



Pacific Region Infrastructure Facility

Pacific Region Infrastructure Facility (PRIF) Coordination
Office

Promotion of the Shared Approach for Management of Environmental and Social Risks and Impacts

Guidance on the Implementation of the Shared
Approach

February 2023



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1.0 Background:

1. The Pacific Region Infrastructure Facility (PRIF) is a multi-partner coordination and technical assistance facility for improved infrastructure in the Pacific. The PRIF development partners are the Asian Development Bank (ADB), Australian Department of Foreign Affairs and Trade (DFAT), European Investment Bank (EIB), European Union (EU), the Japan International Cooperation Agency (JICA), New Zealand Ministry of Foreign Affairs and Trade (NZMFAT), United States Department of State (US) and the World Bank Group. The PRIF Coordination Office (PRIF CO) acts as the secretariat of these eight development partners and is hosted by the ADB Pacific Liaison Coordination Office (PLCO) in Sydney, Australia. These eight partners collaborated to produce the Shared Approach for Management of Environmental and Social (E&S) Risks and Impacts for Pacific Island Countries (refer to as SA), which was approved in 2021 and is readily available on [PRIF's Website](#) for download.
2. The PRIF CO and members of the Environmental and Social Working Group (ESWG) have identified that the promotion and communication of the Shared Approach (SA) needs to take place. PRIF CO has already completed a communication strategy and training materials¹ to start promotion of the SA. The additional guidance material and tools including this paper will add value and reinforce the existing content developed by the PRIF CO for increasing interest and awareness in the SA among PRIF's development partners, CROP agencies and Pacific Island Countries (PIC).
3. The PRIF CO has prepared this guidance paper in-order to provide additional information about PRIF partners' environmental and social management policies and requirements that apply across the Shared Approach project life cycle. This is missing in the SA document but is deemed necessary for building knowledge and interests as well as demand to apply the SA by Pacific Island Countries.

2.0 Introduction:

5. To date, there is limited information on the explicit application of SA across the Pacific. However, exchanges between the PRIF CO, the World Bank and ADB reveal a conscious effort (in 2023) to explicitly apply the SA for the first time, using the Fiji 40 bridges project. In essence, this means that both the World Bank and ADB have agreed on an approach for the preparation and review of the due diligence which streamlines requirements as much as possible. **This demonstrates PRIF partners who provide joint financing for an infrastructure project, work best when they approach each other in the early stages of project identification and discuss options on how to implement the Shared Approach, culminating in an agreement on how to apply key elements of the SA where it is appropriate for the scale and scope of a project.**
6. In the future where more examples of projects that explicitly apply the SA become available, the PRIF CO will work with its development partners to collate and document lessons and other future experiences that improves the application of the SA. Findings will update this guidance paper and make it more useful and relevant to all users of the SA. For now, the guidance for

¹ Accessed via PRIF Website: _____



implementing the SA focuses on the Country Safeguard Systems or CSS; complementarity with [SPREP's EIA guidelines](#)²; and a management tool for identifying E&S risks and impacts that PICs can use to engage with their development partners.

Guidance to Implement the Shared Approach:

7. The SA supports the use of various aspects of a CSS where it is compatible with PRIF development partners environmental and social policies, and where sufficient implementation capacity is in place. CSS are composed of national policies, practices and legal frameworks and institutions that PICs have in place to avoid, minimize, or mitigate potentially adverse environmental and social impacts of development activities. Therefore, implementing the SA in PICs would require an integration of the CSS and PRIF development partners' environmental and social safeguard policies along the different stages of the project life-cycle. To achieve this, the guidance paper aims to raise the understanding of users of the SA, particularly national counterparts in PICs on 4 key topical areas:
 - a. Country Safeguard Systems in PICs: what is it and which institutions are involved?
 - b. Complementarity: SPREP's Environmental Impact Assessment Guidelines vis-à-vis Shared Approach Environmental and Social Planning and Management Activities by Project Phase Approach.
8. **Country Safeguard System or CSS**: The SA seeks to strengthen and assist Pacific Island Countries to apply their own country safeguard systems.
9. Improving national counterpart's understanding of development partners E&S processes and requirements and in turn, for development partners to familiarize themselves with PIC's CSS. As a first step to understanding CSS across the region, it is important to note that there is a general assumption that addressing safeguards fall within the remit of the national Environmental Impact Assessment or EIA regulator. In fact, CSS goes beyond and encompasses social institutions and their laws, regulations, and policies as well as multiple actors in different levels of both the public and private sectors inclusive of civil society organizations who are important and have a role in administering safeguard compliance.
10. It is not the intent of this guidance paper to definitively map out who and where to go to for environmental and social safeguard discussions, rather it provides for a point of reference or a launch pad to start one's investigation into PICs CSS. As a start, the table below has been prepared with names of PICs and their corresponding institutions and legislation- these define what the E&S processes and requirements are for PICs. Unfortunately, PICs CSS are not harmonized to deal with both environmental and social risks and impacts and therefore, are treated differently through different laws and ministries.

