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## **Western Balkans Investment Facility Infrastructure Project Facility Technical Assistance 7 (IPF 7) TA2017050 R0 IPA**

### **WB18-MKD-TRA 01**

**Detailed Design and Environmental and Social Impact Assessment For Motorway A4, Skopje - Blace. Section 2: Construction of motorway from Interchange with local road for village Blace (Interchange "Blace") to Skopje (Interchange "Stenkovec"), km 2+000 to ~km 12+250**

**Environmental and Social Action Plan - ESAP**



February, 2022



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The Western Balkans Investment Framework (WBIF) is a financing facility launched in December 2009 by the European Commission, together with the Council of Europe Development Bank (CEB), the European Bank for Reconstruction and Development (EBRD), the European Investment Bank (EIB), Bilateral Donors, and Western Balkans countries with the purpose to deliver funding for strategic investment projects in beneficiary countries. Eligible sectors include infrastructure development in the environment, energy, transport, social and digital sectors as well as private sector development. KfW and the World Bank subsequently joined the Framework. In July 2017, the KfW became a partner organisation.

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## ABBREVIATIONS

PESR	Public Enterprise for Public Roads
EBRD	European Bank for Reconstruction and Development
EIA	Environmental Impact Assessment
ESAP	Environmental and Social Action Plan
ESIA	Environmental and Social Impact Assessment
ESMS	Environmental and Social Management System
ESMP	Environmental and Social Management Plan
ES/E&S	Environmental and Social
ESHS	Environmental, Social, Health and Safety
PRs	Performance Requirements
GHG	Green House Gasses
GIIP	Good International Industry Practice
GBVH	Gender-Based Violence and Harassment
CH	Critical Habitat
IFI	International Financing Institutions
LARF	Land Acquisition and Livelihood Restoration Framework
LARP	Land Acquisition and Restoration Plan
MoEPP	Ministry of Environment and Psychical Planning
OHS	Occupation Health and Safety
SEP	Stakeholder Engagement Plan
CESMP	Construction Environmental and Social Management Plan
OESMP	Operational Environmental and Social Management Plan
ILO	International Labor Organisation
WHO	World Health Organisation

## 1. INTRODUCTION

This Environmental and Social Action Plan - ESAP is developed as part of the Project documentation: Preliminary Design and Environmental and Social Impact Assessment (ESIA) for the Motorway A4, Skopje-Blace, based on the outcomes of the ESIA Study.

The ESAP is intended to support the European Bank for Reconstruction and Development (EBRD) in its negotiations with Public Enterprise for Public Roads (PESR) on which aspects of the Project will require the PESR to take action to bring them in line with the EBRD Performance Requirements (PRs) requirements. The ESAP will be an integral part of the Loan agreement between EBRD and PESR.

The ESAP contains mitigation and performance improvement measures and actions that address the identified social and environmental issues and gaps. The mitigation measures are actions designed to ensure that the Project will operate in compliance with relevant local laws and regulations, as well as EBRD Policy in all relevant phases of the Project. PESR and the third parties, involved in the implementation of all phases of the Project, will need to implement ESAP and developed appropriate management practices.

The responsibility for the ESAP implementation, in accordance with the proposed measures and defined time schedule, lies within PESR. Suggested timing for the completion of each identified action is included in the ESAP table, which remains to be finally agreed between the PESR and EBRD. Specific personnel (including a direct responsible) in charge of Environmental, Social, Health & Safety (ESHS) management and ESAP implementation should be designated within the PESR. Nevertheless, as a first step, PESR is required to develop and endorse an ESMS appropriate to the nature and scale of the activities conducted and commensurate with the level of Environmental and Social (E&S) risks and impacts generated by the project implementation.

The Company will have also to ensure that employees with direct responsibility for activities relevant to the Project E&S performance are adequately qualified and trained so that they have the necessary knowledge and skills to perform their work.

PESR should establish procedures to monitor and measure the progress in the implementation of the ESAP and to document it. As part of regular reporting to the Bank, PESR will provide the EBRD with updates on their progress in implementing the ESAP and if needed - any necessary corrective and preventive actions in an amended ESAP (as agreed with the EBRD).

### 1.1. ESAP Table structure

The ESAP is presented in the form of a table containing a number of fields as follows:

***ESAP Item 'No.'*** contains a unique number for each action of the ESAP;

***'Action'*** summarizes the action the Project is required to undertake. The action tables provide more specific details on the observation/issue to be addressed, to enable the Project to be in compliance with Lender requirements;

***'E&S Risks'*** summarizes the identified ESHS issue that needs to be addressed by the Project;

***'Requirement'*** details the legislative, Lender or Good Practice requirement the Project is expected to meet;

***'Resources, Investment Needs, Responsibility'*** provides information about resources and responsibility for implementation of action;

***'Timeframe'*** provides indications of when the action should be completed. The timeframe for ESAP implementation is to be agreed between the PESR and the Lenders;

***'Target and Evaluation Criteria for Successful Implementation'*** outlines the required deliverable against which the ESAP item will be tracked and evaluated against in order to close out the item.

