools. In Katsina, there are School Based Management Committee (SBMC), Volunteer Hygiene Promoters (VHPs), Local Government Water and Sanitation Department (WATSAN) and Local Government Primary Health Care Department. Kaduna has a water safety plan and state-level community engagement and mediation. Imo indicated that they use Environmental assessment and social impact assessment and mitigation plan. In Ekiti, this is done through Scoping and Screening exercises. In Delta, through the State WASH policy. In Plateau State, the Plateau Environmental Protection and Sanitation Agency (PEPSA) and MDAs on Health and Education synergize to monitor contractor activities.
	• What are the systems in place to manage environmental and social risks associated with the operation and maintenance of sanitation and hygiene facilities in schools and healthcare facilities?	In Gombe, the GOSEPA is responsible. In Katsina there are Environmental Health Clubs (EHC), Volunteer Hygiene promoters, Ward Officers and School Based Management committees. Kaduna has a water safety plan and state-level community engagement and mediation is conducted. Imo representatives indicated that it is by monitoring by the relevant Ministries and various agencies. In Ekiti, by preparation and implementation of appropriate environmental and social instruments. In Delta, through the State WASH policy. In Plateau State, the Plateau Environmental Protection and Sanitation Agency (PEPSA) and MDAs on Health and Education synergize to monitor contractor activities.

Result Areas	Key Questions	Responses
	• Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	Based on information from the representatives, potential contractors in Delta, Imo, Plateau, Ekiti and Gombe prepare CESMP. They do not prepare CESMP in Katsina. In Kaduna, Environmental and Social Management plan (ESMP) is conducted by the agency responsible for the project prior to mobilization to the site.
	• Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	Based on information from the representatives, they are captured in Delta, Imo, Plateau, Ekiti (as in the case of Ekiti water third water project) and Kaduna. Not captured in Gombe and Katsina.
	• What mechanisms have been put in place to build the capacity of communities/ LGAs to maintain water and sanitation facilities sustainably?	In Plateau, there are trainings on Village level operation and maintenance (VLOM), and Bookkeeping. In Gombe, RUWASSSA do train communities. In Katsina, they conduct training of trainers (ToT) of staffs at the LGAs, training of WASCOMs on maintenance of WASH facilities, training of Ward Officers on facilitation skills for achieving sustainability of ODF+ wide Local Government Areas. Imo representatives indicated that they build capacity of communities/LGA through training and workshop. In Ekiti, it is based on Ekiti State Water Law. In Delta State, WASHCOMs, WCAs and WUAs are trained.
	• How are sludge and solid waste managed across communities?	In Plateau, they ensure evacuation, transportation and proper disposal of human waste as they have designated dumps for solid waste, sludge and waste from soakage pits. Gombe has Sanitary landfill handled by the Government. In Katsina, rural community- latrine are covered and left and used to manure; in urban areas no piped sewerage- only septic tanks- gully bowsers and it is dumped in a designated pond until anaerobic conditions are reached and used as manure. In Kaduna, sludge/solid wastes are managed by evacuation, disposal and composting by the state environmental protection agency. In Imo the waste management board is responsible. In Ekiti, only one sludge and septic waste transporter who is from private sector is in the state and sludge are moved out of the state as described earlier via transboundary movement to Ondo States designated dump sites. In Delta, dumpsites are used with indiscriminate disposal.
	• Do you have a policies, laws and regulations on water and sanitation in your state?	Plateau and Gombe have laws. Katsina has water and sanitation policy. Kaduna has Kaduna State Policy on Water Supply and Sanitation, Kaduna State Water Supply and Sanitation Law and Kaduna State Water Services Regulatory Law. In

Result Areas	Key Questions	Responses
		Imo, there is a WASH Policy and Water Law which also establish a regulator. In Ekiti, they have the Water law/EKSWMA law. Delta has policies, laws and regulation on water and sanitation.
	• How do households handle fecal waste disposal safely?	In Plateau fecal sludge is managed by using private operators in Urban Areas and burying in Rural areas. In Gombe, they use toilets-traditional, VIP etc. In Katsina, rural community-latrine are covered and left and used as manure when deemed safe for use via natural degradation; in urban areas no piped sewerage, only septic tanks, and gully bowsers are used to extrude waste and it is dumped in a designated pond until anaerobic conditions are reached and used as manure. In Kaduna by construction of simple improved latrines and digging and burying of fecal waste. In Imo, it is evacuated and transported to a dumpsite when the soak away is filled; private companies carry out the collection and transportation to the dumping area. In Ekiti, using household basic sanitation facilities and extrusion via gully bowsers and off state disposal. In Delta urban, private fecal waste collectors are used. In Delta rural communities, it is through indiscriminate disposal. Pit latrines are used, and open defecation is the usual practice.
	• How is Sludge and Solid Waste management handled?	In Plateau, treatment, containment, evacuation and transportation and disposal is conducted in designated dump sites designated by the state EPA. In Katsina, rural community latrine are covered and left and used to manure one bio degradation has been completed naturally; in urban areas no piped sewerage is available and only septic tanks and therefore gully bowsers are used for extrusion and transport and waste is dumped in a designated pond until anaerobic conditions are reached and used as manure. In Kaduna, sludge /solid wastes are managed by evacuation, disposal and composting by the state environmental protection agency. In Imo, it is through septic tanks and Soak away pits; evacuation to a dump site; currently there's no fecal sludge treatment plant in Imo State. In Ekiti extrusion and off state transport for disposal is conducted. In Delta, it is carried out through private operators in the state. In Plateau, policies exist. Katsina has water and sanitation policy. Kaduna has policies on

Result Areas	Key Questions	Responses
		sludge/solid waste management. Imo State representatives indicated that they have policy on sludge management. Ekiti has a waste management law. Delta has policies on sludge and solid waste management.
	• Do you have policies on sludge and solid waste management?	In Plateau, policies exist on sludge and solid waste management as confirmed during the discussion Katsina has a water and sanitation policy that covers the same. Kaduna has policies on sludge/solid waste management specifically. Imo State representatives indicated that they have a policy on sludge management. Ekiti has a waste management law that covers the same. Delta has policies on sludge and solid waste management as well.
	• What regulations and guidelines exists to manage occupational health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers?	As regulations to manage OHS and other safety risks associated with WASH projects, In Katsina, there is a Law establishing the RUWASSA (Rural Water Supply and Sanitation Agency) which guides WASHCOMs, SBMC. Kaduna has the Kaduna State Environmental health and safety law as well. In Imo State, they employ the Imo State Water & Sewerage Corporation Health & Safety Policy. In Ekiti the measures are as applicable in the water safety plan. In Delta, they apply the water policy and work in synergy with the Ministry of Environment. Plateau State has domiciled an Occupational and Health Safety Policy in Building Construction Projects and not specific to WASH activities.
	• What regulations and guidelines exists to manage community health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers?	No regulations exist in Gombe and Plateau to manage community health and safety risks. In Katsina, the Law establishing RUWASSA (Rural Water Supply and Sanitation Agency) which guides WASHCOMs, SBMC. Kaduna has the Kaduna State Environmental health and safety law look in to the same. In Imo State, they employ Imo State Water & Sewerage Corporation Health & Safety Policy. In Ekiti, as applicable in the water safety plan covers these areas according to the discussion. In Delta, they apply the water policy and work in synergy with the Ministry of Environment.

Additional consultations were held with NGOs, CSOs and CBOs from the participating states on March 10, 2021. Table 2.5 below provides a summary of the concerns raised by the stakeholders' and how the Program addresses them.

Table 2.5: Concerns/Observation and the response given to the Stakeholders

Stakeholders Views/Concerns	How the Program addresses the concerns
• Is this program going to be implemented state-wide? Does this project require counterpart contributions/arrangement?	• The proposed Program takes a hybrid approach that will involve two financing instruments, namely, Program for Results (PforR) which will support specific projects in the States and Investment Project Financing (IPF) which will support technical assistance at the Federal PIU. Given the PforR financing facility, counterpart funding will not be required. Funds will be disbursed upon the achievement of the Disbursement Linked Indicators (DLI) and after verification by the Credible Verification Agent (CVA). Hopefully, the project will be implemented throughout the State although this depends on the decision of the State Government.
• I would like the program to place particular attention on the issues of Sexual assault and GBV and ensure Sexual and GBV Response is in place and would function effectively during the project	• Given the WASH sector's bias towards gender, the SURWASH project shall be designed to ensure that all forms of gender vulnerabilities are properly assessed and proactively managed throughout the program lifespan. Also, since much of the project will be implemented in rural areas and small towns, where there is weak capacity to monitor gender vulnerabilities, the program shall ensure that implementing agencies institutionalize adequate gender screening procedures to identify and proactively manage potential gender issues across the entire project lifecycle form project planning and design to implementation and monitoring and evaluation. As evident from the ESSA, some states currently implementing Bank projects have strong gender policies that do not only emphasize gender inclusion, but also proactively manage sexual exploitation and abuse, gender-based violence and other gender vulnerabilities. This system shall be strengthened across implementing states.
• The project made mention of gender issues, but the project should focus on key activities relating to menstrual hygiene management and WASH.	
• How do you intend to use the PAP on girl child access to water through gender mainstreaming?	
• There is a need for many policies to be developed especially for LGAs such as M&E Framework, GBV policy	
• Can critical stakeholder engagement from the beginning to the end of the program help in resolving and avoid some social issues in the course of the program and I think we can sail through the supposed high-risk projects.	• The ESSA process included extensive stakeholder consultations and disclosure of the ESSA Report, in accordance with the World Bank Policy and Directive for Program for-Results Financing and Access to Information Policy. At present, the ESSA consultation
• Sensitization of all stakeholders is required.	

• Communities should be carried along right from the implementation stage by utilizing a bottom- top approach	process is embedded in the Program consultation process. Feedback from stakeholders have been instrumental in designing and revising the Program Action Plan, indicators, and program operations manuals and appraisal documents via providing data and details on the existing situation, management status and priorities for the WASH sector in the various project States
• What would be the role of CSOs in this project? There is a need to carry along the CSOs through the course of the program	• CSOs will contribute to the proposed project through sensitization, building of community structures, monitoring, advocacy and campaigns to ensure communities are carried along and own the process/project. • Attention is given for key stakeholder groups such as the NGOs, CBOs and CSOs to be engaged in the ESSA process to obtain their views and suggestions, and subsequently to ask whether the draft ESSA Report responds adequately to their concerns
• Based on the need to expand state water service delivery why are water pipelines excluded and a high risk?	• An exclusion list of high-risk E&S activities has been prepared which specifies activities/ impacts that will not be eligible for funding under the PforR as per the policies of the Bank. The exclusion list is presented in Annex 7 of the ESSA. • The PAP will ensure that the program's participating states will develop a robust Environmental and Social Screening mechanism and assessment tool to guide assessing and evaluating the risks and potential program impacts on people and environment. The GoN will ensure that the screening mechanism will benefit from the World Bank prior guidance and ToR to ensure that all the potential risks, challenges and recommendations are captured in the assessment and screening tool that will be used for environmental and social management of proposed interventions • For the IPF-Technical Assistance component, land will not be acquired. For the PfoR aspects, the program cannot be fund large scale resettlement or livelihood displacement of more than 100 Project Affected Persons (PAPs). Any resettlement below 100 PAPs, the implementing agencies will prepare Resettlement Action Plans (RAPs).
• The program might want to consider the exclusive list again, on state by state basis based on peculiarities.	
• Need for clarity on the exclusion list related to land acquisition. While some sections of the ESSA states there will be no land acquisition, the exclusion list states not more than 100. A common framework should be developed.	
• Based on the inadequate capacity at the state level, the Federal should provide strong oversight to achieve effective results in the implementation of ESSA	• The FPIU's key functions are to ensure compliance with the ESSA, PAP guidelines and other World Bank standards. Its work will be guided by the POM and the screening tool

66. Disclosure:

The final ESSA report will be publicly disclosed on the World Bank external website and in-country portals and at relevant government Ministries, Departments and Agencies (MDAs) at Federal and State levels prior to appraisal.

SECTION III: DESCRIPTION OF EXPECTED PROGRAM ENVIRONMENTAL AND SOCIAL IMPACTS

3.1 Overview of Program Risks and Benefits

67. The Sustainable Urban and Rural Water Supply, Sanitation and Hygiene Program (SURWASH) is a hybrid program to support the Government of Nigeria in the implementation of the National Action Plan for the Revitalization of Nigeria's Water Supply, Sanitation, and Hygiene (WASH) Sector (the 'Action Plan' or AP). Besides the importance of WASH in COVID-19 crisis, this project is prompted by the fact that in 2019, approximately 60 million Nigerians were living without access to basic drinking water services, 80 million without access to improved sanitation facilities and 167 million without access to a basic handwashing facility. [2] Given the fact that access to water supply, sanitation and hygiene (WASH) is an important determinant of human capital outcomes, including early childhood survival, health and educational attainment – all of which in turn affect labor productivity and efficiency, this project will generate a lot of positive outcomes and benefits especially social benefits that will result from expansion and improved management of WASH facilities and other technical support.

68. The PforR component of SURWASH will generate some E&S risks and benefits. The E&S risks of the Program have been assessed and deemed to be substantial. The proposed Program will involve the implementation of small to medium scale civil works in order to establish sound WASH infrastructure in the project areas as well as the design and management of sewage and fecal sludge which can pose environmental risks that if not managed via a sound due diligence system can pose significant risks. These projects will also be sporadically spread across seven states. Potential associated physical interventions will include activities such as the drilling of boreholes, construction and rehabilitation of water points and water schemes, construction and rehabilitation of water facilities in associated institutions (schools and health centers) and public spaces (markets, bus stations, etc.), protecting the quality and quantity of water sources for relevant water facilities, household-level sanitation activities, construction and rehabilitation of latrines in associated institutions (schools and health centers) and public spaces (markets, bus stations, etc.). The detail of the range of key environmental and social risks and benefits associated with specific DLI in SURWASH PforR is presented in Annex 2.

[2] Federal Ministry of Water Resources (FMWR), Government of Nigeria, National Bureau of Statistics (NBS) and UNICEF. 2020. Water, Sanitation and Hygiene: National Outcome Routine Mapping (WASH NORM) 2019: A Report of Findings. FCT Abuja. Nigeria. Basic drinking water services are from an improved source, provided collection time is not more than 30 minutes' roundtrip including queuing. Improved drinking water sources are those that have the potential to deliver safe water by nature of their design and construction, and include: piped water, boreholes or tube wells, protected dug wells, protected springs, rainwater, and packaged or delivered water. Improved sanitation facilities are those designed to hygienically separate excreta from human contact, and include: flush/pour flush to piped sewer system, septic tanks or pit latrines; ventilated improved pit latrines, composting toilets or pit latrines with slabs. Basic handwashing facilities are those located on premises with soap and water.

3.2 Expected Environmental Benefits

69. The PforR program will deliver some direct and indirect environmental benefits. Environmental benefits that will accrue from achieving virtually all the DLIs include clean environment due to improved and sustainable water and sanitation services, and reduced air pollution due to proper sanitation and hygiene management. Overall, the program will bring positive benefits such as the adequate collection and treatment of a considerable amount of sewage, which was, prior to the Program, being inadequately collected and discharged to watercourses with inappropriate or no treatment and also promote communities from opting for better sanitation facilities and combat impacts of open defecation. Also, installation of meters which could be carried out as part of achieving **DLI 3** (People provided with basic drinking water service under the Program.), could lead to reduced energy consumption and energy savings (with climate co-benefits) if smart meters are installed. In addition, safe disposal of fecal sludge and the treatment of waste water under **DLIs 5 and 6** (Household with improved sanitation facilities constructed or rehabilitated under the program and Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status) aligns with Multilateral Development Banks (MDB) list of eligible mitigation activities under Category 6.1, that is, treatment of wastewater including wastewater collection networks that reduce GHG emission.

3.3 Expected Environmental Risks and Impacts

70. The SURWASH PforR program is expected to have direct, indirect and cumulative environmental risks which are deemed to be substantial because of the potential impact on the environment of the rehabilitation, expansion, or construction of new water supply as well as sanitation infrastructures.

71. The achievement of **DLI 1** (National WASH Fund established and operational) and **DLI 2** (Design and implementation of a State PIR Plan and APA to achieve required reforms) could be limited by the possibility of lack of capacity in the SPIU to manage environmental and social risks. This situation may pose a danger to the safety of workers, the public and environment unless a stringent due diligence and management process is adopted.

72. The achievement of the DLIs under improved water supply, namely **DLI3** (People provided with basic drinking water service under the Program), **DLI 4** (People with access to a sustainably functioning water service), **DLI 5** (Household with improved sanitation facilities constructed or rehabilitated under the program) and **DLI 7** (Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated) will involve rehabilitation and construction activities. Civil works and household-level sanitation and hygiene activities will likely generate adverse site-specific risks and impacts, such as those stemming from the disposal of material excavated during preconstruction, construction/rehabilitation activities. Rehabilitation and construction activities will lead to the generation of dust and air pollution, noise and construction wastes as well as nuances for public and occupational health and safety impacts to workers. It may also result in traffic obstruction during construction and rehabilitation of water facilities. Associated activities may lead to cutting of vegetation and land clearance and impact on

fauna species thereby leading to loss of biodiversity unless proper screening criteria are adopted to ensure impacts on Natural habitats and biodiversity are managed accordingly. There could also be cumulative impacts due to pre-existing environmental conditions and other rehabilitation activities (in the schools and health facilities) not associated with the PforR.

73. Cumulative impacts can also come about due to the need for construction material for civil works for a large number of projects within a state which can pose stresses on the natural resource based used for sand, aggregate soil, water and other construction material that will be needed for civil works implementation. Inadequate construction related guidelines and construction supervision might result in bypassing regulations while sourcing construction material, such as sand and clay for brick construction, and result in poorly constructed infrastructure. A large quantum of material is required to ensure the targets set forth in the DLIs across the states are met via civil works. This will create pressure on natural resources like sand, boulders and clay, and natural habitats and forests unless duly managed. Without adequate precautions in place it could lead to environmental degradation cumulatively. During construction chance findings may be unearthed and risked being damaged. Known archaeological sites may also be at risk during material procurement and the disposal of construction waste without appropriate guidelines to protect them.

74. There could also be impacts associated with the improper design of the water supply and sanitation facilities and their poor operations. Civil works and household-level sanitation and hygiene activities will likely generate adverse site-specific risks and impacts during the operational phase of the Program. The management and disposal of excavated material and other construction waste; , fecal sludge disposal and wastewater discharges, occupational health and safety of workers the operational phases; and community health and safety risks, including both during the construction phase as well as the operational phase from the unsound operation of WASH facilities.

75. In addition, there will be increased energy use for generation of water, and this may increase greenhouse gas emission unless design options promote the sole use of renewable sources such as Solar and Battery Energy Storage Systems (BESS). Greenhouse gas emission will be reduced in rural and small-town water supply sector where the use of solar energy will be prioritized. Where Solar and BESS systems are used there is also the need for the management of solar cells and BESS systems at the end of life cycle stage as they are categorized as hazardous waste unless properly disposed. Moreover, installation of meters may lead to the generation of e-waste as old ones and malfunctioning ones will be removed at the end of their functional life cycle. Also, the depletion of ground water due to increased and sustainable supply to customers may affect ground water dependent terrestrial ecosystems that will suffer from reduced water availability and cause impacts on water tables and overall hydrological systems in the given environment.

76. The achievement of the DLIs under improved access to sanitation and hygiene services, namely, **DLI 5** (Household with improved sanitation facilities constructed or rehabilitated under the program), **DLI 6** (Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status) and **DLI 7**

(Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated) will involve some activities that will impact on the environment. Specifically, the construction and rehabilitation activities that will be carried out in order to achieve the DLIs will lead to the generation of dust and air pollution, noise and construction wastes as well as nuances for public and occupational health and safety impacts to workers. Via these civil works as well cumulative impacts can also come about due to the need for construction material for civil works for a large number of projects within a state which can pose stresses on the natural resource based used for sand, aggregate soil, water and other construction material that will be needed for civil works implementation. There could also be cumulative impacts due to pre-existing environmental conditions and other activities in the schools and health facilities not associated with the PforR. Implementation of civil works activities pertaining to this DLI may also lead to the cutting down of vegetation and land clearance and impact on fauna species thereby leading to loss of biodiversity unless proper screening criteria are adopted to ensure impacts on natural habitats and biodiversity are managed accordingly.

77. There could be pollution risks especially during transport, treatment, and disposal of wastewater and fecal sludge from pit latrines, septic tanks, and other onsite sanitation facilities if not properly handled and can potentially contaminate natural systems if not treated prior to disposal or via accidental incidents of spillage. The disposal of wastewater and fecal sludge could lead to surface and ground water pollution in the long term as open dumping currently practiced does not have any containment mechanisms to ensure final disposal is environmentally sound. Additionally, the post construction management for WASH facilities and black water is not well understood by the implementing agencies. Risks emerge from improper handling of inadequately decomposed waste removed from leach pits, overflowing and badly managed leach pits, and black water coming out of the leach pits. Wastewater, both grey and black water, if allowed to accumulate in low lying areas near settlements can become a breeding ground for pests and vectors that can impact community health and safety unless managed via stringent operational protocols for environmental management and constant monitoring. Poorly managed solid waste disposal either by burning or by dumping on available common lands or in low-lying areas and in waterbodies, contaminates the soil and water, and creates a risk of local flooding during rains. Most of these issues become more important since there is little understanding and information on the part of the general communities on the health impact of solid and liquid waste management.

78. **Climate vulnerability and disasters:** The availability of water for onsite sanitation (usage and infrastructure development) may reduce owing to the expected water stress resulting from climate change in the States, this could result in the WASH facilities being set up becoming disused in the long term. Inappropriate design, and increased frequency and intensity of storms will create temporary saturation of unsaturated soil zone leading to surface flooding and rapid transportation of pollutants into aquifers. Thus, there is a need to build in a design component that details the technical designs of WASH infrastructure design in each of the respective states climate proof and resilient to disasters such as climate-induced drought and floods. The resilient design process for infrastructure development under DLIs 3-7 will also ensure that water and sanitation infrastructure is

robust to the threats of drought and flood. Environmental considerations such as siting, material use, ventilation etc will be recommended via the POM. as relevant to the disaster profile and climate vulnerability of the respective state . It is also essential to improve the ventilation and lighting facilities in the superstructure design of WASH facilities.

3.4 Expected Social Benefits

79. The SURWASH PforR has many social benefits that will result from the achievement of the DLIs. Figure 3.1 shows the impact pathways of benefits of access to water supply, sanitation and hygiene services adapted from Noga and Wolbring (2012)[3]. Many studies highlight the health benefits of clean water and sanitation[4567]. Also, the effect on education outcome due to improvement in health as a result of improved sanitation has also been highlighted. For example, a study conducted on Jamaican school children between the ages of 9 and 12 years showed that there was a significant improvement in the results of tests of auditory short-term memory and of scanning and retrieval long-term memory when the incidence of Trichuriasis (*Trichuris trichiura*), a poor sanitation related disease, was reduced (Sanctuary and Troop, 2004) [8].



Figure 3.1: Impact pathways of benefits of access to water supply, sanitation and hygiene services

80. The achievement of **DLI 1** (National WASH Fund established and operational) and **DLI 2** (Design and implementation of a State PIR Plan and APA to achieve required reforms) would indirectly lead to a healthy environment, reduced incidence of disease outbreaks, sustainable access to clean and portable water and sanitation services and enhanced income for the people, reduced poverty and vulnerability to shocks (for example health shocks associated with a filthy environment and lack of water).

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[3] Noga, J and Wolbring, G (2012)

[4]Esrey, S.A.; Potash, J.B.; Roberts, L.; Shiff, C. (1991) Effects of improved water supply and sanitation on ascariasis, diarrhoea, dracunculiasis, hookworm infection, schistosomiasis, and trachoma. *Bull. World Health Organ*. 69, 609

[5] Haller, L.; Hutton, G.; Bartram, J. (2007) Estimating the costs and health benefits of water and sanitation improvements at global level. *J. Water Health*, 5, 467

[6] Rheingans, R.; Cumming, O.; Anderson, J.; Showalter, J. (2012) Estimating Inequities in Sanitation-Related Disease Burden and Estimating the Potential Impacts of Pro-Poor Targeting; Sustainable Sanitation and Water Management, London School of Hygiene & Tropical Medicine: London, UK. Available online: https://assets.publishing.service.gov.uk/media/57a08a63ed915d622c0006fb/EquityResearchReport.pdf (accessed on 31 December 2020).

[7] Whittington, D.; Jeuland, M.; Barker, K.; Yuen, Y. (2012) Setting priorities, targeting subsidies among water, sanitation, and preventive health interventions in developing countries. *World Dev*. 40, 1546–1568.

[8] Sanctuary, M and Troop, H (2004) Making water a part of economic development: The economic benefits of improved water management and services. A report commissioned by the Governments of Norway and Sweden as input to the Commission on Sustainable Development (CSD) and its 2004–2005 focus on water, sanitation and related issues, SIWI and WHO.

81. The achievement of the DLIs under improved water supply, namely **DLI 3** (People provided with basic drinking water service under the Program), **DLI 4** (People with access to a sustainably functioning water service), **DLI 7** (Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated) will result in a lot of social benefits. Sustainable access to portable drinking water will lead to enhanced and accelerated health gains due to reduced incidence of diseases especially water borne diseases (diarrhea, cholera, bilharzia, guinea worm, filariasis, dengue fever and some other opportunistic diseases etc.). Reduced disease incidence due to access to drinking water will lead to improved quality of life and increased life expectancy. There will also be more hours available for work which will in turn lead to enhanced income and welfare and better quality of life for the people and reduced incidence of poverty and vulnerability to shocks and increased economic growth. Also, increased access to drinking water will save the labor used for fetching water, especially for women, and thus result in enhanced income and livelihoods of women. Increase in number of people with access to basic drinking water service will indirectly offer some political gains especially in terms of political stability and enhanced cooperation of citizens in government activities.

82. Furthermore, increasing access to water services in schools will help facilitate basic sanitation and hygiene practices and thus reduce incidence of water borne diseases especially, diarrhea, in schools and result in reduction in mortality rate due to lack of water and poor hygiene practices. Also, with better health, less time spent being ill and fetching water, children will devote more time to learning. This will also help reduce absenteeism in schools and increase the retention ability of pupils/students and enhance their performance and ensure increased education gains, reduction in school dropout rate and other positive outcomes. This will generally enhance economic growth and wellbeing in the country.

83. The achievement of the DLIs under improved access to sanitation and hygiene services, namely, **DLI 5** (Household with improved sanitation facilities constructed or rehabilitated under the program), **DLI 6** (Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status) and **DLI 7** (Schools, healthcare facilities and public places with sanitation and handwashing facilities constructed or rehabilitated under the program) will deliver significant social benefits. The achievement of ODF+ will lead to enhanced health (due to reduced incidence of diseases especially those associated with poor sanitation, for example, diarrhea, dysentery), and reduced mortality giving that poor sanitation is one of the major causes of death in a developing country like Nigeria where there is poor access to water and sanitation. Indirectly, reduced disease incidence due to increased access to sanitation will lead to increased life expectancy. There will also be more hours available for work which will in turn lead to enhanced income and welfare and better quality of life for the people and reduced incidence of poverty and vulnerability to shocks and increased economic growth and wellbeing in the country.

3.5 Social Risks and Impact

84. The execution of projects for the achievement of the DLIs under improved water supply, namely **DLI 3** (People provided with basic drinking water service under the Program), **DLI 4** (People with access to a sustainably functioning water service), **DLI 7** (Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated) would result in a lot of social risks. There could be permanent and temporary displacement of people due to land acquisition for citing of WASH facilities, coercion for land donation, destruction of access routes, damage to utility lines, residential restriction, temporary lack of water access during rehabilitations and discrimination against the very vulnerable persons, for example women and people with disabilities, in the communities (lack of universal access). There could also be OHS risks due to rehabilitation and construction activities.

85. In addition, there could be risks associated with the use of child labor and exposure to COVID-19. There could also be increased risks of GBV, SEA and SH and also risk of spread of sexually transmitted diseases (like HIV/AIDs) and unwanted pregnancies due to influx of contractors and workers in the urban and rural areas where construction and rehabilitation are taking place. There is also possibility of negative impact on cultural heritage especially in rural areas. Also, the execution of projects for the achievement of these DLIs could result in quarrels and grievances within the localities and could stall the projects if there is no appropriate GRM in place. There could also be inequities and gender discrimination in the selection of schools and hospitals where construction and rehabilitation of water facilities will take.

    The implementation of projects for achievement of the DLIs under improved access to sanitation and hygiene services, namely, **DLI 5** (Household with improved sanitation facilities constructed or rehabilitated under the program), **DLI 6** (Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status) and **DLI 7** (Schools, healthcare facilities and public places with sanitation and handwashing facilities constructed or rehabilitated under the program) would result to some social risks some of which are also applicable to DLI 1- 6 already identified. Other risks especially associated with DLI7 are disruption of academic activities and disruption of operations in health facilities which may lead to loss of an academic period, loss of income, disruption in the provision of health services and unintended health consequences (even death of patients who may not be able to receive urgent medical attention during the period of disruption). In addition, there could be social exclusion and discrimination against vulnerable people in the community, for example, in treatment and disposal of wastewater and fecal sludge from pit latrines and in behavioral change communication (BCC). Moreover, although the DLIs will not directly result in conflict, the security situation in some of the States, for example, there are conflict zones in parts of Nigeria. The movement of goods and services and contractors may pose security risks to the Program.

SECTION IV: OVERVIEW OF RELEVANT BORROWERS ENVIRONMENTAL AND SOCIAL MANAGEMENT SYSTEMS

86. The government of Nigeria (GON) has several policies, instruments and laws which support environmental and social management and environmental and social impact assessment processes. There are a number of sectoral policies which provide directives to integrate environmental and social considerations in the decision-making process to avoid or minimize impacts associated with program implementation. This section summarizes the policy, regulatory, institutional and legal frameworks for environmental management Nigeria.

4.1 The Constitution of the Federal Republic of Nigeria (1999)

87. The basis of environmental policy in Nigeria is contained in the 1999 Nigerian Constitution of the Federal Republic of Nigeria. Pursuant to section 20 of the Constitution, the State is empowered to protect and improve the environment and safeguard the water, air and land, forest and wildlife of Nigeria. In a similar way, social policy in Nigeria also takes its origin from the 1999 Nigerian Constitution of the Federal Republic of Nigeria. Section 17 encourages the state to pursue equality of rights, equal pay for equal work, obligations, opportunities and human dignity for all citizens. In addition, the state shall avoid social exclusion and discrimination of any form including gender, protection of children and vulnerable from any exploitation and moral and material neglect. The state will also promote equal access to facilities including education centers, health services.

4.2 Policies Relevant to the SURWASH Program

88. The national policies relevant to the SURWASH PforR is presented in Table 4.1.

Table 4.1: Nigerian Policies Relevant to the SURWASH Program

Policy	Objectives
National Policy on the Environment (Revised 2016)	**Overall Policy Goal** To define a new holistic framework for guidance, management and protection of the environment as well as the conservation of natural resources for sustainable development' of the country. **Objectives** ▪ Ensuring and securing the quality of Nigeria's environment to support good health and well-being; ▪ Promoting efficient and sustainable use of Nigeria's natural resources and the restoration and maintenance of the biological diversity of ecosystems; ▪ Promoting understanding of essential linkages between the environment, social and economic developmental issues; ▪ Encouraging individual and community participation in environmental improvement initiatives;

	▪ Raising public awareness and engendering a national culture of environmental preservation; and ▪ Building partnership among all stakeholders, including government at all levels, international institutions and governments, non-governmental agencies and communities on environmental matters.
National Water Policy (2016)	**Overall Policy Goal** The main policy objective is to foster the integrated management of water resources for optimum, sustainable, efficient, and equitable water resources development and management in order to meet the current and future user water demand, conserve the water quality and protect the environment **Objectives** ▪ Optimize the use of Nation's water resources at all times, for the present generation without compromising the existence of the future generations. ▪ Foster Integrated Water Resources Management which will lead to: ▫ Managing the water resources for equitable and sustainable water related sub-sector ▫ development and environmental protection; ▫ Promoting stakeholder participation (governments, communities, Civil Societies and Private Sector) in the water sector development to meet rapidly growing demand for domestic and industrial water supply, sanitation, irrigation and drainage, food and erosion control, hydropower generation, inland transportation, inland fishery, livestock farming and other uses) ▫ Improving River Hydrological Area Management by adopting hydrological boundaries as the basic units of water resource management and regulating activities within the Hydrological Areas units ▪ Managing the water resources for the purpose of eradicating poverty while enhancing and improving public health ▪ Improve and expand the delivery of water services in an equitable manner ▪ Foster the conservation of water and increase systems efficiencies ▪ Promote rainwater management with sustainable drainage as a method of household water supply, drainage and flood control ▪ Prevent the over-exploitation of groundwater and protect its quality ▪ Promote national and international cooperation and increase the mutually beneficial use of shared water resources within Nigeria and with its neighboring countries ▪ Facilitate the exchange of water sector information and experience ▪ Improve governance, institutional development, capacity development and the advancement of gender mainstreaming in the water sector15 ▪ Conserving the quality of both surface and ground water resources while promoting the protection of the environment and associated aquatic ecosystems to ensure long term sustainability ▪ Development of dams and institutionalizing proper dam's management as a means of mitigating flood and erosion. ▪ Position Nigeria on a road map to achieving international and national goals and targets in water resources development. ▪ Harness the power generation potentials of dams across the Country ▪ Mitigate the impacts of climate change especially on desertification, flooding, coastal inundation and rapid drying up of lakes and rivers
National Forestry Policy (2006)	**Overall Policy Goal** The overall objective of the national forest policy is to achieve sustainable forest management that would ensure sustainable increases in the economic, social and environmental benefits from forests and trees for the present and future generation including the poor and the vulnerable **Objectives** ▫ Increase, maintain and enhance the national forest estate through sound forest management practices. ▫ Address the underlying causes of deforestation, desertification including lack of policy support, market distortions, weak regulations and rural poverty.

	▫ Promote and regulate private sector involvement in forestry development, and to create a more positive investment climate in the sector. ▫ Capitalize on the economic, social and environmental opportunities in forestry without undermining the resource base. ▫ Encourage forest dependent people, farmers and local communities to improve their livelihood through new approaches to forestry. ▫ Ensure the survival of forest biodiversity and to balance this with the pressing development needs of the country. ▫ Rehabilitate and conserve key watershed forests. ▫ Promote and maintain the greening of the urban environment and meet the increasing demand for forest products by urban centers. ▫ Ensure that improved tenure to land and tree acts as an incentive for individuals, communities and women in particular to invest in forestry. ▫ Help private owners and communities to reserve land for forestry. ▫ Build capacity and systems for state and local government to engage actively in forest resources management and development. ▫ Apply an effective regulatory system to safeguard public interests under private sector forest management agreements to ensure adequate legal provisions for tenure in order to encourage long-term investment. ▫ Develop partnerships or management agreement with local communities that improve forest management and alleviate poverty
National Policy on Climate Change (2013)	**Overall Policy Goal** policy response to climate change that aims to fosters low carbon, high growth economic development path and build a climate-resilient society through the attainment of set targets. **Objectives** ▫ Implement mitigation measures that will promote low carbon ▫ Strengthen national capacity to adapt to climate change ▫ Raise climate change-related science, technology and R&D to a new level that will enhance the country's image on climate change ▫ Significantly increase public awareness and involve private sector participation in tackling climate change ▫ Strengthen national institutions and mechanisms to establish a suitable framework for climate change governance
National Gender Policy (2006)	**Overall Policy Goal** The goal of the gender policy is to "build a just society devoid of discrimination, harness the dull potentials of all social groups regardless of sex or circumstance, promote the enjoyment of fundamental human rights and protect the health, social , economic and political well- being of all citizens in order to achieve equitable rapid economic growth, evolve an evidence based planning and governance system where human, social, financial and technological resources are efficiently deployed for sustainable development". One of the principles of the gender policy is a general recognition that gender issues are central and critical to the achievement of national development goals and objectives and by extension water, sanitation and hygiene programs. **Objectives** ▫ Establish the framework for gender responsiveness in all public and private spheres and strengthen capacities of all stakeholders to deliver their component mandate of the gender policy and National Strategic Framework ▫ Develop and apply gender mainstreaming approaches, tools and instruments that are compatible with the macro- policy framework of the country at any given time towards national development. ▫ Adopt gender mainstreaming as a core value and practice in social transformation, organisational cultures and in the general polity in Nigeria.

	▫ Incorporate the principles of CEDAW and other global and regional frameworks that support gender equality and women empowerment in the country's laws, legislative processes, judicial and administrative systems ▫ Achieve minimum threshold of representation for women in order to promote equal opportunity in all areas of political social and economic life of the country for women as well as for men. *One of the targets of this objective is directly related to WASH. The target is to provide equal opportunities for women and men to enjoy and attain an acceptable minimum threshold of universal access to potable water, sanitation, electricity, transportation, road networks and general security of life and property by 2015.* ▫ Undertake women and men- specific projects as a means of developing the capabilities of both women and men, to enable them take advantage of economic and political opportunities towards the achievement of gender equality and women's empowerment. ▫ Educate and sensitize all stakeholders on the centrality of gender equality and women's empowerment to the attainment of overall national development.