² SPREP is the Secretariat of the Pacific Regional Environment Programme; with a long history of leading EIA capacity-building across the Pacific region. For more than twenty-five years. The SPREP EIA Guidelines are based on this experience working with countries and endorsed by the 25 SPREP member states and countries, and UN including the PRIF partners.



Table 1: List of national environmental and social institutions and their laws across Pacific Island Countries.

| Pacific Island Country | National Institution | Environment Legislation | National Institution | Social Legislation |
|------------------------|---|---|----------------------|---|
| 1. Cook Islands | <ul style="list-style-type: none"> • National Environment Service • Seabed Minerals Authority | <ul style="list-style-type: none"> • Environment Act 2003 • Marae Moana Act 2017 • Seabed Minerals Act 2019 • Seabed Minerals Amendment Act 2020 • Seabed Minerals Act 2021 • SBM (Exploration) Regulations 2020 • SBM (Exploration Fees) Regulations 2020 • SBM Standards & Guidelines • Draft SBM Mining Regulations • Environment Order 2004 • Environment Act Regs 2008 • Conservation Act 1986-1987 • Cook Islands Natural Heritage Trust Act 1999 • Marine Resources Shark Conservation Regulations 2012 • Cook Islands Pearl Authority Act 1993 • Cook Islands Native Timber Preservation Ordinance 1957 | | <ul style="list-style-type: none"> • Employment Relations Act 2012 • Foreign Investment Legislation • Income Tax Act 1997 • Legislation Governing Tax Arrangements in the Cook Islands • Official Information Act 2008 • Seabed Minerals (Royalties) Regulations 2013 • The Value Added Tax Act 1997 • |



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| | | <ul style="list-style-type: none"> • Territorial Sea and Exclusive Economic Zone Act 1977 • Marine Resources Act 2005 • Maritime Rules (offenses) Regulations 2014 • Maritime Zones Act 2018 • Prevention of Marine Pollution Act 1998 • • Biosecurity Act 2008 • Public Health Act 2004 • Prevention of Marine Pollution Act 1998 • Maritime Transport Act 2008 • Disaster Risk Management Act 2007 • Building Controls and Standards Act 1991 • Land Use Act 1969 • Outer Islands Local Government Act 1988 • Cook Islands Act 1915 • House of Arikis Act 2008 | | |
| <p>2. Federated States of Micronesia</p> | <ul style="list-style-type: none"> • Department of Environment, Climate Change & Emergency Management (DECEM), FSM • Kosrae Island Resource Management | <ul style="list-style-type: none"> • Environmental Protection Act 1980 (National) • Environmental Impact Assessment Regulations 1989 (National) • Environmental Protection Act 1994 (Chuuk) | | |



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| | <p>Authority (KIRMA), FSM</p> <ul style="list-style-type: none"> • Department of Resources & Development, FSM • Environmental Protection Agency (EPA) – Pohnpei State, FSM • Environmental Protection Agency (EPA) - Chuuk State, FSM | <ul style="list-style-type: none"> • Regulations for Environmental Impact Assessment (Chuuk) • Protection of Environment Act (Kosrae) • Regulations for Development 1994 (Kosrae) • Environmental Protection Act 1992 (Pohnpei) • Environmental Impact Assessment Regulations (Pohnpei) • Environmental Quality Protection Act 1987 (Yap) • Regulations for Environmental Impact Assessment 1995 (Yap) | | |
| <p>3. Fiji</p> | <ul style="list-style-type: none"> • Ministry of Waterways and Environment – Department of Environment | <ul style="list-style-type: none"> • Environment Act 2005 • EIA Regulation 2007 • Environment Management Act 2005 • Local Government Act • Land use Act • Banaban Lands Act 1965 • Banaban Settlement Act 1970 • Crown Acquisition of Lands Act 1940 • Crown Lands Act 1946 • Environmental Levy Act 2015 • iTaukei Affairs Act • iTaukei Land Trust Act • Land Transfer Act | <ul style="list-style-type: none"> • Ministry of Lands & Mineral Resources (granting land permits) • Ministry of iTaukei Affairs | <ul style="list-style-type: none"> • iTaukei Act (1905, 1940, 1945, 2004) & iTaukei Trust Fund Act 2004 |



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| | | <ul style="list-style-type: none">• Mining Act 1966• Native Lands Act• Native Land Trust Act• Rotuma Lands Act 1959• Town Planning Act 1946• Birds and Game Protection Act 1923• Continental Shelf Act 1970• Endangered and Protected Species Act 2002• Fisheries Act• Forest Decree 1992• Irrigation Act 1974• Land Conservation and Improvement Act 1953• Protection of Animals Act 1954• Endangered and Protected Species Act 2002• Marine Spaces Act 1978• Offshore Fisheries Management Decree 2012• Petroleum (Exploration and Exploitation) Act 1978• Petroleum Act 1939 | | |
| 4. Kiribati | <ul style="list-style-type: none">• Ministry of Environment, Lands and Agricultural Development – Environment and Conservation Division | <ul style="list-style-type: none">• Environment Act 2021• Seabed Minerals Act 2017• Environment Act General Regulations 2017• Environment (Amendment) Act 2007• Building Act 2006 | <ul style="list-style-type: none">• Ministry of Environment, Lands and Agricultural Development – Land Management | <ul style="list-style-type: none">• |