***'Implementation status'*** provides updates related to progress of implementation of the activities.

**Table 1** ESAP Table

No.	Action	Environmental & Social Risks (Liability/Benefits)	Requirement (Legislative, EBRD PR, Best Practice)	Resources, Investment Needs, Responsibility	Timetable	Target and Evaluation Criteria for Successful Implementation	Implementation status
<b>PR1</b>	<b>Assessment and Management of Environmental and Social Impacts and Issues</b>						
1.1	Obtain <b>Consent for implementation of the Project</b> , issued by the Ministry of Environment and Physical Planning (MoEPP). Obtain <b>Water management consent</b> for the Project, issued by the MoEPP. Obtain <b>Construction Permit</b> for the Project by the Ministry of Transport and Communication (MTC). Obtain relevant environmental, water, and construction <b>permits for selected spoil disposal sites</b>	Compliance with national legal requirements. Fulfilment of EBRD Requirements.	National legislation	PESR (own resources)  ESIA team (cost for preparation of project documentation) supervised by PESR  Designing team (cost for preparation of project documentation)/ supervised by PESR PESR (cost for preparation of project documentation).	During designing phase and prior starting of the construction phase (in line with the timeline defined by national regulations)	All mentioned document and permits are provided prior starting of the construction phase  Regular reporting to EBRD	
1.2	Obtain all required <b>agreements/approvals for use of communal services</b> (water, energy, waste) and <b>supply of natural raw materials used in construction</b> . Ensure that raw materials	Compliance with national legal requirements. Fulfilment of EBRD Requirements. Legal use of natural resources of resources	Nation legislation Best practice	Contractor (construction cost)/ Supervising Engineer /Monitored by PESR	Permits to be obtained prior the start of the construction phase Raw materials supply shall be organised in the	Evidence of provided permits, signed agreements. Information on permits and sourcing of materials included in Annual Environmental and	

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	are provided from the Companies that possess environmental permits/IPPC.				construction phase	Social Report (AESR) submitted to EBRD	
1.3	<p>PESR to develop an Environmental and Social (E&amp;S) policy and Environmental, Health Safety and Social (EHSS) procedures for implementation, monitoring and reporting on E&amp;S issues in accordance with the EBRD Policy and its elements.</p> <p>Note: PESR is also to ensure that all subcontractors also implemented E&amp;S requirements and appoint EHSS specialist(s) that will implement the Project ESMP and ESAP.</p>	Optimisation of environmental and social management through a formalised document/procedures and staff	EBRD PR1 Best practice	PESR	<p>Before start of the construction</p> <p>The responsibility for implementation on E&amp;S requirements to be included in the tender documents for the Contractor.</p>	<p>Developed E&amp;S policy and EHSS procedures for monitoring and reporting of their implementation.</p> <p>Requirements included in the tender documents and agreements</p> <p>The ESHS specialists as part of the Contractor's and Supervisor's team are appointed</p> <p>Regular reporting to EBRD</p>	
1.4	Appoint a <b>Senior Associate for Environmental Policy</b> and a <b>Senior Associate for Social Policy</b> to coordinate all E&S activities in the pre-construction and	Compliance with EBRD requirements	EBRD PR1	PESR (employment of external technical assistance may be required)	Immediate (before start of the tendering procedure).	Full compliance with EBRD E&S policy Report on implementation is included in the EBRD AESR.	



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	<p>construction phase of the Project including:</p> <ul style="list-style-type: none"> <li>- integration of E&amp;S requirements in the tender documents</li> <li>- monitoring of implementation of ESAP, ESMMP, LARPs and SEP and other contractual E&amp;S conditions</li> <li>- coordination with Supervision Authority</li> <li>- application of corrective measures</li> <li>- annual reporting to EBRD</li> </ul> <p>Ensure that both specialists are suitably qualified and trained.</p>						
1.5	<p>Technical design measures which are part of the Environmental and Social Management Plan (ESMP) and related to climate changes, resilience of the Project to climate change, resource efficiency, protection of water and</p>	<p>Proper dimensioning and construction of the motorway alignment, structures and spoil disposal site and provide protection of the environment and community.</p>	<p>EBRD PR1, PR3, PR6 Legal requirements Best practice</p>	<p>Designing team (cost for preparation of project documentation) supervised by PESR</p>	<p>During designing phase</p>	<p>Proposed technical design measures from the ESMP are included in the Detail Design, BoQ, tender documentation and signed agreement between PESR and future Contractor.</p>	