4.3 Relevant Nigerian National Laws

89. The national laws relevant to the SURWASH PforR is presented in Table 4.2.

Table 4.2: Nigerian Laws that are Relevant to the SURWASH Program

S/N	Law	Description/Summary of Objectives
Environmental Acts		
1	EIA Act - CAP. E12 L.F.N. 2004	▪ The main aim of the Act is to ensure environmentally sound and sustainable development projects. ▪ To carry out an EIA on all projects likely to have significant impact on the environment ▪ Encourage information exchange and consultation between all stakeholders when proposed activities are likely to have significant impact on the environment.
2	National Environmental Standards and Regulations, Enforcement Agency Act, (NESREA) 2007	▪ Enforce compliance with national (and international) laws, legislations, guidelines, policies and standards on environmental matters; ▪ Coordinate and liaise with, stakeholders, within and outside Nigeria on matters of environmental standards, regulations and enforcement; ▪ Ensure that environmental projects funded by donor organizations and external support agencies adhere to regulations in environmental safety and protection; ▪ Enforce environmental control measures through registration, licensing and permitting Systems other than in the oil and gas sector; and ▪ Conduct environmental audit and establish data bank on regulatory and enforcement mechanisms of environmental standards other than in the oil and gas sector. Some relevant sections include <u>*Section 7:*</u> Authority to ensure compliance with all of Nigeria's environmental laws and treaty obligations; and ▪ <u>*Section 8 (1) K and Section 27:*</u> Authority to make and review regulations on air and water quality, discharge of effluents and other harmful substances as well as control of other forms of environmental pollution. ▪ The Agency has powers to: ▪ prohibit processes and use of equipment or technology that undermine environmental quality; ▪ conduct field follow-up of compliance with set standards and take procedures prescribed by law against any violator;

		▪ subject to the provision of the Constitution of the Federal Republic of Nigeria, 1999, and in collaboration with relevant judicial authorities establish mobile courts to expeditiously dispense cases of violation of environmental regulation.
3	Nigerian Urban and Regional Planning Act CAP. N138 L.F.N. 2004	Facilitates the preparation and implementation of development plans and planning schemes and creating a better environment for living, working and recreation **Relevant Sections are:** ▪ *Section 30*: Requirement for a building plan by a registered architect before commencement of any building project; ▪ *Section 39:* Making the acceptance of a land development plan contingent on proof it would not harm the environment or constitute nuisance to the community; and ▪ *Section 74*: Ensures effective control in special cases like wasteland
4	Harmful Waste (Special Criminal Provisions, etc.) Act 1988	▪ Criminalizes all activities relating to the purchase, sale, importation, transit, transportation, deposit, storage of harmful wastes; and ▪ By this Act it is unlawful to dump harmful waste in the air, land or waters of Nigeria
5	Water Resources Amendment Act (2016)	▪ Amends the Water resources Act CAP W2 LFN 2004. ▪ Vests the rights and control of water in the Federal Government ▪ Promotes the optimum planning, development and use of Nigeria's water resources ▪ Ensuring the co-ordination of such activities as are likely to influence the quality, quantity, distribution use and management of water ▪ Ensures the application of appropriate standards and techniques for the investigation, use, control, protection, management and administration of water resources ▪ Facilitates technical assistance and rehabilitation for water supplies ▪ Allows anyone the assess and use of water resources without charge for his domestic purpose or for watering livestock, farmlands and fishing from any watercourse the public has free access.
Social Acts		
1	Factories Act, Cap F1, LFN 2004	▪ Provide a legal framework for the regulation of safety standards for the operation of factories in Nigeria; ▪ Set out minimum standards for clean and conducive working environments; ▪ Protect of workers exposed to occupational hazards; ▪ To provide for factory workers and a wider spectrum of workers and other professionals exposed to occupational hazards, but for whom no adequate provision had been formerly made; ▪ To make adequate provision regarding the safety of workers to which the Act implies; and ▪ To impose penalties for any breach of its provision.
2	Trade Union Amended Act 2005	▪ Makes provisions with respect to the formation, registration and organization of trade unions, and the Federation of Trade Unions ▪ It states, "notwithstanding anything to the contrary in this Act, membership of a trade union by employees shall be voluntary and no employee shall be forced to join any trade union or be victimized for refusing to join or remain a member". The amended Act, to ensure the funding of trade unions, empowers employers to make deduction from the wages of every worker who is a member of any of the trade unions for the purpose of paying contributions to the trade union so registered;
3	Employees Compensation Act (2010)	▪ This Act repeals the Workmen Act of 1980. ▪ The objectives of the Act include Provide for an open and fair system of guaranteed and adequate compensation for all employees or their dependents for any death, injury, disease or disability arising out of or in the course of employment; ▪ provide rehabilitation to employees with work-related disabilities as provided in this Act; ▪ establish and maintain a solvent compensation fund managed in the interest of employees and employers;

		▪ provide for fair and adequate assessments for employers; ▪ provide an appeal procedure that is simple, fair and accessible, with minimal delays; and ▪ combine efforts and resources of relevant stakeholders for the prevention of workplace disabilities, including the enforcement of occupational safety and health standards.
4	Trade Dispute Act CAP. T8 LFN 2004	The Act makes provisions for the settlement of trade disputes and other matters ancillary thereto. The Act established the National Industrial Court. The Act provides for procedure of settling dispute before it is reported; apprehension of trade dispute by the Minister; reporting of dispute if not amicably settled; appointment of conciliator, etc. Regarding the procedure before dispute is reported, the Act provides that parties to the dispute shall first attempt to settle it by an agreed means for settlement of the dispute apart from the Act. It is only when this procedure fails or does not exist that the parties report within seven days and come together to settle the dispute under a conciliator. Notwithstanding this provision, the Minister can apprehend the dispute and decide on the cause of action for the settlement of the dispute.
5	Labor Act CAP L1 LFN 2004	Act provides for the protection of wages, contracts of employment and terms and conditions of employment as well as recruiting guidelines. It provides for special classes of worker and miscellaneous special provisions. The Act in the different parts made a lot of provisions to ensure that the interest of the worker is protected. For example, under protection of wages the Act made provisions to ensure that the worker's dignity regarding wages is maintained. For example, the Act provides in part 1No 2 that no employer shall impose in any contract for the employment of any worker any terms as to the place at which, or the manner in which, or the person with whom any wages paid to the worker are to be expended; and every contract between an employer and a worker containing any such terms shall be illegal, null and void
6	Child Right Act 2003	Incorporate into its laws all the rights guaranteed in the United Nations' Convention on the Rights of the Child. The U.N. convention, adopted in 1989, states that: "The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education, or interfere with his physical, mental or moral development." The Act must be ratified by each state to become law in its territory.
7	Land Use Act	This act provides a legal basis for land acquisition in Nigeria. The major provisions include: ▫ Section 1: all land comprised in the territory of each state in the Federation is vested in the Governor of the state and such land shall be held in trust and administered for the use and common benefit of all. ▫ Section 2: (a) all land in urban areas shall be under the control and management of the Governor of each State; and ▫ Section 2 (b) all other land shall be under the control and management of the local government within the area of jurisdiction in which the land is situated. ▫ State governments have the right to grant statutory rights of occupancy to any person for any purpose; and the Local Government has the right to grant customary rights of occupancy to any person or organization for agricultural, residential and other purposes.
	Pension Reform Amendment Act	▫ Establishes the contributory pension scheme (the Scheme) for employees in the public and private sectors in Nigeria; and the National Pension Commission (NPC), in order to facilitate the payment of retirement benefits to deserving employees. ▫ Ensure that every person who worked in either the Public Service of the Federation, Federal Capital Territory or Private Sector receives his retirement benefits as and when due: ▫ Assist improvident individuals by ensuring that they save in order to cater for their livelihood during old age: and ▫ Establish a uniform set of rules, regulations and standards for the administration and payments of retirement benefits for the Public Service of the Federation,

		Federal Capital Territory and the Private Sector. On the other hand, the principal object of the Commission, as provided in the Act, shall be to regulate, supervise and ensure the effective administration of pension matters in Nigeria.

4.4 Relevant Nigerian National Environmental Regulations

90. The national environmental regulations relevant to the SURWASH PforR is presented in Table 4.3.

Table 4.3: Nigerian Regulations that are Relevant to the SURWASH Program

S/N	Regulation	Objectives
1	National Environmental (Permitting and Licensing System) Regulations, 2009. S. I. No. 29.	The provisions of this Regulation enable consistent application of environmental laws, regulations and standards in all sectors of the economy and geographical regions.
2	National Environmental (Sanitation and Wastes Control) Regulations, 2009. S.I. No. 28	To provide the legal framework for the adoption of sustainable and environment friendly practices in environmental sanitation and waste management to minimize pollution.
3	National Environmental (Noise Standards and Control) Regulations, 2009. S.I. No 35	To ensure tranquility of the human environment or surrounding and their psychological well-being by regulating noise levels.
4	National Environmental (Surface and Groundwater Quality Control) Regulations, 2010. S.I. No. 22	To restore, enhance and preserve the physical, chemical and biological integrity of the nation's surface waters, and to maintain existing water uses.
5	National Environmental (Soil Erosion and Flood Control) Regulations, 2011. S. I. No. 12.	To check all earth-disturbing activities, practices or developments for non-agricultural, commercial, industrial and residential purposes.
6	National Environmental (Watershed, Mountainous, Hilly and Catchments Areas) Regulations, 2009. S. I. No. 27.	To protect of water catchment areas. All land users must observe and respect the carrying capacity of the land; carry out measures for soil conservation and for the protection of water catchment areas using the best available environmentally friendly technologies to minimize significant risks/damage to ecological and landscape aspects.
7	National Environmental (Desertification Control and Drought Mitigation) Regulations, 2011. S. I. No. 13.	To provide an effective and pragmatic regulatory framework for the sustainable use of all areas already affected by desertification and the protection of vulnerable lands.
8	National Environmental (Control of Bush/Forest Fire and Open Burning) Regulations, 2011, S.I. No. 15	To prevent and minimize the destruction of ecosystem through fire outbreak and burning of any material that may affect the health of the ecosystem through the emission of hazardous air pollutants.
9	National Environmental (Domestic and Industrial Plastic, Rubber and Foam Sector) Regulations, 2011. S. I. No. 17.	To prevent and minimize pollution from all operations and ancillary activities of the domestic and industrial plastic, Rubber and Foam Sector to the Nigerian environment.
11	National Environmental (Surface and Groundwater Quality Control) Regulations, 2011. S. I. No. 22.	To restore, enhance and preserve the physical, chemical and biological integrity of the nation's surface waters, and to maintain existing water uses.
12	National Environmental (Construction Sector) Regulations, 2011. S. I. No. 19.	To prevent and minimize pollution from construction, decommissioning and demolition activities to the Nigerian environment.

13	National Environmental (Air Quality Control) Regulations, S. I. No 64, 2014.	To provide for improved control of the nation's air quality to such an extent that would enhance the protection of flora and fauna, human health and other resources affected by air quality deteriorations.
14	Nigerian Urban and Regional Planning Act CAP N138 LFN 2004	Planned development of urban areas (to include and manage waste sites)

4.5 Nigeria's Institutional Framework

4.5.1 Federal Ministries Relevant to SURWASH Program

91. The Federal Ministries whose functions and responsibilities are relevant to the SURWASH PforR is presented in Table 4.4.

Table 4.4: Relevant Ministries and their functions

S/N	Ministry	Relevant Functions and Responsibilities
1	Federal Ministry of Finance	▪ Secretariat of the Program and houses the in collaboration with the World Bank controls disbursement of funds to states. Program funds will be channeled through the Federal Ministry of Finance directly to the states in accordance with the cost-sharing agreement with the FMWR
2	Federal Ministry of Water Resources (FMWR)	Overall sector coordination/guidance and is responsible for policy making, oversight, and investment support for water resources management and development (surface water and groundwater), water supply and sanitation, and irrigation and drainage
3	Federal Ministry of Environment (FMEnv)	The focal ministry of environmental issues in Nigeria. They will lead in implementing environmental actions at the federal level as recommended in the PAP. They are also responsible for oversight and disclosure regarding EIA at the federal level.
4	The Federal Ministry of Labor and Employment	▪ Development and promotion of productive employment policies and programs for employment generation and actualization of national employment policies of the Federal Government. ▪ Skills Development, upgrading, certification, placement and empowerment of artisans, tradesmen and applicants in various areas of national needs ▪ Provision of Social Security Coverage, Welfare and Employee's Compensation to the nation's workforce ▪ Provision of Labor Protection Services, supervision, enforcement, Education, Promotion of Social Justice, Ratification, Implementation and Review of National Labor Laws and Policies including collective bargained agreements. ▪ Trade Unions Education and Training ▪ International Labor Diplomacy ▪ Promotion of Occupational Safety and Health under the Occupational Safety and Health Department ▪ Enforcement of the Labor Laws under the Inspectorate Department (INSP)
5	Federal Ministry of Women Affairs, Community and Social Development	▪ The focal ministry of social issues in Nigeria. They will lead in implementing and monitoring environmental actions at the federal level as recommended in the PAP

4.6.1 State Level Environmental and Social Laws, Policies and Edicts

92. The laws and regulations of participating States relevant to the SURWASH PforR is presented in Table 4.5.

Table 4.5: Relevant State Laws and Regulations of Participating States Participating in SURWASH

S/N	State	Environmental Laws, Regulations and Permits	Social Laws, Regulations and Permits
1	Delta	▫ Forestry Law ▫ Delta State Environmental Protection Agency Law (DELSEPA) ▫ Delta State Environmental Sanitation Law 1986 ▫ Ecology Law, 2006 ▫ Delta State Waste Management Law, 2004 ▫ Issues Environmental Impact Statement Permit ▫ Sewage permit	▫ A law to establish the Delta State multi-door courthouse and for other connected matters, 2012 (for alternative dispute resolution) ▫ A law to establish the office of the public defender its functions and for other matter connected to it, 2018 ▫ A bill for a law to protect persons against violence has not been passed into law.
2	Ekiti	▫ Environmental Health and Sanitation Law ▫ Ekiti State Environmental Protection Agency Law ▫ Ekiti State Waste Management Authority Law	▫ A law to provide welfare assistance in form of cash grants or in-kind assistance to elderly persons No 5 of 2012 ▫ Discrimination Against Persons with disability (Prohibition) Law 2020 ▫ Ekiti State Child's Rights Law 2006 ▫ Ekiti State Citizens' Rights Centre Law 2007 ▫ Ekiti State Gender Based Violence (Prohibition) Law 2019 ▫ Sexual Violence Against Children Law.
3	Gombe	▫ Gombe State Environment Protection Agency (GOSEPA)	▫ Yet to domesticate gender laws
4	Imo	▫ Imo State Environmental Protection Agency Law ▫ Imo State Environmental Protection Agency Amendment Law ▫ Imo Waste Management Agency ▫ Imo State Environmental Transformation Commission (ENTRACO)	▫ Social Services Stabilization Fund 2016 State Law 10 ▫ Consolidation of Property and Land Use Charges.
5	Kaduna	▫ Kaduna State Environmental Protection Authority Law 2010 ▫ Kaduna State Regulation on Waste Management N0 1 of 2010 ▫ Regulation on control of water pollution sources No 2 of 2010 ▫ Regulation on Effluent Limitation and Management No 3 2010 ▫ Regulation on Impact Assessment and Audit No 4 2010 ▫ Regulation on Bush Burning Control No 5 2010 ▫ Regulation on Control and Management of Hazardous Substances No 6 2010	▫ Kaduna State Gender Equity and Social Inclusion (GESI) Policy 2017 ▫ Standard Operating Procedures for Prevention and Response of Gender – Based Violence (GBV) ▫ Adopted the Grievance Redress Mechanism Procedure of National Safety Net Program ▫ Kaduna State Social Protection Policy, 2020 ▫ Violence against persons (prohibition) Law 2018.

		▫ Regulation on Special Work Places No 7 2010 ▫ Kaduna State Policy on Environment 2019 ▫ Kaduna State Water Supply and Sanitation Policy 2015 ▫ Kaduna State Water Supply and Sanitation Law No. 11 2016 ▫ Regulations for Groundwater abstraction in Kaduna State No. 6 2020 ▫ Regulations and Guidelines for Reservoir Operations and Utilization in Kaduna State No. 7 2020 ▫ Kaduna State Community Engagement Framework 2020	
6	Katsina	▫ State Environmental Protection Agency Law ▫ Ecological Fund Law 2005; ▫ Forestry Law;	▫
7	Plateau	▫ Plateau Environmental Protection and Sanitation Agency (PEPSA) Law ▫ Plateau Rural Water Supply & Sanitation Agency Law	▫ Child's Right Law 2005 was gazette in the state in 2017 ▫ a Law to make Provision for the Establishment of a Gender and Equal Opportunities Commission and for the Elimination of All Forms of Discrimination and Other Matters Connected. ▫ Plateau State Safeguarding Children Policy 2014 ▫ Disability Commission.

4.6.2 State and LGA WASH Sector Policy, Regulations, Edicts, Legal and Institutional Framework in Nigeria

93. Tables 4.6 and 4.7 highlights environmental, social and WASH institutional framework of the 7 participating states (Kaduna, Ekiti, Gombe, Delta, Plateau, Imo, Katsina).

Table 4.6:States' Environmental, Social and WASH Institutional Framework and Responsibilities

S/N	Institutional Management Frameworks	Relevant Functions and Responsibilities
Environmental Institutional Management Framework		
1	**State Ministries of Environment** ▫ Delta State Ministry of Environment ▫ Ekiti State Ministry of Environment ▫ Gombe State Ministry of Environment and Forest Resources (GSMEFR) ▫ Imo State Ministry of Environment and Natural Resources ▫ Kaduna State Ministry of Environment and Natural Resources. ▫ Katsina State Ministry of Environment ▫ Plateau State Ministry of Environment	▫ Formulation and implementation of environmental policies and programs for the states; ▫ Monitoring and enforcement of environment laws and regulations in the state;

S/N	Institutional Management Frameworks	Relevant Functions and Responsibilities
2	**State Environmental Protection Agencies** ▫ Delta State Environmental Protection Agency (DELSEPA) ▫ Ekiti State Environmental Protection Agency ▫ Gombe State Environment Protection Agency (GOSEPA) ▫ Imo State Environmental Protection Agency ▫ Kaduna State Environmental Protection Authority ▫ Katsina State Environmental Protection Agency ▫ Plateau State Environmental Protection & Sanitation Agency (PEPSA)	▫ Collaboration with federal government and donor agencies on environmental matters; ▫ Control of environmental and natural resources degradation; ▫ Coordinates and supervises the activities of environmental agencies within the state; among others. ▫ Enforcement of all environmental legislations in the states; ▫ Minimization of impacts of physical development on the ecosystem ▫ Preservation, conservation and restoration to pre-impact status of all ecological process; ▫ Protection of air, water, land, forest and wildlife within the state ▫ Pollution control and environmental health in the state.
Social Institutional Management Framework		
1	**State Ministries** ▫ Delta State Ministry of Women Affairs, Community and Social Development (DSMWACSD) ▫ Gombe State Ministry of Women Affairs and Social Development ▫ Ekiti State Ministry of Women and Social Development ▫ Kaduna State Ministry of Women Affairs and Social Development ▫ Katsina State Ministry of Social Development ▫ Katsina State Ministry of Women Affairs: ▫ Gender Equity and Social Inclusion Policy; Ministry of Human Resources and Capacity Building; ▫ Plateau State Ministry of Women Affairs and Social Development ▫	The focal ministries of social issues at the state level. Lead in implementing and monitoring social actions as recommended in the PAP. They will also be responsible for overall monitoring of the implementation of the social actions associate with the SURWASH Program.
WASH Institutional Management Framework		
	State Ministries Responsible for Water Resources ▫ Delta State Ministry of Water Resources and Development ▫ Ekiti State Bureau of Infrastructure and Public Utilities (BIPU) ▫ Gombe State Ministry of Water Resources and Development ▫ Imo State Ministry of Water Resources and Development ▫ Kaduna State Ministry of Public Works and Infrastructure Kaduna State Water Regulatory Commissions ▫ Katsina State Ministry of Water Resources ▫ Plateau State Ministry of Water Resources and Development	▫ Lead state-level policy reform and sector coordination. ▫ Overall state sector coordination; SPIU workplan and budget approval
	State Water Boards and Corporations (SWB and SWC) ▫ Delta State Urban Water Corporation (DSWC) ▫ Ekiti State Water Corporation (EKSWC) ▫ Gombe State Water Corporation	▫ They are responsible for urban, semi-urban, and rural water supplies. ▫ They give technical support to local government authorities (LGAs) in planning, design, and supervision of their own water supply activities

S/N	Institutional Management Frameworks	Relevant Functions and Responsibilities
	▫ Imo State Water Corporation ▫ Kaduna State Water Corporation ▫ Katsina State Water Board ▫ Plateau State Water Board	▫ Provide the FMWR with basic information on all their current and proposed projects covering water supply sources, volume of water pumped, quantities of chemicals used, water quality, pipe types, sizes, and lengths, and any other information the FMWR might require

Table 4.7: LGAs' WASH Institutional Framework and Responsibilities

S/N	Institutional Management Frameworks	Relevant Functions and Responsibilities
WASH Institutional Management Framework		
1	Rural Water Supply and Sanitation Agencies (**RUWASSAs**) and Small Towns Water Supply and Sanitation Agencies (**STWSSAs**)	▫ Responsible for the establishment, control, management and development of water works in rural communities.
2	LGA WASH Unit/Departments	▫ Supports the maintenance and repair of WASH facilities and in related behavior change, including in training community-level WASH committees (WASHCOMs), water consumer associations (WCAs), and other community-level water providers
3	WASHCOM	▫ Generally responsible for Operation and Maintenance of WASH facilities at the community level

SECTION V: ASSESSMENT OF THE CLIENT'S ENVIRONMENTAL AND SOCIAL MANAGEMENT SYSTEMS

94. This section describes the E&S management systems in place to manage all identified E&S impacts and risks associated with the program interventions detailed in Section III, especially adverse impacts and risks. It describes the main elements of applicable CLIENT'S systems and provides an analysis of the acceptability of these systems, considering the level of risk and the extent to which Borrower systems and practices are aligned with the Banks 6 core principles on E&S. That is, the analysis will show the extent to which the applicable systems are consistent with the core principles and key planning elements expressed in the PforR Guidance Document. It also provides a review of aspects where gaps exist between the two. The assessment was done using the following criteria:

    - An analysis of the strengths of the existing environmental and social due diligence system, or where it functions effectively and efficiently and is consistent with Bank Policy and Directive for Program-for-Results Financing;
    - Identification of inconsistencies and gaps between the principles espoused in Bank Policy and Directive for Program-for-Results Financing and capacity constraints and gaps in existing capacity; and
    - Based on the above findings, recommendations to fill gaps and proposed mitigation measures and actions to strengthen the existing system to ensure environmental and social soundness and long-term sustainability in line with the design and implementation and operation of program interventions across the project areas.

95. The summary of the assessments of Federal State Government and LGA systems in line with the core principles is presented in section 5.1. Detailed assessment of the environmental and social systems of the Federal and each of the Tier-1 State Governments, as indicated earlier, was carried out against the core principles and state specific findings and recommendations that can be undertaken at state level that will be incorporated in to the Program Action Plan are summarized in **Annex 5.**

96. Information from this analysis and the resulting identification of gaps and opportunities/actions were used to inform the recommendations presented for the program in terms of managing E&S aspects and have informed the preparation of the Program Action Plan (PAP).

5.1: Summary of Systems Assessment

Core Principle 1: General Principle of Environmental and Social Management

Table 5.1: Assessment Core Principle 1: General Principle of Environmental and Social Management

<table>
<tr><td colspan="4">Bank Policy for Program-for-Results Financing: Environmental and social management procedures and processes are designed to (a) promote environmental and social sustainability in Program design; (b) avoid, minimize or mitigate against adverse impacts; and (c) promote informed decision-making relating to a program's</td></tr>
<tr><td colspan="4">Bank Directive for Program-for-Results Financing: Program procedures will:
▪ Operate within an adequate legal and regulatory framework to guide environmental and social impact assessments at the program level.
▪ Incorporate recognized elements of environmental and social assessment good practice, including:
▪ early screening of potential effects;
▪ consideration of strategic, technical, and site alternatives (including the "no action" alternative);
▪ explicit assessment of potential induced, cumulative, and trans-boundary impacts;
▪ identification of measures to mitigate adverse environmental or social impacts that cannot be otherwise avoided or minimized;
▪ clear articulation of institutional responsibilities and resources to support implementation of plans; and
▪ Responsiveness and accountability through stakeholder consultation, timely dissemination of program information, and responsive grievance redress measures.</td></tr>
<tr><td colspan="4">Applicability: <u>YES</u> / NO
The E&S team has conducted a screening of initial risks of the PforR. Environmental and social risks are posed due to small to medium scale civil works entailing drilling of boreholes, construction and rehabilitation of water points and water schemes, construction and rehabilitation of water facilities in associated institutions (schools and health centers) and public spaces (markets, bus stations, etc.)</td></tr>
<tr><td>Applicable DLIs</td><td>Systems Assessment</td><td>Gaps</td><td>Suggestions to Fill Gaps/Proposed Mitigation Measures</td></tr>
<tr><td>DLI 1. National WASH Fund established and operational.

DLI 2. Design and implementation of a State PIR Plan and APA to achieve required reforms.

DLI 3. People provided with basic drinking water service under the Program.

DLI 4. People with access to a sustainably functioning water service.</td><td>FEDERAL LEVEL
▫ At the Federal level, National Policies, Acts, Regulations for environmental management as well as institutional system's identifying environment procedures, roles and legislation to be followed in the country (See Chapter 4) are well defined and are consistent with Core Principle 1 of the Bank Policy and Directives on PforR Operation.
▫ The national EIA system (EIA Act No. 86 of 1992) provides a comprehensive legal and regulatory framework for environmental and social impact assessment that is broadly consistent with the Core Principle 1 of the Bank Policy and Directive.
▫ Environmental Assessment (EA) Department of the Federal Ministry of Environment is responsible for ensuring that the environmental risks are assessed, and adequate measures are taken to mitigate and or manage potential project impacts in line with the Federal Republic of Nigerian EIA Act of 1992.</td><td>FEDERAL LEVEL
▫ The EIA Act only focuses on the environmental standards. The World Bank standards on social issues is not addressed by the EIA particularly requirements on stakeholder engagement, labor, resettlement and land acquisition or ecosystem services.
▫ At the national level there is no direct/ single ministry that is responsible for the totality of the social sustainability components, that is required by the World Bank Standards. There are isolated ministries performing isolated roles related to social concerns. See Chapter 4.
▫ There is a marked disconnect between the operations of agencies responsible for social concerns and the practices in the Federal Ministry of Water Resources, where the WASH practice is domiciled.</td><td>▫ Support should be provided at specific project levels and a technical assistance component be used to fill capacity gaps and establish E&S risk management systems.
▫ There is a need to strengthen the Nigeria Water Resources Institute (NWRI), the institution which warehouses the knowledge base of the FMWR charged with the responsibility of creating resourceful technical guidelines for the water and sanitation sector.
▫ There is a need to ensure that the core civil servants are able to participate in this process at the project implementation level and are actively able to gain knowledge. Significant amount of technical resources in terms of training and guidance need to be made available at</td></tr>
</table>

DLI 5. Households with improved sanitation facilities constructed or rehabilitated under the Program. DLI 6. Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status. DLI 7. Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated	▫ Nigeria has a climate change policy which guides climate action by government. Nigeria is also part of the Paris Agreement. NESREA is also empowered to enforce non-compliance with environmental laws and regulations. **STATES LEVEL** ▫ States have their own state environment Ministry or agency such as GOSEPA and PEPSA, who can be contacted for permits or any clarifications if necessary. Most of the States Ministry of Environment have enforcement units and task force. ▫ Some of the Tier 1 states have specific regulatory instruments, e.g. Delta State Environmental Sanitation Law 1986; Delta Ecology Law, 2006; Delta State Waste Management Law, 2004. See Table 4.6 ▫ Most of the sample states have robust framework regarding environmental assessment and management. E.g. Kaduna, Delta, Ekiti ▫ Some States, e.g. Kaduna and Katsina states, also have strong coordination with Federal Ministry of Environment and NESREA,	▫ There is no requirement for consulting with local communities or vulnerable people in EIA process. ▫ The capacity of the ministry and responsible agency to monitor and enforce environmental assessments is weak. **STATE LEVEL** ▫ E&S capacity at the state level is weak in terms of policies, infrastructure, E&S risk management and human resources. The corresponding ministries to E&S thematic areas at the state level do not interface with the Ministry of Water Resources, the Water Board or the RUWASSA to help establish sustainable E&S practices in Water and WASH Projects. ▫ The State environment ministries have weak capacities and mirror gaps in the federal environmental regulation and laws. ▫ The states specifically do not have the capacity and equipment to monitor and manage environmental pollution, hazards and other environmental problems in the state. ▫ The state government often do not include E&S issues in contract biding documents. **LOCAL GOVERNMENT LEVEL** ▫ WASHCOMs and Local Governments are critical to implementation of WASH projects, yet they do not have any policies, E&S risk management systems, personnel or now-how on E&S practices. ▫ Implementation and mitigation measures set out in instruments such as ESMPs and ESIAs are usually not followed. ▫ Generally, there is weak capacity in delivering a robust ESIA process at the LGA level ▫	the Local Government and WASHCOM level. ▫ Though some selected RUWASAs and other water departments as well as representatives from LGAs have received some training on the ESF, there is evident need to build capacity at the LGA level particularly with the LGA health officer ▫ There is a need to strengthen the E&S management capacities of the Program states in terms of OHS, CHS and provision of adequate skilled human resources. ▫ The States should develop bespoke E&S policies fit for their context and in alignment with the National regulatory framework and International Best Practices. This should be done in consultation with the EA department at the Federal Ministry of Environment. ▫ There is a need to equip the State Ministries of Environment with necessary facilities and gadgets (including laboratory) to facilitate the monitoring and reporting of environmental issues (pollution, degradation, hazards etc.) in the states. ▫ There is need to ensure that contract biding documents cover E&S issues as set out in the POM ▫ There is a need to enhance/strengthen cross-ministries and agencies coordination and public consultation as well as improve citizen engagement. ▫ Put in place a Grievance redress mechanism to handle conflicts for the Program staff and beneficiaries as captured in the PAP.

Core Principle 2: Natural Habitats and Physical Cultural Resources

Table 5.2 :Assessment Core Principle 2: Natural Habitats and Physical Cultural Resources

Bank Policy for Program-for-Results Financing: Environmental and social management procedures and processes are designed to avoid, minimize and mitigate against adverse effects on natural habitats and physical cultural resources resulting from program.			
Bank Directive for Program-for-Results Financing*:* As relevant, the program to be supported: ▪ Includes appropriate measures for early identification and screening of potentially important biodiversity and cultural resource areas. ▪ Supports and promotes the conservation, maintenance, and rehabilitation of natural habitats; avoids the significant conversion or degradation of critical natural habitats, and if avoiding the significant conversion of natural habitats is not technically feasible, includes measures to mitigate or offset impacts or program activities. ▪ Takes into account potential adverse effects on physical cultural property and, as warranted, provides adequate measures to avoid, minimize, or mitigate such effects			
Applicability: YES / NO It is expected that the Program will have moderate impact on natural habitats and physical cultural resources since it directly involves rehabilitation and construction of WASH infrastructure. The applicability in terms of specific DLIs is indicated below.			
Applicable DLIs	**Systems Assessment**	**Gaps**	**Suggestions to Fill Gaps/Proposed Mitigation Measures**
DLI 3. People provided with basic drinking water service under the Program. DLI 4. People with access to a sustainably functioning water service DLI 5. Households with improved sanitation facilities constructed or rehabilitated under the Program. DLI 7. Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated	**FEDERAL LEVEL** ▫ The state refers to the federal policies on Environmental Assessment outlined in detail above under the Core Principal 1 it can be confirmed that the locating of water supply infrastructure will seek to avoid potential impacts on natural habitats and known physical cultural resources. ▫ Nigeria has several forest policies, programs and guidelines to facilitate the management of forests and other natural habitats. For example, the National Forest Policy (NFP) 2006, National Biodiversity Strategy and Action Plan, Nigeria REDD+ project. The NFP remains relevant in the preservation of the National ecosystem and addressing climate change challenges in Nigeria. ▫ Nigeria has a lot of biodiversity sites including sacred groves as detailed in the National Biodiversity Strategy, however, it is not envisaged that the program will have any adverse direct impact on biodiversity specific to any of the states.	**FEDERAL LEVEL** ▫ Gaps with respect to ESIA systems are noted under DLI-1.3 and others listed under applicability of core principle 1. ▫ Most of the forest laws and edits are old and outdated even dating back to colonial times and needs to be updated. ▫ Although Nigeria has national parks and forest reserves some of the reserves have been deforested and some are now described as "deforested forest reserves". ▫ Strengthen programs to monitor land-use impacts on cultural resource areas are not necessarily taken into account or assessed in ESIAs ▫ Ensure alignment between private investment promotion and sustainable forest management objectives **STATE LEVEL** ▫ The implementation capacity of extant laws on endangered species	• Environmental and Social screening stage of ESIA process should guide the selection of locating for water supply infrastructure to avoid potential impacts on natural habitats and physical cultural • Preliminary identification and E and S screening of sub- projects within the Program can be screened against the criteria for ensuring no Natural Habitats or sites of Physical cultural resource importance are impacted either via siting or proximity to project interventions. • The use of the IBAT tool for screening of biodiversity area should be used in the screening and E and S due diligence process via the program specific Guidelines of Good Environmental and Social Practices for the Water and Sewerage Sector that are to be developed. • The scope and nature of the subprojects under the Program should be designed to ensure there will not imping on known natural habitats, including protected areas, known sites of biodiversity importance documented or buffer zones of protected areas, community forests or sacred groves

	STATE LEVEL ▫ While the states have designated known areas of heritage, the potential presence of chance finds will reside due to the states cultural heritage and historical setting which historically comprised of ancient kingdoms and nomadic settlements that can confirm the presence of potential chance finds. . ▫ Some states have forest edicts, laws (e.g. Delta State Forestry Law) and policies to facilitate forestry and natural resources management. ▫ State Governments have forest commissions or departments embedded within their Ministries of Environment. E.g. GSMEFR. These forest commissions/departments are responsible for ecosystem preservation and biodiversity conversation. **LOCAL GOVERNMENT LEVEL** ▫ Some communities also have community forests and sacred groves and these areas are conserved with the help of government and development agencies and are rarely used for construction of projects. ▫ RUWASAs and other water departments as well as representatives from LGAs have received some training on the ESF related aspects of management of Natural Habitats and Cultural Heritage.	and critical habitat conversion is very weak. ▫ The enforcement of the various biodiversity and natural habitat laws at both the federal and state levels are often weak. ▫ The states do not have specific environmental legislations and thus refer to those of the national level that have basic provisions for screening impacts on natural habitats and cultural heritage. ▫ While it is unlikely that the projects would involve the need for conversion of any critical natural habitats or be sited in areas of cultural importance, these need to be diligently embedded in the process of screening in order to guide the selection of locating for water supply infrastructure to avoid potential ▫ impacts on natural habitats and physical cultural resources. ▫ E and S processes currently do not involve provisions in the form of Chance find procedures to ensure management of any unknown tangible heritage assets or chance found antiquities. ▫ **LOCAL GOVERNMENT LEVEL** ▫ Cases of uncontrolled and unchecked deforestation and conversion of critical habitat for other infrastructure needs have been reported. ▫ Awareness at the local government level on the need to focus on biodiversity conservation and physical cultural resource management as a priority is limited.	and important biodiversity sites in the communities. • The program and infrastructure design should take into account potential adverse effects on physical cultural property and, as warranted, provides adequate measures to avoid, minimize, or mitigate such effects. • Chance find procedures should be made a key requisite provision in E and S management provisions in civil works contracts for WASH infrastructure. • The scope and nature of the subprojects under the Program is such as that may cause adverse effects on physical cultural property can be avoided via a negative list and siting criteria and via adequate public consultation in rural areas.

Core Principle 3: Public and Worker Safety

Table 5.3 : Assessment Core Principle 3: Public and Worker Safety

<table>
<tr><td colspan="4">Bank Policy for Program-for-Results Financing: Environmental and social management procedures and processes are designed to protect public and worker safety against the potential risks associated with (a) construction and/or operations of facilities or other operational practices developed or promoted under the program; (b) exposure to toxic chemicals, hazardous wastes, and otherwise dangerous materials; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.</td></tr>
<tr><td colspan="4">Bank Directive for Program-for-Results Financing:
■ Promotes community, individual, and worker safety through the safe design, construction, operation, and maintenance of physical infrastructure, or in carrying out activities that may be dependent on such infrastructure with safety measures, inspections, or remedial works incorporated as needed.
■ Promotes use of recognized good practice in the production, management, storage, transport, and disposal of hazardous materials generated through program construction or operations; and promotes use of integrated pest management practices to manage or reduce pests or disease vectors; and provides training for workers involved in the production, procurement, storage, transport, use, and disposal of hazardous chemicals in accordance with international guidelines and conventions.
■ Includes measures to avoid, minimize, or mitigate community, individual, and worker risks when program activities are located within areas prone to natural hazards such as floods, hurricanes, earthquakes, or other severe weather or climate events.</td></tr>
<tr><td colspan="4">Applicability: <u>YES</u> / NO
the construction and rehabilitation of WASH facilities in rural communities, small towns, local institutions and public spaces that will may impact on public and worker safety. The applicability in terms of specific DLIs is indicated below.</td></tr>
<tr><th>Applicable DLIs</th><th>Systems Assessment</th><th>Gaps</th><th>Suggestions to Fill Gaps/Proposed Mitigation Measures</th></tr>
<tr>
<td>DLI 3. People provided with basic drinking water service under the Program.

DLI 4. People with access to a sustainably functioning water service.

DLI 5. Households with improved sanitation facilities constructed or rehabilitated under the program.

DLI 6. Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status.