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| | | <ul style="list-style-type: none">• Land Planning Ordinance 1977• Neglected Lands Ordinance 1959• Mineral Development Licensing Ordinance 1978• Phoenix Islands Protected Area Conservation Trust Act 2009• Phoenix Islands Protected Area Regulations 2007• Recreational Reserves Act 1996• Marine Zones Act 2011• Recreational Reserves Act 1996• Fisheries Act 2010• Biosecurity Act 2011• Wildlife Conservation Ordinance 1975 | | |
| 5. Nauru | <ul style="list-style-type: none">• <u>Nauru Department of Commerce, Industry and Environment</u> | <ul style="list-style-type: none">• <u>Environmental Management and Climate Change Act 2020</u>• Lands Act 1976• Nauru Rehabilitation Corporation Act 1997• Nauru Lands Committee Act 1956• Agricultural Quarantine Act 1999• Animals Act 1982• Nauru Fisheries Act 1997• Fisheries Regulations 1998 | | |



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| | | <ul style="list-style-type: none">• Fisheries (PNA Third Implementing Arrangement) Regulations 2009• International Seabed Minerals Act 2015• Quarantine Act 1908• Nauru Fisheries and Marine Resources Authority Act 1997• Quarantine Area Ordinance 1921• Wild Birds Preservation Ordinance 1937• Sea Boundaries Act 1997• Food Safety Act 2005• National Disaster Risk Management Act 2016• Nauruan Antiquities Ordinance 1935• Sanitary Inspectors Ordinance 1921 | | |
| 6. Niue | <ul style="list-style-type: none">• Department of Environment Faahiu Gahua Takatakaimotu | <ul style="list-style-type: none">• Environment Act 2015• Environment (Development Consent and Environmental Impact Assessment) Regulations 2017• Niue Amendment Act (No. 2) 1968• Land Act 1969• Niue Public Health Act 1965• Building Code Act 1992• Niue Tourist Authority Act 1995• Village Councils Act 2006 | | |



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| | | <ul style="list-style-type: none">• Coastal Management Policy 2008• Territorial Sea and Exclusive Economic Zone (Whale Sanctuary Regulations 2003)• Wildlife Act 1972• Wildlife Protected Species Notice 1991• The Land Ordinance 1969• Biosecurity Act 2016• Biosafety (Genetically Modified Organisms) Regulations 2006• Agriculture Quarantine Act 1984• Territorial Seas and Exclusive Economic Zone Act 1996 (Fisheries Management and Development Provisions)• Domestic Fishing Act 1995• Domestic Fishing Regulations 1996• Mining Act 1977• Continental Shelf Act 1964• Water Act 2012• Environment Act 2015• Village Councils Act 2006• Ozone Layer Protection Regulations 2007• Pesticides Act 1991 | | |
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| | | <ul style="list-style-type: none"> • Marine Pollution Act 1974 (NZ) | | |
| 7. Palau | <ul style="list-style-type: none"> • Environmental Quality Protection Board (EQPB) <p>Title 24 PNCA authorized the EQPB to promulgate and enforce regulations addressing the following topics:</p> <p>(1) Earthmoving, (2) Marine and Fresh Water Quality, (3) Toilet and Wastewater Disposal Facilities, (4) Solid Waste Management, (5) Pesticides, (6) Public Water Supply Systems, (7) Environmental Impact Statements, (8) Air Pollution Control, and (9) Ozone Depleting Substances</p> | <ul style="list-style-type: none"> • Environmental Quality Protection Act 1981 • Environmental Impact Statement Regulations 1996 <p>Palau National Code Title 24: Environmental Protection</p> <p>Palau National Code Title 35: Public Lands</p> <p>Palau National Code Title 31: Trust Territory Land Planning Act</p> <p>Chapter 2401-1 of Environmental Quality Protection Board (EQBP) Regulations:</p> <p>Earthmoving Regulations</p> <p>Palau National Code Title 31, Division 1, Chapter 1: Trust Territory Land Planning Act</p> <p>Palau National Code Title 24, Division 3: Preserves and Protected Areas Act</p> <p>Palau National Code Title 24, Chapter 34: Protected Areas Network Act</p> <p>Palau National Code Title 24, Division 3, Chapter 33: Palau International Coral Reef Center</p> <p>Palau National Code Title 24, Division 2, Chapter 10: Endangered Species Act</p> <p>Palau National Code Title 24, Division 2, Chapter 12: Protected Sea Life</p> <p>Palau National Code Title 25, Division 3, Chapter 20: Plant and Animal Control Regulations</p> | | |