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	hydrology of water resources, air, biodiversity, geology and soil, noise reduction (noise protection barriers), waste management, protection of the human health and safety and community, should be part of the Detail Design and Tender Documentation.					Prepared Detail design in which are included all measures from the ESMP that will provide safety and stability on the motorway, its users, protection of environmental media and community.	
1.6.	Ensure that the Contractor prepares a <b>Construction Environmental and Social management Plan (CESMP)</b> prior starting of construction activity. CESMP should include the requirements/measures from the ESIA Disclosure Package, data from the Detail design and, baseline conditions such as measures for mitigation of the following impacts: noise and vibration, soil, climate change, climate resilience, waste, wastewater, biodiversity, materials management, spill response management, traffic,	Minimise the E&S impact of the Project activities and provide protection of the environment, labour and community. Compliance with the EBRD requirements and national legislation.	EBRD PR1, PR2, PR3, PR4, PR5, PR6, PR8, PR10	PESR to integrate the requirements in the tender document and supervise the Contractor Contractor to prepare CESMP prior to start of construction. Supervision authority to approve and supervise implementation of CESMP.	CESMP should be prepared prior starting of the construction phase and implement during the construction phase	Preparation of CESMP is part of the tender documentation and signed agreement. Prepared CESMP is approved by the Supervisor/PESR. Supervising Engineer's records, prepared progress reports in accordance with the CESMP and implemented measures for all identified incompliances. Available PESR's records related to implementation of the	

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	<p>working relationships, child and forced labour, non-discrimination and equal opportunity, workers' organisations, wages, benefits and conditions of work, grievance management, worker accommodation, security personnel requirements etc. As part of the CESMP the Contractor should develop sub-plans such as: Site Rehabilitation Management Plan; Topsoil Management Plan; Soil and Erosion Management Plan; River Crossing Management Plan; Waste Management Plan; Hazardous Materials and Leak Control Management Plan; Water monitoring plan; Air Quality Management Plan; Emergency Resilience Plan; Construction Waste Management Plan; Plan for Evacuation and Rescue in Emergency Situations; Biodiversity Management Plan; Vegetation Removal</p>					<p>CESMP and sub plans; Evidence that the mitigation measures from the CESMP and sub plans are part of the monitoring program. Prepared AESR are regularly sent by PESR to EBRD and the same includes implemented measures from the plans and all identified incompliances.</p>	

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	<p>Management Plan (which includes Afforestation activities); Rehabilitation and Landscaping Plan; Community Health and Safety Management Plan; Traffic Management Plan; Emergency Preparedness and Response Plan; Occupational Safety and Health Plan and Local Employment and Procurement Plan.</p> <p>Preparation of the CESMP should be part of the tender documentation and included as annex to the Agreement between PESR and the future Contractor.</p>						
1.7	<p>PESR to prepare <b>Operational Environmental and Social Management Plan (OESMP)</b>.</p> <p>The OESMP should include the requirements/mitigation measures from the ESMP for the operational phase, data from the Detailed or As-Build design, monitoring results etc. As part of the</p>	<p>Minimise the E&amp;S impacts of the Project in the operational phase and provide protection of the environment and community</p> <p>Compliance with the EBRD requirements and national legislation</p>	EBRD PR1, PR3, PR4, PR6, PR10	PESR own resources or external resources	OESMP should be prepared prior starting of the operational phase and implement during the operational phase	Prepared OESMP. Records of implementation of measures from the OESMP.	

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	<p>OESMP the Operator should develop sub-plans such as: Operational soil monitoring plan; Emergency Preparedness and Response Plan; Effluent monitoring plan; Operational Stakeholder Engagement Plan; Rehabilitation and Landscaping Plan; Community Health and Safety Management Plan and Occupational Safety and Health Plan.</p>						
1.8	<p>PESR to ensure <b>sound implementation of the procurement procedure</b>:</p> <ul style="list-style-type: none"> <li>- During preparation of the tender documentation and signing of the agreement with the future Contractor, the PESR should take into consideration the requirement of the Law on Public Procurement.</li> <li>- The Contractor</li> </ul>	<p>Supply chain management is conducted in accordance with the national legislation and EBRD policy</p>	<p>EBRD PR1, PR2, PR6 National legislation</p>	<p>PESR to ensure implementation of sound procurement procedure and transfer this obligation to the Contractor. Contractor to implement the requirement. Supervisor to monitor.</p>	<p>Prior starting and during the construction phase</p>	<p>Established auditing and verification mechanism for the primary supply chain of the contractor and its compliance with national and EBRD requirements. Regular reporting to EBRD in the AESR</p>	

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	<p>should respect the legal and contract's requirements and to act in accordance with them.</p> <ul style="list-style-type: none"> <li>- All supplied materials, energy, mechanization, arrangement of technical stuff, preparation of documents, etc. should be approved by the Supervisor and monitor by the PESR.</li> <li>- Establishing an auditing and verification mechanism by the PESR for its contractor and for the primary supply chain to ensure that national requirements, EBRD E&amp;S PRs compliance and good practices are observed.</li> </ul>						
1.9	Development and implementation of	To ensure effective oversight with regards	EBRD PR1	PESR own recourses	Throughout all phases of the	Prepared monitoring and reporting	