DLI 7. Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated</td>
<td>FEDERAL LEVEL
▫ The legal/regulatory system of the country includes provisions for protecting worker, community and public safety. Some of these include, Labor Act of 2004, the Trade Union Amended Act of 2005, and the Employees Compensation Act of 2010. See Table III.5
▫ NESREA has regulations to protect the public from hazardous chemicals, pesticides, and agrochemicals (National Environmental (Hazardous Chemicals and Pesticides) Regulations, S.I. No 65, 2014).
▫ The country also has some legal statutes and provisions to protect workers. Some of these include, Labor Act of 2004, the Trade Union Amended Act of 2005, and the Employees Compensation Act of 2010.
▫ The federal government has the Ministry of Labor and their responsibilities include</td>
<td>FEDERAL LEVEL
▫ The national EIA system does not comprehensively encompass aspects of public and worker safety.
▫ There is limited awareness by the general public, on public health and safety issues, particularly in relation to exposure to hazardous materials, and chemical handling and safety precautions.
▫ Lack of awareness of relevant authorities' staff to appreciate the need to ensure occupational health and safety. The FMWR and the FPIU adopts the National OHS systems
▫ The enforcement of national labor laws is weak.
▫ The national EA Department of the FMEnv and NESREA have not comprehensively incorporated OHS management into civil works.</td>
<td>▫ The Federal Ministry of Environment should work towards improving the EIA system to incorporate important aspects lacking in the system, for example, issues relating to public and workers' safety and broader ESHS. Meanwhile, they should ensure that EIA reports submitted for review cover social issues especially relating to public and worker safety.
▫ States and Federal Ministry of Environment, States and Federal Ministry of Labor and States and Federal Ministry of Water Resources should collaborate and build the capacity of the leaders in the different institutions in the sector in order for them to become knowledgeable on issues relating to occupational health and hazard and how to deal prevent and deal with it.
▫ State governments should ensure that</td>
</tr>
</table>

	the protection of the rights of workers. ▫ The Federal Child's Right Act (CRA) (2003) codifies the rights of children in Nigeria. It has penalties on the use of child labor ▫ The Nigerian Labor Law requires compliance with all national and international labor laws on occupational health and safety. The law requires routine inspection of workplaces, accident investigation, preparation of safety and health regulations, code of practice, guidelines and standards for various operations, processes and hazards. **STATE LEVEL** ▫ Most state governments also have Ministries of Labor and these ministries also work to protect the rights of workers at the state level. ▫ Some of the states have standalone laws and regulations to protect the rights of children and workers, e.g. Plateau State Child's Right Law 2005 was gazette in the state in 2017.	**STATE LEVEL** ▫ Lack of OHS guidelines and procedures to be adopted by contractors, firms' and employers of labor and workers in most of the States ▫ Lack of awareness of relevant authorities' staff to appreciate the need to ensure occupational health and safety. ▫ There is limited awareness and lack of interest by the general public, on public health and safety issues, ▫ Inadequate awareness of relevant authorities' staff to appreciate the need to ensure OHS. **LOCAL GOVERNMENT LEVEL** Lack of OHS guidelines and procedures to be adopted by contractors, employers of labor and workers.	government and employers of labor in the state enroll or cover their workers under the Workers Compensation Insurance. ▫ Provide on-site training to workers and laborer's that will be involved in rehabilitation and upgrading work so that they will be familiar with OHS issues at their workplace. ▫ Provide training for LAMs and other supply chain laborer's/employers ▫ State governments should ensure that contractors, and other employers of labor especially those involving construction, health work, sanitation and waste management and handling of chemicals provide personal protective equipment for their workers. ▫ Ensure that all workers engaged under WASH are provided with a relevant personal protective and safety equipment. ▫ strengthen citizen engagement through different channels so as to create awareness regarding the entire program activities especially in relation to OHS and CHS. ▫ Put in place a Grievance redress mechanism to handle workers conflicts.

Core Principle 4: Land Acquisition

Table 5.4 : Assessment Core Principle 4: Land Acquisition

Bank Policy for Program-for-Results Financing*: Land acquisition and loss of access to natural resources are managed in a way that avoids or minimizes displacement, and affected people are assisted in improving, or at least restoring, their livelihoods and living standards.*

***Bank Directive for Program-for-Results Financing**:* As relevant, the program to be supported:

- Avoids or minimizes land acquisition and related adverse impacts;
- Identifies and addresses economic and social impacts caused by land acquisition or loss of access to natural resources, including those affecting people who may lack full legal rights to assets or resources they use or occupy;
- Provides compensation sufficient to purchase replacement assets of equivalent value and to meet any necessary transitional expenses, paid prior to taking of land or restricting access;
- Provides supplemental livelihood improvement or restoration measures if taking of land causes loss of income-generating opportunity (e.g., loss of crop production or employment); and
- Restores or replaces public infrastructure and community services that may be adversely affected.

Applicability: YES / NO

Given that any land which will involve economic and physical displacement will not be eligible for community micro-projects, land acquisition, involuntary resettlement and compensation are already excluded from the program. Nevertheless, the implementation of projects in DLI-1.4 may involve the building of new community projects, and it is expected that the land to be used would be community land or land donated by individuals in the communities voluntarily, since this land is free of any use or occupation. Thus, core principle 4 will apply to the Nigeria SURWASH PforR Program specifically to the system assessment focused on voluntary land donation.

Applicable DLIs	Systems Assessment	Gaps	Suggestions to Fill Gaps/Proposed Mitigation Measures
DLI 3. People provided with basic drinking water service under the Program. DLI 4. People with access to a sustainably functioning water service. DLI 5. Household with improved sanitation facilities constructed or rehabilitated under the program. DLI 7. Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated	**FEDERAL LEVEL** ▫ Nigeria has the Land Use Act of 1978 which was modified in 1990 as the legal basis of land acquisition and administration in Nigeria ▫ Given the numerous gaps in the Act, a Presidential Technical Committee on Land Reform (PTCLR) is working on issues regarding land reform in Nigeria. **STATE LEVEL** ▫ Some states have specific land acquisition and use regulations, such as the Kaduna State Land Use Review of 2018 which is currently under review. ▫ Imo state has the Consolidation of Property and Land Use Charges law which places responsibility for payment of land use charges on owners not occupiers **LOCAL GOVERNMENT LEVEL** ▫ The LGAs are responsible for the	**FEDERAL LEVEL** ▫ The Land Use Act has a lot of limitations regarding land acquisition. Some of these include the provision in the Act that the Governor of a State controls all land in the State, the issues of resettlement of project affected persons, poor grievance redress mechanism, poor land rights, doesn't include anything with regards land donation, consultation prior to land acquisition, makes no provision for livelihood restoration, makes compensation provisions for those who have recognized land rights, silent on timing of compensation payment, makes no provision for compensation for undeveloped land, among others. ▫ FMWR has no well- designed resettlement policy framework comparable to either the old safeguard	▫ All States would have to ensure that due processes are followed to ensure land acquisition is indeed voluntary without encumbrances. ▫ Displacement and temporary resettlement support should be provided to avoid adverse impacts on socioeconomic assets and activities. An abridged resettlement action plan (ARAP) acceptable to the Bank must be prepared for any voluntary resettlement or temporary displacement. ▫ There is a need for each state to establish a framework/protocol for voluntary land donation in collaboration with SURWASH. Significant capacity building of the FPIU and SPIU on sustainable land access, through trainings and workshops. This will be further set out the POM. ▫ Training and capacity building of the

	administration of some aspects of the Land Use Act of 1978 and other state Land Laws where available.	systems or the new World Bank ESF. In urban and large-scale projects, the Land Use Act of 1978 applies. In rural projects, the community is expected to provide land for the project. ▫ FMWR staff have not been directly involved in any adequately documented resettlement process, the FPIU, do not have capacity to implement a RAP comparable to the Bank Standards. ▫ **STATE LEVEL** ▫ The gaps identified in Land Use Act at the Federal level also apply at the State level. **LOCAL GOVERNMENT LEVEL** ▫ Although community members can freely donate their lands under customary practices, there is no provision for voluntary land donation in the Land Use Act. ▫ Given that there is no framework or legislation regarding voluntary land donation, there could be coercion for land donation leading to impoverishment of the people.	LGA WASH Departments and WASHCOMs on sustainable land access and the role of consultations and participation, sufficient documentation, compensation, grievance management and gender safety in site selection and land access. ▫ Support for the NWRI on understanding the role of sustainable land access through trainings and workshops.

Core Principle 5: Social Considerations - Indigenous Peoples and Vulnerable Groups

Table 5.5: Assessment Core Principle 5: Social Considerations - Indigenous Peoples and Vulnerable Groups

Bank Policy for Program-for-Results Financing: Due consideration is given to cultural appropriateness of, and equitable access to, program benefits giving special attention to rights and interests of Indigenous Peoples and to the needs or concerns of vulnerable groups.			
Bank Directive for Program-for-Results Financing: • Undertakes free, prior, and informed consultations if Indigenous Peoples are potentially affected (positively or negatively) to determine whether there is broad community support for the program. • Ensures that Indigenous Peoples can participate in devising opportunities to benefit from exploitation of customary resources or indigenous knowledge, the latter (indigenous knowledge) to include the consent of the Indigenous Peoples. • Gives attention to groups vulnerable to hardship or disadvantage, including as relevant the poor, the disabled, women and children, the elderly, or marginalized ethnic groups. If necessary, special measures are taken to promote equitable access to program benefits.			
Applicability: YES / NO It is expected that vulnerable people will be impacted on given that the Program will involve civil works in rural areas where vulnerable citizens and IDPs could be residing. Also, the WASH Program focusing on the rural poor and vulnerable and the new poor (those that became poor due to the economic crisis caused by the COVOD-19 pandemic). Note that there are no groups in Nigeria that meet the World Bank's criteria for Indigenous Peoples. However, we followed the third point on Bank Directive for indigenous peoples and vulnerable groups to look at the systems that address the needs of groups vulnerable to hardships, including women, youths and people with disabilities. The applicability in terms of specific DLIs is indicated below.			
Applicable DLIs	**Systems Assessment**	**Gaps**	**Suggestions to Fill Gaps/Proposed Mitigation Measures**
DLI 3. People provided with basic drinking water service under the Program. DLI 4. People with access to a sustainably functioning water service. DLI 5. Household with improved sanitation facilities constructed or rehabilitated under the program. DLI 6. Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status. DLI 7. Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated	**FEDERAL LEVEL** ▫ Chapter IV of the Nigerian Constitution contains a variety of fundamental rights set out in Sections 33 - 44. Of particular relevance is Section 42, which prohibits discrimination on the grounds of ethnic origin, sex (gender), religion, or linguistic affiliation. ▫ There is a Federal Ministry of Women Affairs and Social Development that deals with all gender related issues especially as it concerns the vulnerable especially women youths and People living with Disabilities (PWDs). They have a unit that deals with GBV and discrimination. ▫ The federal government of Nigeria has signed many treaties on women issues including the CEDAW in 1999 and has a gender policy. There is also the Violence Against Persons (Prohibition)Act 2015. ▫ Several policy statements and programs at	**FFEDERAL LEVEL** ▫ There is lack of capacity in Ministries of Women Affairs and Social Development to tackle the issues of GBV and other issues relating to gender and youths. ▫ There is weak knowledge of the public especially vulnerable groups regarding the issues of GBV and how to handle cases of GBV especially sexual abuse. ▫ There is weak of capacity in Ministries of Women Affairs and Social Development to tackle the issues of GBV and other issues relating to gender and youths **STATE LEVEL** ▫ Many States are yet to adopt the Violence Against Persons (Prohibition) Law.	▫ Deliberate efforts to strengthen multi-agency coordination e.g. between state ministries for women affairs and social development and the ministry of justice to provide clear pathway for referral of gender-based offences. ▫ States without Gender Policy should set in motion the process of developing their gender policy which will contain guidelines and processes of preventing discrimination against vulnerable groups and PWDs. ▫ States without a gender-based violence response team should quickly set up Domestic and Gender-based (Sexual) Violence Response Team (DSVRT) to for quick response to issues of GBV in the states. ▫ Sates should carryout regular enlightenment programs for the public and capacity building programs for staff

	the state and levels clearly indicate the nation's commitments to achieving the Sustainable Development Goal (SDG) on gender equality. **STATE LEVEL** ▫ Also, most state governments have Ministry of Women Affairs/Gender Affairs and Social Development. These ministries help to address the issues of GBV and discriminations of vulnerable people. Specifically, the Law in Ekiti State provides welfare package (cash/in-kind) to the elderly. ▫ Almost all of the Tier 1 States have robust legal framework for Gender considerations, youths' affairs and social exclusions and discrimination as described in Chapter 3, except Imo and Katsina States. ▫ The Ministry of Women Affairs and Social Development in Plateau deals with issues collaborates with Ministry of Justice to deal with GBV issues. ▫ Gombe state also has an established referral pathway for victims of GBV. ▫ Many states have laws and frameworks in dealing with violence and discrimination while some states, in addition, some have response teams to deal with GBV for example Kaduna State GBV Response Team. ▫ Few States have adopted the Violence against persons Law, e.g. Kaduna State (adopted in 2018) and Ekiti State (adopted in 2019) **LOCAL GOVERNMENT LEVEL** ▫ Most states have community development associations (CDAs) at the LGA who protect and promote the interests of different population groups.	▫ Many states do not have adequate framework and institutional arrangement for combating GBV or prosecuting and punishing those involved in GBV thus offenders often do not get punished. ▫ Many of the states do not have policy to ensure inclusion of minority/ ethnic groups at local level or the extreme poor in programs ▫ Also, many of the States do not have gender policy or guidelines for dealing with vulnerable people and PWDs to ensure that they are not treated with contempt and partiality ▫ A bill for a law to protect persons against violence has not been passed into law in Delta state. ▫ Imo State lacks capacity to tackle GBV and other gender related and youth issues. **LOCAL GOVERNMENT LEVEL** ▫ Many of the states do not have policy to ensure inclusion of minority/ ethnic groups at local level or the extreme poor in programs	of gender/women ministries. ▫ States should conduct and organize inclusive community-based development association to drive inclusive participation of vulnerable groups in the program and in the community WASH projects. ▫ All community WASH projects should be designed to include universal access for all persons living with disability and to ensure accessibility to the very poor and all ethnic groups in the program.

Core Principle 6: Social Conflict

Table 5.6: Assessment Core Principle 6: Social Conflict

Bank Policy for Program-for-Results Financing: Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes. • ***Bank Directive for Program-for-Results Financing:*** Considers conflict risks, including distributional equity and cultural sensitivities. **Applicability: YES** / No Conflicts and grievances may arise during the execution of WASH projects. There is also a lingering issue of conflicts between herders and famers which can be exacerbated with the provision of water outlets at the community level.			
Applicable DLIs	**Systems Assessment**	**Gaps**	**Suggestions to Fill Gaps/Proposed Mitigation Measures**
DLI 3. People provided with basic drinking water service under the Program. DLI 4. People with access to a sustainably functioning water service. DLI 5. Household with improved sanitation facilities constructed or rehabilitated under the program. DLI 6. Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status. DLI 7. Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated	**FEDERAL LEVEL** ▫ The constitution of the Federal Republic of Nigeria 1999 (as amended) provides in Section 17 (3) (g) that "the State shall direct its policy towards ensuring that provision is made for public assistance in deserving cases, or other conditions of need. ▫ Federal throughout the country with well-trained police and security forces who maintain the rule of law and also provides security against bandits and other forms of violent crimes and attacks. ▫ The military also provides security against armed insurgency and terrorism. ▫ There is also a justice system with courts where people can seek redress. ▫ The federal government also has the public complaints commission where people can make complaints regarding administrative injustices. **STATE LEVEL** ▫ State presence is strong throughout the country with well-trained police and security forces who maintain the rule of law and also provides security against bandits and other forms of violent crimes	**FEDERAL LEVEL** ▫ Lack of a Grievance Redress Mechanism (GRM) for the poor and vulnerable. Although Nigeria has a justice system with courts where people can seek justice, poor and vulnerable people do not have the capacity to seek justice in courts. ▫ The available GRM are weak and ad-hoc and not properly institutionalized. This is to ensure that people's grievances are properly redressed even when there is need to seek further redress if the individual is not satisfied with the outcome of existing arrangements. ▫ There is no reliable solution yet to the lingering crisis between headers and farmers, banditry, armed insurgency and terrorism. **STATE LEVEL** ▫ Most of the states do not have a GRM where poor and vulnerable can make complaints and get redress. ▫ Although some states have ways of settling grievances, these	▫ Strengthened stakeholder engagement and grievance redress mechanisms and increased transparency to provide information and communication avenues for complaints and their resolutions. ▫ States should set up community level (through relevant traditional rulers/ institution e.g. WASHCOM/WCA) conflict resolution committee to address conflict related to headers / farmers / water users conflicts and other conflicts related to marginalization of ethnic minority in the program ▫ States without a framework to provide free legal services/legal aid and advice to the citizens should work towards providing that. ▫ States without an agency responsible for grievance redress and peaceful resolution of disputes should make effort to provide one. ▫ States should strengthen their GRM to facilitate resolution of conflicts. ▫ States to explore contextual Laws to prohibit or mitigate the risk of farmers and herders' conflicts. ▫

	and attacks. ▫ There is also a justice system with courts where people can seek redress. ▫ Some state government also have different institutional arrangements, e.g. Multidoor Courthouse Law and Public Defender Law in Delta State. ▫ Ekiti State has a Law prohibiting cattle and other ruminants grazing within the state. This could help mitigate the increasing risk regarding farmers and herder's conflict. **LOCAL GOVERNMENT LEVEL** ▫ Conflict resolution or GRM structures at the LGA reflect the structural capacity for such at the state level. ▫ Traditional leadership structure exists in parallel to the LGAs which is most often responsible for community conflicts/grievances resolution ▫ Different CDAs are also responsible for addressing conflicts among their members or affecting their members	arrangements are ad-hoc and needs to be properly institutionalized. ▫ Available GRM frameworks are not formalized and not well recognized. ▫ ▫ Most of the states do not have GRMs where poor and vulnerable can make complaints and get redress. **LOCAL GOVERNMENT LEVEL** ▫ Many communities rely on CDAs to settle grievances and disputes are at the community level. This form of GRM varies widely between the states	

SECTION VI: PROGRAM ACTION PLAN (PAP) AND RECOMMENDATIONS

97. This section recommends measures that will be taken to strengthen system performance in line with the gaps and risks identified in the system assessment section to ensure that the Program interventions are aligned with the Core Principles of Bank Policy for Program-for-Results financing. The identified key areas are elucidated below. These actions may be further refined and adjusted during the consultation process and the implementation of the Program.

6.1 Environmental Summary and Recommendations

98. Although Nigeria has a well-defined environmental system that is close to the core principle on environmental assessment, significant gaps remain. For example, the EIA process in Nigeria does not cover the social aspects as it should. Often impacted communities and vulnerable groups are not consulted during the EIA process and when even when they are consulted at the beginning, they are not consulted during the review and approval process thus, their concerns may not be reflected in EIA document. Further, the monitoring of EIA implementation is weak as there is no tracking system to monitor environmental and social risks and performance.

- At the State and local levels, there is weak capacity in delivering a robust environmental and social assessment process:
- Although all participating states under SURWASH have a Ministry of Environment, they do not have an adequate environmental legal framework as most laws do not make sufficient provisions for waste management and OHS issues and have weak provisions for environmental assessment to guide due diligence processes in line with national and international best practice.
- There is equally weak monitoring and evaluation of environmental and social systems at the state level and enforcement is weak during implementation of civil works and WASH infrastructure operations.
- Pollution monitoring is not routinely conducted in most States to ensure operation of WASH infrastructure is line with national standards for liquid and solid waste management. If not monitored routinely operation of WASH infrastructure can be impacted via pollution incidents that can both contaminate natural environments and lead to significant community and occupational health and safety risks.
- For civil works contracts as well as operational management contracts environmental issues are not properly incorporated in the procurement and contractor selection processes and project supervision during civil works. While a majority of states have procurement review processes, E&S elements on impact management from physical works, labor management and occupational health and safety and overall contractor environmental management are not always embedded in to contracts via a legally binding mechanism such as clauses or performance securities for Environmental and Social Health and Safety. (ESHS). This allows contractors to often operate without ensuring adequate financial allocations for ESMP implementation, procurement of PPEs for workers and site level

management, which can lead to various impacts as highlighted in Section III, associated with civil works and operations.

- Based on these assessments, the following recommendations are made:
- There is a need to modify some aspects of the EIA system to ensure that social assessments are fully covered and that impacted communities are continued from the beginning until the end of the review process. Currently, effective monitoring of the EIA process in imperative. In this regard, government (state and federal) should create a tracking system to monitor environmental and social risks performance during program implementation. Social aspects of EIA process and E&S tracking system to be included in the POM;
- State governments should ensure that adequate legally binding controls and staffing are included in the procurement, contractor selection, and supervision phases of civil works. These can include standard Environmental and Social management clauses and provisions to ensure compliance in line with site specific environmental codes of practice of ESMPs. Such requirements to be reflected in the POM;
- State governments should institute a scheduled program to build and strengthen the capacity of technical staff of the States Ministries of Environment and the SPIUs to be able to manage and monitor environmental assessments processes, environmental monitoring to ensure pollution control, hazards and other environmental issues in the state. In the long run, there is need to equip the State Ministries of Environment with necessary facilities and equipment (including laboratories, monitoring devices for monitoring environmental parameters) to be able to monitor and report environmental issues (pollution, degradation, hazards etc.) in the states during the implementation and operation of WASH infrastructure.
- State governments need to formulate/develop guidelines and manuals for mainstreaming stakeholder engagement processes, environmental, and OHS issues into the implementation of the Program as further set out in the POM. The World Bank Groups' General Environmental Health and Safety guidelines will be adapted for environmental and OHS issues. The manual should help guide the operation of potential contractors and workers and laborers (including those involved in subprojects) who are part of SURWASH Program. The guidelines should contain the requirement of adequate on-site training on OHS issues to workers and laborers, provision of personal protective equipment (PPE) and other guidelines relating to specific WASH activities
- State should conduct environmental screening of program activities (including, inter alia, against the Exclusion List and criteria for ensuring no Natural Habitats or sites of Physical cultural resource of importance are impacted either via siting or proximity to project interventions). An independent verification agent will prepare quarterly E&S monitoring reports on the proper application of the screening tool and the requirements set out in the POM, the status of implementation of the Program action plan and ongoing Program activities in the participating states, carry out bi-annual review and monitoring of progress on environmental and social issues and conduct annual environmental and social audits. This is to ensure compliance of the Program activities with the environmental and social standards and regulations and screening mechanism set out in the POM;

6.2 Social Summary and Recommendations

99. The SURWASH is meant to increase access to water, sanitation, and hygiene services and strengthen polices and institutions in select states of Nigeria and as such has a lot of social benefits. The assessment of the social systems towards the achievement of the DLIs shows the need to fill significant gaps if the objective of increased access to water, sanitation, and hygiene services and strengthen polices and institutions in select states of Nigeria will be achieved. Going by the program boundary, activities that requires land acquisition that will involve involuntary resettlement and compensation are already excluded from Program activities. Based on the assessment some recommendations were made as follows:

- Strengthen stakeholder engagement and any existing GRM at the state and community level and build the confidence of the beneficiaries on the system GRM.
- States without an agency responsible for grievance redress and peaceful resolution of disputes should institute a legal framework and create a department to facilitate grievance redress. Affected states should also set up community level GRM systems and conflict resolution committee (through relevant traditional rulers/ institution) to address conflict related to water users and other conflicts related to marginalization of ethnic minority in the program.
- States without a gender-based violence response team should quickly set up Response Team for quick response to GBV issues in the states and support it with robust public enlightenment program about the evils of Sexual Exploitation and Abuse and Sexual Harassment. States without Gender Policy should begin the process of developing their gender policy which will contain guidelines and processes of preventing discrimination against vulnerable groups and PWDs.
- All SURWASH projects should be designed to include universal access for all persons living with disability and also ensure accessibility to the very poor and all ethnic minority groups in the programs, as further reflected in the POM.
- All State governments in collaboration with SURWASH, should adopt and implement a voluntary land donation (VLD) protocol to screen all land selected for community WASH projects to ensure that all land chosen for projects are community land, government land or individual land freely donated and free of all encumbrances. The land donation protocol must include the principle of informed consent and the power of choice, monitoring mechanism and grievance redress mechanism. As indicated in the exclusion criteria, any land selected for project that will involve displacement / resettlement will not be eligible. The land acquisition and donation requirements will be set out in POM.

100. **Managing SURWASH Potential risks, challenges and recommendations:** The PAP as outlined below will ensure that the program's participating states will develop a robust Environmental and Social Screening mechanism and assessment tool to guide assessing and evaluating the risks and potential program impacts on people and environment. The GoN will ensure that the screening mechanism will benefit from the

World Bank prior guidance and ToR to ensure that all the potential risks, challenges and recommendations are captured in the assessment and screening tool that will be used for environmental and social management of proposed interventions. In the light of what has been outlined in the foregoing paragraphs, the table 6.1 below provides the summary of the recommendations, the breakdown of actions to be included in the Program Action Plan (PAP) with indicative timeline, responsibility for implementation and indicators for measuring the completion of such actions.

Table 6.1 : Program Action Plan (PAP)

s/n	Action Description	Due Date	Responsible Party	Completion Measurement
1	Engagement of qualified ENB and SSI Officers and provide capacity building/system strengthen program to strengthen their skills	Prior to Effectiveness	State PIUs/Federal PIU and World Bank as part of the IPF TA workplan	Inclusion of the listed specialist in the team and maintained throughout the Program implementation; and Training Module and Implementation Support Supervision Report of World Bank Task team
2	Ensuring that a robust E&S screening mechanism is in place to guide environmental and social management of proposed interventions, guided by a comprehensive manual which will include inter alia the Exclusion List set out in Annex 7 [to be included in the POM] Use the E&S screening mechanism for the preparation of all activities under the Program	Prior to effectiveness Throughout the life of the Program	State PIUs/Federal PIU	Screening mechanism manual prepared and submitted to the Bank Verification Agent to submit quarterly reports to the Bank
3	Hire a credible verification agent (CVA) to conduct quarterly review of progress on environmental and social risks, especially regarding the compliance of the Program activities with the PAP and the E&S due diligence (based on the screening tool and requirements set out in the POM)	Prior to effectiveness	State PIUs/Federal PIU	Contract and TORs acceptable to the Bank

	CVA to conduct quarterly reviews	Within every 3 months during program implementation		Verification Agent to produce and submit Quarterly reports to the Bank including the progress of the implementation of actions
4	Establish and include within the Program Operational Manual (POM), a comprehensive E&S manual for E&S due diligence as well as social guidelines for participating states to explore core social inclusion activities such as gender, SEP, SEA/H, resettlement issues and protection of vulnerable groups Use the POM requirements for the preparation of all activities under the Program	Prior to effectiveness During the life of the Program	State PIUs/Federal PIU	Completed guidelines disseminated to stakeholders, training provided, and the guidelines operationalized
5	Establishment a strong GRM System to ensure that the stakeholders are well sensitized ahead of any project implementation	Prior to the start of activities in the relevant State	State PIUs, LGs and WASHCOMS	Appropriate GRM protocol and staffing is in place
6	Establishment of gender-based violence (GBV) response Committee at the state level to proactively create a safe place for all gender related issues.	Prior to the start of activities in the relevant State	State PIUs, LG, and WASHCOMS	First Minutes of Committee Meeting including the Committee composition satisfactory to the Bank

SECTION VII. SUPPORTING ANNEXES AND REFERENCE DOCUMENTS

Annex 1: Applicability of Core Environmental and Social Principles (CP) to the SURWASH Program Disbursement Linked Indicators (DLIs)

Result Area	**DLI**	**CP1 Environment**	**CP2 Natural Habitats**	**CP3 Public & Worker Safety**	**CP4 Land Acquisition**	**CP5 Vulnerable groups**	**CP6 Social Conflict**
RA 1: Strengthened Sector Policies and Institutional Capacity for Improved Services.	DLI 1. National WASH Fund established and operational.	Not Applicable as there are no physical works supported by the DLI	Not Applicable as there are no physical works supported by the DLI	Not Applicable as there are no physical works supported by the DLI	Not Applicable as there are no physical works supported by the DLI	Not Applicable	Not Applicable as there are no physical works supported by the DLI
	DLI 2. Design and implementation of a State PIR Plan and APA to achieve required reforms.	Not applicable as there are no physical works supported by the DL2	Not Applicable as there are no physical works supported by the DL2	Not Applicable as there are no physical works supported by the DL2	Not Applicable as there are no land acquisition or physical works supported by the DL2	Not Applicable	Not Applicable as there are no physical works supported by the DL2
RA 2: Improved Access to Water Supply, sanitation and hygiene Service	DLI 3. People provided with basic drinking water service under the program	This is applicable because the rehabilitation and construction activities, for example, expansion of water production capacity, treatment,	This is applicable as the infrastructure that will be implemented for example expansion of water production capacity, treatment, pumping,	This is applicable as hired laborer's or other workers building roads and skill centers may be exposed to environmental hazards, for example, dust,	This may be applicable in cases where sub project is to be located on community, government or individually donated land.	This is applicable as there could be discrimination against vulnerable groups within communities where WASH facility is located	This may be applicable as there could be disagreements and conflicts regarding planning and implementation of the WASH infrastructure as

Result Area	DLI	CP1 Environment	CP2 Natural Habitats	CP3 Public & Worker Safety	CP4 Land Acquisition	CP5 Vulnerable groups	CP6 Social Conflict
		pumping, storage, transmission, and distribution facilities in selected urban centers, installation of meters and public stand posts or water kiosks will lead to the generation of dust and air pollution, noise from heavy equipment used in construction activities, waste etc.	storage, transmission, and rural infrastructure development to increase sustainable access to improved water supply in communities, will impact on natural habitats.	fumes, and physical injuries.			well as access to facilities
	DLI 4. People with access to a sustainably functioning water service.	Applicable as there may be rehabilitation and construction activities, for example, expansion of water production capacity, treatment, pumping, storage, transmission, and distribution facilities in selected urban centers,	Applicable as there may be physical works involved which may impact on the natural habitat	Applicable as there may be physical works involved which may impact occupational health and public and worker safety	Given that there will be construction and rehabilitation, this may be applicable especially in cases where sub project is to be located on community, government or individually donated land.	This is applicable as there could be discrimination against vulnerable groups within communities where WASH facility is located	Applicable as grievances and conflict may render disrupt accessibility

Result Area	DLI	CP1 Environment	CP2 Natural Habitats	CP3 Public & Worker Safety	CP4 Land Acquisition	CP5 Vulnerable groups	CP6 Social Conflict
		installation of meters and public stand posts or water kiosks will lead to the generation of dust and air pollution, noise from heavy equipment used in construction activities, waste etc.					
	DLI 5. Household with improved sanitation facilities constructed or rehabilitated under the program.	Applicable as there may be physical works, for example construction of latrines, involved which may impact on the environment	Applicable as there may be physical works, for example construction of latrines, involved which may impact on the natural habitat	Applicable as there may be physical works involved which may impact occupational health and safety	This may be applicable in cases where projects is to be located on community, government or individually donated land.	This is applicable as there could be discrimination against vulnerable groups within communities where facility is located	Applicable as grievances and conflict may cause and discourage individuals not to access fetching points inaccessible
	DLI 6. Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities having maintained their status	Applicable as there may be physical works, for example construction of latrines, involved which may impact on the environment	Applicable as there may be physical works, for example construction of latrines, involved which may impact on the natural habitat	Applicable as there may be physical works involved which may impact occupational health and safety	This is not applicable as HCF and schools are already on existing lands with necessary documentations	Not applicable	Applicable as grievances and conflict may disrupt construction and/or operations

Result Area	DLI	CP1 Environment	CP2 Natural Habitats	CP3 Public & Worker Safety	CP4 Land Acquisition	CP5 Vulnerable groups	CP6 Social Conflict
	DLI 7. Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated.	Applicable as there may be physical works involved which may impact on the environment	Applicable as there may be physical works involved which may impact on the natural habitat	Applicable as there may be physical works involved which may impact occupational health and safety	This may be applicable in cases where sub projects are to be located on community, government or individually donated land.	This is applicable as there could be discrimination against households with vulnerable people within	Applicable as grievances and conflict may disrupt community services

Annex 2: Key Environmental & Social Risks and Benefits Associated with Program Activities

Result Areas	DLIs	Environmental Benefits	Environmental Risks	Social Benefits	Social Risks
1: Strengthened Sector Policies and Institutional Capacity for Improved Services	1. National WASH Fund established and operational.	Indirect environmental benefits that will accrue from this DLI include clean environment due to improved and sustainable water and sanitation services;	There is a possibility that the State and PIU do not have the capacity to manage environmental and social risks. This situation may pose a danger to the safety of workers, the public and environment.	Indirect social benefits include healthy environment, reduced incidence of disease outbreaks, sustainable access to clean and portable water and sanitation services and enhanced income for the people, reduced poverty and vulnerability to shocks (for example health shocks associated filthy environment and lack of water).	Social risks as a result of DLI 1 is negligible
	2. Design and implementation of a State PIR Plan and APA to achieve required reforms.	Indirect environmental benefits that will accrue from this DLI include clean environment due to improved and sustainable water and sanitation services and reduced pollution due to proper sanitation and hygiene management.	There is a possibility that the State and PIU do not have the capacity to manage environmental and social risks. This situation may pose a danger to the safety of workers, the public and environment.	Indirect social benefits include enhanced health due to reduced incidence of water borne disease outbreaks, sustainable access to clean and portable water and sanitation services and enhanced income for the people, reduced poverty and vulnerability to shocks (for example health shocks associated filthy environment and lack of water).	Social risks as a result of DLI 2 is negligible
RA 2: Improved Access to Water Supply, sanitation and hygiene Service	3. People provided with basic drinking water service under the program	Indirect environmental benefits that will accrue from this DLI include clean environment due to improved and sustainable water and sanitation services, and reduced air pollution due to proper sanitation and hygiene management. Installation of smart meters can significantly benefit the	The rehabilitation and construction activities that will lead to the achievement of this DLI for example, expansion of water production capacity, treatment, pumping, storage, transmission, and distribution facilities in selected urban centers, installation of meters and public stand posts or water	Sustainable access to portable drinking water will lead to enhanced and accelerated health gains due to reduced incidence of diseases especially water borne diseases (diarrhea, cholera, bilharzia, guinea worm, filariasis, dengue fever and some other opportunistic diseases etc.). Indirectly, reduced disease incidence due to access to drinking water will	The execution of projects for the achievement of this DLI (construction and rehabilitation of water points and schemes, public standpipes and household connections) could result in minor conflicts and quarrels within the localities. This could pose serious risk to the project if an appropriate grievance redress mechanism (GRM) is not in place. There could also be

Result Areas	DLIs	Environmental Benefits	Environmental Risks	Social Benefits	Social Risks
		environment as it would lead to reduced energy consumption.	kiosks will lead to the generation of dust and air pollution, noise and waste. It may also result in traffic obstruction during construction and rehabilitation of water facilities. Associated activities may lead to cutting down of vegetation and impact on fauna species thereby leading to loss of biodiversity. There could also be cumulative impacts due to pre-existing environmental conditions. Risk of contaminants in water which can render water unsafe and of poor quality. In addition, there will be increased energy use for generation of water, and this may increase greenhouse gas emission. Moreover, installation of meters may lead to the generation of e-waste as old ones and malfunctioning ones will be removed.	lead to increased life expectancy. There will also be more hours available for work which will in turn lead to enhanced income and welfare and better quality of life for the people and reduced incidence of poverty and vulnerability to shocks and increased economic growth. Also, increased access to drinking water will save the labor used for fetching water, especially for women, and thus result in enhanced income and livelihoods of women. Increase in number of people with access to basic drinking water service will also offer some political gains especially in terms of political stability and enhanced cooperation of citizens in government activities.	temporary displacement of people, coercion for land donation, destruction of access routes, damage to utility lines, residential restriction, temporary lack of water access during rehabilitations and discrimination against the very vulnerable persons in the communities (lack of universal access). There could also be OHS risks due to rehabilitation and construction activities. In addition, there could be risks associated with the use of child labor and exposure to COVID-19. There could also be increased risks of GBV, SEA and SH due to influx of contractors in the urban and rural areas where construction and rehabilitation are taking place. There is also possibility of negative impact on cultural heritage. Moreover, although the DLI will not directly result in conflict, the security situation in some of the States, for example, Katsina and Kaduna where there is armed insurgency, banditry, ethnic clashes, could pose contextual risk and prevent the achievement of the DLI
	4. People with access to a sustainably functioning water service.	Indirect environmental benefits that will accrue from this DLI include clean environment due to	The rehabilitation and construction activities that will be carried out in order to achieve the DLI will lead	The achievement of this DLI will lead to enhanced and accelerated private and public health gains due to reduced	There could be temporary displacement of people, coercion for land donation, destruction of access routes,

Result Areas	DLIs	Environmental Benefits	Environmental Risks	Social Benefits	Social Risks
		improved and sustainable water and sanitation services, and reduced air pollution due to proper sanitation and hygiene management.	to the generation of dust and air pollution, noise and waste. It may also result in traffic obstruction during construction and rehabilitation of water facilities. Associated activities may lead to cutting down of vegetation and impact on fauna species thereby leading to loss of biodiversity. There could also be cumulative impacts due to pre-existing environmental conditions. Risk of contaminants in water which can render water unsafe and of poor quality. In addition, there will be increased energy use for generation of water, and this may increase greenhouse gas emission. Also, the depletion of ground water due to increased and sustainable supply to customers may affect ground water dependent terrestrial ecosystems that will suffer from reduced water availability.	incidence of diseases especially water borne diseases given increased access to water for drinking, sanitation and other services. Indirectly, reduced disease incidence due to access to drinking water will lead to increased life expectancy. There will also be more hours available for work which will in turn lead to enhanced income and welfare and better quality of life for the people and reduced incidence of poverty and vulnerability to shocks and increased economic growth. Also, increased access to drinking water will save the labor used for fetching water, especially for women, and thus result in enhanced income and livelihoods of women. Increase in number of people with access to basic drinking water service will also offer some political gains especially in terms of political stability and enhanced cooperation of citizens in government activities.	damage to utility lines, residential restriction, temporary lack of water access during rehabilitations and discrimination against the very vulnerable persons, for example women and people with disabilities, in the communities (lack of universal access). There could also be OHS risks due to rehabilitation and construction activities. In addition, there could be risks associated with the use of child labor and exposure to COVID-19. There could also be increased risks of GBV, SEA and SH and also risk of spread of sexually transmitted diseases due to influx of contractors in the urban and rural areas where construction and rehabilitation are taking place. There is also possibility of negative impact on cultural heritage. Also, the execution of projects for the achievement of this DLI could result in quarrels and grievances within the localities and could stall the projects if there is no appropriate GRM in place. Moreover, although the DLI will not directly result in conflict, the security situation in some of the States, for example, Katsina and Kaduna where there is armed insurgency, banditry, ethnic