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| | | <p>Environmental Health Regulations Palau National Code Title 27, Division 1, Chapter 1: Fishery Zones and Regulation of Foreign Fishing Act Palau National Code Title 24: Environmental Protection Palau National Code Title 27, Division 2, Chapter 12: Marine Protection Act Chapter 2401-11 of EQBP Regulations: Marine and Freshwater Quality Regulations Chapter 2401-31 of EQBP Regulations: Solid Waste Management Regulations Chapter 2401-33 of EQBP Regulations: Pesticides Regulations Chapter 2401-71 of EQBP Regulations: Air Pollution Control Regulations Palau National Code Title 34: Public Health, Safety and Welfare Act Palau National Code Title 34, Chapter 11: Individual Sewerage Disposal Act Palau National Code Title 34, Chapter 12: Sewer Use Act Palau National Code Title 34: Environmental Health Regulations Chapter 2401-33 of EQBP Regulations: Pesticides Regulations</p> | | |
| <p>8. Papua New Guinea</p> | <ul style="list-style-type: none"> • Conservation Environment | <ul style="list-style-type: none"> • Environmental Act 2000 | | <p>Papua New Guinea's legal framework is</p> |



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| | <p>Protection Authority (CEPA)</p> | <ul style="list-style-type: none"> • Land (Ownership of Freeholds) Act 1976 • Land (Tenure Conversion) Act 1963 • Land Groups Incorporation Act 1974 • Land Registration Act 1981 • Lands Act 1996 • Lands Dispute Settlement Act 1975 • National Land Registration Act 1977 • Conservation and Environment Protection Authority Act 2014 • Conservation Areas Act 1978 • Fisheries (Torres Strait Protected Zone) Act 1984 • Fisheries Management Act 1998 • Forestry Act 1991 • Mineral Resources Authority Act 2005 • Mining Act 1992 • Mining Development Act 1955 • National Seas Act 1977 • Oil and Gas Act 1998 • Petroleum (Submerged Lands) Act 1967 • Unconventional Hydrocarbons Act 2015 • Climate Change (Management) Act 2015 | | <p>composed of the Constitution, Organic laws, ordinary statutes and custom. Papua New Guinea also has adopted Laws. These are Australian and United Kingdom Acts that have been adopted for Papua New Guinea. The Underlying Law Act 2000 adopts customary law and the common law of England in force before independence as the underlying law for Papua New Guinea. In this way it implements section 20 of the PNG Constitution. Various statutes recognise custom for specific purposes. For example, the Native Customs (Recognition) Act 1963 outlines when a Court may reject custom</p> <ul style="list-style-type: none"> • Public Health Act 1973 • Native Customs (Recognition) Act 1963 |
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| | | <ul style="list-style-type: none">• Disaster Management Act 1984• National Capital District Water Supply and Sewerage Act 1996• National Water Supply and Sewerage Act 1986• Public Health Act 1973 | | |
| 9. Marshall Islands | <ul style="list-style-type: none">• Republic of the Marshall Islands Environmental Protection Authority (RMIEPA) | <ul style="list-style-type: none">• Office of Environmental Planning and Policy Coordination (OEPPC) Act 2003• National Environmental Protection Act 1984• Public Lands and Resources Act 1966• Environmental Impact Assessment (EIA) Regulations 1994• Land Recording and Registration Act 2003• Land Acquisition Act 1986• Planning and Zoning Act 1987• Earth Moving Regulations 1989• Tourism Act 1991• Marshall Islands Marine Resources Act 1997 | | |
| 10. Samoa | <ul style="list-style-type: none">• Ministry of Works, Transport and Infrastructure – Planning and Urban Management Agency | <ul style="list-style-type: none">• Planning and Urban Management Act 2004• EIA Regulation 2007• Lands, Survey and Environment Act 1989 | <ul style="list-style-type: none">• Ministry of Women, Community and Social Development – Division of Internal Affairs | |



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| | <ul style="list-style-type: none">• Ministry of Natural Resources and Environment | <ul style="list-style-type: none">• Alienation of Customary Land Act 1965• Alienation of Freehold Land Act 1972• Customary Land Advisory Commission Act 2013• Land and Titles Act 1981• Land for Foreign Purposes Act 1993• Land Titles Investigation Act 1966• Land Titles Registration Act 2008• National Parks and Reserves Act 1974• Property Law Act 1952• Taking of Land Act 1964• Agriculture and Fisheries Ordinance 1959• Animals Ordinance 1960• Canine Control Act 2013• Cocoa Disease Ordinance 1961• Fisheries Management Act 2016• Forestry Management Act 2011• Marine Pollution Prevention Act 2008• Marine Pollution Prevention Act 2008• Maritime Zones Act 1999 | <ul style="list-style-type: none">• Ministry of Health• Ministry of Education, Culture & Sports | |
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| | | <ul style="list-style-type: none">• Petroleum Act 1984• Quarantine (Biosecurity) Act 2005• Samoa Water Authority Act 2003• Water Resources Management Act 2008• Waste Management Act 2010• Chemical Weapons Act 2010• Disaster and Emergency Management Act 2007• Fire and Emergency Services Act 2007 | | |
| 11. Solomon Islands | Ministry of Environment, Climate Change, Disaster Management and Meteorology - | <ul style="list-style-type: none">• Environment Act 1998• Environment Regulation 2008• Foreign Investment Act 2005• Land and Titles Act 1978• The Environment Act 1998• Town and Country Planning Act 1979 (amended to Planning and Development Act in 2017)• Bee Industry Act 1995• Biosecurity Act 2013• Continental Shelf Act 1970• Delimitation of Marine Waters Act 1988 | | |