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	<p><b>monitoring and reporting programs</b> in accordance with the requirement of ESIA/ESMP/ESAP and sub-plans in line with EBRD PRs. These programs should define all activities that should be monitored (performance activities, implementation of the proposed measures, monitoring of the environmental media and social issues, monitoring of conformity/nonconformity, etc.) by the Contractor/Supervisor/PESR and manner for their reporting.</p> <p>Monitoring of the environmental and social performance of the Project by PESR for all aspects identified in the ESIA package, and providing regular report to the EBRD, Bank's notification in case of significant ESHS incidents or accidents relating to the Project as</p>	<p>to ESHS obligations</p> <p>Management of environmental and social risks and monitoring of environmental performance</p>	<p>National legislation</p>	<p>Contractor and Supervisor (construction cost)</p>	<p>Project (preconstruction , construction and during operation).</p>	<p>program by Contractor/Supervisor /PESR</p> <p>Progress reports by the Contractor, Engineer and PESR, available.</p> <p>All monitoring findings are recorded on-time and activities, triggered by the monitoring results, are reported immediately to the Supervisor (Engineer)/PESR/Banks.</p> <p>All project performance related to ESHS are reported to the Banks in the Quarterly E&amp;S Reports, Annual E&amp;S Reports prepared by the PESR.</p>	

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	<p>well as for any changes to the Project's scope, design or operation. Monitoring of all environmental and social performance of the Project should be presented in detail in the E&amp;S Annual Report that PESR should be prepared for the EBRD.</p> <p>The manner of monitoring activities and reporting should be part of the tender documentation and contractual agreements between PESR, Contractor and Supervisor.</p>						
<b>PR2</b>	<b>Labour and Working Conditions</b>						
2.1	<p>Contractor must create and implement relevant labour and working conditions policies, including:</p> <ul style="list-style-type: none"> <li>a) Human Resources Policy;</li> <li>b) Non-discrimination and Equal Opportunities Policy; and</li> <li>d) Policy against Child and Forced Labour;</li> </ul>	<p>To ensure appropriate management of workforce, non-discrimination, equal opportunities.</p>	<p>EBRD PR1, PR2 National legislation</p>	<p>Contractor External consultants/own resources Supervision Engineer</p>	<p>Prior to commencement of any construction or civil works.</p>	<p>Requirements for Contractor included in tender documents and contract</p> <p>Policies should be shared with all workers engaged on this project in a language understandable to the</p>	



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	<p>e) Code of Conduct for workers</p> <p>Contractor to ensure that any sub-contractors apply the same standards.</p>					<p>workers, and documents should be signed by each engaged worker on this project (including sub-contractors).</p> <p>Prepared Code of Conduct and signed by all workers.</p>	
2.2	<p>Contractor to engage independent consulting company that will perform Compliance Assessment of Contractor's HR &amp; other labour related policies with national labour law and bylaws and PR2 requirements.</p>	<p>To ensure appropriate management of workforce, non-discrimination, equal opportunities.</p>	<p>EBRD PR1, PR2 National legislation</p>	<p>Contractor External consultants/own resources</p>	<p>Prior to commencement of any construction or civil works.</p>	<p>Requirements for Contractor included in tender documents and contract</p> <p>Compliance Assessment completed with timeline for addressing any gaps identified, and sent to PESR.</p>	
2.3	<p>Establish and maintain a Grievance Mechanism Procedure in line with EBRD PR2 requirements which will be communicated to all PESR workers and extend it to the</p>	<p>To ensure appropriate management of workforce, including contractor/sub-contractors, in line with EBRD PRs and applicable National Law. Provide a channel for</p>	<p>EBRD PR1; PR2 National legislation</p>	<p>PESR/Contractor External consultants/own resources Contractor (construction cost) Supervision Engineer</p>	<p>Prior to starting and during all phases of the project The grievance mechanism for workers should be in place prior</p>	<p>All employees are familiar with the procedures and regulations, and their labour rights. Prepared Grievance Mechanism for all workers (both PESR</p>	

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	<p>contractors/subcontractors working on Site, by inserting relevant executive clause in Contractor's contract.</p> <p>Conduct regular monitoring of working conditions for this project.</p> <p>Supervision Engineer will control on a everyday basis, the Grievance log and report on Follow-up on received grievances during the construction on a monthly basis.</p> <p>Appointment person by PESR who will control, on a bi-monthly level, the Grievance log and report on Follow-up on received grievances during the construction and operational phase.</p>	<p>raising workers' concerns and a transparent, consistent mechanism for resolution.</p>			<p>to start of works</p>	<p>and Contractor), maintained and monthly updating. Regular monitoring and reporting to EBRD.</p> <p>Appointed person by PESR who will control the grievances and maintain the Grievance log and report about all grievances during the construction phase.</p>	
2.4	<p>Include in the tender's requirements preparation of: <i>Workers' Accommodation Management Plan</i> (in case if such need occurs) and <i>Local Employment and</i></p>	<p>Ensure effective management of labour risks; encourage local employment.</p>	<p>EBRD PR1, PR2 National legislation</p>	<p>Contractor External consultants/own resources Contractor (construction cost) Supervision Engineer</p>	<p>Prior to starting (preparation) and during the construction phase (implementation)</p>	<p>Plans and procedures are prepared, and implemented during the construction phase; Worker's records which include</p>	