Result Areas	DLIs	Environmental Benefits	Environmental Risks	Social Benefits	Social Risks
					clashes, could pose contextual risk and prevent the achievement of the DLI
	5. Household with improved sanitation facilities constructed or rehabilitated under the program.	Environmental benefits that will accrue from this DLI include clean environment due to improved and sustainable water and sanitation services, and reduced air pollution due to proper sanitation and hygiene management.	The rehabilitation and construction activities will lead to the generation of dust and air pollution, noise and waste. There could also be cumulative impacts due to pre-existing environmental conditions and other on-going construction activities in the area. The construction activities may lead to cutting down of vegetation and impact on fauna species thereby leading to loss of biodiversity.	The construction and rehabilitation of sanitation facilities will lead to enhanced health (due to reduced incidence of diseases especially those associated with poor sanitation, for example, diarrhea, dysentery), and reduced mortality giving that poor sanitation is one of the major causes of death in a developing country like Nigeria where there is poor access to water and sanitation. Indirectly, reduced disease incidence due to increased access to sanitation will lead to increased life expectancy. There will also be more hours available for work which will in turn lead to enhanced income and welfare and better quality of life for the people and reduced incidence of poverty and vulnerability to shocks and increased economic growth.	There could be temporary displacement of people, damage to utility lines, residential restriction, temporary lack of access to sanitation during rehabilitations and discrimination against the very vulnerable persons in the communities in siting household improved sanitation facilities (lack of universal access). There could also be OHS risks due to rehabilitation and construction activities. In addition, there could be risks associated with the use of child labor during construction and rehabilitation work. There could also be increased risks of GBV, SEA and SH and also risk of spread of sexually transmitted diseases due to influx of contractors and workers that will be involved in the construction and rehabilitation work into the communities.
	6. Communities having achieved community-wide sanitation status (ODF+) or number of ODF+ communities	Environmental benefits that will accrue from this DLI include clean environment due to improved and sustainable sanitation services especially safe collection,	The achievement of this DLI could indirectly lead to pollution risks especially during transport, treatment, and disposal of wastewater and fecal sludge from pit latrines, septic tanks, and	Achievement of ODF+ will lead to enhanced health (due to reduced incidence of diseases especially those associated with poor sanitation, for example, diarrhea, dysentery), and reduced mortality giving that	Implementation of activities for the achievement of this DLI could result in discrimination against vulnerable people in the community, for example, in treatment and disposal of wastewater and fecal sludge

Result Areas	DLIs	Environmental Benefits	Environmental Risks	Social Benefits	Social Risks
	having maintained their status	transport, treatment, and disposal of wastewater, fecal sludge, from pit latrines, septic tanks, and other onsite sanitation facilities. There could also be reduced air pollution due to proper sanitation and hygiene management. Also, some activities in this DLI aligns with MDB list of eligible mitigation activities under Category 6.1, that is, treatment of wastewater including wastewater collection networks that reduce GHG emission.	other onsite sanitation facilities if not properly handled.	poor sanitation is one of the major causes of death in a developing country like Nigeria where there is poor access to water and sanitation. Indirectly, reduced disease incidence due to increased access to sanitation will lead to increased life expectancy. There will also be more hours available for work which will in turn lead to enhanced income and welfare and better quality of life for the people and reduced incidence of poverty and vulnerability to shocks and increased economic growth.	from pit latrines and in behavioral change communication (BCC). There could also be OHS risks due transport, treatment, and disposal of wastewater and fecal sludge from pit latrines, septic tanks, and other onsite sanitation facilities.
	7. Schools and healthcare facilities with improved water supply, sanitation and handwashing facilities constructed or rehabilitated.	Indirect environmental benefits that will accrue from this DLI include clean environment in the schools and healthcare facilities due to improved and sanitation facilities. There would also be reduced air pollution due to proper sanitation and hygiene management	The construction and rehabilitation activities that will be carried out in order to achieve the DLI will lead to the generation of dust and air pollution, noise and construction site waste. There could also be cumulative impacts due to pre-existing environmental conditions and other rehabilitation activities in the schools and health facilities not associated with the PforR.	The achievement of this DLI will result in health and economic wellbeing and enhanced education outcomes. Specifically, the construction and rehabilitation of sanitation facilities lead to enhanced health (due to reduced incidence of diseases especially those associated with poor sanitation, for example, diarrhea, dysentery), and reduced mortality giving that poor sanitation is one of the major causes of death in a developing country like Nigeria. Indirectly, reduced disease incidence due to increased access to sanitation	The execution of projects for the achievement of this DLI could result in temporary disruption of academic activities and disruption of operations in health facilities. This may lead to loss an academic session, loss of income, and unintended health consequences (even death of patients who may not be able to receive medical treatment during the period of disruption). There could also be OHS risks due to rehabilitation and construction activities. In addition, there could be risks associated with the use of child labor and exposure to COVID-19. There could also be

Result Areas	DLIs	Environmental Benefits	Environmental Risks	Social Benefits	Social Risks
				will lead to increased life expectancy. Also, with better health, there will be reduction in the level of absenteeism in schools and increase the retention ability of pupils/students and enhance their performance and ensure increased education gains, reduction in school dropout rate and other positive outcomes. This will generally enhance economic growth and wellbeing in the country. For the health facilities,	increased risks of GBV, SEA and SH and also risk of spread of sexually transmitted diseases due to influx of contractors and construction workers in the urban and rural areas where construction and rehabilitation are taking place. The rehabilitation and construction of sanitation facilities in schools and health facilities can also result in disagreements and minor conflicts between school and health facility's operators and construction workers and even between school authorities and parents which may prevent the achievement of the DLI if appropriate GRM is not in place. There could also be inequities and gender discrimination in the selection of schools and hospitals where construction and rehabilitation of sanitation facilities will take place. Moreover, although the DLI will not directly result in conflict, the security situation in some of the States, for example, Katsina and Kaduna where there is armed insurgency, banditry, ethnic clashes, could pose contextual risk and prevent the achievement of the DLI

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Annex 4: The environmental and social issues, the questionnaire and discussion points and responses from State representatives

Key questions and discussion points and responses from the representatives from Plateau State

Result Areas	Key Questions	Responses
RA 1: Strengthened sector policies and institutional capacity for improved services	What specific laws, regulations, procedures, legislation or other mandatory legal instruments through which to ensure that the technical capacity for assessing and managing E&S risks, preparing or reviewing ESIAs, supervising environmental management on construction sites and WASH assets/supervising OHS aspects.	EIA Act. No. 86, 1992 Additional Law is to be shared and is in draft stage.
	Do you have an environmental law and regulation in your state?	Yes Agencies Urban under the Plateau city water corporation. Small town agency looks at other municipal area councils and populations more than 5000. Rural water is under RUWASs looks at populations under 5000.
	Does the law and regulations in your state contain environmental assessment requirements for projects and procedures for carrying it out?	No. No state laws specific to state federal is used.
	Do you have an EIA process in your state or follow that of the EIA Act of the Federal Government?	We followed the Federal Government EIA Process
	Are EIA certificates given at the completion of ESIAs for proposed activities?	Yes- ESIAs are reviewed by the State EPA and a certification is issued. No env Certifications are being issued at the state level. The State Env Ministry depends on the Federal MoE to facilitate EIA/ESIA process. In the Wash sector- Apart from ESIA the water sector law has permits and licensing procedure to allow ENV clearance from the relevant agencies. Can a sample EIA report be shared carry about the WASH ministry?
	Do you have labor laws in your state? If yes, does it cover the issues of child labor especially for the water sector? Do you have any past experiences with child labor issues?	Yes

Result Areas	Key Questions	Responses
	Do you have OHS standards for WASH related infrastructure/services and contractors operating in your state? If yes, what are the means of enforcement?	No- Looking at developing standards on OHS when the laws are being reviewed. Currently no specific standards exist.
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the water sector.	Yes, the project proponent prepares a waste management plan that must conform to the State Laws Construction waste and debris is a project proponent responsibility, he she would be needed to do SWMP. It is embedded in the ESIA or ESMP. Designated dumping areas for waste and no segregation is done so construction work is also open dumped at the same location. They are looking at a recycling program to be implemented next year for the dump sites, statewide.
	Do you have the appropriate staff strength and qualifications of staffing assigned for environmental and social management?	No The staffing in their view within the PESA is inadequate. Need capacity and human capital development here. Capacity building is needed according to them in almost all areas including the need for membership in professional bodies. The WASH agency has no unit that oversees environmental issues. Reply solely on PEPSA and MOE.
	What are the processes for Information Dissemination, Public Disclosure, and Communication	All reports are advertised on print and electronic media and displayed publicly for 21 working days at State and LGA levels
	Are there non-state actors such as NGOs that play important roles in the WASH sector in your state?	Yes The State team should list out the NGOs
	Do you have requisite skill sets to collect and process WASH data related to environmental and social issues? Do you collect data related to project siting and convenience for women, the physically challenged and the vulnerable? Do you collect data on gender issues, harassment and exclusions? Do you collect data related to project grievances? How do you escalate project related grievances and manage feedback system with stakeholders?	No- the Skills are not available while the manpower is available. Local level capacity should be improved in the PRUWASA. There are no E and S officers at the PRUWASA level. No No No By engaging the aggrieved party for resolving the grievances- Documents Process is to be shared by state

Result Areas	Key Questions	Responses
	What mechanisms do you have in place to measure the following E&S parameters in existing WASH institutional policies such as: - Accessibility (disabled and the vulnerable group) - Gender Issues - Effluent Management - Grievance Redress - Stakeholder engagement - Land Contamination - Water Contamination - Occupational Health and Safety - Cultural Heritage - Handling of hazardous materials - sludge management	Limited as indicated by the state below No guidelines available on effluent management- the state environmental law has it, this law is being reviewed, water resources do not have it. Sludge Management and Handlining hazardous waste is part of the Env Law. (The laws are to be shared) Cultural Heritage and SE are in the WASH Policy and Water Law GRM is not in any of the policies -None - WASH POLICY- g - None - None - WASH Policy - None - WASH Policy and Law - None -Sector Law - None - None
	What E&S monitoring systems exist to ensure inclusiveness and adherence to standards in health and sanitation services.	None Should be in WASH POLCIY, ENV LAW or WATER LAW
	▪ Do you collect WASH utility implementation data in any part of the state? ▪ How do you collect, collate and further process and warehouse the data? ▪ On what platform is this data processed and stored? ▪ Where this data relates to people, are they analyzed demographically to reflect gender, age, location and category of issues? ▪ Is any data collected on issues such as project siting, grievance issues, contaminations, gender issues, etc.?	▪ Yes ▪ During WASH Sector Coordination Meeting ▪ No Platform ▪ No ▪ Yes No oversight on E and S run by the with the WASH agencies- all the due diligence is under the purview of the MoE and PESA. If for instance a WASH project is carried out at the RUWASA level how does the PESA and MOE Monitor. Team

Result Areas	Key Questions	Responses
	▪ Do you have a database of urban water utilities that monitors performance? ▪ What are the KPIs or issues tracked that informs performance or otherwise of water utilities?	▪ Yes ▪ Number of connections, NRW, Billing of Collection Efficiency
RA 2: Improved access to water supply and sanitation and hygiene services.	Do you have a Grievance Redress Mechanism for all stakeholders? How are public complaints channeled and what is the process for handling & resolving complaints?	▪ No ▪ Costumer care office, costumer consultative forum.
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	No Procurement process is based on the state procurement rules and includes aspects on Environmental Aspects- **A copy will be shared of the state procurement rules.** Obligations of the contract are captured for WASH projects in their contract documents- **can we get some examples of bidding documents for WASH projects.**
	What E&S Quality assurance and control systems exists and how does this work?	Sector coordination meetings – **are held quarterly.**
	What is the organizational policy, structure, procedure, and culture to carry out stakeholder engagement and publicly disclose appropriate information?	No Sector conducted media briefing to share info with the public on what they do.
	Are the appropriate E&S staff domiciled in your organization? And what are their technical skills?	No There are no staff designated they are domiciled at the MoE and PESA. How Many Staff under EIA DPT- 3 skilled staff supported by unskilled staff? Specialties of the staff include Env Engineer, Botanist and a Geologist. The staffing is not adequate to handle all the projects according to the agencies.
	Do you have the capacity to conduct environmental and social assessment of proposed projects such as: preparation of TORs for E&S Assessments, institutional responsibilities for mitigation and monitoring measures; organizational, financial and human resource arrangements for implementing every mitigation and monitoring measures?	No- the WASH agencies indicated they do not as they don't have inhouse staff they are unable to do so.
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	Yes- Technical departments within the Ministry of WRs do that
	Capacity to set up a Grievance Redress Mechanism to receive and facilitate resolution of project-related concerns and grievances	Yes

Result Areas	Key Questions	Responses
	Do you have environment, health and safety guidelines for urban water supply in the state?	No- Health and Safety manuals are available and will be shared with us.
	Do you have regulations or guidelines on water quality/effluent management?	No These guidelines are not available at the UWC and the MoE department conducts monitoring of the effluent quality to ensure it is within a certain standard. Assessment Department and Pollution control Departments. They rely on the standard of the National Env Agency. Water Quality standards are follows as per WHO and SON standard for drinking water.
	How do you manage on-site and post-project runoff of polluted water, controlling sources of pollutants, and treating contaminated water before discharge into drainage systems or receiving waters?	Conduct test on effluent before discharge Assessment Departments and Pollution control Departments. They rely on the standard of the National Env Agency conducts periodic monitoring.
	What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of water services for healthcare facilities and schools?	
	What are the systems in place to manage the environmental and social risks associated with the operation and maintenance of water services in schools and healthcare facilities?	None The WASH Departments that walks in the local gov and work with RUWAS. The WASH Departments is responsible for looking and will manage wash activities in the school and health care facilities at the local level.
	Do you have policies and guidelines addressing public and worker safety and school health, including for school infrastructure?	No
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the health and education sector	Yes, the project proponent prepares a waste management plan that must conform to the State Laws
	UBEC/SUBEBs has put in place the Minimum Standards for Infrastructure Development including gender-sensitive toilets. What are the regulatory mechanisms on synergy?	None Segregated gender toilets are taken into consideration- the Standards
	What are the state policies on gender, disability and gender-based violence in the state and plans in addressing them?	Gender equal opportunity Law, violence against persons prohibition bill- copies of the laws to be sent
	Do you have E&S policies/regulations/action plans with respect to installing water facilities/ services in the health and education sector in your state	No There are regulations these will be shared.
	What are the procedures to ensure that the safety of workers is guaranteed?	None OHS procedures not available

Result Areas	Key Questions	Responses
	Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works??	Yes Each contractor is required to do a CESMP. Can a recent CESMP sample be shared.
	Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	Yes Bidding documents include binding clauses exist and if noncompliance is noticed deductions can be made from payment schedule.
	What is the mechanism in place to identify suitable land for the establishment of WASH facilities?	Vulnerable population, geophysical and hydrological survey
	How do you track the functionality of the different E&S systems In WASH project?	Nil
	Are drainage management systems built into the design of water facilities?	Yes – a example design will be sent
	• What were the safety considerations for the location of sanitation and hygiene facilities? • Are there issues of child abuse or GBVH associated with influx in any of the communities where sanitation and hygiene facilities have been provided? • Was there adequate consultation of stakeholders in the provision of sanitation and hygiene facilities? • What are the systems in place for human waste management? • What capacities exists in communities to sustainably operate, manage and maintain rural water supply facilities	• Distance of facility to water sources • Yes, it has been recorded • Yes • Evacuation, transportation and proper disposal- Evacuation and safe disposal. A proper disposal area is a land where the land is already degraded according to the agency. • Designated dumps for Solid waste exist and even sludge and waste from soakage pits are taken here. There are others that have been designated for liquid • Community institutions (WASHCOMs, WCAs)
	• What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of sanitation and hygiene facilities for healthcare facilities and schools?	• None
	• What are the systems in place to manage environmental and social risks associated with the operation and maintenance of sanitation and hygiene facilities in schools and healthcare facilities?	None
	• Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	Yes- copies to be sent

Result Areas	Key Questions	Responses
	• Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	Yes- copies to be sent
	• What mechanisms have been put in place to build the capacity of communities/ LGAs to maintain water and sanitation facilities sustainably? • How are sludge and solid waste managed across communities? • Do you have a policies, laws and regulations on water and sanitation in your state?	• Trainings on VLOM, Bookkeeping- • Evacuation and safe disposal. A proper disposal area is a land where the land is already degraded according to the agency. • Designated dumps for Solid waste exist and even sludge and waste from soakage pits are taken here. There are others that have been designated for liquid waste. • Yes- state laws will be shared- WATER AND SANITATION POLICY 2017, WASH POLICY 2012. GROUND WATER DEV REGULATIONS. WATER SECTOR POLICY 2019
	• How do households handle fecal waste disposal safely?	By using private operators in Urban Areas and burying in Rural areas. In urban areas waste from soakage pits are taken to designated dumps and in rural areas they are buried. Deep burying is undertaken.
	• How is Sludge and Solid Waste management handled? • Do you have policies on sludge and solid waste management?	• Treatment, containment, evacuation and transportation and disposal- in designated dump site as mentioned. • Yes- Policy is to be sent to us
	• What regulations and guidelines exists to manage occupational health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers? • What regulations and guidelines exists to manage community health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers?	• None • None

Key questions and discussion points and responses from the representatives from Katsina State

Result Areas	Key Questions	Responses
RA 1: Strengthened sector policies and institutional capacity for improved services	What specific laws, regulations, procedures, legislation or other mandatory legal instruments through which to ensure that the technical capacity for assessing and managing E&S risks, preparing or reviewing ESIAs, supervising environmental management on construction sites and WASH assets/supervising OHS aspects.	Nil All the agencies are operating under common regulations. All sanitation laws and environmental laws are part of the state of the law and they confirm with the federal laws. All MDAs are established by an enabling law from the state house assembly. • Katsina State EPA Law-2018 • Katsina State Water Board Law of 1987 • Katsina State Water Agency Law Copies of Laws must be sent
	Do you have an environmental law and regulation in your state?	Yes • Katsina State EPA Law-2018 • The National EIA law is followed there is no domesticated EIA Law
	Does the law and regulations in your state contain environmental assessment requirements for projects and procedures for carrying it out?	Yes •
	Do you have an EIA process in your state or follow that of the EIA Act of the Federal Government?	Follow that of Federal Government (FG)
	Are EIA certificates given at the completion of ESIAs for proposed activities?	Yes • EIA Certificated are issued at the Federal Level
	Do you have labor laws in your state? If yes, does it cover the issues of child labor especially for the water sector? Do you have any past experiences with child labor issues?	Yes • It does not have labor laws.
	Do you have OHS standards for WASH related infrastructure/services and contractors operating in your state? If yes, what are the means of enforcement?	• No occupational health standards available in the state.
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the water sector.	Yes Kaduna State Environmental Protection Law and amended in 2018 by state assembly. Including SWM By using semi-automated.
	Do you have the appropriate staff strength and qualifications of staffing assigned for environmental and social management?	No
	What are the processes for Information Dissemination, Public Disclosure, and Communication	Conventional and Social Media Television, print media, radio, public service announcements, townhall meetings, through religious institutions also. A sample to be sent

Result Areas	Key Questions	Responses
	Are there non-state actors such as NGOs that play important roles in the WASH sector in your state?	Yes An NGO was present the name was not clear
	Do you have requisite skill sets to collect and process WASH data related to environmental and social issues? Do you collect data related to project siting and convenience for women, the physically challenged and the vulnerable? Do you collect data on gender issues, harassment and exclusions? Do you collect data related to project grievances? How do you escalate project related grievances and manage feedback system with stakeholders?	Nil
	What mechanisms do you have in place to measure the following E&S parameters in existing WASH institutional policies such as: - Accessibility (disabled and the vulnerable group) - Gender Issues - Effluent Management - Grievance Redress - Stakeholder engagement - Land Contamination - Water Contamination - Occupational Health and Safety - Cultural Heritage - Handling of hazardous materials - sludge management	Nil Community Committees oversee finished projects- CBOs. WASH Coms at Local Government. RUWASA Organogram has to be shared.
	What E&S monitoring systems exist to ensure inclusiveness and adherence to standards in health and sanitation services?	Nil WASH COMS and CBOs can and due to some extent monitor. RUWASA has a unit to do community mobilization
	▪ Do you collect WASH utility implementation data in any part of the state? ▪ How do you collect, collate and further process and warehouse the data? ▪ On what platform is this data processed and stored? ▪ Where this data relates to people, are they analyzed demographically to reflect gender, age, location and category of issues? ▪ Is any data collected on issues such as project siting, grievance issues, contaminations, gender issues, etc.?	Nil

Result Areas	Key Questions	Responses
	▪ Do you have a database of urban water utilities that monitors performance? ▪ What are the KPIs or issues tracked that informs performance or otherwise of water utilities?	Nil
RA 2: Improved access to water supply, sanitation and hygiene services.	Do you have a Grievance Redress Mechanism for all stakeholders? How are public complaints channeled and what is the process for handling & resolving complaints?	Nil
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	Nil
	What E&S Quality assurance and control systems exists and how does this work?	Nil NESRIA standard has been domesticated and used.
	What is the organizational policy, structure, procedure, and culture to carry out stakeholder engagement and publicly disclose appropriate information?	Nil Community town hall meetings are held
	Are the appropriate E&S staff domiciled in your organization? And what are their technical skills?	Nil Environmental officer part of the Water and Sanitation and Dept. a Sociologist also in the RUWASA. 2 EOs Urban center has a Water Quality control officers that monitor water quality.
	Do you have the capacity to conduct environmental and social assessment of proposed projects such as: preparation of TORs for E&S Assessments, institutional responsibilities for mitigation and monitoring measures; organizational, financial and human resource arrangements for implementing every mitigation and monitoring measures?	Nil They need technical assistance and training but currently do not have full capacity.
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	Nil Procurement Agency in the state has a process. They will share a copy with the E and S areas highlighted.
	Capacity to set up a Grievance Redress Mechanism to receive and facilitate resolution of project-related concerns and grievances	Nil
	Do you have environment, health and safety guidelines for urban water supply in the state?	Nil
	Do you have regulations or guidelines on water quality/effluent management?	Nil Only Water Quality Standards for Nigeria are used. National Standard for Drinking Water Quality

Result Areas	Key Questions	Responses
		Other issues won't be in this standard.
	How do you manage on-site and post-project runoff of polluted water, controlling sources of pollutants, and treating contaminated water before discharge into drainage systems or receiving waters?	Nil They don't test effluent quality before discharge
	What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of water services for healthcare facilities and schools?	• School Based Management Committee (SBMC) • Water, Sanitation and Hygiene Committees (WASHCOM) • Volunteer Hygiene Promoters (VHPs) • Environmental Health Club (EHC)
	What are the systems in place to manage the environmental and social risks associated with the operation and maintenance of water services in schools and healthcare facilities?	• School Based Management Committee (SBMC) • Volunteer Hygiene Promoters (VHPs) • Environmental Health Club (EHC)
	Do you have policies and guidelines addressing public and worker safety and school health, including for school infrastructure?	School National Environmental Safety Policy
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the health and education sector	Solid waste is handled as per the environmental law of the state.
	UBEC/SUBEBs has put in place the Minimum Standards for Infrastructure Development including gender-sensitive toilets. What are the regulatory mechanisms on synergy?	Using Harmonized Drawing and Technical Specification that in cooperate gender sensitive toilets and physically challenge pupils. Can these be shared
	What are the state policies on gender, disability and gender-based violence in the state and plans in addressing them?	
	Do you have E&S policies/regulations/action plans with respect to installing water facilities/ services in the health and education sector in your state	NO
	What are the procedures to ensure that the safety of workers is guaranteed?	Workmanship Compensation Act and has Labor and Employer actions are covered here. Safety procedures based on this. PPEs are provided at treatment plants for workers.
	Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	No Before issuing a contract a CESMP is not done.
	Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	No Contractor specifications have environmental and social aspects. Can a sample be sent?

Result Areas	Key Questions	Responses
	What is the mechanism in place to identify suitable land for the establishment of WASH facilities?	Through NEED assessments and instant request from communities
	How do you track the functionality of the different E&S systems In WASH project?	Via Water, Sanitation and Hygiene Information System (WASHIMS)
	Are drainage management systems built into the design of water facilities?	YES
	• What were the safety considerations for the location of sanitation and hygiene facilities? • Are there issues of child abuse or GBVH associated with influx in any of the communities where sanitation and hygiene facilities have been provided? • Was there adequate consultation of stakeholders in the provision of sanitation and hygiene facilities? • What are the systems in place for human waste management? • What capacities exists in communities to sustainably operate, manage and maintain rural water supply facilities	Easy Access, Privacy NO Yes Biodegradation (Anaerobic condition) when the toilet is filled mostly in rural communities where the is abundant land Village Level Operation and Maintenance (VLOM), Local Area Mechanic (LAM), Linking Communities with Supply Chain.
	• What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of sanitation and hygiene facilities for healthcare facilities and schools?	School Based Management Committee (SBMC) Volunteer Hygiene Promoters (VHPs). Local Government Water and Sanitation Department (WATSAN) Local Government Primary Health Care Department. Local Government Education Department.
	• What are the systems in place to manage environmental and social risks associated with the operation and maintenance of sanitation and hygiene facilities in schools and healthcare facilities?	Environmental Health Club (EHC). Volunteer Hygiene promoters. Ward Officers School Based Management committees
	• Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	No
	• Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	No

Result Areas	Key Questions	Responses
	• What mechanisms have been put in place to build the capacity of communities/ LGAs to maintain water and sanitation facilities sustainably?	Training of trainers (Tot) of staffs at the LGAs Training of WASCOMs on maintenance of WASH facilities Training of Ward Officers on facilitation skills for achieving sustainability of ODF+ wide Local Government Areas. Water, Sanitation and Hygiene Committees (WASHCOM); Volunteer Hygiene Promoters (VHPs); Environmental Health Club (EHC), Village Level Operation and Maintenance (VLOM), Local Area Mechanic (LAM) Ongoing training programs
	• How are sludge and solid waste managed across communities?	Via Septic Tank. Rural community- latrine are covered and left and used to manure. In urban areas no piped sewerage- only septic tanks- gully bowsers and it is dumped in a designated pond until anaerobic conditions are reached and used as manure. Collection conducted by the KEPA
	• Do you have a policies, laws and regulations on water and sanitation in your state?	Yes. Water and Sanitation Policy
	• How do households handle fecal waste disposal safely?	Via Biodegradation Process. (under Anaerobic condition) Rural community- latrine are covered and left and used to manure. In urban areas no piped sewerage- only septic tanks- gully bowsers and it is dumped in a designated pond until anaerobic conditions are reached and used as manure. Collection conducted by the KEPA
	• How is Sludge and Solid Waste management handled?	N/A Rural community- latrine are covered and left and used to manure. In urban areas no piped sewerage- only septic tanks- gully bowsers and it is dumped in a designated pond until anaerobic conditions are reached and used as manure. Collection conducted by the KEPA
	• Do you have policies on sludge and solid waste management?	Water and Sanitation Policy
	• What regulations and guidelines exists to manage occupational health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers?	Law establishing RUWASSA (Rural Water Supply and Sanitation Agency) via transfer to WASHCOMs, SBMC,
	• What regulations and guidelines exists to manage community health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers?	Law establishing RUWASSA (Rural Water Supply and Sanitation Agency) via transfer to WASCOMs, SBMC There are LGA based by laws on WASHA

Key questions and discussion points and responses from the representatives from Imo State

Result Areas	Key Questions	Responses
RA 1: Strengthened sector policies and institutional capacity for improved services	What specific laws, regulations, procedures, legislation or other mandatory legal instruments through which to ensure that the technical capacity for assessing and managing E&S risks, preparing or reviewing ESIAs, supervising environmental management on construction sites and WASH assets/supervising OHS aspects.	1. Imo State WASH Law No 42 of 2019 2. Imo State WASH Policy 2019 3. National Environmental Regulation Law 2009- Federal Policy 4. Imo State Environmental Law establishes the IMO Wash EPA 5. WASH CUSTOMER SERVICE Charter- Used at Wash Com Level 6. Gender Equity & Social Inclusion Policy- done with USAID Copy sent 7. New Water Connection Policy- copy shared The laws will be sent to us and an organogram for the water sector at the state and local gov level.
	Do you have an environmental law and regulation in your state?	Yes. There is also an existing Ministry of Environment and there's also the Imo State Environmental Transformation Agency established under the law
	Does the law and regulations in your state contain environmental assessment requirements for projects and procedures for carrying it out?	Yes- The state procedure is adopted by the WASH agencies. The water sector reforms are ongoing.
	Do you have an EIA process in your state or follow that of the EIA Act of the Federal Government?	Follow EIA of the Federal Government.
	Are EIA certificates given at the completion of ESIAs for proposed activities?	Yes, EIA Certificate are issued- EPA provides this certification on the CEA
	Do you have labor laws in your state? If yes, does it cover the issues of child labor especially for the water sector? Do you have any past experiences with child labor issues?	The State is Operating the Federal Labor Law. There has been no experience with child Labor Issue. Contractor
	Do you have OHS standards for WASH related infrastructure/services and contractors operating in your state? If yes, what are the means of enforcement?	Yes. It is included as a requirement in the Contract.
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the water sector.	Yes. Solid waste management is under the state Waste Management Agency established under law IMO State Env Transformation Agency handles SWM. The Sewage Agency handles Liquid Waste now

Result Areas	Key Questions	Responses
	Do you have the appropriate staff strength and qualifications of staffing assigned for environmental and social management?	Yes Staffing is an issue- more professionals needed to come to the sector with expansion of area of command. Recruitment processes underway
	What are the processes for Information Dissemination, Public Disclosure, and Communication	With Clearance from CEOs, through Daily Newspapers, Radio Announcement, Television. In some Instances, through Social Media like Facebook, Instagram and WhatsApp and town criers. WASH Customer WhatsApp Group- which is very active. They can organize daily meetings for the 3 zones etc. via this. There is a WASH media network forum on Facebook and WhatsApp. Any activity is shared there and publishes info there. CSOs also post there. Customer care center has a dedicated line for complaint and issue handling. Quarterly meetings are also held
	Are there non-state actors such as NGOs that play important roles in the WASH sector in your state?	Yes. There exist a coordinating CSO, NEWSAN and Several WASH CSOs. Some grantees CSO financed by USAID.
	Do you have requisite skill sets to collect and process WASH data related to environmental and social issues? Do you collect data related to project siting and convenience for women, the physically challenged and the vulnerable? Do you collect data on gender issues, harassment and exclusions? Do you collect data related to project grievances? How do you escalate project related grievances and manage feedback system with stakeholders?	Yes. MD of local governments EMO state EPA has a lab. The UWA has mobile testing kits got via USAID and also a lab equipped to do testing of water quality and source quality as well as monitoring data. Yes Yes, we have a Gender focal Person Yes It is escalated through the MD to the Executive Council VIA the Honorable Commissioner and resolved through stakeholder engagement
	What mechanisms do you have in place to measure the following E&S parameters in existing WASH institutional policies such as: - Accessibility (disabled and the vulnerable group) - Gender Issues - Effluent Management - Grievance Redress - Stakeholder engagement - Land Contamination - Water Contamination	Facilities are design to suit the disabled and vulnerable while they are also included as members of the various Committees including the Board. There is also on-going advocacy for Gender Representation in the Board while the Utility has a gender focal person. Sewerage is under the purview of the Utility

Result Areas	Key Questions	Responses
	- Occupational Health and Safety - Cultural Heritage - Handling of hazardous materials - sludge management	
	What E&S monitoring systems exist to ensure inclusiveness and adherence to standards in health and sanitation services?	No Answer Provided
	▪ Do you collect WASH utility implementation data in any part of the state? ▪ How do you collect, collate and further process and warehouse the data? ▪ On what platform is this data processed and stored? ▪ Where this data relates to people, are they analyzed demographically to reflect gender, age, location and category of issues? ▪ Is any data collected on issues such as project siting, grievance issues, contaminations, gender issues, etc.?	Yes- information on active customers, service regularity, service satisfaction. Data are submitted by the operators and warehouse in the planning Department of the Utility Enterprise resource Program while some are kept in silos on the Computer Yes Yes
	▪ Do you have a database of urban water utilities that monitors performance? ▪ What are the KPIs or issues tracked that informs performance or otherwise of water utilities?	Yes Water Produced, Length of Distribution Network, Number of Connections, Number of leakages mended, time taken to resolve complaints, Billing, Collection, Billing Efficiency, Collection Ratio, CASH operating Ratio, Staff Connection Productivity.
RA 2: Improved access to water supply, sanitation and hygiene services.	Do you have a Grievance Redress Mechanism for all stakeholders? How are public complaints channeled and what is the process for handling & resolving complaints?	Yes Through the Customer Care Unit. The Customer care approach the responsible department to resolve the complaint.
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	Yes- need to share the state procurement policy that states clearly what E and S aspects are OHS managed in the system.
	What E&S Quality assurance and control systems exists and how does this work?	By Monitoring through the Ministry of Environment and ISEPA

Result Areas	Key Questions	Responses
	What is the organizational policy, structure, procedure, and culture to carry out stakeholder engagement and publicly disclose appropriate information?	The ISEPA, Ministry of Environment and Communities through Newspapers and Radio
	Are the appropriate E&S staff domiciled in your organization? And what are their technical skills?	No. Staff are domicile in the Ministry of Environment/ISEPA
	Do you have the capacity to conduct environmental and social assessment of proposed projects such as: preparation of TORs for E&S Assessments, institutional responsibilities for mitigation and monitoring measures; organizational, financial and human resource arrangements for implementing every mitigation and monitoring measures?	NO NOT DONE BY THE AGENCY
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	Yes- WE WILL LOOK AT STATE PROCUREMENT POLCIY AS NO SPECIFIC ONE FOR WATER SECTOR
	Capacity to set up a Grievance Redress Mechanism to receive and facilitate resolution of project-related concerns and grievances	Yes-
	Do you have environment, health and safety guidelines for urban water supply in the state?	Yes- These can be sent
	Do you have regulations or guidelines on water quality/effluent management?	Yes- These can be sent. National guideline is adopted within the state Policy.
	How do you manage on-site and post-project runoff of polluted water, controlling sources of pollutants, and treating contaminated water before discharge into drainage systems or receiving waters?	It is mixed with large quantity of Water to required Ratio before discharging into River. Effluent treatment plants must implement and once they are treated the effluent is discharged into rivers. Routine sample testing of effluents is done to make sure their treatment plants are functioning. Contaminant levels checked annually for now. From water treatment plan effluent is released post testing. Annual testing done. Is there data is so can it be shared.
	What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of water services for healthcare facilities and schools?	School Board Management Committee, Ministry of Environment Monitoring Team, LGA/Communities. Village level operations and maintenance (VOM) they will send a copy.

Result Areas	Key Questions	Responses
	What are the systems in place to manage the environmental and social risks associated with the operation and maintenance of water services in schools and healthcare facilities?	Response from Ministry of Public Utilities, ministry of Education and LGA.
	Do you have policies and guidelines addressing public and worker safety and school health, including for school infrastructure?	Yes. Under the Ministry for Public Safety
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the health and education sector	Yes. Guidelines from the ministry of Environment and Imo State Waste Management Agency, Imo State Environmental Transformation Agency, Education & Hospital boards. Imo State Waste Management Agency has registered dump sites and take waste there, somewhat of a junk yard where waste is sometime recycled. Biodegradables are buried. (*Burying biodegradables can contaminate ground water?*). Some materials are recovered and stored for reuse from construction debris.
	UBEC/SUBEBs has put in place the Minimum Standards for Infrastructure Development including gender-sensitive toilets. What are the regulatory mechanisms on synergy?	It is operated under the Ministry of Education as liaison.
	What are the state policies on gender, disability and gender-based violence in the state and plans in addressing them?	Gender and Disability policy has been fully developed and address such issues
	Do you have E&S policies/regulations/action plans with respect to installing water facilities/ services in the health and education sector in your state	Yes.
	What are the procedures to ensure that the safety of workers is guaranteed?	For contracts, it is embedded in the Contract documents while signs and announcement are common in strategic places and PPEs are provided. *Check procurement policy and in internal rules. It is not a formal document. Health and Safety Policy will be forwarded.*
	Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	Yes *Water Sector Health and Safety Policy Has this and they will share. They have not engaged any contractors since this policy was done so this has to be looked at to see if it as the relevant aspects.*
	Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	Yes *Water Sector Health and Safety Policy Has this and they will share. No Bidding Documents- old bidding documents can be shared, and WB contracts have been used in the past.*
		1. Population (Demand) 2. Access to raw Water 3. Sustainability

Result Areas	Key Questions	Responses
	What is the mechanism in place to identify suitable land for the establishment of WASH facilities?	4. Ministry of land
	How do you track the functionality of the different E&S systems In WASH project?	Periodic Monitoring by Ministry and Agencies
	Are drainage management systems built into the design of water facilities?	Yes
	• What were the safety considerations for the location of sanitation and hygiene facilities? • Are there issues of child abuse or GBVH associated with influx in any of the communities where sanitation and hygiene facilities have been provided? • Was there adequate consultation of stakeholders in the provision of sanitation and hygiene facilities? • What are the systems in place for human waste management? • What capacities exists in communities to sustainably operate, manage and maintain rural water supply facilities	Presence of institutions and Community leadership. No Yes Evacuation, Transportation and dumping Communities Association and Local Government. Also, in the various Agencies
	• What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of sanitation and hygiene facilities for healthcare facilities and schools?	Environmental and Social Impact assessment and Mitigation Plan.
	• What are the systems in place to manage environmental and social risks associated with the operation and maintenance of sanitation and hygiene facilities in schools and healthcare facilities?	Monitoring by the Ministry and various Agencies
	• Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	Yes- to be verified
	• Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	Yes-to be verified

Result Areas	Key Questions	Responses
	• What mechanisms have been put in place to build the capacity of communities/ LGAs to maintain water and sanitation facilities sustainably? • How are sludge and solid waste managed across communities? • Do you have a policies, laws and regulations on water and sanitation in your state?	Training and Workshop Through local waste management board Yes, there is a WASH Policy and Water Law which also establish a regulator
	• How do households handle fecal waste disposal safely?	It is evacuated and transported to a dumpsite when the soak away is filled. Private companies carry out the collection and this transported to the dumping area. Public Health hazard is there no special fecal sludge treatment plant. Its primitive open dumped currently. An action plan is developed, and some private investment being explored to design this. Still dealing with open dumping.
	• How is Sludge and Solid Waste management handled? • Do you have policies on sludge and solid waste management?	Septic tanks and Soak away pits. Evacuation to a dump site. Currently there's no fecal sludge treatment plant Yes, these should be shared.
	• What regulations and guidelines exists to manage occupational health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers? • What regulations and guidelines exists to manage community health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers?	*Imo State Water & Sewerage Corporation Health & Safety Policy The Corporation Health and Safety Policy to be shared

Key questions and discussion points and responses from the representatives from Ekiti State

Result Areas	Key Questions	Responses
RA 1: Strengthened sector policies and institutional capacity for improved services	What specific laws, regulations, procedures, legislation or other mandatory legal instruments through which to ensure that the technical capacity for assessing and managing E&S risks, preparing or reviewing ESIAs, supervising environmental management on construction sites and WASH assets/supervising OHS aspects.	• Environmental Impact Assessment Act (EIA), State Environmental Protection Agency Law (SEPA), Ekiti State Waste Management Law(EKSWMA), however EIA Act, takes precedence for large scale projects and inconsistency with EIA Act. • National EIA Act is used but the STATE EPA has to wet the EIA accordingly.
	Do you have an environmental law and regulation in your state?	• Yes- there are peculiar laws pertaining to different Ministry and Departments (SEPA,EKSWMA,)
	Does the law and regulations in your state contain environmental assessment requirements for projects and procedures for carrying it out?	• Yes, but in accordance with EIA Act and SEPA Law
	Do you have an EIA process in your state or follow that of the EIA Act of the Federal Government?	• Yes, we follow the EIA Act of the Federal Government and other Federal statutes
	Are EIA certificates given at the completion of ESIAs for proposed activities?	○ Yes.
	Do you have labor laws in your state? If yes, does it cover the issues of child labor especially for the water sector? Do you have any past experiences with child labor issues?	No, but FG statutes apply, however there is an Ekiti State Child Right Law domiciled in Ministry of Women Affairs that handles Child related social risks
	Do you have OHS standards for WASH related infrastructure/services and contractors operating in your state? If yes, what are the means of enforcement?	SOP supported by UNICEF. SOP will be shared. All contractor workers are monitored by the WASH AGENCY. Ministry of Infrastructure and Public Utilities implements the SOPs.
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the water sector.	Yes, the procedure is as applicable across the sector. EEPA is responsible for handling waste. They have registered collectors who take the waste to registered dumping sites. Plastic waste is being managed under a recycling program.
	Do you have the appropriate staff strength and qualifications of staffing assigned for environmental and social management?	• Not adequate. Urban water sector has one specific officer for safeguards issues. In Rural communities the structure is incorporated a WASHCOM monitoring and evaluation process is used to look at these issues. - 1 officer in RUWASA- Environmental-

Result Areas	Key Questions	Responses
	What are the processes for Information Dissemination, Public Disclosure, and Communication	○ Federation of Water Consumer Association via WhatsApp platform (RUWASSA); Community/Landlord Association Meeting, Radio Program, GRM box etc. (Water Corporation), Meet the Governor
	Are there non-state actors such as NGOs that play important roles in the WASH sector in your state?	Yes- EDFHO- COAESU, Coalition of Associations in Ekiti State NEWSAN- New EDFHO - Environmental Development and Family Health Organization COESCO - Coalition of civil society organizations in Ekiti State (umbrella body for all civil society in the state) NEWSAN - Society for Water and Sanitation Nigeria (Network of organizations working on water sanitation and hygiene in the state)
	Do you have requisite skill sets to collect and process WASH data related to environmental and social issues? Do you collect data related to project siting and convenience for women, the physically challenged and the vulnerable? Do you collect data on gender issues, harassment and exclusions? Do you collect data related to project grievances? How do you escalate project related grievances and manage feedback system with stakeholders?	Yes, relevant data are collected during project scoping and silting phases. Staff trained under WSSSRPIII and NUWSRP-3 YES Data is collected through the screening process. Under the urban reforms' laboratories were put out and equipment has been procured via other operations. Many schemes have their own labs YES YES Through Ministry in charge of WASH
	What mechanisms do you have in place to measure the following E&S parameters in existing WASH institutional policies such as: - Accessibility (disabled and the vulnerable group) - Gender Issues - Effluent Management - Grievance Redress - Stakeholder engagement - Land Contamination - Water Contamination - Occupational Health and Safety - Cultural Heritage - Handling of hazardous materials - sludge management	Urban Water Sector Reform Project under Ekiti State Water Corporation prepared several E&S instruments that addressed the enlisted parameters. 2020 M&E Framework for Small and rural communities project. Urban Water- waste water is treated and tested before discharge.