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| | | <ul style="list-style-type: none">• Diseases of Animals Act 1982• Fisheries (United States of America Treaty) Act 1988• Fisheries Limits Act 1977• Fisheries Management Act 2015• Forest Resources and Timber Utilisation Act 1969• Forests Act 1999• Mines and Minerals Act 1990• National Parks Act 1954• Petroleum (Exploration) Act 1987• Protected Areas Act 2010• Protected Areas Act 2010• Quarantine Act 1930 [Chapter 106]• River Waters Act 1969• Solomon Islands Water Authority Act 1993• Wildlife Protection and Management Act 1998• Biosecurity Act 2013• Environment Act 1998• Environmental Health Act 1980• Fisheries (Amendment) Regulations 1993• Maritime Safety Administration Act 2009 | | |
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| | | <ul style="list-style-type: none">• Petroleum Act 1939• Ports Act 1956• Rivers Waters Act 1964• Solomon Islands Water Authority Act 1992• National Disaster Council Act 1990 | | |
| 12. Tonga | Department of Environment | <ul style="list-style-type: none">• Environmental Management Act 2016• Environmental Impact Assessment Act 2003• Environmental Impact Assessment Regulations 2010• Land Act 1903• Land (Removal of Sand) Regulations 1936• National Spatial Planning and Management Act 2012• Tourism Authority Act 2012 (expand row to show all Acts)• Parks and Reserves Act 1976• Birds Preservation Act 1915• Biosafety Act 2009• Plant Quarantine Act 1981• Diseases of Plants Regulations 1964• The Noxious Weeds Act 1903• Animal Diseases Act 1978• Forest Act 1961• Forest Produce Regulations 1979 | | <ul style="list-style-type: none">• Public Health Act 2008 |



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| | | <ul style="list-style-type: none">• Fisheries Management Act 2002• Aquaculture Management Act 2003• Minerals Act 1949• Petroleum Mining Act 1969• Petroleum Mining Regulation 1985• Land Act 1936• Waste Management Act 2005• Public Health Act 2008• Pesticides Act 2002• Marine Pollution Prevention Act 2002• Petroleum Act 1959• Ozone Layer Protection Act 2010• Hazardous Waste and Chemicals Act 2010• Water Supply Regulations 1963• Preservation of Objects of Archeological Interest Act 1969• Emergency Management Act 2007 | | |
| 13. Tuvalu | Department of Environment Ministry of Public Work , Infrastructure, Environment, Labour, Meterology and Disaster | <ul style="list-style-type: none">• Environment Protection Act 2008• Environment Protection (Environmental Impact Assessment) Amendment Regulations 2017• Native Lands Act 1956 | Ministry of Health Social Welfare and Gender Affairs | |