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	<p><i>Procurement Plan;</i> Contractor should keep workers' records (evidence) for each person engaged in project realization, whether it comes from the Contractor or other subcontractor.</p>					contract, signed code of conduct, on-site trainings held, and other evidence set in laws that regulate the working relationship are available for inspection to the ESHS specialist nominated by the Engineer and PESR.	
2.5	<p>PESR should establish, within its ESMS, a separate policy and procedure for reporting and responding to GBVH and its updating in accordance with GIIP. Contractor should adopt PESR labour related policies and implement them into their companies, for the time during the performing of the project activities. Contractor must organize annual training to its employees on GBVH.</p>	Ensure non-discrimination, equal opportunities and prevention of GBVH	EBRD PR1; PR2 National legislation	PESR/Contractor External consultants/own resources Supervision Engineer	Prior to starting and during all phases of the project	<p>Signed and adopted policies and procedures, and implemented and reported in the Quarterly and Annual Environmental and Social Report</p> <p>Contractor's training on GBVH documented</p>	

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<b>PR3</b>	<b>Resource Efficiency and Pollution Prevention and Control</b>						
3.1	<p>Conduct geological, geo-mechanical and hydrogeological investigations for the alignment and the spoil disposal area in order to avoid negative impact of road construction on geology, hydrogeology and terrain stability.</p> <p>Perform rock fall modelling for the section passing through the Lepenc gorge to understand the risk for the motorway construction and use and decide on the stability engineering measures.</p>	<p>Avoid risks to water sources</p> <p>Avoid risk to terrain stability</p> <p>Mitigate impact of road construction activities on ground stability</p> <p>Compliance with national legislation, EBRD requirements and good construction practices</p>	<p>EBRD PR 1; PR3 National legislation Best practice</p>	<p>Preparation and implementation of necessary investigations to be subcontracted to an external consultancy.</p> <p>PESR's internal financial resources or external financial support to be used for financing the consultancy</p> <p>Designer is responsible to contract the works on Design level Contractor is responsible to conduct the works Supervisor to monitor.</p>	<p>Before development of Main Design</p>	<p>Full compliance with national, EU and EBRD policy</p> <p>Full implementation of recommendations from the ESIA on performing geological, geo-mechanical and hydrogeological investigation, as well as rock fall modelling</p> <p>Information on compliance included in AESR submitted to EBRD</p>	
3.2	<p>Perform baseline monitoring of water quality in Vrazanska River (in the period when there is water in the river spring/autumn) and River Lepenec (and possible other water</p>	<p>Avoid risk of water pollution</p> <p>Mitigate impact of road construction activities</p> <p>Compliance with national legislation, EU</p>	<p>EBRD PR1; PR3 EU Water Directive National legislation Best practice</p>	<p>To be included in the Contractor's costs as part of the TD and BoQ.</p> <p>Authorised laboratory to implement the</p>	<p>Before starting construction activities and during construction phase</p>	<p>Full compliance with national and EBRD policy</p> <p>Water monitoring performed</p> <p>Information on</p>	

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	bodies) according to the water monitoring plan included in the CESMP and when the construction works are nearby the flows.	EBRD requirements and good construction practices		requirements and do monitoring.  Contractor to engage authorised laboratory Supervision Engineer PESR to oversee		compliance included in AESR submitted to EBRD	
3.3	Develop and implement a soil and erosion management plan	Avoid risk of soil contamination  Mitigate impact of road construction activities  Compliance with national and EBRD requirements, and good construction practices	EBRD PR1; PR3 National legislation  Best practice	Soil and erosion Management Plan to be prepared and implemented by Contractor,  Supervision Engineer PESR to oversee.	Before starting construction activities and during the construction	Full compliance with national and EBRD policy  Soil quality analysis performed  Information on compliance included in AESR submitted to EBRD	
3.4	Include in the Main Design the mitigation measures proposed in the ESMP regarding resource efficiency ( <i>energy efficiency lighting system</i> ), soil ( <i>reuse of the excess soil resulting from cut and fill and tunnels drilling</i> ), water ( <i>measures for protection of the III zone – wider protection zone of the well area Nerezi – Lepenec and water body</i> )	Reduced risks of environmental pollution and noise nuisance  Motorway structures will be more resilient to climate change	EBRD PR3 Good international practice	The external consultancy for the development/change s of the design  Internal PESR's resources and external financial support  External consultancy to implement the requirements PESR to supervise	During the development of Main Design	Achieve high level of environmental protection, protection from noise and climate resilience  Design measures and materials specification considering the anticipated climate change forecasts included in the Main Design	