Result Areas	Key Questions	Responses
	What E&S monitoring systems exist to ensure inclusiveness and adherence to standards in health and sanitation services?	Monitoring and Evaluation Framework for WASH
	▪ Do you collect WASH utility implementation data in any part of the state? ▪ How do you collect, collate and further process and warehouse the data? ▪ On what platform is this data processed and stored? ▪ Where this data relates to people, are they analyzed demographically to reflect gender, age, location and category of issues? ▪ Is any data collected on issues such as project siting, grievance issues, contaminations, gender issues, etc.?	WASHIMS platform is used in collation and implementation of WASH utility.(2LGAs) LGA desk offices WASHIMS Bureau of Statistics YES
	▪ Do you have a database of urban water utilities that monitors performance? ▪ What are the KPIs or issues tracked that informs performance or otherwise of water utilities?	Yes- Billing Efficiency; Pipe household; Billing Collection Rate etc.
RA 2: Improved access to water supply, sanitation and hygiene services.	Do you have a Grievance Redress Mechanism for all stakeholders? How are public complaints channeled and what is the process for handling & resolving complaints?	Yes- GRM instrument prepared for the EKSWC. Through Customer Service to Regulatory Unit to the Coordination meeting and escalated to MIPU
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	Yes Procurement law, Monitoring Unit in Budget office and MDA, Auditor- General's Office etc. The Budget officer and AGs monitors donor financed projects and their implementation. Bidding documents will include E and S clauses and the ESMP is part of the contracts A sample should be shared. At the RUWASA level- currently they have a statewide assessment of env situation on waste sector. Rural challenges are different. Rural side challenges- constructing latrines for community in public areas. Some people did not want toilets to be too close their homes.
	What E&S Quality assurance and control systems exists and how does this work?	Inspection and reporting on project stages
	What is the organizational policy, structure, procedure, and culture to carry out stakeholder engagement	Compliance with the Freedom of Information Law and meeting with Federation of WCA

Result Areas	Key Questions	Responses
	and publicly disclose appropriate information?	
	Are the appropriate E&S staff domiciled in your organization? And what are their technical skills?	Not adequate
	Do you have the capacity to conduct environmental and social assessment of proposed projects such as: preparation of TORs for E&S Assessments, institutional responsibilities for mitigation and monitoring measures; organizational, financial and human resource arrangements for implementing every mitigation and monitoring measures?	Yes There has been capacity building training done. Safeguards officer has been trained on WASH Aspects and on E and S WB training, GBV, ESF training.
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	Yes Monitoring of various MDAs
	Capacity to set up a Grievance Redress Mechanism to receive and facilitate resolution of project-related concerns and grievances	Yes
	Do you have environment, health and safety guidelines for urban water supply in the state?	Ongoing. Using Federal Guidelines
	Do you have regulations or guidelines on water quality/effluent management?	Developed for water quality. Using Federal Guidelines
	How do you manage on-site and post-project runoff of polluted water, controlling sources of pollutants, and treating contaminated water before discharge into drainage systems or receiving waters?	We treat and discharge wastewater into drainage system
	What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of water services for healthcare facilities and schools?	As applicable in SEPA and Housing/ Urban Development laws
	What are the systems in place to manage the environmental and social risks associated with the operation and maintenance of water services in schools and healthcare facilities?	As applicable in EKSWC law, School Based Management Committee etc. on facility maintenance and operation
	Do you have policies and guidelines addressing public and worker safety	Yes. Teaching Service Manual and adoption of national policy

Result Areas	Key Questions	Responses
	and school health, including for school infrastructure?	
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the health and education sector	Yes- as applicable in management of solid waste in all sectors
	UBEC/SUBEBs has put in place the Minimum Standards for Infrastructure Development including gender-sensitive toilets. What are the regulatory mechanisms on synergy?	WASH and Project Implementation Unit Regulatory Unit
	What are the state policies on gender, disability and gender-based violence in the state and plans in addressing them?	As applicable in the state GBV law
	Do you have E&S policies/regulations/action plans with respect to installing water facilities/ services in the health and education sector in your state	As applicable in the Ekiti state Water Bill
	What are the procedures to ensure that the safety of workers is guaranteed?	Preparation and implementation of E&S suitable instruments for proposed project.
	Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works??	Yes- in the case of Urban Water Project
	Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	Yes – in the case of Urban Water Project
	What is the mechanism in place to identify suitable land for the establishment of WASH facilities?	Community/Stakeholders' Engagement Compensation is paid at open market value. They will share some details.
	How do you track the functionality of the different E&S systems In WASH project?	Through WASH coordination and Change Management Meeting.
	Are drainage management systems built into the design of water facilities?	Yes, share an example of design
	• What were the safety considerations for the location of sanitation and hygiene facilities? • Are there issues of child abuse or GBVH associated with influx in any of the communities where	Location, Accessibility, Environmental Conditions etc. Not applicable Yes

Result Areas	Key Questions	Responses
	sanitation and hygiene facilities have been provided? • Was there adequate consultation of stakeholders in the provision of sanitation and hygiene facilities? • What are the systems in place for human waste management? • What capacities exists in communities to sustainably operate, manage and maintain rural water supply facilities	Septic Tanks are constructed, waste is contained, after 10 years an evacuation truck comes in and the waste is taken to neighboring facilities in Gondo State to the disposal site. Designated sites for SWM are there in Ekiti but no designated waste sites for Human and liquid waste. *Transboundary transport issues can exist???* WCA
	• What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of sanitation and hygiene facilities for healthcare facilities and schools?	Through Scoping and Screening Exercise
	• What are the systems in place to manage environmental and social risks associated with the operation and maintenance of sanitation and hygiene facilities in schools and healthcare facilities?	Preparation and implementation of appropriate environmental and social instruments
	• Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	Yes
	• Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	Yes – in the case of Ekiti Water 3 project
	• What mechanisms have been put in place to build the capacity of communities/ LGAs to maintain water and sanitation facilities sustainably? • How are sludge and solid waste managed across communities? • Do you have a policies, laws and regulations on water and sanitation in your state?	As applicable in Ekiti State Water Law. As applicable in Water law/EKSWMA law Yes Only one sludge and septic waste transporter who is from private sector in the state- it must be moved out of the state. In some cases, they will do unethical practices according to the Engineer.
	• How do households handle faucal waste disposal safely?	Household Basic Sanitation Facility

Result Areas	Key Questions	Responses
	• How is Sludge and Solid Waste management handled? • Do you have policies on sludge and solid waste management?	As applicable in Ekiti State Waste Management Law =ditto=
	• What regulations and guidelines exists to manage occupational health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers? • What regulations and guidelines exists to manage community health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers?	As applicable in the Water Safety Plan. =ditto=

Key questions and discussion points and responses from the representatives from Delta State

Result Areas	Key Questions	Responses
RA 1: Strengthened sector policies and institutional capacity for improved services	What specific laws, regulations, procedures, legislation or other mandatory legal instruments through which to ensure that the technical capacity for assessing and managing E&S risks, preparing or reviewing ESIAs, supervising environmental management on construction sites and WASH assets/supervising OHS aspects.	Delta State Ecology Law – 2006
	Do you have an environmental law and regulation in your state?	YES – Delta State Environmental Protection Law
	Does the law and regulations in your state contain environmental assessment requirements for projects and procedures for carrying it out?	YES
	Do you have an EIA process in your state or follow that of the EIA Act of the Federal Government?	YES, we have for the Delta State
	Are EIA certificates given at the completion of ESIAs for proposed activities?	YES
	Do you have labor laws in your state? If yes, does it cover the issues of child labor especially for the water sector? Do you have any past experiences with child labor issues?	YES, in line with the Federal Labour Law No
	Do you have OHS standards for WASH related infrastructure/services and contractors operating in your state? If yes, what are the means of enforcement?	Yes, it's is embedded in the WASH Policy, and is enforced through project management and supervision
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the water sector.	YES – Delta State Waste Management Board Law 2004 It is managed by private sector initiative
	Do you have the appropriate staff strength and qualifications of staffing assigned for environmental and social management?	YES
	What are the processes for Information Dissemination, Public Disclosure, and Communication	News media, circulars
	Are there non-state actors such as NGOs that play important roles in the WASH sector in your state?	YES, NEWSAN etc.

Result Areas	Key Questions	Responses
	Do you have requisite skill sets to collect and process WASH data related to environmental and social issues? Do you collect data related to project siting and convenience for women, the physically challenged and the vulnerable? Do you collect data on gender issues, harassment and exclusions? Do you collect data related to project grievances? How do you escalate project related grievances and manage feedback system with stakeholders?	YES YES Gender issues are not known to the State YES YES, through Government intervention
	What mechanisms do you have in place to measure the following E&S parameters in existing WASH institutional policies such as: - Accessibility (disabled and the vulnerable group) - Gender Issues - Effluent Management - Grievance Redress - Stakeholder engagement - Land Contamination - Water Contamination - Occupational Health and Safety - Cultural Heritage - Handling of hazardous materials - sludge management	Through stakeholder's forum, meetings, workshops and feedback response from them. Delta State Environmental Protection Agency (DELSEPA)
	What E&S monitoring systems exist to ensure inclusiveness and adherence to standards in health and sanitation services.	The State Regulatory Unit
	▪ Do you collect WASH utility implementation data in any part of the state? ▪ How do you collect, collate and further process and warehouse the data? ▪ On what platform is this data processed and stored? ▪ Where this data relates to people, are they analyzed demographically to reflect gender, age, location and category of issues? ▪ Is any data collected on issues such as project siting, grievance issues, contaminations, gender issues, etc.?	YES Through the Zonal Managers to the M&E Department The M&E Database YES YES
	▪ Do you have a database of urban water utilities that monitors performance? ▪ What are the KPIs or issues tracked that informs performance or otherwise of water utilities?	YES The level of service delivery

Result Areas	Key Questions	Responses
-RA 2: Improved access to water supply	Do you have a Grievance Redress Mechanism for all stakeholders? How are public complaints channeled and what is the process for handling & resolving complaints?	YES Customer Complaint Desk
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	YES – Project monitoring unit
	What E&S Quality assurance and control systems exists and how does this work?	From the various Dept Supervision and Monitoring
	What is the organizational policy, structure, procedure, and culture to carry out stakeholder engagement and publicly disclose appropriate information?	Media, WASH media forum and CSO platform
	Are the appropriate E&S staff domiciled in your organization? And what are their technical skills?	YES Engineers, Geologists, Statisticians, scientific officers
	Do you have the capacity to conduct environmental and social assessment of proposed projects such as: preparation of TORs for E&S Assessments, institutional responsibilities for mitigation and monitoring measures; organizational, financial and human resource arrangements for implementing every mitigation and monitoring measures?	YES
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	YES, Urban sector by DPRS, Quality control carried out in laboratories under the Ministry of water resources. Delta state procurement law, 2017 revised 2020 Stated in Bill. To share sample bidding document
	Capacity to set up a Grievance Redress Mechanism to receive and facilitate resolution of project-related concerns and grievances	YES, through community reps such as issues on land acquisition, the LGA comes into
	Do you have environment, health and safety guidelines for urban water supply in the state?	YES, Stated in the WASH policy
	Do you have regulations or guidelines on water quality/effluent management?	YES. DESEPA do have and based on Nigeria standard. Through water quality control unit in Water resources within each agency. State to share the guidelines
	How do you manage on-site and post-project runoff of polluted water, controlling sources of pollutants, and treating contaminated	Through quality control assurance. Through quality control and sanitation dept in the Ministry of Water resources

Result Areas	Key Questions	Responses
	water before discharge into drainage systems or receiving waters?	
	What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of water services for healthcare facilities and schools?	The State WASH Policy
	What are the systems in place to manage the environmental and social risks associated with the operation and maintenance of water services in schools and healthcare facilities?	The State WASH Policy
	Do you have policies and guidelines addressing public and worker safety and school health, including for school infrastructure?	YES, Contained in the water policy
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the health and education sector	YES – Through Private Sector Participation
	UBEC/SUBEBs has put in place the Minimum Standards for Infrastructure Development including gender-sensitive toilets. What are the regulatory mechanisms on synergy?	YES
	What are the state policies on gender, disability and gender-based violence in the state and plans in addressing them?	State adopts
	Do you have E&S policies/regulations/action plans with respect to installing water facilities/ services in the health and education sector in your state	YES – The PEWASH Investment Plan
	What are the procedures to ensure that the safety of workers is guaranteed?	Through community engagement and sensitization
	Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works??	YES
	Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	YES
	What is the mechanism in place to identify suitable land for the establishment of WASH facilities?	Through community engagement. Through WASHCOMs at the community level. Stated in the water policy that communities donate lands. Same engagement in the urban sector through the community. In RUWASSA, after every land has been identified site take over form that the WASHCOH head,

Result Areas	Key Questions	Responses
		community head, contractor, WASH unit in the LGA and state supervisor has to sign. At project completion a site hand over form is signed to indicate agreement.
	How do you track the functionality of the different E&S systems In WASH project?	Monitoring and Evaluation through M&E which cuts across the 3 agencies in the Ministry of Water resources
	Are drainage management systems built into the design of water facilities?	YES
RA 3: Improved access to sanitation and hygiene	• What were the safety considerations for the location of sanitation and hygiene facilities? • Are there issues of child abuse or GBVH associated with influx in any of the communities where sanitation and hygiene facilities have been provided? • Was there adequate consultation of stakeholders in the provision of sanitation and hygiene facilities? • What are the systems in place for human waste management? • What capacities exists in communities to sustainably operate, manage and maintain rural water supply facilities	Delta State WASH Policy NO YES Private Sector Participation WASHCOMs & LAMs
	• What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of sanitation and hygiene facilities for healthcare facilities and schools?	Delta State WASH Policy
	• What are the systems in place to manage environmental and social risks associated with the operation and maintenance of sanitation and hygiene facilities in schools and healthcare facilities?	Delta State WASH Policy
	• Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	YES
	• Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	YES

Result Areas	Key Questions	Responses
	• What mechanisms have been put in place to build the capacity of communities/ LGAs to maintain water and sanitation facilities sustainably? • How are sludge and solid waste managed across communities? • Do you have a policies, laws and regulations on water and sanitation in your state?	Training of WASHCOMs, WCAs and WUAs Dump sites and indiscriminate disposal YES
	• How do households handle fecal waste disposal safely?	Private Sector Participation
	• How is Sludge and Solid Waste management handled? • Do you have policies on sludge and solid waste management?	Private Sector Participation YES
	• What regulations and guidelines exists to manage occupational health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers? • What regulations and guidelines exists to manage community health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers?	WASH Policy and Law By enforcement of the existing Laws

Key questions and discussion points and responses from the representatives from Gombe State

Result Areas	Key Questions	Responses
RA 1: Strengthened sector policies and institutional capacity for improved services	What specific laws, regulations, procedures, legislation or other mandatory legal instruments through which to ensure that the technical capacity for assessing and managing E&S risks, preparing or reviewing ESIAs, supervising environmental management on construction sites and WASH assets/supervising OHS aspects.	Gombe State Ministry of Environment and Forest Resources Gombe State EPA Adopt the EIA act of the Federal Government Waste Management law GOSEPA law
	Do you have an environmental law and regulation in your state?	Gombe state sanitation and environmental law 2012 Forestry edict under review
	Does the law and regulations in your state contain environmental assessment requirements for projects and procedures for carrying it out?	Yes, there is a dept in charge of EIA.
	Do you have an EIA process in your state or follow that of the EIA Act of the Federal Government?	Follow Fed Govt
	Are EIA certificates given at the completion of ESIAs for proposed activities?	Yes
	Do you have labor laws in your state? If yes, does it cover the issues of child labor especially for the water sector? Do you have any past experiences with child labor issues?	Adopt Federal Government
	Do you have OHS standards for WASH related infrastructure/services and contractors operating in your state? If yes, what are the means of enforcement?	No. Adopt Federal Govern Construction laws and guidelines- Gombe State Ministry of Works Occupational Hazard Unit in Ministry of Health- They also oversee OHS in the WASH sector Due Process Bureau- ensures that all guideline
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the water sector.	Yes
	Do you have the appropriate staff strength and qualifications of staffing assigned for environmental and social management?	Yes, Environmental Health officers, superintendents, supervisors GOSEPA- Gombe State Sanitation and Environmental Protection Agency – Environmental Health officers Welfare officers- Ministry of Women Affairs

Result Areas	Key Questions	Responses
		Low staff strength and qualification not adequate.
	What are the processes for Information Dissemination, Public Disclosure, and Communication	Use the mass media, civil society organization, religious leaders. Yes, EIA are disclosed foe 21 working days. Stakeholder consultations are carried out
	Are there non-state actors such as NGOs that play important roles in the WASH sector in your state?	Yes. Climate change groups, CSOs
	Do you have requisite skill sets to collect and process WASH data related to environmental and social issues? Do you collect data related to project siting and convenience for women, the physically challenged and the vulnerable? Do you collect data on gender issues, harassment and exclusions? Do you collect data related to project grievances? How do you escalate project related grievances and manage feedback system with stakeholders?	Yes. Some gaps with regards to standardized guidelines/ checklist for social management YES- Kobo Toolbox YES NO
	What mechanisms do you have in place to measure the following E&S parameters in existing WASH institutional policies such as: - Accessibility (disabled and the vulnerable group) - Gender Issues - Effluent Management - Grievance Redress - Stakeholder engagement - Land Contamination - Water Contamination - Occupational Health and Safety - Cultural Heritage - Handling of hazardous materials - sludge management	GOSEPA law
	What E&S monitoring systems exist to ensure inclusiveness and adherence to standards in health and sanitation services.	Monitoring team in the sanitation unit
	▪ Do you collect WASH utility implementation data in any part of the state? ▪ How do you collect, collate and further process and warehouse the data? ▪ On what platform is this data processed and stored? ▪ Where this data relates to people, are they analyzed demographically to reflect gender, age, location and category of issues?	YES- NO

Result Areas	Key Questions	Responses
	▪ Is any data collected on issues such as project siting, grievance issues, contaminations, gender issues, etc.?	
	▪ Do you have a database of urban water utilities that monitors performance? ▪ What are the KPIs or issues tracked that informs performance or otherwise of water utilities?	Yes
RA 2: Improved access to water supply, sanitation and hygiene.	Do you have a Grievance Redress Mechanism for all stakeholders? How are public complaints channeled and what is the process for handling & resolving complaints?	No specialized GRM. Customer relations registers complaint. Escalation and resolves are based on gravity.
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	The due process office takes responsibility for hiring contractors. Not sure they have E&S.
	What E&S Quality assurance and control systems exists and how does this work?	NO. Where there is an issue, MoE of GSEPA is called upon.
	What is the organizational policy, structure, procedure, and culture to carry out stakeholder engagement and publicly disclose appropriate information?	NO Stakeholder Engagement Process. But we respond when need arise such as increase in tariff
	Are the appropriate E&S staff domiciled in your organization? And what are their technical skills?	NO. Training provided by WB on previous water projects.
	Do you have the capacity to conduct environmental and social assessment of proposed projects such as: preparation of TORs for E&S Assessments, institutional responsibilities for mitigation and monitoring measures; organizational, financial and human resource arrangements for implementing every mitigation and monitoring measures?	This relies solely on the sister agencies, not Water Sector.
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	Procurement team
	Capacity to set up a Grievance Redress Mechanism to receive and facilitate resolution of project-related concerns and grievances	Public Complaint Office, no procedure in place
	Do you have environment, health and safety guidelines for urban water supply in the state?	NO. However all constructions are done in line with standard specifications

Result Areas	Key Questions	Responses
	Do you have regulations or guidelines on water quality/effluent management?	NO. Not institutionalized. The major project we have.
	How do you manage on-site and post-project runoff of polluted water, controlling sources of pollutants, and treating contaminated water before discharge into drainage systems or receiving waters?	Managed by the customers.
	What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of water services for healthcare facilities and schools?	Wash in School for safety in school and other public spaces policy
	What are the systems in place to manage the environmental and social risks associated with the operation and maintenance of water services in schools and healthcare facilities?	As above
	Do you have policies and guidelines addressing public and worker safety and school health, including for school infrastructure?	
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the health and education sector	
	UBEC/SUBEBs has put in place the Minimum Standards for Infrastructure Development including gender-sensitive toilets. What are the regulatory mechanisms on synergy?	
	What are the state policies on gender, disability and gender-based violence in the state and plans in addressing them?	
	Do you have E&S policies/regulations/action plans with respect to installing water facilities/ services in the health and education sector in your state	
	What are the procedures to ensure that the safety of workers is guaranteed?	PPE maintained and in use as based on OHS policy
	Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works??	
	Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	NO
	What is the mechanism in place to identify suitable land for the establishment of WASH facilities?	Varies. For water supply and sanitation, we consider:
	How do you track the functionality of the different E&S systems In WASH project?	No systems but the state monitors optimal with a checklist

Result Areas	Key Questions	Responses
	Are drainage management systems built into the design of water facilities?	
	• What were the safety considerations for the location of sanitation and hygiene facilities? • Are there issues of child abuse or GBVH associated with influx in any of the communities where sanitation and hygiene facilities have been provided? • Was there adequate consultation of stakeholders in the provision of sanitation and hygiene facilities? • What are the systems in place for human waste management? • What capacities exists in communities to sustainably operate, manage and maintain rural water supply facilities	• Source of water, waste collection, topography, colocation with other • No GBV related to WASH Project. Law VAP is also ongoing • Stakeholder consultation is conducted • WASHCOMS
	• What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of sanitation and hygiene facilities for healthcare facilities and schools?	
	• What are the systems in place to manage environmental and social risks associated with the operation and maintenance of sanitation and hygiene facilities in schools and healthcare facilities?	GOSEPA
	• Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	
	• Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	NO
	• What mechanisms have been put in place to build the capacity of communities/ LGAs to maintain water and sanitation facilities sustainably? • How are sludge and solid waste managed across communities? • Do you have a policies, laws and regulations on water and sanitation in your state?	RUWASSSA do train communities Sanitary landfill handled by the Government Yes. State to share Inadequate facilities, inadequate funding, waste collection center, human resources There are no officers. There are WASH units at the LGA level handled by environmental health officers
	• How do households handle fecal waste disposal safely?	Use of toilets- traditional, VIP etc.

Result Areas	Key Questions	Responses
	• How is Sludge and Solid Waste management handled? • Do you have policies on sludge and solid waste management?	
	• What regulations and guidelines exists to manage occupational health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers? • What regulations and guidelines exists to manage community health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers?	No regulation exists. Adopt guidelines from WHO, Federal Ministry of Water Resources, UNICEF No WASH units- LGA level WASHCOMs – community level VLOMs under RUWASSA under the state ministry of Water resources.

Key questions and discussion points and responses from the representatives from Kaduna State

Result Areas	Key Questions	Responses
RA 1: Strengthened sector policies and institutional capacity for improved services	What specific laws, regulations, procedures, legislation or other mandatory legal instruments through which to ensure that the technical capacity for assessing and managing E&S risks, preparing or reviewing ESIAs, supervising environmental management on construction sites and WASH assets/supervising OHS aspects.	• The Kaduna State Environmental Protection Law • The Kaduna State Water Supply and Sanitation Law which established the Kaduna State Water Services Regulatory Commission
	Do you have an environmental law and regulation in your state?	Yes, the Kaduna State Environmental Protection Law
	Does the law and regulations in your state contain environmental assessment requirements for projects and procedures for carrying it out?	Yes
	Do you have an EIA process in your state or follow that of the EIA Act of the Federal Government?	There is the EIA process at the state-level
	Are EIA certificates given at the completion of ESIAs for proposed activities?	Yes
	Do you have labor laws in your state? If yes, does it cover the issues of child labor especially for the water sector? Do you have any past experiences with child labor issues?	• No, However, There is the Kaduna State Child's Welfare and Protection Law
	Do you have OHS standards for WASH related infrastructure/services and contractors operating in your state? If yes, what are the means of enforcement?	• Environmental and occupational health standards for infrastructural projects • Enforcement is done through Environmental Health Officers and Industries Inspectors.
	Do you have Waste management laws and procedures? How solid waste management is handled in your state with regards to civil works activities in the water sector.	• Kaduna State Solid Wastes Management Law • Solid wastes are managed by evaluation, disposal and composting by the state environmental protection agency
	Do you have the appropriate staff strength and qualifications of staffing assigned for environmental and social management?	Inadequate capacity and staff strength for environmental protection agency
	What are the processes for Information Dissemination, Public Disclosure, and Communication	Official press releases, radio and TV jingles and public programs through the office of the special adviser, Media and communication, program structures such as Ministry of Environment, Environmental Protection Agency, LGAs

Result Areas	Key Questions	Responses
	Are there non-state actors such as NGOs that play important roles in the WASH sector in your state?	Yes • UNICEF • FCDO • WHO • World BANK • IsDB • AfDB • JICA • Foundation for Sanitation improvement • Society for Water and Sanitation • Water Aid • Others (CBOs)
	Do you have requisite skill sets to collect and process WASH data related to environmental and social issues? Do you collect data related to project siting and convenience for women, the physically challenged and the vulnerable? Do you collect data on gender issues, harassment and exclusions? Do you collect data related to project grievances? How do you escalate project related grievances and manage feedback system with stakeholders?	• Inadequate capacity for data collection and management • WASHIMS, CDS, K-MAP, HIMS are the management systems for project management and monitoring and feedback mechanism. • Data on gender issues is collected by the ministry of human services and social development
	What mechanisms do you have in place to measure the following E&S parameters in existing WASH institutional policies such as: - Accessibility (disabled and the vulnerable group) - Gender Issues - Effluent Management - Grievance Redress - Stakeholder engagement - Land Contamination - Water Contamination - Occupational Health and Safety - Cultural Heritage - Handling of hazardous materials - sludge management	• Construction of gender-sensitive and disability-friendly WASH facilities in primary schools and health facilities. • Implementation of water safety plans in communities • Monitoring and regulation of effluent discharge by the state environmental protection agency and the state urban planning and development agency • National Policy on Occupational Safety and Health/Nigerian Factory Act 1987
	What E&S monitoring systems exist to ensure inclusiveness and adherence to standards in health and sanitation services?	• Use of programming tools that promote inclusiveness • Affirmative action in the formation of community program structures e.g. the standard of at least 5 out of 15 members of WASHCOMs must be female, communities must indicate how facilities would be provided for PLWD in their CAPS

Result Areas	Key Questions	Responses
	▪ Do you collect WASH utility implementation data in any part of the state? ▪ How do you collect, collate and further process and warehouse the data? ▪ On what platform is this data processed and stored? ▪ Where this data relates to people, are they analyzed demographically to reflect gender, age, location and category of issues? ▪ Is any data collected on issues such as project siting, grievance issues, contaminations, gender issues, etc.?	▪ Yes ▪ Data management is done using the M&E Mechanism, processed and stored in the K-MAP data management system on cloud ▪ WASHIMS and CDS tools are effectively used and linked to other states for comparative analysis among others ▪ Desegregation of data to reflect demographic parameters is applicable in the data management systems. ▪ Project monitoring interface of K-MAP is used to collect data on project citing.
	▪ Do you have a database of urban water utilities that monitors performance? ▪ What are the KPIs or issues tracked that informs performance or otherwise of water utilities?	▪ Yes • Operational KPIs • Commercial KPIs • Quality Assurance KPIs
RA 2: Improved access to water supply	Do you have a Grievance Redress Mechanism for all stakeholders? How public complaints channeled and what are is the process for handling & resolving complaints?	Yes. The Kaduna State Water Regulatory Commission handles complains and grievance redress mechanism There are meditation Centre at Ministry of Justices and multi door courthouse alternative dispute resolution (ADR)
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	The operationalized procurement guidelines govern contractor selection, quality control and corrective action while project monitoring systems are used to track progress of works and supervise contractors.
	What E&S Quality assurance and control systems exists and how does this work?	• The K-MAP, a homegrown project management system tracks the progress of projects and ensure compliance with quality. • The project implementation and Result Delivery (PIRD) office monitors all infrastructural projects and ensure compliance with quality and standards. • The Eye and Ear project by the state planning and Budget Commission monitors all infrastructural projects and disclose findings to the stakeholders.
	What is the organizational policy, structure, procedure, and culture to carry out stakeholder engagement and publicly disclose appropriate information?	• The State WASH Steering committee is a high-level committee that coordinates the WASH sector. • The Kaduna State Water Services Regulatory Commission is an independent agency that interfaces

Result Areas	Key Questions	Responses
		between the service providers and stakeholders.
	Are the appropriate E&S staff domiciled in your organization? And what are their technical skills?	No (domiciled in Kaduna State Environmental Protection Authority)
	Do you have the capacity to conduct environmental and social assessment of proposed projects such as: preparation of TORs for E&S Assessments, institutional responsibilities for mitigation and monitoring measures; organizational, financial and human resource arrangements for implementing every mitigation and monitoring measures?	The inadequate capacity for environmental impact assessment.
	Do you have a system that effectively manages the E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions?	The operationalized harmonized procurement guidelines govern contractor's selection, quality control and corrective action while the project monitoring systems are used to track progress of works and supervise contractors.
	Capacity to set up a Grievance Redress Mechanism to receive and facilitate resolution of project-related concerns and grievances	There is capacity for grievance redress mechanism. There is need for technical support and capacity building.
	Do you have environment, health and safety guidelines for urban water supply in the state?	Yes, there is environment, health and safety guideline in the water and sanitation policy of the state.
	Do you have regulations or guidelines on water quality/effluent management?	Yes, the state adopts the National Drinking Water Quality standard.
	How do you manage on-site and post-project runoff of polluted water, controlling sources of pollutants, and treating contaminated water before discharge into drainage systems or receiving waters?	
	What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of water services for healthcare facilities and schools?	The systems in place are: • Water safety plan • WASHCOMs/LAMs • Engagement of the school-Based Management Committee and Water Consumer Associations • State-level community engagement and mediation
	What are the systems in place to manage the environmental and social risks associated with the operation and maintenance of water services in schools and healthcare facilities?	• Water Safety Plan • Village-level operations and maintenance

Result Areas	Key Questions	Responses
	Do you have policies and guidelines addressing public and worker safety and school health, including for school infrastructure?	Yes, the Kaduna state Environmental Sanitation Law address public and worker safety in all infrastructural project including WASH facilities.
	Do you have Waste management laws and procedures? How is solid waste management handled in your state with regards to civil works activities in the health and education sector	• Yes, the Kaduna State Solid Waste Management Law • Solid wastes are managed by evacuation, disposal and composting by the state environmental agency.
	UBEC/SUBEBs has put in place the Minimum Standards for Infrastructure Development including gender-sensitive toilets. What are the regulatory mechanisms on synergy?	• Interagency collaboration in the state is facilitated by the policy councils and the Kaduna state infrastructure Development council provides a synergistic platform for infrastructural projects.
	What are the state policies on gender, disability and gender-based violence in the state and plans in addressing them?	The following laws dictates policies and guidelines on issues related to gender, disability and GBVH • Kaduna State Disability Law • The Kaduna State Amended Penal Code on Matters related to gender-based violence
	Do you have E&S policies/regulations/action plans with respect to installing water facilities/ services in the health and education sector in your state	• Development of policies and regulations governing the installation of water facilities in the state is in progress in the State Investment Plan
	What are the procedures to ensure that the safety of workers is guaranteed?	• Adequate security provision is made for areas that are prone to unrest • Standard OHS protocol and operating procedures for construction works is applicable to all WASH projects as well.
	Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works??	• Environmental and Social Management Plan (ESMP) is conducted by the agency responsible for the project prior to mobilization to the site.
	Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	Yes
	What is the mechanism in place to identify suitable land for the establishment of WASH facilities?	• Community engagement • Geographical Survey/Geophysical • Physical Environmental Examination • Environmental Impact Assessment • Health Impact Assessment
	How do you track the functionality of the different E&S systems In WASH project?	• Activities of WASHCOMs • LGA WASH staff • WASHIMS and K-MAP real-time data tracking
	Are drainage management systems built into the design of water facilities?	Yes

Result Areas	Key Questions	Responses
RA 3: Improved access to sanitation and hygiene	• What were the safety considerations for the location of sanitation and hygiene facilities? • Are there issues of child abuse or GBVH associated with influx in any of the communities where sanitation and hygiene facilities have been provided? • Was there adequate consultation of stakeholders in the provision of sanitation and hygiene facilities? • What are the systems in place for human waste management? • What capacities exists in communities to sustainably operate, manage and maintain rural water supply facilities	• Consideration of distance from water bodies • Proximity to the communities • Gender and disability friendliness • No GBVH case related to WASH that was reported to the agency • Adequate Consultation is incorporated in the conception, execution and management of the projects • Provision of improved toilets for containment of human wastes • Evacuation, digging and burying of waste and composting • There is plan for construction of human waste treatment plants in the state Roadmap for ODF. • Village-level operation and maintenance (WASHCOMs)
	• What are the systems in place to identify and manage the environmental and social risks associated with the construction and rehabilitation of sanitation and hygiene facilities for healthcare facilities and schools?	The systems in place are: • Water Safety Plan • Environmental Impact Assessment • State-level community engagement and mediation
	• What are the systems in place to manage environmental and social risks associated with the operation and maintenance of sanitation and hygiene facilities in schools and healthcare facilities?	• Water Safety Plan • Environmental Impact Assessment • State-level community engagement and mediation
	• Do potential Contractors prepare a Contractor's Environmental and Social Management Plan (CESMP) before mobilization to site/commencement of civil works?	Environmental and Social Management plan (ESMP) is conducted by the agency responsible for the project prior to mobilization to the site.
	• Are Environmental and Social Management mitigation measures/clauses captured in bidding documents/contracts?	Yes
	• What mechanisms have been put in place to build the capacity of communities/ LGAs to maintain water and sanitation facilities sustainably? • How are sludge and solid waste managed across communities?	• Training and equipping of local area mechanics • Village-level operations and maintenance • WASH Communities • Sludge/solid wastes are managed by evacuation, disposal and composting by

Result Areas	Key Questions	Responses
	• Do you have a policies, laws and regulations on water and sanitation in your state?	the state environmental protection agency The following documents are in existence in the state • The Kaduna State Policy on Water Supply and Sanitation • The Kaduna State Water Supply and Sanitation Law • Kaduna State Water Services Regulatory Law
	• How do households handle fecal waste disposal safely?	• Construction of simple improved latrines • Digging and burying of fecal waste
	• How is Sludge and Solid Waste management handled? • Do you have policies on sludge and solid waste management?	• Sludge /solid wastes are managed by evacuation, disposal and composting by the state environmental protection agency • There are policies on sludge/solid waste management
	• What regulations and guidelines exists to manage occupational health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers? • What regulations and guidelines exists to manage community health and safety risks associated with the provision of water and sanitation services to communities and how are they managed by service providers?	• The Kaduna State Environmental health and safety law process community health and safety in all matters related to the environment including provision of WASH services. • The Kaduna State Water Services Regulatory Commission regulates safety risks associated with the provision of water services.

Annex 5: Summaries of State Level Analysis of E&S Systems in line with the PforR Core Principles.