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| | | <ul style="list-style-type: none">• Foreshore and Land Reclamation Act 1969• Crown Acquisition of Lands Act 1954• Neglected Lands Act 1959• Falekaupule Act 1997• Wildlife Conservation Act 1975• Closed Districts Act 1936• Conservation Areas Act 1999• Marine Resources Act 2006• Fisheries (Trochus) Regulations 1990• Mineral Development Licensing Act 1977• Quarantine Act 1929• Biosecurity Bill (Model Law) 2004• Plants Act 1977 (Expand row to see more)• Importation of Animals Act 1919• Marine Pollution Act 1992• Wastes Operations and Services Act 2009• Harbours Act 1957• Shipping Act 1957• Merchant Shipping Act 1987• Wreck and Salvage Act 1966• Ozone Layer Protection Act 2007• Pesticides Act 1990 | | |
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| 14. Vanuatu | Department of Environmental Protection and Conservation | <ul style="list-style-type: none">• Petroleum Act 1965• Environmental Protection and Conservation Act• Environmental Impact Assessment Regulations• National Parks Act• Petroleum (Exploration and Production) Act• Quarry Act No. 9 2013• Geothermal Energy• Mines and Minerals• Pesticides (Control) Act No. 11 1983• Water Resources Management Act• Plant Protection Act• Pesticides (Control) Act• International Trade (Flora and Fauna) Act and Regulations• Waste Management Act• Pollution (Control) Act• Ozone Layer Protection Act and Regulations• Fisheries Act No. 10 2014• Forestry Act• Animal Importation and Quarantine Act• Shipping Act 2013• Maritime Act 2013• Roads Act 2013• Physical Planning Act• Foreshore Development | Department of Women's Affairs Ministry of Health | |
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11. **Complementarity between Shared Approach and SPREP’s Regional Guidelines for EIA.**
The SA can be applied by PRIF development partners to assist with the majority of projects they support in the PICs. While the SA does not contain guidance for every type of project, it does provide, linkages with other complementary environmental and social management frameworks and tools that exists in the Pacific, specifically the [SPREP Environmental Impact Assessment Guidelines](#).
12. The SA can be used together with [SPREP’s Environmental Impact Assessment Guidelines](#) to enhance the implementation of environmental and social safeguards while respecting national environment management laws and their corresponding EIA regulations. Social issues, risks and impacts are usually treated as an integral part of the environment definition as stipulated in PICs environment law, regulation, and/or policy.
13. The SPREP EIA Guidelines should not be used to replace CSS rather the SA relies on country systems and utilizes the SPREP’s EIA guidelines for ‘top ups’ as required for matters that are not adequately addressed by country systems³.
14. Discussions with a few PICs EIA agencies have shown a growing appetite for quality guidance materials on how to manage the social risk and impacts throughout the EIA process. For this reason, the SA can add value to the EIA process by lending guidance on how to approach social topics that are typically important across infrastructure development such as land, stakeholder engagement, gender issues, health, and indigenous people⁴.
15. **Harmonization:** implementing the SA in PICs will require interaction between key elements of the SA and SPREP’s EIA guidelines. Careful consideration is given to table 2 of the SA and table 1 of SPREP’s EIA guideline.
16. Table 2 of the SA (pages 34-37 of the SA Document) gives the overview of environmental and social planning and management activities by project phase while table 1 (pages 18 -21) of SPREP’s EIA guideline provides in-depth explanations of the step-by-step EIA process.
17. The SA contains 7 common methods and procedures that are represented as columns across table 2, starting from General Project Activities to Responsibility. These 7 common methods and procedures apply to 5 phases⁵ of a project lifecycle as shown below:

Table 2 | Overview of Environmental and Social Planning and Management Activities by Project Phase

| Project Phase | General Project Activities | Environmental and Social Assessment | Stakeholder Engagement | Grievance Redress | Disclosure | Land | Responsibility |
|---------------|----------------------------|-------------------------------------|------------------------|-------------------|------------|------|----------------|
|---------------|----------------------------|-------------------------------------|------------------------|-------------------|------------|------|----------------|

³ A key assumption is that PICs EIA administrator who is the head of the national EIA agency understands their own country’s EIA requirements and development standards and in comparison with development partners safeguard policies and requirements, is able to identify requirements and standards that match and/or requires top up – meaning deferment to the use of development partner’s safeguard requirements.

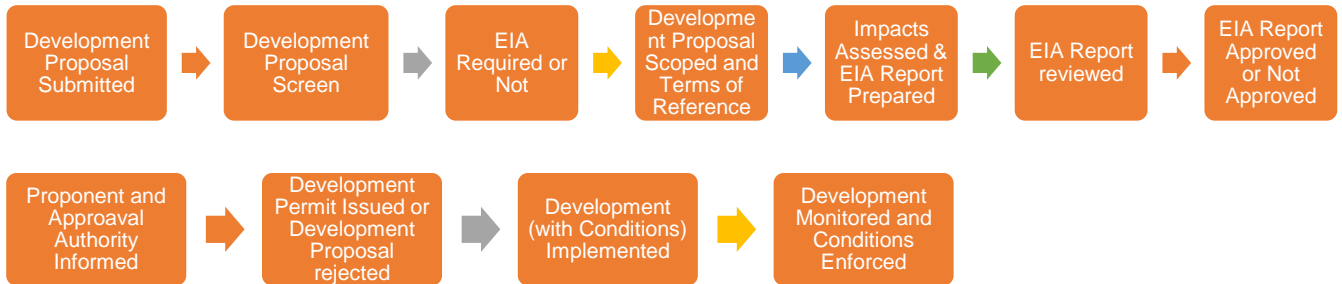
⁴ Refer to pages 49 – 69 of the [SA document](#).

⁵ 5 project lifecycle phases are: (1) project identification; (2) project preparation; (3) detailed design, engineering and procurement; (4) pre-construction; and (5) construction.



18. SPREP’s step-by-step EIA process contains 11 steps in table 1 with in-depth instructions on what to do in each step as shown below in diagram 1:

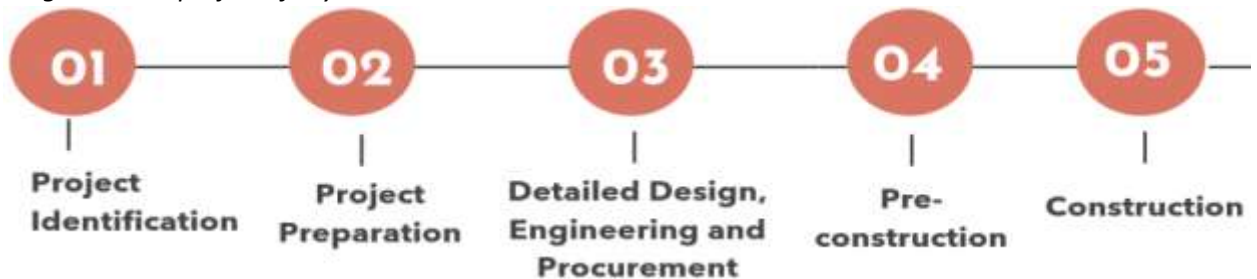
Diagram 1: EIA Step-by-Step Process



19. The SA seeks to develop and implement a common set of methods and procedures to identify, assess, mitigate, and monitor potential environmental and social risks and impacts in a project that is supported by PRIF development partners. Similarly, the EIA process does the same thing – so how does one use both (SA & EIA) in a mutually reinforcing manner in-order to achieve the best project outcome.


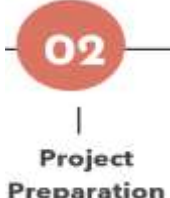
20. Harmonizing key elements of the SA and the EIA process is made possible using the 5 phases of an infrastructure project life cycle (diagram 2).

Diagram 2: SA project life cycle



- Phases 1 and 2 prior to the approval and issue of EIA consent.
- Phases 3-5 is project implementation and thus need EIA consent.



| Project Phase | EIA Process | Shared Approach | Comments/Assumptions |
|---|---|---|---|
|  <p>01 Project Identification</p> | <ul style="list-style-type: none"> At this early stage, it has not entered the national EIA process. | <ul style="list-style-type: none"> At this early stage, an initial risk assessment and screening is carried out. Early identification of stakeholders and planning activities for engagement. Review status of and experience with any local grievous redress mechanism (GRM). Review potential approaches for disclosure of information on a project-specific basis. Early identification of land requirements and sitting alternatives. Early identification of existing ownership or tenure arrangements for each land that would potentially be affected by the proposed project. | <ul style="list-style-type: none"> National EIA Administrator is invited by the Central Planning Ministries (i.e. Ministry of Finances, Treasury, Ministry of Economic Development and Planning etc) to high level dialogue with development partners on project identification and screening. Project screening – to understand the basic project elements, location conditions, risks, and impacts. Discussions will inform the level of due diligence/assessment required. National EIA administrator to inform discussions on statutory EIA requirements (i.e. development consent process etc) |
|  <p>02 Project Preparation</p> | <ul style="list-style-type: none"> Technically, it has not entered the national EIA process. However, key activities such as the preparation of pre-feasibility studies, preparation of ToR and the ESIA process (inclusive of ESMP) and frameworks should include | <ul style="list-style-type: none"> Commencement of project management activities (including coverage of environmental and social management activities). Preparation of pre-feasibility studies, including initial project preparation and assessment, | <ul style="list-style-type: none"> Includes pre-feasibility studies, assessments, due diligence, ToR for any specialist studies etc. |




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| | <p>the participation of the national EIA administrator. Early participation of the national EIA Administrator will ensure that both statutory and regulatory EIA requirements are fed into all preparatory discussion and activities. Furthermore, the national EIA Administrator will use this opportunity to learn about the details of the project and engage with project proponents and developer on the project design and alternative analysis.</p> | <p>including terms of reference (ToR) for design and supervision specialists and contractors.</p> <ul style="list-style-type: none">• Scoping and alternative analysis informing project design.• Environment and Social Impact Assessments or ESIA process (and Environmental and Social Management Plan or ESMP) and framework agreed.• Ensures that community and stakeholder contributions are collected and included into the design process as well as discussions in the identification of key environmental and social risks.• Preparation of stakeholder engagement plan.• Identification of grievous redress mechanism for inclusion in assessment documents and stakeholder engagement plan.• Stakeholder engagement plan disclosed on relevant national Government ministries website and development partner's (i.e. donor) website.• ESIA, ESMP and any other safeguards plans or frameworks are public disclosed and uploaded on the relevant Government ministries website and development partner's (i.e. donor) website.• Consultations with landowners and other stakeholders regarding site accessibility, potential impacts on land and resources, and possible mitigation options. If needed, land acquisition plan for framework for project with undetermined subprojects devised. | <ul style="list-style-type: none">• National EIA administrator to inform discussions on statutory EIA requirements (i.e. development consent process etc).• PRIF development partner(s) will inform on their requirement for environmental and social assessment which is commensurate with level or risk (i.e. assigning risk categories A,B or C or low, moderate, substantial and high risk)• PIC's national EIA regulators may seek support from development partners who are financing an infrastructure project to include their staff in the discussions and work to develop terms of reference for pre-feasibility studies, design and supervision specialists, scoping and alternative analysis as well as framing the ESIA process – this can support early training |
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| | | | <p>and sharing of knowledge with national EIA staff to learn about specialized activities that go into project preparation.</p> |
| <p style="text-align: center;">03</p> <p style="text-align: center;"> </p> <p style="text-align: center;">Detailed Design, Engineering and Procurement</p> | <ul style="list-style-type: none"> • At this stage, project implementation begins. • All contractors submit their applications to the national EIA agencies for development consent or permit. Contractors prepare their Construction ESIA and Environment and Social Management Plan or CESMP and submit for review by the national EIA agency. • Contractors encourage to engage early with the national EIA agency at the scoping step (screening may not apply if contractors are required to prepare CESIA + CESMP). Scoping helps to determine the terms of reference for the CESIA. Refer to SPREP EIA guidelines for use of the tools such as: <ul style="list-style-type: none"> ○ Tool 1: EIA screening checklist ○ Tool 2: Terms of reference template ○ Tool 3: EIA report review template ○ Tool 4: Risk assessments for EIA reports. • Where appropriate, national EIA agencies may include ‘top ups’ on requirements that are covered by the | <ul style="list-style-type: none"> • Project PMU team in place – this includes staff covering environmental and social management activities. • Preparation for pre-construction • Identification of labor (and training) requirements. • Bid and contract documents prepared. • Update the ESIA and ESMP. Impacts inform design. Environment and social input to bid documents and contract documents. Environment and social input into the tender review. • Implement the Stakeholder Engagement Plan. Community informed of the design details as well as environmental and social impacts and how feedback from phase 2 was incorporated. • Establish the project’s grievance redress mechanism. • ESMP and all other project plans or frameworks updated to reflect detail engineering design redisclosed – uploaded to the relevant Government ministries website and development partner’s website. • Options refined from discussions with landowners and stakeholders in phase 2 and negotiations finalized, or land and asset valuation finalized if appropriation is necessary. | <ul style="list-style-type: none"> • Highly recommend that all project decision making staff inclusive of the Executing Agency/EA, Implementing Agency where the PMU is located and the development partner’s project team hold meeting (Face-to-Face, Virtual or Blended) with the national EIA administrator and staff to present on the key activities of the project, particularly those that have been identified as requiring local development consent. • Roles and responsibilities clearly identified between the national EIA agencies, EA, IA/PMU and Development Partner project team to ensure for all approved |