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	<i>within the project area, hydro-engineering structures that will provide protection of the motorway from natural disasters, oil separators and sedimentation traps, water and sanitary facilities), climate change (design measures and materials specification in light of the anticipated climate change forecasts and projections over the lifetime of the project), noise (installation of noise barriers).</i>						
3.5	Installation of noise barriers in line with solutions given in the Main Design.	Mitigate environmental and social impacts from generated noise and vibration emission  Compliance with national legislation, EBRD requirements and best construction practices	EBRD PR1; PR3 Nation legislation Best practice	Included in the price of construction works Contractor is responsible for implementation Supervised by the Engineering Supervision and PESR	During the construction phase	Prevent noise and therefore nuisance to local communities  No complaints from local communities  Evidence that proposed barriers are installed. Include this information in the EBRD AESR	
3.6	Installation of additional barriers or insulation at affected properties if constructed noise barriers	Mitigate environmental and social impacts from generated noise and vibration emission	EBRD PR1; PR3 Nation legislation	Engagement of a company in charge of maintaining noise barriers through a	During operational phase	Prevent noise and therefore nuisance to local communities	

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	are not efficient for higher traffic volumes or different fleet.	Compliance with national legislation, EBRD requirements and best construction practices	Best practice	contract agreement  PESR through operational cost  Contractor is responsible for implementation PESR is responsible for supervision		No complaints from local communities  Evidence of noise monitoring, effectiveness of installed barriers and other measure implemented for noise protection. Regular reporting to EBRD	
3.7	Install enclosed drainage collection and treatment system along the motorway route and on the bridges.  PESR to engage an authorised third party to undertake regular cleaning and maintenance of oil and grease separators during the operational phase.	Water pollution prevention Compliance with national regulations Compliance with EBRD E&S policy	EBRD PR3 Nation legislation Best practice	Contractors are responsible for installation and maintenance. Supervision Engineer PESR is responsible for supervision	Oil separators to be installed in the construction phase.  Maintenance during operation phase.	Protection of water resources and land  Evidence of the request in the Tender Documents  Evidence of reports regarding installation  Evidence of reports regarding cleaning  Regular reporting to EBRD	
3.8	Implement environmental	Pollution prevention	EBRD PR3	PESR to transfer	During	Full compliance with	

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	<p>monitoring in the construction phase in line with obtained permits and ESMP:</p> <ul style="list-style-type: none"> <li>- Geology and geomorphology: Monitoring of the highest embankment sections and land stability</li> <li>- Soil: Implement the soil and erosion management plan</li> <li>- Water: Monitoring of the Vrzenska River (in the period when there is water in the river spring/autumn) and River Lepenec (and possible other water bodies) according to the water monitoring plan included in the CESMP.</li> <li>- Air: Regular monitoring of air quality to take place at sensitive receptors</li> <li>- Noise: Regular and</li> </ul>	<p>Compliance with national, EU and EBRD requirements, and best construction practices</p>	<p>EU Requirements – Water Framework Directive, Directive 2002/49/EC, Directive 2008/50/EC Nation legislation Best practice</p>	<p>responsibility to the Contractor  Contractor to engage authorised laboratory  Authorised laboratory to conduct the monitoring  Contractor to approve the monitoring program and supervise  Supervision Engineer to monitor and approve the final monitoring reports PESR to oversee</p>	<p>construction activities</p>	<p>national, EU and EBRD policy, and best construction practices  Environmental monitoring performed  Information on compliance included in AESR submitted to EBRD</p>	



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	<p>control measurements of noise levels</p> <p>In case of exceeding the limit values, implement mitigation measures given in the CESMP.</p>						
3.9	<p>Implement environmental monitoring in the operational phase in line with the requirements from obtained permits and ESMP.</p> <p>Send regular monitoring reports to the authorities that issued obtained permits for operational phase.</p> <p>In case of exceeding the limit values, implement mitigation measures given in the OESMP.</p>	<p>Pollution prevention</p> <p>Compliance with national, EU and EBRD requirements, and best construction practices</p>	<p>EBRD PR3 EU Requirements – Water Framework Directive, Directive 2002/49/EC, Directive 2008/50/EC Nation legislation Best practice</p>	<p>PESR to engage an authorised laboratory</p> <p>Authorised laboratory to conduct the monitoring</p> <p>PESR to supervise and approve the monitoring plan and final monitoring reports</p>	<p>During operational activities</p>	<p>Full compliance with national, EU and EBRD policy</p> <p>Environmental monitoring performed</p> <p>Information on compliance included in AESR submitted to EBRD</p>	
3.10	<p>PESR to raise awareness of motorway users to reduce GHG emission by adapting the driving speed to 110 km/h limit</p>	<p>Efforts to reduce climate change risks that could arise due to increased GHG are addressed and actions tracked</p>	<p>EBRD PR 3</p>	<p>PESR resources, investments and responsibility</p> <p>Agency (Counsel) for Road Safety</p>	<p>During operation phase</p>	<p>Report in AESR to EBRD</p>	