A: FEDERAL ENVIRONMENTAL AND SOCIAL SYSTEMS ASSESSMENT

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
General Principle of Environmental and Social Management	• The Federal Ministry of Water Resources (FMWR) is the overall national agency for water resources development and management and policy formulation. The FMWR sets the national water supply agenda and co-ordinates the implementation with the State and Local Government. • Within the FMWR there are in-country institutional policies: These include ✓ National Water Supply and Sanitation Policy ✓ National Water Resources Policy ✓ National Hygiene Promotion Strategy Nigeria ✓ National Irrigation and Drainage Policy and Strategy ✓ PEWASH Implementation Strategy Document ✓ Draft Nigerian Guidelines for Rural Drinking Water Quality Monitoring and Surveillance ✓ Draft National Water Quality Management Strategy ✓ Rural Drinking Water Quality Monitoring and Surveillance Guidelines ✓ Strategies for Scaling Up Rural Sanitation and Hygiene in Nigeria (2007) ✓ Making Nigeria Open Defecation Free by 2025: A National Roadmap (2016) ✓ Nigeria CLTS Training Manual (2015) ✓ Protocol for verification and certification of Open Defecation Free and Total Sanitation Communities in Nigeria. 2nd Edition (2017)	• Weak enforcement capacity is a major concern. While there seem to be adequate legal and institutional frameworks for managing environmental issues, the ability of the relevant institutions to enforce the existent laws is rather weak and would require further strengthening. • FMWR has executed a number of Bank funded projects and has worked with consultants to prepare Bank's E&S instruments (ESMF/RPF/ E&S screening/ E&S Audit) under the Safeguard Polices. However, internal capacity has not been built by the ministry to conduct this process independently. The rural water departments do not have prior experience or capacity to manage E&S issues • FMWR do not have in-house dedicated E&S specialists with adequate technical skills to coordinate E&S management • There is a quality assurance unit within the FMWR, but the effectiveness is determined to be weak as they do not have oversight on E&S issues • The agencies do not have any budgetary projection for E&S purposes	• Strengthening the capacity of the FPIU, FMWR through capacity building and other operational support mechanisms. • Recruit an Environmental and Social Specialist in the FPIU to coordinate the E&S activities/management at the state level. • Coordinate the sates to develop a robust system for environmental compliance monitoring and enforcement at the State/LGA levels • Require a Strategic Environmental and Social Assessment for Tier 1 and 2 states to support the PEWASH, WASH action plan/ Nigeria National Water Resources Master Plan • Support the Nigerian Water Research Institute (NWRI) through capacity building programs to integrate E&S practice into the institutional learning of the water and sanitation sector. • Develop an accessible grievance system.

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	✓ Guidelines for Hygiene Promotion in Community and Rural Markets in Nigeria (2017) ✓ Guidelines for Hygiene Promotion in Schools in Nigeria (2017) ✓ Expanded Guidelines for WASHCOM formation and Training ✓ Draft National Policy and Implementation guidelines for Urban Sanitation and Wastewater Management in Nigeria. ✓ Draft Nigerian Roadmap for Water Quality Management ✓ Water safety plan participant manual ✓ Water Resources management strategy ✓ Strategic framework for water supply investment mobilization and application guidelines (WIMAG) ✓ National Water Resources Institute Act ✓ Draft policy on wastewater management and urban sanitation in Nigeria, 2008 • The various technical departments of the FMWR such as Water Supply have implementation experience with Bank-supported projects under the safeguards systems. Under the urban water supply, these include the 1st, 2nd and 3rd National Urban Water Sector Reform Project. • Under 1st, 2nd and 3rd National Urban Water Sector Reform Project., an Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF) were prepared and disclosed for implementing states. On Environmental and Social Management • At the Federal level, National Policies, Acts, Regulations such as the EIA Act No. 86 of 1992) for environmental management are well defined as are the institutional system's identifying environment procedures, roles and	• Although the FMWR are aware of ensuring compliance with the National EIA procedures, there are no E&S assessments prepared or E&S risk management requirements followed • On E&S performance of contractors, including contractor selection, routine supervision, quality control and corrective actions, the management of contractor's E&S performance at the federal level is weak • The hiring of staff and consultants is a slow process constrained by budget and complex recruitment procedures. As a result of which the FMWR are able to recruit staff or consultants within a reasonable timeframe. • Although the PEWASH team has created an internet-based communication platform where information is shared on functionality of installed facilities, these platforms do not discuss E&S specific issues. • Although the FPIU adopts NWRI toolkits which guides technical implementation for water project pollutants, the NWRI manual does not provide adequate guidance on project induced pollution, hazardous and non-hazardous waste materials, etc. • There is an absence of reliable environmental baseline data in Nigeria	

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	legislation that are broadly consistent with the Core Principle 1 of the Bank Policy, there is weak coverage of social issues in the national EA regulations • FEPA Sectoral guideline: FEPA's Guideline covering infrastructure projects deals with both the procedural and technical aspects of EIA for construction projects. The guideline stresses the need to carry out an EIA at the earliest stage possible. • Environmental Assessment (EA) Department of the Federal Ministry of Environment is responsible for ensuring that the environmental risks are assessed, and adequate measures are taken to mitigate and or manage potential project impacts in line with the Federal Republic of Nigerian EIA Act of 1992. • Nigeria has a climate change policy which guides climate action by government. Nigeria is also part of the Paris Agreement. NESREA is also empowered to enforce non-compliance with environmental laws and regulations. • The Nigerian Environmental Impact Assessment Act (Act 86, 1992) required project implementing agencies to carry out extensive consultations with project affected parties and disclosure of project documents.	• Although the FMWR has prior experience on GRM consistent with the Bank's requirement, the GRM implementation process is not adequate • Although the draft policy on wastewater management and urban sanitation in Nigeria, 2008 makes provisions for Effluent quality standards, wastewater, treated effluent /sludge; these are not adequate comparable to international standards.	
Natural Habitats and Physical Cultural Resources	• Nigeria has several forest policies, programs and guidelines to facilitate the management of forests and other natural habitats. For example, the National Forest Policy (NFP) 2006, National Biodiversity Strategy and Action Plan, Nigeria REDD+ project. The NFP remains relevant in the preservation of the National ecosystem and addressing climate change challenges in Nigeria. Nigeria has a lot of biodiversity sites including sacred groves as detailed in the National Biodiversity Strategy,	• The FMWR is familiar with and has implemented Bank-supported projects that assessed the project impacts on biodiversity and natural habitats, including preparation of necessary instruments to manage such impacts consistent with the Bank's requirements under the previous safeguards. However, the ministry relies on third-party	• Coordinate the states in developing a comprehensive screening procedure should be built to carry out an early screening of potential E&S impacts on natural habitat • Develop a robust management system for environmental and social compliance monitoring and enforcement on natural habitats and "chance find" procedure • Requisite skills are required to monitor the impacts on natural habitats and PCR

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	however, it is not envisaged that the program will have any adverse direct impact on biodiversity. Other Federal Governing laws on environment and water resources include: ✓ The Endangered Species Act, Cap E9. ✓ The National Parks Act. ✓ Water Resources Act, Cap W2, LFN 2004 On PCR related aspects, the Federal Ministry of Information and Culture	consultants to carry out such assessments • The FPIU does not have specific experience with Cultural Heritage neither does the parent ministry have adequate experience • The Nigeria EIA Act does not include assessments of risks and impacts on cultural heritage. • The EIA requirement for consultation with communities does not capture aspects related to the protection/safety/integrity of cultural heritage sites • The enforcement of biodiversity and natural habitat laws at the federal e levels is often weak.	
Public and Worker Safety	• The FMWR has a Human Resource Department which applies the existing labor laws of the country to manage and improve on the working conditions of ministry's employees. • There is a revised National policy on occupational safety and health, 2020 • The legal/regulatory system of the country includes provisions for protecting worker, community and public safety. Some of these include, Labor Act of 2004, the Trade Union Amended Act of 2005, and the Employees Compensation Act of 2010. See Table III.5 • NESREA has regulations to protect the public from hazardous chemicals, pesticides, and agrochemicals (National Environmental (Hazardous Chemicals and Pesticides) Regulations, S.I. No 65, 2014). • The country also has some legal statutes and provisions to protect workers. Some of these include, Labor Act of 2004, the Trade Union	• The HR department under the FMWR do not have oversight to apply the labor laws to the ministry's consultants and service providers. • The national EIA system does not comprehensively encompass aspects of public and worker safety • There is general lack of awareness on public health and safety issues, particularly in relation to exposure to hazardous materials, workplace safety aspects are and are unaware of the potential risks involved in handling hazardous wastes • Lack of awareness of relevant authorities' staff to appreciate the need to ensure occupational health and safety.	• Coordinate the states in developing guidelines and manuals for mainstreaming sound environmental, and OHS risk management in construction contracts and ESIAs in WASH interventions • Capacity strengthening through training and workshops to the FPIU to better manage labor-related issues. adopt international best practices in the monitoring of child labor.

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	Amended Act of 2005, and the Employees Compensation Act of 2010. • The federal government has the Ministry of Labor and their responsibilities include the protection of the rights of workers. • The Federal Child's Right Act (CRA) (2003) codifies the rights of children in Nigeria. It has penalties on the use of child labor • The Nigerian Labor Law requires compliance with all national and international labor laws on occupational health and safety. The law requires routine inspection of workplaces, accident investigation, preparation of safety and health regulations, code of practice, guidelines and standards for various operations, processes and hazards.	• Lack of stringent punitive measures against abuse of laborer and use of child labor. • Lack of commitment and institutional capacity to enforce extant laws that protect the rights of workers and discourage forced labor	
Land Acquisition	• The FMWR has no well- designed resettlement policy framework • The FMWR often works with social consultants to develop Bank-required RPFs under the National Urban Water Sector Reform Projects	• While the Land Use Act of 1978 governs all land in Nigeria, the nature of compensation and impact mitigation under the Act is limited when viewed from the perspective of international best practice. • The Land Use Act is unclear regarding standards for replacement land; and status and compensation for customary land • The land use act does not make provisions for livelihoods restoration and improvements • Within the FMWR, there are no adequate lessons learnt at institutional level.	• To ensure the consistency of the Program with Core Principle 4 and to minimize the risk of significant economic and physical displacement

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
Social Considerations - Indigenous Peoples and Vulnerable Groups	• Chapter IV of the Nigerian Constitution contains a variety of fundamental rights set out in Sections 33 - 44. Of particular relevance is Section 42, which prohibits discrimination on the grounds of ethnic origin, sex (gender), religion, or linguistic affiliation. • There is a Federal Ministry of Women Affairs and Social Development that deals with all gender related issues especially as it concerns the vulnerable especially women youths and People living with Disabilities (PWDs). They have a unit that deals with GBV and discrimination. • The federal government of Nigeria has signed many treaties on women issues including the CEDAW in 1999 and has a gender policy. There is also the Violence Against Persons (Prohibition)Act 2015. • Several policy statements and programs at the federal levels clearly indicate the nation's commitments to achieving the Sustainable Development Goal (SDG) on gender equality.	• Although FMWR has prior experience with Bank's stakeholder engagement requirements, however, there are no demonstrable experience, processes or documents that shows adequacy of the system • There is lack of capacity in Ministries of Women Affairs and Social Development to tackle the issues of GBV and other issues relating to gender and youths. • There is weak knowledge of the public especially vulnerable groups regarding the issues of GBV and how to handles cases of GBV especially sexual abuse. • There is weak of capacity in Ministries of Women Affairs and Social Development to tackle the issues of GBV and other issues relating to gender and youths	• Strengthen the existing GRM process • Robust stakeholder engagement strategy on consultation, information disclosure and grievance mechanism) should be developed as part of the outreach program targeting the vulnerable groups. • Improved stakeholders training should be provided in social inclusion issues and methodology for improved outreach work.
Social Conflict	• The constitution of the Federal Republic of Nigeria 1999 (as amended) provides in Section 17 (3) (g) that "the State shall direct its policy towards ensuring that provision is made for public assistance in deserving cases, or other conditions of need. • Federal throughout the country with well-trained police and security forces who maintain the rule of law and also provides security against bandits and during clashes between farmers and herders. There is also a justice system with courts where people can seek redress. • The federal government also has the public complaints commission where people can make complaints regarding administrative injustices.	• Lack of a Grievance Redress Mechanism (GRM) for the poor and vulnerable. Although Nigeria has a justice system with courts where people can seek justice, poor and vulnerable people do not have the capacity to seek justice in courts. • The available GRM are weak and ad-hoc and not properly institutionalized. This is to ensure that people's grievances are properly redressed even when there is need to seek further redress if the individual is not satisfied with the outcome of existing arrangements.	• Strengthened stakeholder engagement and grievance redress mechanisms and increased transparency to provide information and communication avenues for complaints and their resolutions.

B. DELTA STATE ENVIRONMENTAL AND SOCIAL SYSTEMS ASSESSMENT

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
General Principle of Environmental and Social Management	**State** • Delta state has a robust institutional framework for the management of environmental and social issues in WASH related programs through: - **Delta State Environmental Protection Law:** Provides the requirements for environmental assessment of all projects (including WASH related). - **Delta State Waste Management Board Law of 2004**: The waste management board provides M&E functions within its department of operations, and the law focuses on effective waste collection, management and disposal in the State - **Delta State Water Law of 2018**: The law caters for the establishment of key WASH regulatory entities in the State such as DUWASCO, Delta state RUWASSSA and the state water sector regulatory commission. - **Delta State Ecology Law, 2006** for the management of environment (Ecology and EIA) within Delta state. It also highlights persons responsible for enforcement. - **Delta State Water and Sanitation Policy 2015:** provides the required frameworks to improve water and sanitation services delivery, management of environmental and social issues, institutional capacity building and awareness raising in the State. • There is provision for the roles, enforcement and activities of MDAs to manage the E& S impacts in the water and sanitation sector, including waste management. • Delta state has a designated environmental protect agency- DELSEPA. DELSEPA has the capacity to	**State** • There is provision in the consumption and Water and Sanitation Facilities Standards for *Access and supply to basic water service delivery location of water service points, water sanitation facility for rural communities and small towns and a designated area for Sanitary landfills to take care of urban sewage.* What is not verifiable is if these are indeed being implemented and monitored. • Other than the WASH policy, the other regulations are focused on environmental issues, leaving a gap in the management of social risks and impacts. • The M&E functions are currently set up for environmental component only. No system in place for monitoring the social aspect. • Overlapping responsibilities across the different MDAs within the State. For instance, Urban sanitation is the responsibility of both departments of Water Quality Control and Sanitation (MWRD) and Sanitation and Waste Management in the Ministry of Environment. As a result, there is an overlap in their duties. • No standalone state-wide protocol for public engagement, information dissemination and awareness raising for WASH.	• There is the need for continuous capacity building and provision of technical resources in terms of training and guidance for all departments at the State and Local Government level. • Synergising, restructuring or redefining roles of the departments of Water Quality Control and Sanitation (MWRD) and Sanitation and Waste Management in the Ministry of Environment, to eliminate repetition and overlapping duties and also avoid conflicts and confusion on the stakeholders' part. • Capacity building on social performance and Introduction of social management systems to ensure the integration of social risk management into WASH activities. • There is a need for a standardized protocol for stakeholder engagement, communication, public disclosure and dissemination and the State and LGA levels.

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	advise on environmental issues, implement the state EAP, monitor the implementation of EIA and is generally responsible for environmental matters in the State. The State is able to issue EIA certificates upon completion of ESIAs for proposed projects. • Ministry of Environment and the State Task Group on Sanitation (STGS) anchor and coordinate sanitation activities. • Institutionally, there are two departments and two implementing agencies, in both Ministry of Water Resources Development (MWRD) and Ministry of Environment involved in Sanitation activities in the State. - Under the purview of the Ministry of Environment, Department of Sanitation and Waste Management, DELSEPA and Delta State Waste Management Board (DSWMB). • Delta State has a framework for public engagement and dissemination through the DESUWACO. This framework also explains the grievance redress mechanism for WASH services. • At the state level, Delta State Water and Sanitation Sector Coordination Committee and Delta State Task Group on Sanitation exist to oversee and coordinate WASH service delivery. • Delta state is a member of the PEWASH program which supports collaboration for WASH projects. • The WASH policy caters for monitoring and evaluation by placing the responsibilities for M&E on the MWRD and other MDAs through *Policy Statement 5- Standards* and *Policy Statement 18- Monitoring and Evaluation of Services, Policy Statement 20- Data Management and Information System.* The implementation of the M&E functions is supported through the State's M&E framework.	**LGA** • No defined protocol for public engagement, disclosure, communication and information dissemination.	

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	• The State reported that staff use WASHIMS and Enterprise Resource Planning software to collect M&E data related to WASH implementation. **LGA** • The Local Government Councils in the State have departments of Environment and WASH units that collaborate with the relevant MDAs and supporting agencies in the implementation of sanitation activities in the State • Local Government Technical Committee exists for implementation of the WASH policy. • The LGA liaises and participates in project follow-up programmes as designated by the state ministry of environment. • The State supports the establishment of various community level platform to support WASH delivery. These include WASCHCOM, WCAs, CLTs and VLOM. • The WASH policy statement 18 makes provisions for the establishment and operationalization of M&E units at the LGA level. • Public engagement, communication and dissemination through mass media, civil society organizations (CSOs), WASHCOMs, NEWSAN Delta state chapter and community leaders.		
Natural Habitats and Physical Cultural Resources	**State** • Delta State has laws and regulations guiding the management of natural habitats and resources, e.g. Delta State Ecology Law 2006 and Delta State Water and Sanitation policy. • Delta State has a Department of Natural Resources Management in its Ministry of Environment that oversees the management of natural habitats and resources in the State	**State** • No provision for laws guiding the management of cultural resources.	• Delta State should develop guidelines and laws for the management of cultural resources in the State. • The process of land identification and selection at the community level should be institutionalized and embedded within a state law to ensure the preservation of biodiversity and cultural resources.

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	• The Delta State Ecology law makes it compulsory to conduct an Environmental Impact Assessment (EIA) for projects that may encroach on forest land, mangrove swamps, wildlife parks, etc. • The Delta State Ministry of culture and tourism protects cultural heritage and resources within the State. **LGA** • STOWASSAs, RUWASSAs and other water departments, as well as WASHCOMs and representatives from LGAs, have specific roles they play in ensuring lands for WASH projects do not encroach on protected habitats or natural and cultural resources.		
Public and Worker Safety	**State** • Labour matters in Delta State are guided by the federal labor law. • The State's WASH policy has a well-defined institutional framework for the delivery of WASH services. • OHS standards are embedded within the WASH policy and enforced through project management and supervision • The State has domesticated the child rights act through its Child Rights Law of 2018 to protect the interest of young people • The State also has documented procurement guidelines and Public Procurement Law 2020, which guides the procurement of services (including contractors) and goods for all projects in the State. • Delta State requires contractors to produce CESMP prior to commencement of WASH constructions	**State** • Even though there is a procurement law, it does not factor in procurements preference to local community suppliers, resources workers etc. • No explicit provisions for CHS in the State's WASH policy. • Despite having an OHS provision in the WASH policy, there is a glaring lack of professional awareness to measures on WASH projects. • Lack of a health officer in the LGA level	• Need for the creation of a sustainable framework guiding public and worker safety, to incorporate OHS and CHS issues. • Delta State actors need to create a team of well-trained safety policy enforcers to serve as the major driver of safety in WASH projects. • Regular sensitization for safety professionals on the need to ensure safety in WASH projects. • Ensure that adequate and sufficient PPEs are provided for workers. • Create awareness on WASH projects concerning public and workers safety. • Delta State needs to create a bespoke grievance redress mechanism to handle workers complaints and grievances.

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	LGA • Community engagement activities are carried out at LGA level through WASHCOMs to ensure CHS and OHS		
Land Acquisition	**State** • Delta state has no policy and guidelines in place for land acquisition and use. • The State has site take over and hand over forms as part of PEWASH program for documentation of land agreement and transfer for WASH projects. This is overseen through RUWASSA. The forms are signed by the WASHCOM head, community head, contractor, WASH unit in the LGA and state supervisor has to sign. At project completion, a site hand over form is signed to indicate agreement. **LGA** • Identification and donation of land for WASH facilities at the community level is through WASHCOMs • Community level stakeholders, including WASHCOM, community head, WASH unit in the LGA are signatories to the site take over and hand over forms for WASH projects.	**State** • There is no provision for compensation payment to physically and economically displaced persons • There is no provision for voluntary land acquisition at the state level. **LGA** • In Delta state, some communities donate their lands freely, but there is no provision for voluntary land donation in the Land Use Act. • Inadequate documentation for the process of community land transfer for WASH project	• Delta state needs to make adequate compensation and accountability regarding physically and economically displaced persons • The State should make provision for the displaced and temporary resettlement support to prevent adverse impacts. • Delta state would have to make it certain that strict processes have to be followed to make sure land acquisition is voluntary without encumbrances • Delta state needs to establish a framework/protocol for voluntary land donation in collaboration with SURWASH.
Social Considerations - Indigenous Peoples and Vulnerable Groups	**State** • The State has a Ministry of women affairs to manage gender issues. The ministry adopts the National Gender Policy that caters for equal opportunities and treatment for women. • The Delta State gazetted the Child Rights Law 2008, which addresses the vulnerability and the place of the Child. • The Delta State WASH Policy clearly outlines considerations for Women, considering safety,	**State** • The Technical Guide on WASH Facilities in PHCs does not address the design and construction of WASH facilities to be tailored to meet the needs of women. • The State lacks the procedure to manage gender related issues such as GBV and SEA should these arise.	• The State should develop a tailored and robust gender policy, and resources to address gender vulnerabilities and other gender related issues associated with WASH. • The Child Rights Law 2008 must be revised and updated to show improvements and sustainable

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	cultural compliance, adequate representation (e.g. in WASHCOM) and inclusion in WASH Policies and Decisions at all levels. The document also highlighted the need for women, people with special abilities, people living with HIV/AIDS to be specially trained and retrained on WASH advancement. **LGA** • There are CSOs for youths and women in Delta state looking to tend to their needs and rights. This is essential to complement government efforts on development issues.	**LGA** • There are no clear cut/defined roles for most of these CSOs, as they rely on external funding and interventions to operate.	developments prospects and concerns of the Child. • The Technical Guide on WASH Facilities in PHCs should reflect the special WASH needs of women, such as special changing rooms, waste disposal components need. • WASH consultants should be engaged to develop a comprehensive Design and Construction WASH Facility Template and Guides that meets international developments standards and fits into the local landscape of Delta State – a hugely riverine and swampy terrain. • Delta state government should improve on collaborations and partnerships with CSOs and other non-governmental agencies, to facilitate inclusive policies, projects and interventions in Delta State.
Social Conflict	**State** • The State has police force and security personnel responsible for maintenance of law and order in the State. • Grievances in the State are generally managed through the Ministry of Justice. The State has a court system for adjudication. • The internal mechanism available for grievance redress in the WASH is the mainstream customer complaint desk and SERVICOM offices at the various ministries. • DESUWACO has a customer charter, produced in 2020 to disseminate information and enlighten customers on the feedback process.	**State** • Although it was indicated in the SURWASH questionnaire that there is a GRM process in the wash policy for the management of conflicts in the WASH sector, this is not existent in the Delta state WASH Policy. • The GRM presented in DESUWACO's customer charter is a light touch and does not provide a robust process to handle grievances in the WASH sector comprehensively. The GRM also focus on customers and does not cater for staff.	• The State needs to develop and Grievance Redress Mechanism specifically for the WASH sector with clear processes for filing, record- keeping, management and resolution of grievances as well as responsible persons. This could either be a separate document or embedded in the WASH policy. • Delta State needs to update and strengthen the GRM to facilitate resolution of conflicts related to customers and staff.

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	LGA • There is the existence of the traditional leadership system, CSOs and community representatives responsible for resolution of conflicts at the community level • The Standard Operating Procedure for WASHCOMS and Federation of WASHCOMS has a dispute resolution mechanism for disputes among WASHCOMS organizations.	**LGA** • The dispute resolution mechanism for WASHCOMs does not cover disputes between external stakeholders like community people and WASHCOMs.	• The dispute resolution for WASHCOMs should be revised to cater for external grievances from community members.

C. GOMBE ENVIRONMENTAL AND SOCIAL SYSTEMS ASSESSMENT

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
General Principle of Environmental and Social Management	**State** • Gombe state has a designated agency for the management of environmental and sanitation issues, and development of policies and guidelines to undertake its mandate (GOSEPA). The activities of this agency are governed by the GOSEPA law. GOSEPA's organogram shows the state has designated units for sanitation and waste management. • The state has an institutional framework for the management of WASH projects- The State WASH policy of 2016, Gombe State Water Board, Gombe State RUWASSA, Sanitation and Environment law and Waste Management Law. The WASH Policy of 2016 identified areas of change and proposed a new organogram and the establishment of new agencies to strengthen the institutional framework of the WASH sector. However, implementation of these has not been verified. • The state does not have its own EIA law but adopts the federal Republic of Nigeria's EIA Act of 1992. The state is able to issue EIA certificates upon completion of ESIAs for proposed projects. • The state has a monitoring team for adherence to health and sanitation standards.	**State** • There is weak policy at the state level for addressing environmental and social risks associated with WASH projects. E.g. The GOSEPA law mentions environmental risks such as air quality, noise and hazardous substances but does not provide details on how they will be managed. • Even though it was indicated that there is a specific department in charge of EIA and environmental officers responsible for management of environmental and social issues, the organogram of GOSEPA does not explicitly show this. • The institutional and legislative framework of the state focuses on the management of environmental risks with no consideration for social risks management. • There is inadequate human resources capacity at the state level for management of environmental and social risks. Though the assessment indicated that the state has personnel responsible for E&S management, the capacity and	• The WASH sector institutions should be strengthened by: o Training of staff to build their capacity for environmental and social management o Financial support for the management and provision of WASH facilities. • There is a need for GOSEPA to develop a standardized and robust system for monitoring WASH programmes across all levels of implementation. • State laws for management of environmental and social risks need to be amended to include social aspects of risks management. • There is a need for a standardized protocol for stakeholder engagement, communication, public disclosure and dissemination. • Gombe state should inculcate grievance redress management into its E&S regulatory framework as part of the social component.

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	• There is no institutional mandate in sate urban water board to manage E&S concerns **LGA** • The environmental health officers at the LGA level handle WASH units and ensure environmental protection at the LGA level. • The WASH policy of 2016 sets out the responsibilities for the LGA WASH units, including the implementation of the VLOM strategy and supporting the establishment of WASHCOMs. • LGAs use the Kobo Toolbox for monitoring of environmental and social issues relating to WASH. • Informal processes exist for stakeholder engagement, communication and dissemination through WASHCOM and the use of mass media, civil society organizations (CSOs), NEWSAN Gombe state chapter and community leaders.	qualification of the personnel are inadequate. • There is low capacity in terms of resources for E& S management at the state level. E.g. The WASH policy of 2016 indicates that there are no financial resources for management of public sanitation facilities. • No formal protocol for stakeholder engagement, communication and dissemination with regards to WASH related projects/issues. • No evidence of monitoring functions on GOSEPA organogram. **LGA** • Although the GOSEPA law mandates the establishment of environmental protection bodies at the LGA, details of the composition and roles of this body is not specified.	
Natural Habitats and Physical Cultural Resources	**State** • Gombe state has a designated Ministry of Environment and Forest Resources responsible for ecosystem preservation and biodiversity conversation. • Gombe state does not currently have its own forestry law/policy but has a Forestry edict under review. • The state adopts Nigerian Forestry Law for the preservation and conservation of forests.	**State** • Gombe state currently lacks a bespoke policy for the management of natural habitats and cultural resources. **LGA** • Lack of framework and capacity for biodiversity and ecosystem preservation at LGA level.	• The state should hasten the process of development of its Forestry edict. • Adequate support and infrastructure should be put in place to support the sustainable implementation of the edict when developed. • The SURWASH project team should ensure land donated are not located in protected/important biodiversity sites.

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	• Protection of cultural resources is covered within the Cultural policy for Nigeria.		
Public and Worker Safety	**State** • The Gombe state government has the Ministry of Environment and Labour who have the mandate to protect the rights of workers at the state level. • The state also has the Ministry of Works who provide construction laws and guidelines for construction or rehabilitation activities. • The state does not have its own labour and child labour laws but adopts those of the Federal Government. • Gombe state has an Occupational Hazard Unit in the Ministry of Health that oversees OHS in the WASH sector. • The state has a due process office guided by the Procurement and Public Procurement Bureau law of 2019. The due process office is responsible for the procurement of contractors, but the responsibility for safety remains with the Ministry of Environment. **LGA** • There are no OHS guidelines and procedures that can be adopted by contractors, firms, employers of labour, workers and the general public.	**State** • Lack of professional awareness for safety enforcers to develop and implement safety policies on projects. • Lack of capacity to address child labour issues should this arise. **LGA** • Lack of OHS guidelines and procedures at the LGA level.	• There is a need for the creation of a sustainable framework guiding public and worker safety • Gombe state actors would have to create a team of well-trained safety policy enforcers that would serve as the major driver of safety in SURWASH projects • There should be a regular sensitization for safety professionals on the need to ensure safety at work. • Ensure that adequate and quality PPEs are provided for workers • There is need to create awareness regarding SURWASH projects concerning public and worker safety. • Gombe state would have to put in place a bespoke Grievance redress mechanism to handle workers conflicts and grievances.
Land Acquisition	**State** • Gombe state has no specific regulation and guideline to guide in the acquisition of land for any purpose. **LGA**	**State** • There is no provision for voluntary land acquisition at the state level. • No provision for managing displacement and resettlement.	• Gombe state would have to ensure that due processes are followed to ensure land acquisition is indeed voluntary without encumbrances.

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	• Since the state has no specific regulation guiding land acquisition, the LGA's role is not defined.	• No provision for managing project-related grievances. • No provision for compensation payment to physically and economically displaced person. **LGA** • The role of the LGA in land acquisition for SURWASH programme is not defined.	• There is need for Gombe state to establish a framework/protocol for voluntary land donation in collaboration with SURWASH. • Gombe State should develop an E&S inclusive land acquisition framework bespoke to water and sanitation projects • Gombe state should make provision for compensation over loss of assets and livelihood which result from the acquisition of land for SURWASH projects • Adequate training and capacity building of the LGA WASH Departments and WASHCOMs on sustainable land access and the role of consultations and participation, sufficient documentation, compensation, grievance management and gender considerations in site selection and land access.
Social Considerations - Indigenous Peoples and Vulnerable Groups	**State** • Gombe state has no framework/policy implemented with regards to vulnerable groups (such as people with disabilities, GBV victims) in the state. **LGA** • WASHCOMs exist to protect the interest of vulnerable groups and gender related issues related to WASH projects.	**State** • There is a lack of capacity to tackle vulnerable groups and other relating issues. • There is a lack of a Grievance Redress Mechanism for the poor and vulnerable. • The state doesn't have a policy or guidelines to deal with the vulnerable groups to ensure they are not treated unfairly • There is inadequate infrastructure in place to combat problems regarding vulnerable groups	• The state should ensure there is a policy in place to curb the widespread issues of vulnerable groups • Gombe state should organize and manage a community-based development participatory group to allow the participation of the vulnerable groups in programs • Gombe State should develop an educative programme for the vulnerable groups to help in skills acquisitions and other means of upliftment.

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
		LGA • There is no clarity on the exact responsibilities of Gombe state WASHCOMs in relation to vulnerable groups and gender issues.	• The state should ensure that all programs are designed to be accessible to all vulnerable groups no matter where they belong • The state should ensure that attention and cooperativeness need to be giving to the rights and interests of vulnerable groups
Social Conflict	**State** • Gombe state has an existing judicial commission of committee for resolution of social related conflicts. • Gombe state has the police and other security agencies who maintain law and order and also provide security. • The state has several courts such as area court, chief magistrate court, high court, etc. where conflicts are resolved. • The state Ministry of Women Affairs has a framework for GRM but not specific to WASH programmes. • The state also has the Public Complain unit responsible for collating and escalating project related grievances. **LGA** • The community leaders (traditional leaders, religious leaders, CDAs), WASHCOMs and civil society organizations are also instrumental in resolving conflicts at the community level	**State** • Lack of state-wide a Grievance Redress Mechanism process/framework • There is no provision of feedback of submitted grievances. **LGA** • The roles of the LGA actors in social conflicts have not been clearly defined in the Gombe State WASH policy.	• Gombe state should implement policy/ laws to prohibit and reduce the issues on conflicts. • The state needs to be transparent in information dissemination and communication to strengthen the resolution of conflicts. • The state needs to establish agencies for grievance redress and peaceful resolution of disputes related to WASH services. • Customer relations unit should be set up with the GSWB and RUWASSA for WASH related issues/grievances. • Gombe State needs to update and strengthen the GRM to facilitate resolution of conflicts.

D. PLATEAU STATE ENVIRONMENTAL AND SOCIAL ASSESMENT

Core Principles	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
General Principle of Environmental and Social Management	• The Plateau State Ministry of Water Resources and Energy has the responsibility for the co-ordination of all State water supply and sanitation agencies and all WASH implementation activities. It also carries out direct supervision of some water and sanitation projects. • The ministry has the following laws and policies: ✓ Draft Water & Sanitation Policy, 2012 (within the context of the national water and sanitation policy) ✓ Plateau state water resources and sanitation policy ministry of water resources and energy, 2017 to provide a guide on the sustainable use of water and sanitation ✓ A law to provide for the plateau state water sector law and for other matters connected, 2019 ✓ Water Sector Regulatory Commission Drilling-License-And-Groundwater-Regulation June 2020 • Plateau city wide water corporation (PCWWC)/ Plateau State Water Board (PSWB) is the primary agency for the implementation of Urban and Small Towns water supply and Plateau State Rural Water Supply and Sanitation Agency (PRUWASAs) oversee rural WASH programs in the state under the Ministry of Water Resources and Energy • The 2012 WASH policy stresses the need for the establishment of Plateau State Water	• The Plateau State Ministry of Water Resources and Energy indicated compliance through the PEPSA on urban and rural WASH operations in the state but there exist operational and implementation gaps in coordinating E&S risk management and monitoring of WASH interventions especially in PRUWASAs • The WASH agencies (PCWWC and PRUWASAs) have no unit that oversees environmental and social issues and do not have in-house dedicated E&S specialists but rely solely on PEPSA and MOE responsible for E&S aspects who also lack the requisite technical capacities in terms of skills, qualifications, and number of personnel to ensure effective E&S management and monitoring functions • The Draft Water & Sanitation Policy, 2012 outlines strategies for enhancing the protection of environment, however, there is no track record of an effective coordination of water and sanitation services and E&S management in the state • Although the WASH Policy (2017) states that all major water projects must undergo	• Develop a comprehensive screening procedure should be built to carry out an early screening of potential E&S effects of the Program such as measures for, waste management, work and safety standards, security measures, and a “chance finds” procedure for physical cultural resources and captured in the ESIA process • Develop an E&S management system that builds in processes such as preparation of TORs for E&S assessments, institutional responsibilities for mitigation and monitoring measures, identification of organizational, financial and human resource arrangements for implementing every mitigation and monitoring measures, clearance, approvals and disclosure of E&S instruments. • Develop a robust system for environmental and social compliance monitoring and enforcement at the State/LGA levels. ESHS measures/provisions should be made a key requisite in civil works contracts for WASH infrastructure and ESHS checklists developed for regular monitoring based on the

	Supply Regulatory Commission while the 2017 WASH policy states the need for the establishment of a Plateau State Water and Sanitation Regulation Agency **(regulatory functions yet to be determined)** • The 2012 WASH Policy outlines requirements for the adoption of National Standards for Drinking Water Quality and setting standards for compliance as well as enforcing the standard while the WASH Policy (2017) outlines strategies on quality guidelines and standards on water quality, public health, hygiene and pollution control mechanisms. • The WASH Policy (2017) states that all major water projects must undergo Environmental Impact Assessment (EIA) and also establishes provisions for preparedness and contingency plans for water-related disasters and emergencies, impact of climate change and climate variability as an integral part of water resources management. • On environmental and social risk management of proposed WASH interventions, the state complies by the National Environmental Impact Assessment (EIA) Act No. 86 of 1992 provides a comprehensive legal and regulatory framework for environmental and social impact assessment that is broadly consistent with the Core Principle 1 of the Bank Policy and Directive and EIA certificates are issued by the FMEnv at the state level • Plateau Environmental Protection and Sanitation Agency (PEPSA) which is under the Plateau State Ministry of Environment is the main organ of the State Government for solid and industrial waste management;	Environmental Impact Assessment (EIA), there is a need for effective implementation of applying E&S mitigation measures in practice. The Plateau State Environment Ministry/PEPSA noted that these agencies rely on the FMEnv to facilitate EIA/ESIA process, however, these implementation requirements are weak. The EIA process/certification is currently being carried out by NESREA who issue audit certificates. • Procedures requiring E&S screening of activities that lead to E&S assessments are not carried out. • It is not certain if the Plateau Environmental Protection and Sanitation Agency (PEPSA) which is under the Plateau State Ministry of Environment contain environmental assessment requirements for projects and procedures as well as the enforcement mechanism of E&S management of WASH activities statewide. This includes capability to monitor and report on the environmental and social performances of the project/implementation of E&S management measures, quality of supervision, quality of Contractor Management, budgetary projection for E&S purposes. • There is insufficient track record of compliance with relevant national or state EA regulations such as documented	monitoring plan captured in ESIAs • Develop a reporting mechanism of progress on environmental and social issues (Quarterly/Annual) • Strengthen in-house capacity of the agencies responsible for E&S risk management (PEPSA) through capacity building programs and other operational support mechanisms. The E&S capacity especially at the local level (PRUWASA) requires significant improvements for E&S effectiveness • Conduct annual E&S audits • Assignment of project staff to environmental and social management in the PIU

	• The Plateau State Environment Ministry/ PEPSA relies on the FMEnv to facilitate EIA/ESIA process for large scale projects • An example of an EIA prepared under an EU funded Technical Assistance for Implementation of Water Supply and Sanitation Sector Reform Program Phase III (WSSSRP III) in 2 LGAs of Riyom and Shendam. The environmental evaluation ensured consistency and compliance with the Nigerian Statutory requirement as entrenched in the Nigerian EIA Act - Environmental Impact Assessment Decree (Act)- (No.86 of 1990) Retained as Cap E12 LFN 2004 the Water resources Act 101 of 1993 and the NESREA Act of 2007. It is also in compliance with the relevant EU EIA legislation – The EIA Directive 2014/54/EU on Environmental Assessment of development projects in the European Union. • Plateau State Ministry of Environment has a technical department responsible for environmental assessment and climate change. • The water sector law has permits and licensing procedure to allow environmental clearances from the relevant agencies • The state has a procurement process under the Plateau State Bureau of Public Procurement Law (2018) where contracts are management and supervised. The General conditions of contracts specifies clauses on Safety, Security and Protection of the Environment for instance on the Intervention in Langtang Water Treatment Plant • Plateau state relies on the national EIA Law which has procedural guidelines that requires ongoing consultation with project-affected groups throughout the project life.	ESIAs/ESMPs with EIA certificates issued. • Local level capacity should be improved in the PRUWASA. There are no E&S systems or officers at the PRUWASA level. • The management of contractor's E&S performance at the state levels is weak. ESHS provisions in the procurement law/bid qualification requirements are inadequate • While the state relies on the National EIA law, there is weak coverage of social issues in the national EA regulations • Although the WASH sector has created platforms where information is shared on functionality of installed facilities, these platforms do not discuss E&S specific issues. • The state relies on National standards on effluent management as there are no guidelines available on effluent management under the state environmental law • Under the Plateau State Bureau of Public Procurement Law (2018), there are no provisions for bidders to include ESHS requirements as part of the bid process and provisions for contractors ESMP (CESMP) to be prepared. • Although the Federal EIA Act has provisions for stakeholder consultation throughout a project life cycle, the state does not have a structured or demonstrated stakeholder engagement	

	• Plateau State has a public service grievance procedure under the office of the head of civil service which stipulates the grievance procedures for employees who have a grievance or complaint and the roles of the Human Resource Office in the Procedure	process/mechanisms to ensure that stakeholders are identified and that their views, concerns, and suggestions are systematically considered. The capacity to undertake stakeholder engagement at all levels and publicly disclose appropriate information is inadequate. • The grievance redress systems are not well defined and are not fully functional at the urban water and PRUWASSA level relating to E&S management issues • There are no policies, laws and regulations that guides the sludge and solid waste operations. However, fecal waste/sludge disposal is carried out by private operators in urban areas into designated dumpsites and by burying in rural areas which is not environmentally friendly and unsustainable. • The WASHCOMs do not have the capacity to conduct environmental and social assessment for proposed WASH projects and do not have oversight functions on contractors at the LGA level.	
Natural Habitats and Physical Cultural Resources	Plateau State has laws such as the Plateau Environmental Protection and Sanitation Agency (PEPSA) 2001 which is under the Plateau State Ministry of Environment	• The Nigeria EIA Act does not include assessments of risks and impacts on cultural heritage. • The EIA requirement for consultation with communities does not capture aspects related to the protection/safety/integrity of cultural heritage sites • The enforcement of biodiversity and natural habitat laws at both the	• Comprehensive screening procedure should be built to carry out an early screening of potential E&S impacts on natural habitat • Develop a robust management system for environmental and social compliance monitoring and enforcement at the State/LGA levels on natural habitats and "chance find" procedure

		federal and state levels are often weak.	• Requisite skills are required to monitor the impacts on natural habitats and PCR at the state and local government levels
Public and Worker Safety	• On Occupational Health and Safety (OHS), Plateau state has domiciled occupational and health safety policy in building construction projects under the labor department of the office of the head of civil service • The OHS legal/regulatory system includes provisions for protecting people and environment that is applicable to regulating the use of hazardous substances used in the construction industry	• The occupational and health safety policy in building construction projects is not robust enough as there are inadequate guidelines to ensure adherence through the procurement process for bidders and EA instruments to comply to OHS requirements on urban and rural WASH interventions. Enforcement of these laws at the LGA level is weak. • There is no documentation that Plateau State do have specific laws or regulations to avoid the use of child and forced labor in the implementation WASH activities	• Develop guidelines and manuals for mainstreaming sound environmental, and OHS risk management in construction contracts and ESIAs in WASH interventions
Land Acquisition	• Plateau state has no policy and guidelines in place for land acquisition. The National Land Use Act of 1978 modified in 1990 is the legal basis of land acquisition and administration.	• The Land Use Act only makes provisions for compensation payment and compensation provisions for those who have recognized land rights such as Certificate of Occupancy to the land • The land use act does not make provisions for livelihoods restoration and improvements • The are no systems within the Ministry, and the local governments or the WASHCOMs units to conduct the requirements of Core Principle 5 • There are no regulatory provisions that mandates the development of a RAP, RPF.	• Capacity building on sustainable land access, through trainings and workshops • environmental and social guidelines to be prepared to address land acquisition based on national laws and regulations as well as good international practice • Training and capacity building of the LGA WASH Departments and WASHCOMs on sustainable land access and the role of consultations and participation, sufficient documentation, compensation, grievance management and gender safety in site selection and land access.