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| | <p>SA, which can inform assessments carried out by the contractor when preparing their CESIA & CESMP.</p> | <p>Land access agreements or land acquisition plans revised if necessary.</p> | <p>environmental assessments and ESMP + development consent conditions are implemented as intended.</p> <ul style="list-style-type: none">• Review bid and contract documents to make sure that measures identified in the plans and requirements are included (i.e. need for contractor to develop CESMP prior to works commencing). |
|  | <ul style="list-style-type: none">• The national EIA agency to finalize review of contractors CESIA + CESMP and inform of decision to approve (with conditions) or not to approve the development proposal. CESIA + CESMP can be returned and resubmitted with revisions added to comply with the national EIA agencies requests prior to a final decision made. | <ul style="list-style-type: none">• Construction phase readied by PMU working with supervision consultant and contractor.• Contractor prepare site-specific ESMP or CESMP. If specific mitigation measures are necessary, environmental, and social baseline conditions are documented.• Community informed preferably four weeks prior to contractor starting – also share details of activities, information on contacts and name of liaison officer for the project or site-specific works.• Grievance redress mechanism implemented.• CESMP, project schedule of activities and grievous redress mechanism disclosed and updated on relevant Government ministries website and development partners website.• Site access transaction completed, including payments agreed in negotiated settlements, or payments of agreed compensation due as a | <ul style="list-style-type: none">• Responsibility of national EIA agency, EA, IA/PMU and development partner’s project team to ensure approved environmental assessment and ESMP + development consent conditions are implemented as intended.• Review bid and contract documents to make sure that it includes measures identified in the plans. |



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| | | <p>result of expropriation. Transaction processes monitored.</p> | <ul style="list-style-type: none"> • Review any additional environmental assessment and ESMP (for other permits etc). • Review and clear CESMP, advise “no objection” to works commencement. |
|  | <ul style="list-style-type: none"> • The national EIA agency grants approval (full or with conditions) for contractor’s application for development consent or permit based on review of the CESIA + CESMP. • The national EIA agency, together with the EA, IP/PMU and development partner’s project team monitors the contractor’s CESMP regularly, adjusting as corrective actions are taken until closure and final reporting has been submitted by the contractor to the national EIA agency. | <ul style="list-style-type: none"> • Construction activities commenced. • CESMP implemented, new risks identified – CESMP updated and supervised. • Community consulted periodically throughout construction. • GRM implemented for environmental and social aspects, including contractor handling small-scale complaints. • Monitoring of all aspects of site access/acquisition process. Process adapted to meet any changes in project design, or in response to emerging issues or local grievances. | <ul style="list-style-type: none"> • Visit project site regularly, coordinate and communicate with contractor and IA/developer. • National EIA agency can arrange “joint inspections” with IA/PMU and supervision consultant. • Monitor compliance with development consent conditions, EIA + ESMP, approved CESMP. • Report on above, work with Engineer to identify non compliances and request Engineer to issue ‘notice to correct’ or ‘instruction to contractor, “corrective action request”’. |