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		Compliance with EBRD requirements					
<b>PR4</b>	<b>Health, Safety and Security</b>						
4.1	<p>Include in the tender's requirements for preparation and implementation of <i>Occupational Health and Safety Management Plan</i> to include all provisions listed in the ESMP.</p> <p>Contractor should provide education of the engaged workers on OHS, including the COVID-19 pandemic and symptoms, and provide regular health checks in accordance with WHO recommendations. Protection measures against COVID-19 are mandatory for all workers, including those of sub-contractor.</p>	Mitigating OHS risks during the construction phase	EBRD PR1 and PR4, National legislation	Contractor Supervision Engineer External consultants Contractor (construction cost)	Prior to construction and during the construction phase	Prepared Plan and procedures for construction phase, evidence-records of conducted training for OHS  Workers' safety statistics and data  Review of workers' grievances related to OHS	
4.2	For OHS during operation, PESR to develop (or require from maintenance company to develop) OHS plan for operation	Mitigating OHS risks during the operation phase	EBRD PR1 and PR4, National legislation	PESR External Consultants	Prior to start of operation	OHS plan for operation developed by PESR  Records of training	

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						for employees  Review of workers' grievances related to OHS	
4.3	Include in the tender's requirements preparation and implementation of <i>Community Health and Safety Management Plan, Traffic Management Plan, Emergency Preparedness and Response Plan (including emergency response and recovery/clean-up procedures)</i> , as well emergency management procedures for the range of identified natural hazards. PESR to monitor and report the compliance with the measures for protection of community health and safety.	Mitigation measures for protection of the public health and safety during the construction phase	EBRD PR1 and PR4 National legislation	PESR/Contractor Supervision Engineer Own resources External consultants Contractor (construction cost)	Prior to construction and during the construction phase	Prepared, available and implemented required plans and procedures for the construction phase  Community health and safety aspects are reported in the Quarterly and Annual Environmental and Social Report  Review of community grievances	
4.4	Contractor should ensure compliance with the technical/ engineering design during construction and operation and to	Mitigation measures for the OHS and community, health and safety risks during the operational phase	EBRD PR4 National legislation	Contractor/PESR through a technical supervision and independent auditors/inspections	During construction phase and prior starting of the operational	Implemented all technical measured during construction phase Evidence-document	

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	<p>appoint technical supervision to monitor and report the compliance.</p> <p>Undertake third party life and fire safety audits for new the alignment and the structures, prior to their commissioning or use.</p>			Construction cost	phase	for official use of the road with all structures	
<b>PR5</b>	<b>Land Acquisition, Restrictions on Land Use and Involuntary Resettlement</b>						
5.1	PESR to establish a LARP Implementation Unit (LIU) in line with LARF	Coordination of LARP development and implementation	Good practice	PESR's own resources	Prior to construction phase	LIU established and staffed	
5.2	PESR to develop and implement Land Acquisition and Resettlement Plan (LARP).	Minimisation of impacts of land acquisition and to ensure that adequate and fair compensation is provided for lost income and land.	EBRD PR5; National legislation.	PESR through a qualified consultant, if necessary	Prior to construction phase	<p>LARP developed; implementation monitored through internal and external monitoring in line with LARF/LARP provisions; reports submitted to EBRD</p> <p>Monthly review of external grievances by LARP Implementation Unit (LIU)</p>	
5.3	PESR to arrange for an independent audit of land acquisition and	Ensure land acquisition process is in compliance with EBRD PR5	EBRD PR5;	External independent consultant	Pre-construction phase and during	Summary of the Land Acquisition audit results provided	

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	compensation, following the implementation of the LARP.	requirements			construction works, prior to finalization of construction phase	within regular reporting	
5.4	Ensure that the grievance mechanism is implemented throughout all stages of the Project implementation	Minimize the potential court cases in case of disaffection with compensation offered	EBRD PR5;	PESR through a qualified consultant, if necessary Contractor Supervision Engineer	Prior to, and during the construction phase	GRM for land acquisition in place; GRM communicated to PAP (to be documented through consultation reports)  Information on recorded and addressed grievances in annual monitoring reports for the Bank	
<b>PR6</b>	<b>Biodiversity and Living Natural Resources</b>						
6.1	Ensure that the Main/Detailed Design keeps the current layout regarding wildlife crossings (tunnels, culverts, viaducts, bridges, underpasses) to ensure permeability to animal movement. The crossings that are already incorporated in the project design shall minimize the	Minimizing the impact of habitat fragmentation and degradation of aquatic habitats	EBRD PR6	PESR to ensure that these measures are applied in the Design	Pre-construction	Detailed Design includes wildlife crossings, and no bridge structures are planned to be placed in permanent rivers/streams, wherever feasible.	