Social Considerations - Indigenous Peoples and Vulnerable Groups	• The state has also signed the child rights act which also guards against child labor. • The state has a law and policy on gender under the Ministry of Commerce.	• The grievance procedure under the Public Service Communications policy ensures the handling of grievances for its employees at the workplace basically for all civil servants. The available GRM process and procedure is inadequate as it does not address project specific complaints and for the WASH sector especially at the LGA level. • There is no defined stakeholder engagement strategy on consultation, information disclosure and as part of the outreach program targeting the vulnerable groups.	• Strengthen the existing GRM process • Screening procedures to include opportunity for stakeholder involvement in the identification of priority E&S risks and impacts • The Program, through SPIU should form a grievance system accessible to project workers. Contractors will be required to maintain worker grievance systems. • Robust stakeholder engagement strategy on consultation, information disclosure and grievance mechanism) should be developed as part of the outreach program targeting the vulnerable groups. • Improved stakeholders training should be provided in social inclusion issues and methodology for improved outreach work.
Social Conflict	• The 2012 WASH Policy provides requirements for the promotion of sector accountability and citizens' participation in governance of water and sanitation agencies and service providers through presentation of annual reports and stakeholders' forum • Plateau State has a public service grievance procedure under the office of the head of civil service which stipulates the grievance procedures for employees who have a grievance or complaint and the roles of the Human Resource Office in the Procedure	• The grievance redress systems are not well defined in all areas and are not fully functional at the urban water and PRUWASA level.	• Strengthen the existing GRM process

E: EKITI STATE ENVIRONMENTAL AND SOCIAL ASSESMENT

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
Environment: To promote environmental and social sustainability in the Program design; avoid, minimize, or mitigate adverse impacts, and promote informed decision-making relating to the Program's environmental and social impacts.	• Strong and high-level political commitment conformed in writing to the program from the Ekiti State Government. • The state complies by the National Environmental Impact Assessment (EIA) Act No. 86 of 1992, and has a State Environmental Protection Agency Law (SEPA) established the Ekiti Environmental Protection Agency (EEPA), and the Ekiti State Waste Management Law(EKSWMA) which is state specific applies to all interventions including those on WASH. • The national EIA system (EIA Act No. 86 of 1992) provides a comprehensive legal and regulatory framework for environmental and social impact assessment that is broadly consistent with the Core Principle 1 of the Bank Policy and Directive. • For all large-scale projects implemented in the state the EIA Act takes precedence and EIAs are completed accordingly to this regulation but wetted at the state level by the EEPA. • The EEPA is responsible for handling waste and has robust monitoring and oversight. They have registered collectors who	• While the procurement process is management in line with a State level procurement policy. The Bid Submission Sheets and contract documents do not include any specific reference to the need to submit any details on Environmental Management such a say contractors ESMP (CESMP) nor have contract clauses pertaining to E and S respectively. • While the state has a good system for E and S due diligence implementation of the existing legal/regulatory provisions in a larger program may face challenges, overstretched regulatory authorities with low number of staff focused on E and S, and the need for additional monitoring during implementation of civil works and project operations will remain a challenge unless augmented via supplementary mechanisms attract more man power, build capacity and retain them to focus on E and S.	• The state already uses good examples of appropriate E and S guidelines, checklists, technical options that have been developed via previous sector operations and the same can be used to meet the requirements of this program via following the same quality and due diligence standards on E and S. A screening and assessment criterium that is comprehensive in line with the requirements of Core principal 1, 2 and 3 are already in use. • Bidding conditions and basic contract clauses can be edited and should clearly indicate the need for bidders to comply to these and provide CESMPs and cost in the BOQs either as lump sums (typical norm in in many regions being minimum of 5% of total contract value) or action specific items for CESMP implementation. o Bidding conditions and contracts can also benefit from having clauses on compliance and penalty's such a E and S performance guarantees to ensure the CESMPs are implemented. o The program also offers an opportunity to learn from other areas on providing

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	transport extruded waste from septic tanks and water treatment facilities (sludge and septage), however there are gaps in available final disposal facilities. • Urban water sector has one specific officer for safeguards issues. • The state has clearly defined mandates for agencies focusing on the WASH sector and undertaking further reform to focus on the WASH sector. • Ekiti State Ministry of Infrastructure and Public Utilities (ESMIPU)- responsible for the formulation and implementation of WASH sector policies, master plans, and investment plans and coordinates all state agencies operating in the WASH sector and reform process in the WASH sector • The Ekiti State Water Corporation (ESWC)- oversees the production and supply of potable water to urban and small towns through surface or underground water schemes. From January 2021 the agency will be repositioned to also to include sewerage management. • Ekiti State Rural Water Supply and Sanitation Agency- (ESRWSSA) focuses on the provision of potable water and sanitation services to rural communities through underground water schemes. • Ekiti State Ministry of Local Government and Chieftaincy	• While the National Solid Waste Management Regulations do apply in terms of a sound mechanism for final disposal of sludge from water treatment processes and human waste including fecal sludge their remains unsound practice of open dumping. The biggest gap is that the State of Ekiti does not have any designated sites for management of septage. The process followed currently is that Septic Tanks are constructed, waste is contained, after 10 years it is evacuated via truck c neighboring designated facilities in the State of Gondo. This trans state transportation of sludge has a number of risks associated with potential illegal dumping and community health and safety issues and complaints due to improper transport. • .	sustainable and cost effective environmentall sound rural sanitation mechanisms such as the design and use of self composting toilets and eco engineered human and waste water waste management system. • There needs to be a stronger representation and involvement in the states WASH sectoir of agencies looking at social management in the state agencies as it will help in better mainstreaming of these concerns in design and implementation, currently safeguards focal points are on Environment and cover only basic social issues. • As technical, human and financial capacity are three areas within WASH agencies that will need to be strengthened and streamlined a specific state wise capacity building program on E and S should be prepared post a detailed E and S capacity and needs assessment which can be conducted during implementation further while overall program level capacity building will be implemented via the PAPs ○ Federal level agencies such as the EPA and program units can be mobilized for supporting implementation of this capacity building program to gain from the

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	Affairs- engaged in the supervision of local Government EHS department and WASH unit to be upgraded to WASH department in January 2021 • Specific to Environmental Management the ESWC has a safeguards office within their organizational structure. Within rural areas the structure for focal points is embedded in the WASHCOMs that are in charge of monitoring and evaluation of sector intervention implementation. The RUWASSA also has a designated environmental focal point. • The quality of previously completed WASH Sector ESIAs and ESMPs are very comprehensive and in line with best practice examples. This standard can be maintained and replicated as good examples for other states as well. • The state has a procurement process where contracts are management and supervised in line with a state level Procurement Policy. • Strong commitment at the Ekiti state level and have systems for robust stakeholder and grievance redress mechanisms. Processes for Information Dissemination, Public Disclosure, and Communication range from direct consultations, to grievance hotlines and direct communications with the agency on resolution of issues and complaints.		experience, they have gained via multiple donor financed programs. • E&S monitoring plans need to be put in place to ensure efficiency of the data systems for WASH facilities. o RUWASSA level community mobilization and sanitation promotion officers to a certain degree already undertake E and S related actions and can be trained and mobilized further to booth monitoring and collect data on a regular basis. o The capacity building initiatives should specifically look at building capacity on the use of disruptive technology such a Geographically Enabled Monitoring Systems and programs such a kobo tool box that allow mainstream and remote data collection and management as well as the ability to conduct mobile app and phone based site level monitoring on compliance and environmentally and sound operations. • Developmen of a robust state wise Stakeholder Engagement Plan (SEP) is required to guide cross-ministries and agencies coordination and public

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	• It is assessed from the quality of E and S due diligence documentation and process implementation in Ekiti, that staff capacity is high and requires very little augmentation, perhaps in the form of numbers to ensure there is adequate human resources available to handle a larger program. • Experience working on the WSSSRPIII and NUWSRP-3 with multiple donors on similar programs on WASH such as this P for R have further enhanced human capital capacity on technical and environmental and social facets. • The state has a robust mechanism for data collection during project scoping and silting phases. Staff have been trained on monitoring, evaluation and under WSSSRPIII and NUWSRP-3. • Local Government agencies have been involved in these programs also, so it is in furred that there is adequate capacity to implement basic E and S due diligence processes. • A state specific Monitoring and Evaluation Framework for WASH. The WASHIMS platform is used in collation and implementation of WASH utility data (2LGAs). • Under the urban WASH reform's laboratories were put out and equipment has been procured via other operations. A number of water		consultation as well as improve citizen engagement. • Establishing a specific Grievance redress mechanism to handle conflicts for the Program staff and beneficiaries. • While the program may not finance specifically activities on the final disposal and management of septage and sludge, it is recommended that the state on assisting the state develop due diligence mechanisms to manage stringent monitoring of transboundary transport processes of septage and sludge due to potential risks. GPS tracking of transport vehicles is one such mechanism that can be adopted if the process is to continue. However most importantly state can benefit from incorporating investment into having a system of Fecal Sludge Treatment at the state level of more sound means of sludge and septage management, example composting toilets in rural areas, sludge treatment and reuse as manure, feedstock for biogas etc.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	supply and treatment schemes have their own laboratories established to ensure there is water quality monitoring continuously. The state WASH agencies and EPA have access to laboratories for water and effluent quality testing and have equipment that has been purchased via previous programs that can be utilized in monitoring activities. • The ESWC ensures that wastewater in urban areas are treated and effluent is tested before discharge.		
Natural Habitats and Cultural Resources: To avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program.	• The state refers to the federal policies on Environmental Assesment outlined in detail above under the Core Principal 1 it can be confirmed that the locating of water supply infrastructure will seek to avoid potential impacts on natural habitats and known physical cultural resources. • The screening processes and ESMPs and ESIAs done by the state already includes good due diligence processes to further sift and ensure impacts on Natural Habitats and Cultural Resources are managed. • Nigeria has several forest policies, programs and guidelines to facilitate the management of forests and other natural habitats. For example, the National Forest	• E and S processes currently do not involve provisions in the form of Chance find procedures to ensure management of any unknown tangible heritage assets or chance found antiquities.	• Environmental and Social screening stage of ESIA processes used already guides the selection of locating for water supply infrastructure to avoid potential impacts on natural habitats and physical cultural. The same mechanism for screening and formats can be continued. • Preliminary identification and E and S screening of sub- projects within the Program can be screened against the criteria for ensuring no Natural Habitats or sites of Physical cultural resource importance are impacted either via siting or proximity to project interventions. o The use of the IBAT tool for screening of biodiversity area should be used in the screening and E and S due diligence process via the program specific Guidelines of Good Environmental and

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	Policy (NFP) 2006, National Biodiversity Strategy and Action Plan, Nigeria REDD+ project. The NFP remains relevant in the preservation of the National ecosystem and addressing climate change challenges in Nigeria. Nigeria has a lot of biodiversity sites including sacred groves as detailed in the National Biodiversity Strategy, however, it is not envisaged that the program will have any adverse direct impact on biodiversity specific to the State of Ekiti. • While the state has designated known areas of heritage, the potential presence of chance finds will reside due to the states cultural heritage and historical setting which historically comprised the historical home of the Ekiti people who are one of the largest historical subgroups of the larger Yoruba people of West Africa.		Social Practices for the Water and Sewerage Sector that are to be developed. ○ The scope and nature of the subprojects under the Program should be designed to ensure there will not imping on known natural habitats, including protected areas, known sites of biodiversity importance documented or buffer zones of protected areas, community forests or sacred groves and important biodiversity sites in the communities. • The program and infrastructure design should take into account potential adverse effects on physical cultural property and, as warranted, provides adequate measures to avoid, minimize, or mitigate such effects. • Chance find procedures should be made a key requisite provision in E and S management provisions in civil works contracts for WASH infrastructure. • The scope and nature of the subprojects under the Program is such as that may cause adverse effects on physical cultural property can be avoided via a negative list and siting criteria and via adequate public consultation in rural areas.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
Public and Worker Safety: To protect public and worker safety against the potential risks associated with: (a) construction and/or operations of facilities or other operational practices under the Program; (b) exposure to toxic chemicals, hazardous wastes, and other dangerous materials under the Program; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.	• The legal/regulatory system of the country includes provisions for protecting people and environment that is applicable to regulating hazardous materials via the relevant regulations. ○ There are national policies and guidelines addressing public and worker safety. These cover a range of important aspects including environmental pollution control; labor laws; occupational health safety regulations; and standards for workplace environmental emissions and discharges that can be used and referred to by WASH agencies and incorporated into their due diligence processes. • Within the state the Ekiti State Child Right Law is domiciled in the Ministry of Women Affairs that handles Child related social risks. • On Occupational Health and Safety (OHS) at state level a Standard Operating Principal	• While the SOPs and E and S instruments include aspects of OHS and labour management these need to be more strongly emphasized via contractual obligations for civil work to ensure sound enforcement. • Inadequate awareness of relevant authorities' staff to appreciate the need to ensure OHS. Thus, in most cases, most managers and contractors may not be aware of workers' compensation insurance and the fact that it is compulsory workers especially for those involved in certain risky activities like electricity installation and working with hazardous material. Thus, they rarely take insurance cover for their workers and this needs to be built in via due diligence and contract management processes. • While the state WASH agency indicated that personal protective equipment was provided to workers during consultation. Yet to what degree coverage is made across the board is not clear.	• The program should improve the EIA system to incorporate important aspects lacking in the system, for example, issues relating to public and workers' safety • Specific Guidelines of Good Environmental and Social Practices for the Water and Sewerage Sector that the project should develop, should specifically include provisions for management of labor, ranging from OHS, management of fair living and working conditions for labor, labor codes of conduct and special provisions focusing on management of labor influx and foreign labor impacts which can be strengthened further and this can further augment the existing due diligence conducted.. • On public health and safety guidance should be provided on management of impacts during operation of WASH infrastructure. • The guidelines should include as well as specific reference to measures to ensure program workers and contract workers in line with the National, World Bank Group and WHOs specific guidance in terms of managing impacts of Covid-19 and other pandemic situations in line with working conditions. • Build the capacity of the different WASH institutions at all levels in the sector in order for them to become knowledgeable on issues relating to

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	(SOP) has been developed supported by UNICEF. The Ministry of Infrastructure and Public Utilities implements these SOPs. • All contractor workers are monitored by the WASH agencies during the works implementation. • national EIA system, which is what the State solely uses as its overarching regulation, does not comprehensively encompass aspects of public and workers' safety, however the examples of state level ESMPs and EIAs from previous projects have adequately addressed the OHS and PHS requirements.		occupational health and hazard and how to deal prevent and deal with it. • The State governments should ensure that government and employers of labor in the state enroll or cover their workers under the Workers Compensation Insurance. Specific priority should be provided to workers exposed to hazards especially sanitation engineers who conduct inspection and monitoring of sites. o Encourage the National Insurance Commission to strengthen their monitoring activities to ensure that organizations and institutions adhere to rules and regulations as regards compulsory insurance policies. • WASH agencies need to be sensitized on the need to ensure occupational health and safety and communication campaigns with communities should look at incorporating these aspects. • Strengthen citizen engagement through different channels so as to create awareness regarding the entire program activities especially in relation to OHS and CHS. • Agencies working in the sector should put in place a specific Grievance redress mechanism to handle workers conflicts.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)

			• Specific OHS and PHS capacity building should be incorporated to the programs E and S capacity building scheme
			  ○ Provide on-site training to workers and laborer's that will be involved in rehabilitation and upgrading work so that they will be familiar with OHS issues at their workplace.
			  ○ Provide training for all facets of project staff and supply chain laborer's/employers
			  ○ WASH agencies should ensure provision of PPEs for all implemented program investments
			• The Ekiti state WASH agencies should ensure that contractors, and other employers of labor especially those involving construction, health work, sanitation and waste management and handling of chemicals provide personal protective equipment for their workers.
			  ○ Ensure that all workers engaged under WASH are provided with a relevant personal protective and safety equipment.

Land Acquisition: To manage land acquisition and loss of access to	• The mechanism and process currently used to identify suitable land for the	• The State level WASH agencies currently do not include a defined and well-designed resettlement	• The State would have to ensure that due processes are followed to ensure

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natural resources in a way that avoids or minimizes displacement, and assist the affected people in improving, or at the minimum restoring, their livelihoods and living standards	establishment of WASH facilities is via community consulted assessments which is the most minimal process there. • While the state does not have a specific law for land acquisition, the National Land Use Act of 1978 which was modified in 1990 is the legal basis of land acquisition and administration in Nigeria will be applicable. • In addition, as added due diligence, due to the numerous gaps in the Act, a Presidential Technical Committee on Land Reform (PTCLR) is working on issues regarding land reform in Nigeria. • The LGAs are responsible for the administration of the Land Use Act of 1978 and other state Land Laws where available.	policy framework comparable to either the World Banks old safeguard policies on Land Acquisition or the new World Bank's Environmental and Social Framework (ESF). • The state follows the Land Use Act of 1978 which contain the following specific gaps relevant to the program as the act remains somewhat outdated. • The WASH agencies in Ekiti have some experience on developing RAPs under previous projects but very specific to the project operation as per the examples shared. • In urban and large-scale projects, the Land Use Act of 1978 applies. In rural projects, the community is expected to provide land for the project and there needs to be adequate measures for transparent and fair land donation processes as the State currently does not have these. o The Land Use Act of 1978 does not include anything with regards land donation. o The Act does not make provisions for livelihoods restoration and improvements. o The Land Use Act only makes provisions for compensation payment.	land acquisition is indeed voluntary without encumbrances. • Displacement and temporary resettlement support should be provided to avoid adverse impacts on socioeconomic assets and activities. • Clear, procedures and documentation for land donation (voluntary or otherwise) should be developed. • If land acquisition is required the guidance documents on E and S to be prepared should incorporate guidelines in line with World Bank requirements as well as known best practices to outline specific measure the wash agencies should undertake in terms of the following; (i) Direct purchase of land, (ii) Voluntary land Donation by local authorities with supporting documentation, and (iii) Land acquisition following the National regulations and world bank provisions for P for Rs. • These guidelines and other good practices should also be included in the verification of the relevant DLI 9 which establishes the proportion of sustainably functioning water points. • Training on community consultations, preparation of land donation agreements, grievance redress/conflict management should also be provided to implementing agencies village committees and RUWASSAS. • Training and capacity building of the LGA WASH Departments and

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		○ The Land Use Act only makes compensation provisions for those who have recognized land rights such as Certificate of Occupancy to the land ○ No provisions at state level for voluntary land acquisition ○ Although community members can freely donate their lands under customary practices, there is no provision for voluntary land donation in the Land Use Act. • Given that there is no framework or legislation regarding voluntary land donation, there could be coercion for land donation leading to impoverishment of the people. • It was clear from the consultations that Ekiti state WASH agencies staff nor the EPA in the state have not been directly involved in any adequately documented resettlement process do not have capacity to implement a RAP comparable to the bank Standards. • Disagreements on land ownership and donations can be among the causes of non-functioning of water points.	WASHCOMs on sustainable land access and the role of consultations and participation, adequate documentation, compensation, grievance management and gender safety in site selection and land access. • Support should be provided to all IAs on understanding the role of sustainable land access through trainings and workshops.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
Vulnerable Groups: To give due consideration to the cultural appropriateness of, and equitable access to, Program benefits, giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups	• The Ekiti State Gender Based Violence Prohibition Act is applicable in the state. • The state adheres to the Violence Against Persons act of 2015. • As a plus state agencies as per the consultations with WASH agencies show interest to reduce inequity and improve access of all social categories to basic social services and economic infrastructure. • The designs of sanitation facilities have clear distinctions for gender needs.	• The Ekiti legal framework, while covers violence related prohibition, does not have specific laws for Gender considerations, youths' affairs and social exclusions and discrimination in line with Core Principal 5. • The following issues at Federal Level impact the State as well in the form of Gaps: o There is lack of capacity in Ministries of Women Affairs and Social Development to tackle the issues of GBV and other issues relating to gender and youths. o There is weak knowledge of the public especially vulnerable groups regarding the issues of GBV and how to handles cases of GBV especially sexual abuse. o There is weak of capacity in Ministries of Women Affairs and Social Development to tackle the issues of GBV and other issues relating to gender and youths. o While there is national legislation potentially favourable to women and girls has been	• The program needs to include a robust stakeholder engagement strategy (sensitization and awareness, consultation, information disclosure and grievance mechanism) should be developed as part of the outreach program, particularly targeting the vulnerable groups. • All the design of sanitation facilities specifically should be designed to also include universal access for all persons living with disability and to ensure accessibility to the very poor and all ethnic groups. These norms can be incorporated into technical specifications accordingly using standard international best practice. • There is a need to develop a strong framework and a systematic approach to gender mainstreaming, ensuring that the voices of women, children and vulnerable groups get addressed and that institutions are geared to respond to their water and sanitation services demand. • The EIA process in Nigeria does consider social issues in screening, impact assessment, and mitigation measures. There are no specific screening provisions to identify if impacts vary by social group or gender, and if resources are impacted that vulnerable groups depend upon. While there are some criteria for vulnerable groups in the EIA process and EIA regulation nationally, these need to be strengthened so that the

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		passed, but to date they have had little positive impact due to low awareness, enforcement and implementation, and women's fear of reprisals if they try to seek justice at the state level. • There are no state level policies in place to ensure inclusion of minority/ ethnic groups at local level or the extreme poor in programs • Also, many of the States, including Ekiti, do not have gender policy or guidelines for dealing with vulnerable people and PWDs to ensure that they are not treated with contempt and partiality. • Lack of clarity and consistency regarding the implementation mechanism for consultation and stakeholder engagement could alienate poor and vulnerable groups. • Many local state level NGOs and CSOs working with vulnerable groups may not have the capacity to assist local WASH agencies during program implementation. • There is no process in existence in the state to collect data on track if the service delivery in the WASH sector is currently ensuring access to all adequately.	disadvantaged are directly targeted for program benefits. • There needs to be better mainstreaming also on social issues such as gender and HIV/AIDS in the due diligence processes and alignment with National policies specific to vulnerable groups such the National Policy on HIV/AIDs, in order to prevent discrimination and promote equity. • On Core Principal Specific Capacity Building: ○ Capacity building should include NGOs and other civil society organizations as well as communities to scrutinize budgets, program aspects and implementation issues and comment on their contents will help ensure a process of sustainable feedback that WASH agencies can benefit from when designing more socially inclusive service delivery and infrastructure. ○ Wash and other implementing agency staff at all levels in the state should be trained to provide inputs on identifying, consulting with, and assisting vulnerable groups that may be impacted by the types of activities that will be financed with ○ The Program capacity building and training plan will provide for staff to promote social

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			inclusion and hence include measures for good practices on inclusive consultations, monitoring and feedback of all groups of people for improved service delivery. This will enhance inclusion of all in the water and Sanitation program as well as enhance the functioning of state level WASH agencies. Improved staff training in social exclusion issues and methodology for improved outreach will benefit the program. • This framework should propose specifically strategies to mainstream gender and outline actions that can be implemented at the RUWASSA, LGA and State WASH agency level. • The actions identified for strengthening the system for Core Principle 4 as they relate to land acquisition are applicable to Core Principle 5 if the land implied is under use /owned by the Vulnerable and Marginalized /Disadvantaged people and communities. • The WASH agencies that deliver services should establish a system to collect data on customer vulnerability profile • Development of robust stakeholder management strategy as part of the current outreach program to strengthen and systematize targeting vulnerable groups and identifying issues at source.

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Social Conflict: To avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes	• State presence is strong throughout the country with well-trained police and security forces who maintain the rule of law and provides security against bandits and during clashes between farmers and herders. There is also a justice system with courts where people can seek redress. • Conflict resolution or GRM structures at the LGA reflect the structural capacity for such at the state level. • Traditional leadership structure exists in parallel to the LGAs which is most often responsible for community conflicts/grievances resolution • Different CDAs are also responsible for addressing conflicts among their members or affecting their members. • WASH agencies in the State of Ekiti have specific measures in line with their service delivery and resolving customer conflicts.	• Lack of a Grievance Redress Mechanism (GRM) for the poor and vulnerable. Although Nigeria has a justice system with courts where people can seek justice, poor and vulnerable people do not have the capacity to seek justice in courts and this applies to the State of Katsina as well. • The available GRM are weak and ad-hoc and not properly institutionalized. This is to ensure that people's grievances are properly redressed even when there is need to seek further redress if the individual is not satisfied with the outcome of existing arrangements. • Many communities rely on CDAs to settle grievances and disputes are at the community level. This form of GRM varies widely between the states and the level of implementation within Ekiti is not clear from the available documentation and consultations.	• In an environment where transition from conflict to peace remain fragile, a concerted effort across Federal, State, and local actors will be necessary to minimize the negative impacts on the Program implementation in fragile regions where conflicts have been reported- which includes this state as well. • Guidance and training on environmental and social measures, supported by the World Bank, could help the SURWASH program to manage the risks more effectively. • Strengthened stakeholder engagement and grievance redress mechanisms and increased transparency to provide information and communication avenues for complaints and their resolutions should be incorporated via the due diligence processed to be embedded in the program. • The state should to set up community level (through relevant traditional rulers/ institution e.g. WASHCOM/WCA) conflict resolution committee to address conflict related to headers / farmers / water users' conflicts and other conflicts related to marginalization of ethnic minority in the program • States without a framework can provide free legal services/legal aid and advice to the citizens should work towards providing such services within the sector.

F: KATSINA STATE ENVIRONMENTAL AND SOCIAL ASSESMENT

Core Principle	**Systems Assessment (and how it compares to the core principles)**	**Analysis of the gaps (Federal/State/LGA level)**	**Proposed Gap filling measures (recommendations for the PAP)**
Environment: To promote environmental and social sustainability in the Program design; avoid, minimize, or mitigate adverse impacts, and promote informed decision-making relating to the Program's environmental and social impacts	• Environmental legislation at the national and state level for the conservation and management of the environment and on solid waste management pertaining to management of sludge and other sanitation waste are in place. o The national EIA system (EIA Act No. 86 of 1992) provides a comprehensive legal and regulatory framework for environmental and social impact assessment that is broadly consistent with the Core Principle 1 of the Bank Policy and Directive. • The state of Katsina has its own Environmental Protection Agency (EPA) as mandated by the Katsina State EPA Law 2018 and this agency oversees aligning all environmental due diligence processes in line with the National regulatory requirements. • All the agencies within the state that pertain to water and sanitation (WASH) activity implementation are operating under common regulations. All sanitation laws and environmental laws are part of the state of the law and they confirm with the federal laws.	• The lack of state specific environmental regulation may hinder the due diligence process via diminishing the need to conduct environmental screening and assessment for subprojects that are smaller in scale but would still require management of impacts in terms of social aspects. While associated direct impacts and risks are generally modest, environmental management activities are weak in some areas, such as systematic inspection, monitoring and enforcement. o For instance, EIA Certificated are issued at the Federal Level and not at the state level and therefore the state agency does not have an obligation to monitor the implementation, therefore. o There appears to be a lack of robust supervision, compliance monitoring of civil works in the form of supervision reporting and data collection measures over time which can result in poor management of impacts during construction of program financed WASH infrastructure. Mechanism	• Development of appropriate E and S guidelines, checklists, technical options and embedding them within program operation manual to ensure compliance to environment legislation under the program will help with addressing the identified gaps. o The Program will benefit from the development of a set of Guidelines of Good Environmental and Social Practices for the Water and Sewerage Sector in order to assure the implementation of environmental and social measures in the design, construction and operation of the water and sewerage projects state wide. o It is clear from the designs that were reviewed of typical project investments that the program may finance. the footprint of the currently planned program interventions will be small medium in scale. Associated civil works from the technical specifications and design would likely not be

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	• The Ministry and department of Water Resources, The Katsina State Water Board, Katsina State RUWASSA and other implementing agencies such as the Ministry of Education, who will be involved in implementation of school level sanitation activities and health agencies, are aware of Environmental and Social (E&S) ensuring compliance with EIA procedures. The RUWASSA structure included community mobilization officers and sanitation promotion officers. o All agencies have some experience of integrating rules and procedures for environmental and social management in individual projects generally. o There is experience working on donor funded operations and capacity building has been conducted under Bank and other donor's existing programs to a limited degree. o The state has a procurement process where contracts are management and supervised in line with a state level Procurement Policy.	and skills to collect, process and analyze WASH data related to environmental and social issues to inform the development of future wash programs and their sustainability is lacking in the State as monitoring reports etc. were not available for review. • The coverage of social concerns by the EIA procedural guidelines and EIA reports, especially on management of Labor, Occupational Health and Safety and Gender based violence management is weak. A review of EIA reports done for the WASH sector in the state shows that besides the record of baseline information on the existing socio and economic condition and some evidence of organization of public forum, there was hardly any evidence of thorough analysis of social dimension of impacts. o The EIA Act No 86 of 1992 encourages the public and interested third party stakeholders make an input in the assessment process only during public review, which takes place after preparation of the draft report (which is often not well publicized).	intense and need heavy earth works, etc. o A specific set of environmental health and safety specifications as well as those of labor and public health and safer in line with work method would provide more clarity to a contractor on what needs to be done. While much of it is embedded in the technical specifications it does not come across unless specifically read and sifted through. Currently it is embedded in the technical specifications without a clear a definition so monitoring compliance independently can be challenging and it appears E and S aspects are not independent monitored due to this as well while they may be looked at as part of overall technical monitoring, where the focus differs. o Developing a standard set of E and S specifications within the guidelines ,in the form of screening forms, generic ESMPs, monitoring checklists and terms of references for

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	• Strong commitment at the Katsina state level to have robust stakeholder and grievance redress mechanisms. Processes for Information Dissemination, Public Disclosure, and Communication range from direct consultations, to grievance hotlines and direct communications with the agency on resolution of issues and complaints. • The state adheres to the National Standard for Drinking Water Quality and there are no state specific guidelines. The guideline corresponds to the WHO guidelines and thus in line with the World Bank Group's ESHS guidelines on best practice as well. • The state also refers to the National Policy on Solid Waste Management and follows the processes set forth for management of sludge by products of water treatment processes and fecal sludge management are regulated by state EPA and final disposal is done in designated areas. • The state WASH agencies and EPA have access to laboratories for water and effluent quality testing and have equipment that has been purchased via previous programs that can be utilized in monitoring activities.	Early public participation during scoping and preparation of the Terms of Reference (TOR) for any investments that warrant EIAs will contribute greatly to the success of the project and should be considered. • While the procurement process is management in line with a State level procurement policy. The Bid Submission Sheets do not include any specific reference to the need to submit any details on Environmental Management such a say contractors ESMP (CESMP). o No CESMPs are done so there are no provisions via the procurement process to ensure both Environmental and social due diligence. While basic provision on child labor is there, there is a need to incorporate aspects of worker code of conduct, OHS, PHS, GBV and GRM management during civil work in to work contracts either via environmental codes of practice in the technical specification and contracts being needed to both incorporate these requirements as a CESMP	due diligence assessments, to manage basic environmental management during civil works, OHS, PHS, GBV and GRM management during civil work can be used in all technical specifications and the bidding conditions should clearly indicate the need for bidders to comply to these and provide CESMPs and cost in the BOQs either as lump sums (typical norm is in many regions being minimum of 5% of total contract value) or action specific items for CESMP implementation. o Bidding conditions and contracts can also benefit from having clauses on compliance and penalty's such a E and S performance guarantees to ensure the CESMPs are implemented. o The program also offers an opportunity to learn from other areas on providing sustainable and cost effective environmentall sound rural sanitation mechanisms such as the design and use of self

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
		of which the provisions will be costed as part of their BOQ. o While technical specifications have some incorporation of E and S elements it is not comprehensive enough, in line with the requirements outlined in the Core Principles for P for Rs. • Weak enforcement capacity is a concern. While there seem to be adequate legal and institutional frameworks for managing environmental issues, the ability of the relevant institutions, especially those, to enforce the existent laws is rather weak and would require further strengthening. This strengthening would be on both technical capacity building, having more streamlined processes and human capital capacity building. • The implementation of the existing legal/regulatory provisions faces challenges, overstretched regulatory authorities with low number of staff focused on E and S, and weak monitoring during implementation of civil works and project operations will remain a challenge unless augmented via supplementary mechanisms to train and attract more man power to focus on E and S.	composting toilets and eco engineered human and waste water waste management system. o The guideline should look specifically on incorporating more on social dimensions ranging from labor to OHS to GBV management in line with program implementation and operation • There needs to be a stronger representation and involvement in the states WASH sectoir of agencies looking at social management in the state agencies as it will help in better mainstreaming of these concerns in design and implementation. • As technical, human and financial capacity are three areas within WASH agencies that will need to be strengthened and streamlined a specific state wise capacity building program on E and S should be prepared post a detailed E and S capacity and needs assessment which can be conducted during implementation further while overall program level capacity building will be implemented via the PAPs • Federal level agencies such as the EPA and program units can be mobilized for supporting

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		• In light of the context of the existing WASH sectoral issues in the state it is apparent that degree of public awareness of environmental issues around sanitation is poor and need to be incorporated in to WASH campaigns. The newly developed Open Defecation By Laws implemented in some Local Authorities (LAs) does a good job of this and can be replicated to other LAs as well to ensure there is a regulatory level communication program on the need to arrest impacts of un sound sanitary practices in line with human waste management. • While the National Solid Waste Management Regulations do apply in terms of a sound mechanism for final disposal of sludge from water treatement processes and human waste including faecal sludge their remains unsound practice. Rural community- latrine are covered and left and at latter times used to manure. In urban areas there are no piped sewerage systems and only septic tanks within the state. Gully bowsers are operated by private entities, licensed and monitored via the EPA and routine collected waste is dumped in a designated pond, approved by the state EPA, until anaerobic conditions are	implementation of this capacity building program to gain from the experience, they have gained via multiple donor financed programs. • E&S monitoring plans need to be put in place to ensure efficiency of the data systems for WASH facilities. o RUWASSA level community mobilization and sanitation promotion officers to a certain degree already undertake E and S related actions and can be trained and mobilized further to booth monitoring and collect data on a regular basis. o The capacity building initiatives should specifically look at building capacity on the use of disruptive technology such a Geographically Enabled Monitoring Systems and programs such a kobo tool box that allow mainstream and remote data collection and management as well as the ability to conduct mobile app and phone based site level monitoring on compliance and environmentally and sound operations.