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	<p>fragmentation effect enabling mobility of wild animals. Supporting structures for bridges should be possibly located outside of permanent rivers/streams. Construction of bridges on intermittent streams to be implemented in dry season or to obtain deviation permits.</p>						
6.2	<p>Biodiversity Management Plan (BMP) and Vegetation Removal and Management Plan (including afforestation activities) must be developed as a sub-plan of CESMP. In addition to standard contents, BMP must contain measures aimed to controlling the spread of invasive plants as well as compensation measures due to the fact that critical habitat will be affected (*6220 Pseudo-steppe with grasses and annuals).</p>	<p>Negative impacts on biodiversity will be mitigated and, where unavoidable, compensation measures will be put in place.</p>	<p>EBRD PR1, PR6; EU Habitats Directive; EU Birds Directive</p>	<p>Constructor Supervision Engineer</p>	<p>Pre-construction</p>	<p>Biodiversity Management Plan and Vegetation Removal and Management plan are developed and approved prior to construction</p> <p>Aforementioned plans include listed topics</p> <p>Plans are harmonized with each other and with other CESMP sub-plans</p>	
6.3	<p>Timely and adequate implementation of the</p>	<p>Mitigation of impacts on</p>	<p>EBRD PR6; EU Habitats</p>	<p>External consultants Contractor</p>	<p>All phases with focus on</p>	<p>Biodiversity Management Plan is</p>	

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	measures proposed in ESMP and measures that will arise from the Biodiversity Management Plan and Vegetation Removal and Management Plan. The measures proposed by the ESMP include measures of good construction practice e.g. training of workers, avoidance of sensitive habitats, safe storage of hazardous substances, waste management, limited movement of machinery. BMP will include more precise measures related to translocation of animals e.g. tortoises, monitoring of wildlife crossings, especially for brown bear, management of invasive species, avoidance of disturbance of nesting birds, fire prevention, etc.	biodiversity	Directive; EU Birds Directive; Best Available Standards regarding construction practice; national legislation	(construction cost) supervised by the Supervision Engineer and PESR	construction; BMP will have measures targeting pre-construction, construction and operation phases	prepared, available and implemented  Regular reporting on the base of implementation schedule is performed	
6.4	Ensure permeability of the motorway for animal movement (maintenance of the fence, maintenance of	Mitigation of the fragmentation effect and improvement of the permeability of the	EBRD PR6	PESR (operational phase) own resources External consultant	Operational phase	Regular maintenance of wildlife crossings and fences as part of the general	

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	the wildlife crossings such as tunnels, viaducts, bridges, culverts and underpasses and their regular cleaning, maintenance of drainage channels etc.)	motor road.				maintenance	
6.5	Conducting monitoring on the biodiversity on location as it is proposed in the Monitoring Plan within ESIA during the construction and operation phase	Identification of unforeseen impacts and mitigation of the risk of losing biodiversity values	EBRD PR6; national legislation	Contractor should arrange external consultants or employ a biodiversity expert (construction cost) supervised by the Supervision Engineer and PESR  PESR should arrange external consultants or employ a biodiversity expert (Operation cost)	During construction by the Contractor and Supervision Engineer  During operational phases by the PESR	Monitoring activities are performed as given in the Monitoring Plan in ESIA and BMP and results are part of the reports sent to the EBRD.	
<b>PR8</b>	<b>Cultural Heritage</b>						
8.1	PESR to ensure Contractor develops and implements a "chance-find" procedure  Contractor to train the workers to use the procedure.	Minimising impacts on cultural heritage assets.	EBRD PR8 Law on Cultural Heritage	Contractor, Supervision Engineer and cultural heritage specialists	Procedure developed prior to construction, and implemented as needed during construction	Chance Find Procedure developed by Contractor and submitted to PESR, shared with EBRD by PESR, evidence of successfully	



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					phase	conducted training	
<b>PR10</b>	<b>Information Disclosure and Stakeholder Engagement</b>						
10.1	PESR to appoint a PIU member responsible person for SEP implementation	Coordination of stakeholder engagement activities	Good practice	PESR	Prior to construction phase	PIU established and a member dedicated to SEP implementation appointed	
10.2	Complete implementation of the stakeholder engagement activities foreseen in the <i>Stakeholder Engagement Plan (SEP)</i> by PESR Regular SEP update in line with any new information on project's E&S documents PESR to ensure that Contractor implements appropriate parts of the SEP as detailed in the ESMP Regular monitoring of SEP implementation and records of stakeholder engagement activities recorded by PESR	Information dissemination and continuous engagement with affected stakeholders, improvement of stakeholder awareness.	EBRD PR1; PR10 National Legal requirements	PESR, Contractor and Supervision Engineer	During all phases	Reporting on SEP implementation by PESR with indicators listed in SEP, Minutes of formal and informal consultations. PESR to report to EBRD, in the Annual E&S Report on their consultation and stakeholder engagement activities and the number of grievances received, closed and still open	
10.3	Develop and implement an effective grievance process or procedure in compliance	Proper information of the affected public; ensuring effective and	EBRD PR1; PR10 National Legal	PESR, Contractor and Supervision Engineer	During all phases	GRM in place PESR to report to EBRD in the Annual	

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	<p>with the EBRD ESP in order to receive and facilitate resolution of stakeholders' concerns and grievances in particular relation to environmental and social performance.</p> <p>Contractor's liabilities in regards of grievance management to be included in tender documentation and main contract.</p>	<p>efficient resolution of grievances</p>	<p>requirements</p>			<p>E&amp;S Report on their consultation and stakeholder engagement activities and the number of grievances received, closed and still open</p>	