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		reached and used as manure when conditions are right. • During consultations the state conformed that as of current practices the state WASH agencies do not partake in effluent monitoring prior to discharge into water ways from wastewater treatment processes.	○ Mmonitoring plans should also focus on effluent quality monitoring which is currently not undertaken prior to discharge via waste water treatment provisions to ensure that discharged effluents meet the National standards on waste water. This will also indicate the soundness of the wastewater treatment systems in use. • Clear delineation of roles of different institutions in the implementation, specifically the implementing agencies for sanitation infrastructure in schools and health facilities and local authorities, will ensure greater accountability, help in building environmental and social issues in the implementation and bring sustainability to the program. • Developmen of a robust state wise Stakeholder Engagement Plan (SEP) is required to guide cross-ministries and agencies coordination and public consultation as well as improve citizen engagement. • Establishing a specific Grievance redress mechanism to handle conflicts for the Program staff and beneficiaries.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
			• While the program may not finance specifically activities on the final disposal and management of septage and sludge, it is recommended that the guidelines produced also focuses on assisting the state develop due diligence mechanisms to manage these areas at a time when the state itself or the program at a later stage may take up such interventions as they will be environmentally beneficial vs the current open dumping and abandonment practices used for management.
Natural Habitats and Cultural Resources: To avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program.	• The state refers to the federal policies on Environmental Assesment outlined in detail above under the Core Principal 1 it can be confirmed that the locating of water supply infrastructure will seek to avoid potential impacts on natural habitats and known physical cultural resources. • Nigeria has several forest policies, programs and guidelines to facilitate the management of forests and other natural habitats. For example, the National Forest Policy (NFP) 2006, National Biodiversity Strategy and Action Plan, Nigeria REDD+ project. The NFP remains	• The state does not have specific environmental legislations and thus refer to those of the national level. • While it is unlikely that the projects would involve the need for conversation of any critical natural habitats or be sited in areas of cultural importance,these need to be diligently embedded in the process of screening in order to guide the selection of locating for water supply infrastructure to avoid potential • impacts on natural habitats and physical cultural resources. • E and S processes currently do not involve provisions in the form of Chance find	• Environmental and Social screening stage of ESIA process should guide the selection of locating for water supply infrastructure to avoid potential impacts on natural habitats and physical cultural • Preliminary identification and E and S screening of sub- projects within the Program can be screened against the criteria for ensuring no Natural Habitats or sites of Physical cultural resource importance are impacted either via siting or proximity to project interventions. o The use of the IBAT tool for screening of biodiversity area should be used in the screening and E and S due diligence

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	relevant in the preservation of the National ecosystem and addressing climate change challenges in Nigeria. Nigeria has a lot of biodiversity sites including sacred groves as detailed in the National Biodiversity Strategy, however, it is not envisaged that the program will have any adverse direct impact on biodiversity specific to the State of Katsina. • While the state has designated known areas of heritage, the potential presence of chance finds will reside due to the states cultural heritage and historical setting which historically comprised the two ancient kingdoms of Katsina and Daura	procedures to ensure management of any unknown tangible heritage assets or chance found antiquities.	process via the program specific Guidelines of Good Environmental and Social Practices for the Water and Sewerage Sector that are to be developed. o The scope and nature of the subprojects under the Program should be designed to ensure there will not imping on known natural habitats, including protected areas, known sites of biodiversity importance documented or buffer zones of protected areas, community forests or sacred groves and important biodiversity sites in the communities. • The program and infrastructure design should take into account potential adverse effects on physical cultural property and, as warranted, provides adequate measures to avoid, minimize, or mitigate such effects. • Chance find procedures should be made a key requisite provision in E and S management provisions in civil works contracts for WASH infrastructure. • The scope and nature of the subprojects under the Program is such as that may cause adverse effects on physical cultural

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
			property can be avoided via a negative list and siting criteria and via adequate public consultation in rural areas.
Public and Worker Safety: To protect public and worker safety against the potential risks associated with: (a) construction and/or operations of facilities or other operational practices under the Program; (b) exposure to toxic chemicals, hazardous wastes, and other dangerous materials under the Program; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.	• The legal/regulatory system of the country includes provisions for protecting people and environment that is applicable to regulating hazardous materials via the relevant regulations. • There are national policies and guidelines addressing public and worker safety. These cover a range of important aspects including environmental pollution control; labour laws; occupational health safety regulations; and standards for workplace environmental emissions and discharges that can be used and referred to by WASH agencies and incorporated into their due diligence processes. • There are national policies and guidelines addressing public and workers' safety for example the compulsory insurance policy, no guidelines on Occupational Health and Safety and Labour laws are not apparent in the state. • The documents shared on the procurement processes within the State for WASH infrastructure does include minimal provisions on labour age. As bid submission sheets used by the WASH	• The national EIA system, which is what the State solely uses as its overarching regulation, does not comprehensively encompass aspects of public and workers' safety. • There is general lack of awareness on public health and safety issues, particularly in relation to exposure to hazardous materials, and workplace safety aspects. • Lack of awareness of relevant authorities' staff to appreciate the need to ensure occupational health and safety. • There is limited awareness and lack of interest by the general public, on public health and safety issues. • The state of Katsina do not have specific guidelines on Occupational Health and Safety, especially for the WASH sector ware sanitation workers do have to work with hazardous conditions during the management of sludge and septage that can pose significant occupational health risks, that need to be conformed to. This leads to lack of OHS guidelines and procedures to be adopted by contractors, firms (especially,	• The program should improve the EIA system to incorporate important aspects lacking in the system, for example, issues relating to public and workers' safety. • Specific Guidelines of Good Environmental and Social Practices for the Water and Sewerage Sector that the project should develop, should specifically include provisions for management of labour, ranging from OHS, management of fair living and working conditions for labour, labour codes of conduct and special provisions focusing on management of labour influx and foreign labour impacts. On public health and safety guidance should be provided on management of impacts during civil works as well as operation of WASH infrastructure. ○ The guidelines should include as well as specific reference to measures to ensure program workers and contract workers in line with the National, World Bank Group and WHOs specific guidance in terms of managing impacts of Covid-19 and other pandemic situations in line with working conditions.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	agencies in line with procurement policies, on labour, contractors are required to fully recognize, subscribe and support the Convention on the Rights of the Child and certify that: No child under 14 years is to work in ours or our sub-contractor's business and Children from 14-18 are to be protected from all forms of exploitation & hazardous occupations. • In Nigeria, there are five compulsory insurance covers among them are workers compensation insurance, which is meant to cover workers against injuries, disability and death; and occupier's liability insurance. These two insurance covers are applicable in this case to the state of Katsina as well.	employers of labour and workers in the States • There are also no specific labour laws, which will pose gaps in terms of worker health and safety requirements in line with those identified under Core Principal. • Inadequate awareness of relevant authorities' staff to appreciate the need to ensure OHS. Thus, in most cases, most managers and contractors may not be aware of workers' compensation insurance and the fact that it is compulsory workers especially for those involved in certain risky activities like electricity installation and working with hazardous material. Thus, they rarely take insurance cover for their workers and this needs to be built in via due diligence and contract management processes. • While the state WASH agency indicated that personal protective equipment was provided to workers during consultation. Yet to what degree coverage is made across the board is not clear.	• Build the capacity of the different WASH institutions at all levels in the sector in order for them to become knowledgeable on issues relating to occupational health and hazard and how to deal prevent and deal with it. • The State governments should ensure that government and employers of labour in the state enrol or cover their workers under the Workers Compensation Insurance. Specific priority should be provided to workers exposed to hazards especially sanitation engineers who conduct inspection and monitoring of sites. o Encourage the National Insurance Commission to strengthen their monitoring activities to ensure that organizations and institutions adhere to rules and regulations as regards compulsory insurance policies. • WASH agencies need to be sensitized on the need to ensure occupational health and safety and communication campaigns with communities should look at incorporating these aspects. As an example having Bi-laws that contain clearly defined the do's and don'ts on environmental management in line with open defecation aspects, as presented in the Katsina Bi- Law on Open Defecation for Bakori LA- Done in Feb 2020 will be a good initiative that can be replicated.

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			• Strengthen citizen engagement through different channels so as to create awareness regarding the entire program activities especially in relation to OHS and CHS.
			• Agencies working in the sector should put in place a specific Grievance redress mechanism to handle workers conflicts.
			• Specific OHS and PHS capacity building should be incorporated to the programs E and S capacity building scheme
			  ○ Provide on-site training to workers and labourers that will be involved in rehabilitation and upgrading work so that they will be familiar with OHS issues at their workplace.
			  ○ Provide training for all facets of project staff and supply chain labourers/employers
			• WASH agencies should ensure provision of PPEs for all implemented program investments
			  ○ The Katsina state WASH agencies should ensure that contractors, and other employers of labour especially those involving construction, health work, sanitation and waste management and handling of chemicals provide personal protective equipment for their workers.
			  ○ Ensure that all workers engaged under WASH are

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
			provided with a relevant personal protective and safety equipment.
Land Acquisition: To manage land acquisition and loss of access to natural resources in a way that avoids or minimizes displacement, and assist the affected people in improving, or at the minimum restoring, their livelihoods and living standards.	• The mechanism and process currently used to identify suitable land for the establishment of WASH facilities is via community consulted assessments and instant request from communities. So, there is some process followed at the state level. • While the state does not have a specific law for land acquisition, the National Land Use Act of 1978 which was modified in 1990 is the legal basis of land acquisition and administration in Nigeria will be applicable. o In addition, as added due diligence, due to the numerous gaps in the Act, a Presidential Technical Committee on Land Reform (PTCLR) is working on issues regarding land reform in Nigeria. • The LGAs are responsible for the administration of the Land Use Act of 1978 and other state Land Laws where available.	• The State level WASH agencies currently do not include a defined and well-designed resettlement policy framework comparable to either the World Banks old safeguard policies on Land Acquisition or the new World Bank's Environmental and Social Framework (ESF). • The state follows the Land Use Act of 1978 which contain the following specific gaps relevant to the program as the act remains somewhat outdated. o In urban and large-scale projects, the Land Use Act of 1978 applies. In rural projects, the community is expected to provide land for the project and there needs to be adequate measures for transparent and fair land donation processes as the State currently does not have these. o The Land Use Act of 1978 does not include anything with regards land donation. o The Act does not make provisions for livelihoods	• The State would have to ensure that due processes are followed to ensure land acquisition is indeed voluntary without encumbrances. • Displacement and temporary resettlement support should be provided to avoid adverse impacts on socioeconomic assets and activities. • Clear, procedures and documentation for land donation (voluntary or otherwise) should be developed. • If land acquisition is required the guidance documents on E and S to be prepared should incorporate guidelines in line with World Bank requirements as well as known best practices to outline specific measure the wash agencies should undertake in terms of the following; (i) Direct purchase of land, (ii) Voluntary land Donation by local authorities with supporting documentation, and (iii) Land acquisition following the National regulations and world bank provisions for P for Rs. o These guidelines and other good practices should also be included in the verification of the relevant DLI 9 which establishes the proportion of sustainably functioning water points.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
		restoration and improvements. o The Land Use Act only makes provisions for compensation payment. o The Land Use Act only makes compensation provisions for those who have recognized land rights such as Certificate of Occupancy to the land o No provisions at state level for voluntary land acquisition o Although community members can freely donate their lands under customary practices, there is no provision for voluntary land donation in the Land Use Act. o Given that there is no framework or legislation regarding voluntary land donation, there could be coercion for land donation leading to impoverishment of the people. • It was clear from the consultations that Katsina state WASH agencies staff nor the EPA in the state have not been directly involved in any adequately documented resettlement process, the FPIU, do not have capacity to implement a RAP comparable to the bank Standards.	• Training on community consultations, preparation of land donation agreements, grievance redress/conflict management should also be provided to implementing agencies village committees and RUWASSAS. • Training and capacity building of the LGA WASH Departments and WASHCOMs on sustainable land access and the role of consultations and participation, adequate documentation, compensation, grievance management and gender safety in site selection and land access. • Support should be provided to all IAs on understanding the role of sustainable land access through trainings and workshops.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
		• Disagreements on land ownership and donations can be among the causes of non-functioning of water points.	
Vulnerable Groups: To give due consideration to the cultural appropriateness of, and equitable access to, Program benefits, giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups	• The Sexual Harassment and Rape Law in Katsina State (SAVI, 2016) is applicable in the state. • As a plus state agencies as per the consultations with WASH agencies show interest to reduce inequity and improve access of all social categories to basic social services and economic infrastructure.	• The state does not have any laws passed laws against domestic violence or gender-based violence. • The Katsina States legal framework does not have specific laws for Gender considerations, youths' affairs and social exclusions and discrimination in line with Core Principal 5. • The following issues at Federal Level impact the State as well in the form of Gaps: o There is lack of capacity in Ministries of Women Affairs and Social Development to tackle the issues of GBV and other issues relating to gender and youths. o There is weak knowledge of the public especially vulnerable groups regarding the issues of GBV and how to handles cases of GBV especially sexual abuse. o There is weak of capacity in Ministries of Women Affairs and Social Development to tackle the issues of GBV and other	• The program needs to include a robust stakeholder engagement strategy (sensitization and awareness, consultation, information disclosure and grievance mechanism) should be developed as part of the outreach program, particularly targeting the vulnerable groups. • All the design of sanitation facilities specifically should be designed to include universal access for all persons living with disability and to ensure accessibility to the very poor and all ethnic groups in the program as well as be designed with gender norms in mind. These norms can be incorporated into technical specifications accordingly using standard international best practice. • There is a need to develop a strong framework and a systematic approach to gender mainstreaming, ensuring that the voices of women, children and vulnerable groups get addressed and that institutions are geared to respond to their water and sanitation services demand. • The EIA process in Nigeria does consider social issues in screening, impact assessment, and mitigation measures. There are no specific screening provisions to identify if

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		issues relating to gender and youths. ○ While there is national legislation potentially favourable to women and girls has been passed, but to date they have had little positive impact due to low awareness, enforcement and implementation, and women's fear of reprisals if they try to seek justice at the state level. • Katsina state is yet to adopt the Violence Against Persons (Prohibition) Law. • The Katsina State do not have adequate framework and institutional arrangement for combating GBV or prosecuting and punishing those involved in GBV thus offenders often do not get punished while there is The Sexual Harassment and Rape Law in Katsina State (SAVI, 2016) is applicable in the state, enforcement is analysed as poor. • There are no state level policies in place to ensure inclusion of minority/ ethnic groups at local level or the extreme poor in programs • Also, many of the States do not have gender policy or guidelines for dealing with vulnerable people and PWDs to ensure that they are	impacts vary by social group or gender, and if resources are impacted that vulnerable groups depend upon. While there are some criteria for vulnerable groups in the EIA process and EIA regulation nationally, these need to be strengthened so that the disadvantaged are directly targeted for program benefits. • There needs to be better mainstreaming also on social issues such as gender and HIV/AIDS in the due diligence processes and alignment with National policies specific to vulnerable groups such the National Policy on HIV/AIDs, in order to prevent discrimination and promote equity. • On Core Principal Specific Capacity Building: ○ Capacity building should include NGOs and other civil society organizations as well as communities to scrutinize budgets, program aspects and implementation issues and comment on their contents will help ensure a process of sustainable feedback that WASH agencies can benefit from when designing more socially inclusive service delivery and infrastructure. ○ Wash and other implementing agency staff at all levels in the state should be trained to provide inputs on identifying, consulting with, and assisting

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		not treated with contempt and partiality. • Lack of clarity and consistency regarding the implementation mechanism for consultation and stakeholder engagement could alienate poor and vulnerable groups. • Many local state level NGOs and CSOs working with vulnerable groups may not have the capacity to assist local WASH agencies during program implementation. • There is no process in existence in the state to collect data and track if the service delivery in the WASH sector is currently ensuring access to all adequately.	vulnerable groups that may be impacted by the types of activities that will be financed with ○ The Program capacity building and training plan will provide for staff to promote social inclusion and hence include measures for good practices on inclusive consultations, monitoring and feedback of all groups of people for improved service delivery. This will enhance inclusion of all in the water and Sanitation program as well as enhance the functioning of state level WASH agencies. Improved staff training in social exclusion issues and methodology for improved outreach will benefit the program. • This framework should propose specifically strategies to mainstream gender and outline actions that can be implemented at the RUWASSA, LGA and State WASH agency level. • The actions identified for strengthening the system for Core Principle 4 as they relate to land acquisition are applicable to Core Principle 5 if the land implied is under use /owned by the Vulnerable and Marginalized /Disadvantaged people and communities. • The WASH agencies that deliver services should establish a system to

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
			collect data on customer vulnerability profile • Development of robust stakeholder management strategy as part of the current outreach program to strengthen and systematize targeting vulnerable groups and identifying issues at source.
Social Conflict: To avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes	• State presence is strong throughout the country with well-trained police and security forces who maintain the rule of law and provides security against bandits and during clashes between farmers and herders. There is also a justice system with courts where people can seek redress. • The state of Katsina has had previous conflict situations that have been focused on managed with national interest. • Conflict resolution or GRM structures at the LGA reflect the structural capacity for such at the state level. • Traditional leadership structure exists in parallel to the LGAs which is most often responsible for community conflicts/grievances resolution • Different CDAs are also responsible for addressing conflicts among their members or affecting their members. • WASH agencies in the State of Katsina have specific measures in	• Lack of a Grievance Redress Mechanism (GRM) for the poor and vulnerable. Although Nigeria has a justice system with courts where people can seek justice, poor and vulnerable people do not have the capacity to seek justice in courts and this applies to the State of Katsina as well. • The available GRM are weak and ad-hoc and not properly institutionalized. This is to ensure that people's grievances are properly redressed even when there is need to seek further redress if the individual is not satisfied with the outcome of existing arrangements. • Many communities rely on CDAs to settle grievances and disputes are at the community level. This form of GRM varies widely between the states and the level of implementation within Katsina is not clear from the available documentation and consultations.	• In an environment where transition from conflict to peace remain fragile, a concerted effort across Federal, State, and local actors will be necessary to minimize the negative impacts on the Program implementation in fragile regions where conflicts have been reported- which includes this state as well. • Guidance and training on environmental and social measures, supported by the World Bank, could help the SURWASHG program to manage the risks more effectively. • Strengthened stakeholder engagement and grievance redress mechanisms and increased transparency to provide information and communication avenues for complaints and their resolutions should be incorporated via the due diligence processed to be embedded in the program. • The state should to set up community level (through relevant traditional rulers/ institution e.g. WASHCOM/WCA) conflict resolution committee to address conflict related to headers / farmers / water users' conflicts and other conflicts related to

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	line with their service delivery and resolving customer conflicts.		marginalization of ethnic minority in the program • States without a framework can provide free legal services/legal aid and advice to the citizens should work towards providing such services within the sector.

G: KADUNA STATE ENVIRONMENTAL AND SOCIAL ASSESMENT

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
Environment: To promote environmental and social sustainability in the Program design; avoid, minimize, or mitigate adverse impacts, and promote informed decision-making relating to the Program's environmental and social impacts	Regarding laws and regulations, Kaduna State has robust environmental laws and regulations. The state has Kaduna State Environmental Protection Law No 7 of 2010 which established the Kaduna State Environmental Protection Authority (KEPA). Based on this law, there are different regulations to guide environmental management and protection. These include Kaduna Environmental Impact Assessment and Audit Regulation (EIAAR) No 4 of 2010, Control of Water Pollution Sources Regulation No 2 of 2010, Effluent Limitation and Management Regulation No 3 of 2010, The EIAAR prohibits the construction or extensive rehabilitation of projects as listed in schedule without submitting and Environmental Impact Analysis Report (EIAR). It also provides for environmental audit after every three years for some categories of firms and projects; while environmental management plan should be submitted by all industries every year. The State has also an environmental protection policy which has a goal to maintain a clean and safe environment and protect the residents from the environmental	Despite the laws and regulations, there is inadequate capacity and staff strength in the environmental protection agency and for environmental management, monitoring and assessment in the State. There is also weak capacity and equipment to monitor and manage environmental pollution, hazards and other environmental problems in the state. This suggests that most of the required actions by the laws and regulations are not well carried out and the implementation is poorly monitored.	The is need to strengthen the capacity of existing staff of KEPA and the Ministry of Environment especially in the areas of environmental management, assessment, and monitoring. There is a need to equip the State Ministries of Environment with necessary facilities and gadgets (including laboratory) to facilitate the monitoring and reporting of environmental issues (pollution, degradation, hazards etc.) in the states. There is need to ensure that biding documents incorporate environment and social concerns especially regarding environmental assessment, procedure for management of environmental issues during construction and reconstruction etc.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	threats of land degradation, drought and deforestation, pollution, flooding and erosion, inefficient and ineffective waste management and climate change. The State also has a law for the development and regulation of the water sector. The law comprises the Kaduna State Water Supply and Sanitation Law, The Kaduna State Rural Water Supply and Sanitation Law and Water Services Regulation Commission Law of 2016. These are meant to facilitate the efficient management of water resources in the State. The State also has a Water and Sanitation Policy which facilitates the water governance in urban, semi-urban and rural levels in the State. There are evidences that ESIA was done in previous water projects especially under the third urban water scheme in the State.		
Natural Habitats and Cultural Resources: To avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program.	The State has a law and regulation regarding natural resource and biodiversity management. For example, the State has a law to make provision for the conservation management and effective use of forest and the declaration of forest reserves, prevention of deforestation and control of forest, and for matters connected thereto. The State has also Bush Burning Control Regulation No 5 of 2010 which prohibits intentional setting of fire on arable land and unreserved forests in any part of the State	Although the state has a law to facilitate forest management and effective use and also a regulation to control bush burning, the enforcement of these instruments is weak giving the high level of deforestation and degradation. There was no evidence that conservation and sustainable management of natural habitats and cultural resources are taken into account in the process of	There is need for proper screening of subprojects prior to execution to ensure that they are not cited in natural habitats or arears with cultural resources.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	without a permit (based on conditions of the permit as stipulated in the regulation).	screening and in biding documents for new constructions	
Public and Worker Safety: To protect public and worker safety against the potential risks associated with: (a) construction and/or operations of facilities or other operational practices under the Program; (b) exposure to toxic chemicals, hazardous wastes, and other dangerous materials under the Program; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.	The State has a Public Service Rule that guides the activities and welfare of public and civil servants. The State enacted a Child Welfare and Protection Law in 2018, which among others, provides that in an action concerning a child, the child's interest and protection must be ensured at all times.	Lack of OHS guidelines and procedures to be adopted by contractors, employers of labor and workers in the State. Lack of awareness of relevant authorities' staff to appreciate the need to ensure occupational health and safety There is no evidence that the general public is well sensitized regarding the issues of public safety.	There is a need to put in place an OHS guideline and procedures for construction workers in the State and under the PforR program. Kaduna State Government should ensure that contractors and employers of labor provide personal protective equipment (PPE) for their workers especially those involving construction, rehabilitation, health work, sanitation and waste management and handling of chemicals. The State Government should strengthen citizen engagement through different channels so as to create awareness regarding the entire program activities especially in relation to OHS and CHS.
Land Acquisition: To manage land acquisition and loss of access to natural resources in a way that avoids or minimizes displacement, and assist the affected people in improving, or at the minimum restoring, their livelihoods and living standards.	Besides the Nigeria Land Use Act, Kaduna State has some laws and regulation governing land acquisition. These include the Kaduna State Land Registration Law,1982, Kaduna Geographic Information Service (KADGIS) Law, 2015, and Kaduna Land Use Regulation 2016.	The laws and regulations are weak and inadequate regarding involuntary/ compulsory acquisition of land and resettlement and does not cover voluntary acquisition if land. It only indicates that Kaduna State government can acquire land based on overriding public interest and for the strategic economic	Given that large scale land acquisition is not envisaged in the PforR, an abridged resettlement action plan (ARAP) acceptable to the Bank must be prepared for any involuntary resettlement or temporary displacement. There is need for Kaduna state to establish a framework/protocol for

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
		development of the State and that the land acquisition will be as provided by the Land Use Act, Cap L5 Laws of the federation of Nigeria, 2004. This Act is weak and does not provide for adequate compensation and resettlement of project affected persons, poor grievance redress mechanism, poor land rights, doesn't include anything with regards to land donation, consultation prior to land acquisition, makes no provision for livelihood restoration, makes compensation provisions for those who have recognized land rights, silent on timing of compensation payment, makes no provision for compensation for undeveloped land, among others.	voluntary land donation in collaboration with SURWASH. There should be significant capacity building of the FPIU and SPIU on sustainable land access, through trainings and workshops.
Vulnerable Groups: To give due consideration to the cultural appropriateness of, and equitable access to, Program benefits, giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups	Kaduna State Government domiciled a law to prohibit all forms of violence including physical, sexual, psychological, domestic, harmful traditional practices; discrimination against persons and to provide maximum protection and effective remedies for victims and punishment of offenders-2018. This provides a legal framework to deal with issues relating to discrimination, sexual abuse, sexual harassment, sexual exploitation, sexual intimidation, physical abuse, violence, trafficking, etc. The State also has a Gender Equity and Social Inclusion GESI) policy domiciled in the Ministry of Women Affairs and Social Development of the State. The policy was	The gaps regarding vulnerable groups is little. However, the state does not seem to have clear policy and action plan to ensure inclusion of minority/ ethnic groups. Although some legislations and policy exist, there is lack of capacity in Ministries of Women Affairs and Social Development to tackle the issues relating to gender and youths and PWD's.	The State should carryout regular enlightenment programs for the public and capacity building programs for staff of gender/women ministries. The State should update her social inclusion policy to ensure that ethnic minorities and well covered and not discriminated against.

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
	created to enable women, girls, young people, persons with disabilities, the elderly and children access to socio economic opportunities; and increase the capacity of women, adolescent girls and PWDs to realize their rights and determine their life's outcome, among others. The State also has a Social Protection Policy with a vision to establish an inclusive, robust, realistic and well-coordinated Social Protection (SP) system with a focus that no resident of the state falls below the minimum level of social and economic wellbeing. The State equally has GBV response team to quickly deal with issues of sexual and GBV, and SH and abuse.		
Social Conflict: To avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes	The country has a well-trained police and security forces who maintain the rule of law and also provides security against bandits and other forms of violent crimes and attacks in Kaduna State. There is also a justice system with courts where people can seek redress The State adopted the GRM mechanism for quick report of grievances under the social inclusion program.	Available GRM frameworks where poor and vulnerable can make complaints and get redress are not well institutionalized.	The State should institutionalize a GRM mechanism not just adopting the GRM mechanism for social transfers instituted at the federal level. The State should put in place an institutional mechanism for providing free legal services/legal aid and advice to the citizens that need it.

H: IMO STATE ENVIRONMENTAL AND SOCIAL ASSESMENT

Core Principle	Systems Assessment (and how it compares to the core principles)	Analysis of the gaps (Federal/State/LGA level)	Proposed Gap filling measures (recommendations for the PAP)
Environment: To promote environmental and social sustainability in the Program design; avoid, minimize, or mitigate adverse impacts, and promote informed decision-making relating to the Program's environmental and social impacts	The State Environmental Protection Agency Law of 1992 which sets up the State Environmental Protection Agency. There law has also an amendment edict of 1997. The law also provides for issues regarding management and prohibition air pollution, water pollution, land pollution and waste disposal, among others. The law also provides for the preparation of Environmental Impact Assessment/ Analysis report for any sites for institutions, industries and layouts. It states that the Environmental Impact Analysis Report (EIAR) shall clearly explore all environmental hazards and pollution likely to be generated by the development project and the solutions to ensure environmental protection. There is also Imo State Waste Management Agency Law No 5 of 2020 which established the Waste Management Agency. The law provides for waste management in the State by the agency. There is also Imo State Water Law of 2019. The law establishes and put in place a functional and effective organizational structure including a regulatory body for the purpose of promoting and facilitating access to water services by consumers in urban areas, small towns and rural areas of Imo state and for other related matters.	Despite the laws and regulations, there is inadequate capacity and staff strength in the environmental protection agency and for environmental management, monitoring and assessment in the State. There is also weak capacity and equipment to monitor and manage environmental pollution, hazards and other environmental problems in the state.	The is need to strengthen the capacity of existing staff of Imo State Environment Protection Agency and the Ministry of Environment especially in the areas of environmental management, assessment, and monitoring. There is a need to equip the State Ministries of Environment with necessary facilities and gadgets (including laboratory) to facilitate the monitoring and reporting of environmental issues (pollution, degradation, hazards etc.) in the states. There is need to ensure that biding documents incorporate environment and social concerns especially regarding environmental assessment, procedure for management of environmental issues during construction and reconstruction etc.

	The State also enacted the Imo State Environmental Transmission n Law of 2008 which was amended in 2020. The law deals with the prevention of industrial pollution, prohibition of discharge of injurious gases, among others.		
Natural Habitats and Cultural Resources: To avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program.	The State promulgated a Bush Burning (Prohibition) Edit in 1985. The law prohibits anybody from setting fire on forests, trees, grassland, grasses or any other vegetation in any place except as permitted or executed under any enactment in force in the State. The State also promulgated Imo State Tree Planting Edict, 1985 to facilitate tree planting and environmental conservation in the State.	The State did not provide any evidence to show that there is a law regarding forest and biodiversity protection and management. Although the state has a law to control bush burning, the enforcement of these instruments is weak giving the high level of deforestation and degradation. There was no evidence that conservation and sustainable management of natural habitats and cultural resources are taken into account in the process of screening and in biding documents for new constructions. The enforcement of the laws for example, Bush Burning (Prohibition) Edit in 1985 and Tree Planting Edict, 1985 is weak.	There is need for proper screening of subprojects prior to execution to ensure that they are not cited in natural habitats or arears with cultural resources. There is also a need for a policy to facilitate forest management and biodiversity conservation in the State.
Public and Worker Safety: To protect public and worker safety against the potential risks associated with: (a) construction and/or operations of facilities or other operational practices under the Program; (b) exposure to toxic chemicals,	The State has a Public Service Rule that guides the activities and welfare of public and civil servants. The Environmental Protection Agency Law prohibits air pollution, water pollution and land pollution and requires EIA for any development project.	Lack of OHS guidelines and procedures to be adopted by contractors, firms' employers of labor and workers in the State. Lack of awareness of relevant authorities' staff to appreciate the need to ensure occupational health	There is a need to put in place an OHS guideline and procedures for construction workers in the State and under the PforR program. The State Government should ensure that contractors and employers of labor provide personal protective equipment (PPE) for their workers

hazardous wastes, and other dangerous materials under the Program; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.	There is also Imo State Public Health Law No 9 of 2004 which provides for the protection of public health.	and safety. There is no evidence that the general public is not well sensitized regarding the issues of public safety.	especially those involving construction, rehabilitation, health work, sanitation and waste management and handling of chemicals. The State Government should strengthen citizen engagement through different channels so as to create awareness regarding the entire program activities especially in relation to OHS and on public safety procedures.
Land Acquisition: To manage land acquisition and loss of access to natural resources in a way that avoids or minimizes displacement, and assist the affected people in improving, or at the minimum restoring, their livelihoods and living standards.	The State has no State laws or regulations governing land acquisition except the Nigeria Land Use Act which vest all land comprised in the territory of each State in the Federation to the State Governor.	The Act is weak and does not provide for adequate compensation and resettlement of project affected persons, poor grievance redress mechanism, poor land rights, doesn't include anything with regards land donation, consultation prior to land acquisition, makes no provision for livelihood restoration, makes compensation provisions for those who have recognized land rights, silent on timing of compensation payment, makes no provision for compensation for undeveloped land, among others.	Given that large scale land acquisition is not envisaged in the PforR, an abridged resettlement action plan (ARAP) acceptable to the Bank must be prepared for any involuntary resettlement or temporary displacement. There is need for Imo state to establish a framework/protocol for voluntary land donation in collaboration with SURWASH. There should be significant capacity building of the FPIU and SPIU on sustainable land access, through trainings and workshops/
Vulnerable Groups: To give due consideration to the cultural appropriateness of, and equitable access to, Program benefits, giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups	Imo State through the Ministry of Gender and Vulnerable Groups has laws to encourage social inclusiveness (poor and the vulnerable persons), including addressing the discrimination against Women. The laws include Imo State Widows Protection Law N0. 12 of 2003; Imo State Rights and Responsibilities of a Child, and System of Child Justice Administration Law N0. 6 of	Imo state does not seem to have clear policy and action plan to ensure inclusion of minority/ ethnic groups. Although some legislations and policy exist, there is lack of capacity in Ministries of Women Affairs and Social Development to	The State should quickly set up a gender-based (Sexual) Violence Response Team (DSVRT) to for quick response to issues of GBV in the states. The State should carryout regular enlightenment programs for the public and capacity building programs for staff of gender/women ministries.

	2004; and Imo State Gender and Equal Opportunities Law N0. 7 of 2007. The Imo State Water & Sewerage Corporation (ISWSC) has a sexual harassment prevention policy. The aim is to give zero tolerance for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment.	tackle the issues relating to gender and youths and PWD's.	The State should develop a social inclusion policy and ensure that ethnic minorities and well covered and not discriminated against.
Social Conflict: To avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes	The country has a well-trained police and security forces who maintain the rule of law and also provides security against bandits and other forms of violent crimes and attacks in Kaduna State. There is also a justice system with courts where people can seek redress. Although there have recorded issues of conflicts between herders and farmers in the State, Imo State , the conflicts have not been very explosive as in the North East and North West Nigeria.	GRM frameworks where poor and vulnerable can make complaints and get redress are not institutionalized.	Imo State should institutionalize a GRM mechanism especially in the WASH sector to forestall any form of conflicts. The State should put in place an institutional mechanism for providing free legal services/legal aid and advice to the citizens that need it.

1.

Annex 6: Summary Overview of Potential Impacts Associated with Water and Sanitation Activities

ENVIRONMENTAL COMPONENTS / PROJECT ACTIVITIES	Geology	Soils	Topography	Surface water resources	Surface water quality	Groundwater resources	Groundwater quality	Archaeological Resources	Flora	Terrestrial Fauna	Aquatic fauna	Air quality	Noise and vibration	Cultural heritage and sites	Local communities	Livelihoods	Current land use	Future land use options	Local economy	National economy	Existing infrastructure	Health and safety	Aesthetic and amenity values	Impacts on Child Labour	GBV	Labour Influx
PLANNING AND DESIGN																										
Mobilisation of stakeholders															X											
Site identification for set up of WASH infrastructure															X	X	X	X	X		X	X	X			
Surveying of the project site- geotechnical investigations and water yield studies	X	X							X								X	X	X		X	X	X			
WASH Sub-project design															X			X								
CONSTRUCTION AND REHABILITATION																										
Mobilisation of resources		X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X			
Land clearing activities	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X			
Water source development	X	X	X	X	X	X	X	X	X	X	X				X	X	X	X	X		X	X	X			

ENVIRONMENTAL COMPONENTS / PROJECT ACTIVITIES	Geology	Soils	Topography	Surface water resources	Surface water quality	Groundwater resources	Groundwater quality	Archaeological Resources	Flora	Terrestrial Fauna	Aquatic fauna	Air quality	Noise and vibration	Cultural heritage and sites	Local communities	Livelihoods	Current land use	Future land use options	Local economy	National economy	Existing infrastructure	Health and safety	Aesthetic and amenity values	Impacts on Child Labour	GBV	Labour Influx
Construction materials acquisition	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			
Tank, pump-house construction	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X			
Latrine installation	X	X					X								X	X	X	X	X			X	X			
Installation of water pipes and tap stands	X	X						X	X	X			X		X	X	X	X	X		X	X	X			
Construction boreholes/intakes	X	X		X	X	X	X		X				X		X	X	X	X	X		X	X	X			
OPERATION AND MAINTENANCE																										
Water supply															X	X			X			X	X			
Provision of employment															X	X			X		X	X	X			
Scheme Management				X	X	X	X		X		X				X	X			X	X		X				
Operation of infrastructure				X	X	X	X				X				X	X			X		X	X	X			
Latrine operation							X								X	X			X		X	X	X			
Septic Tank discharges		X			X		X				X				X	X			X		X	X	X			
Infrastructure repair and maintenance					X		X						X		X	X			X		X	X	X			
Water point maintenance															X	X			X		X	X	X			

ENVIRONMENTAL COMPONENTS PROJECT ACTIVITIES	Geology	Soils	Topography	Surface water resources	Surface water quality	Groundwater resources	Groundwater quality	Archaeological Resources	Flora	Terrestrial Fauna	Aquatic fauna	Air quality	Noise and vibration	Cultural heritage and sites	Local communities	Livelihoods	Current land use	Future land use options	Local economy	National economy	Existing infrastructure	Health and safety	Aesthetic and amenity values	Impacts on Child Labour	GBV	Labour Influx
Water collection and distribution															X	X			X		X					
DECOMMISSIONING AND CLOSURE																										
Demobilisation of resources															X	X			X							
Closure of construction sites	X	X	X		X				X						X		X	X	X			X	X			
Decommissioning and disposal of meters	X	X	X		X		X																			
Decommissioning and disposal of solar cells and BESS systems as energy support	X	X	X				X															X				

Annex 7: Program Specific Sub Project

Investments of particularly high E&S risks will be excluded from financing under the Program. Excluded activities include the construction and/or rehabilitation of wastewater treatment plants, the desilting of surface waters, and large-scale water (surface and groundwater) resource infrastructure, including large dams or activities involving the allocation or conveyance of water, such as inter-basin water transfers or activities resulting in significant changes to water quality or availability. Furthermore, other proposed activities with an uncertain level of risk could be subject to additional E&S screening mechanism for acceptability (following an environmental and social assessment satisfactory to the Bank).

Such activities include, but are not limited to, the construction or rehabilitation of water treatment plant and fecal sludge treatment facilities; and the large-scale construction of water supply mains. Large scale land acquisition for any Program activity is also deemed high risk which cannot be funded under the PforR. Any Program activity that entails large scale resettlement or livelihood displacement of more than 100 Project Affected Persons (PAPs) will not be funded by the PforR. For any resettlement below 100 PAPs, the implementing agencies will prepare Resettlement Action Plans (RAPs).