

# Lost in Time:

*the black hole between ESIA completion  
and project commencement*

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International Association  
for Impact Assessment  
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# IAIA Webinar Series

- **13 March:** Overview of Proposed Canadian Impact Assessment Act
- **19 March:** Reforming the Environmental Permit and Review Process – A Case Study
- Health Impact Assessment of a Night Time Economy
- Empowering Indigenous Voices in Impact Assessment
- Understanding Impacts on Vulnerable Populations through Psycho-Social Impact Assessment
- Health Considerations in Impact Assessment
- Resettlement and Impact Assessment – Points of Intersection
- More to come...

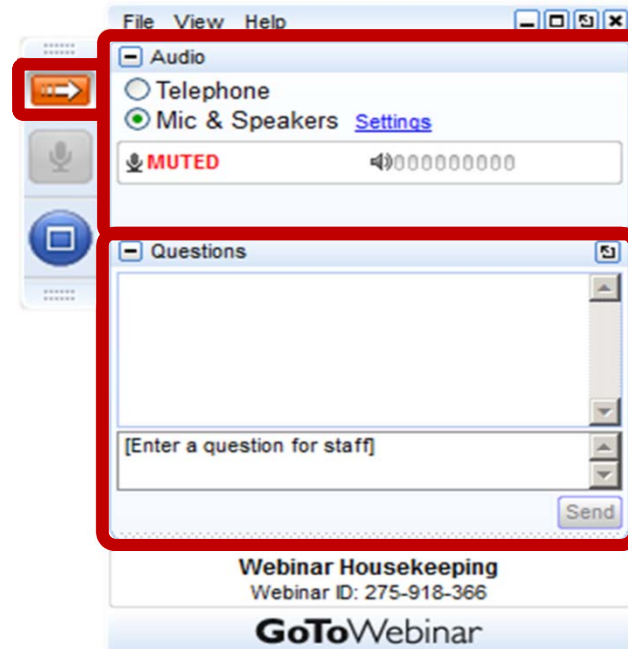
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# Housekeeping

**Recording?** ✓

**Questions?** ✓

**Slides available?** ✓



# Lost in Time: *the black hole* *between ESIA completion and project* *commencement*



Bryony Walmsley

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# Structure

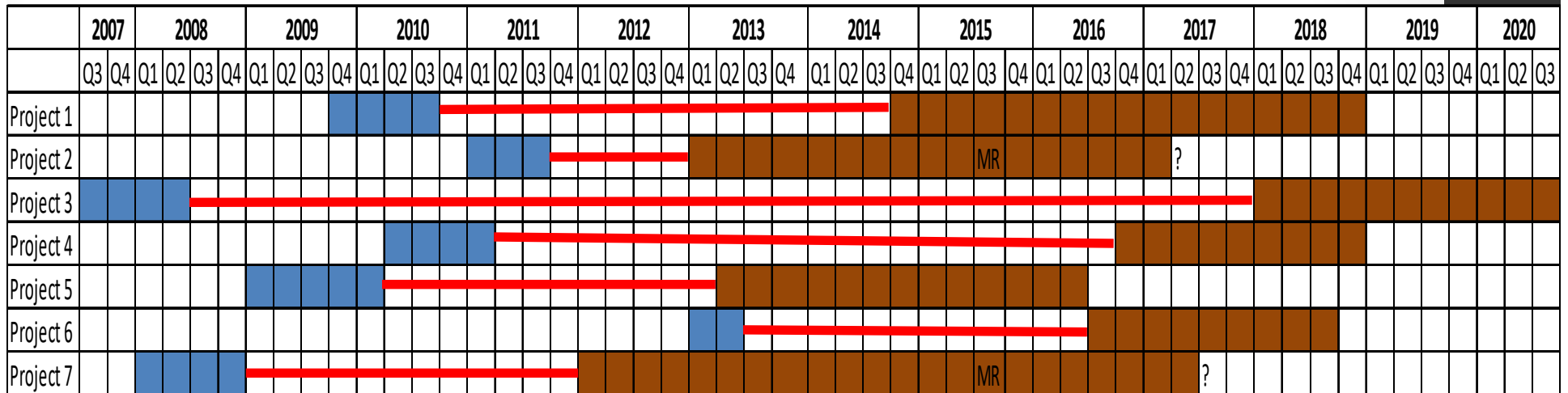
- Introduction and background to study
- Summary of findings
- Solutions
- Conclusions



# Introduction and background

- Case study analysis of 7 road infrastructure projects in southern Africa funded by various Development Finance Institutions (DFIs)
- Aims of the study:
  - Determine the extent to which gender, social and health issues are integrated into ESIA and ESMPs for Bank-financed projects;
  - Determine how the Bank monitors its loan conditions relating to social, health and gender issues during project implementation;
  - Determine the effectiveness of social, health and gender mitigation measures on the ground;
  - Identify strengths and weakness in the entire ESIA process, from initial screening to project completion

# Timelines



- Average elapsed time from ESIA completion to **start** of construction: **4.25 years**
- Average elapsed time from ESIA completion to **end** of road construction: **7.75 years**
- **9.5 years** elapsed on Project 3 between ESIA and start of construction – will be **>12 years** to completion
- ESIA's only revised in 2 cases – both at request of DFI, rather than environment authority

"Government will not tolerate a construction firm slowing down the entire plan. The contractor has two months to finish the job. Mangaka residents and Tanzanians in general need to start using the road for their economic activities," said the Minister of Works Transport and Communication. Tanzania Daily News, 18/07/16

*"It (the Kazungula Bridge over the Zambezi River linking Botswana and Zambia) should have taken place a long time ago but I don't know what is wrong with the people that we entrust with our government."*  
Truck Driver 07/11/17

**"Contractor suspends construction of Nampula road - Cuamba due to lack of payment" Macua Blog 30/12/16**



Project 2: 2y behind schedule



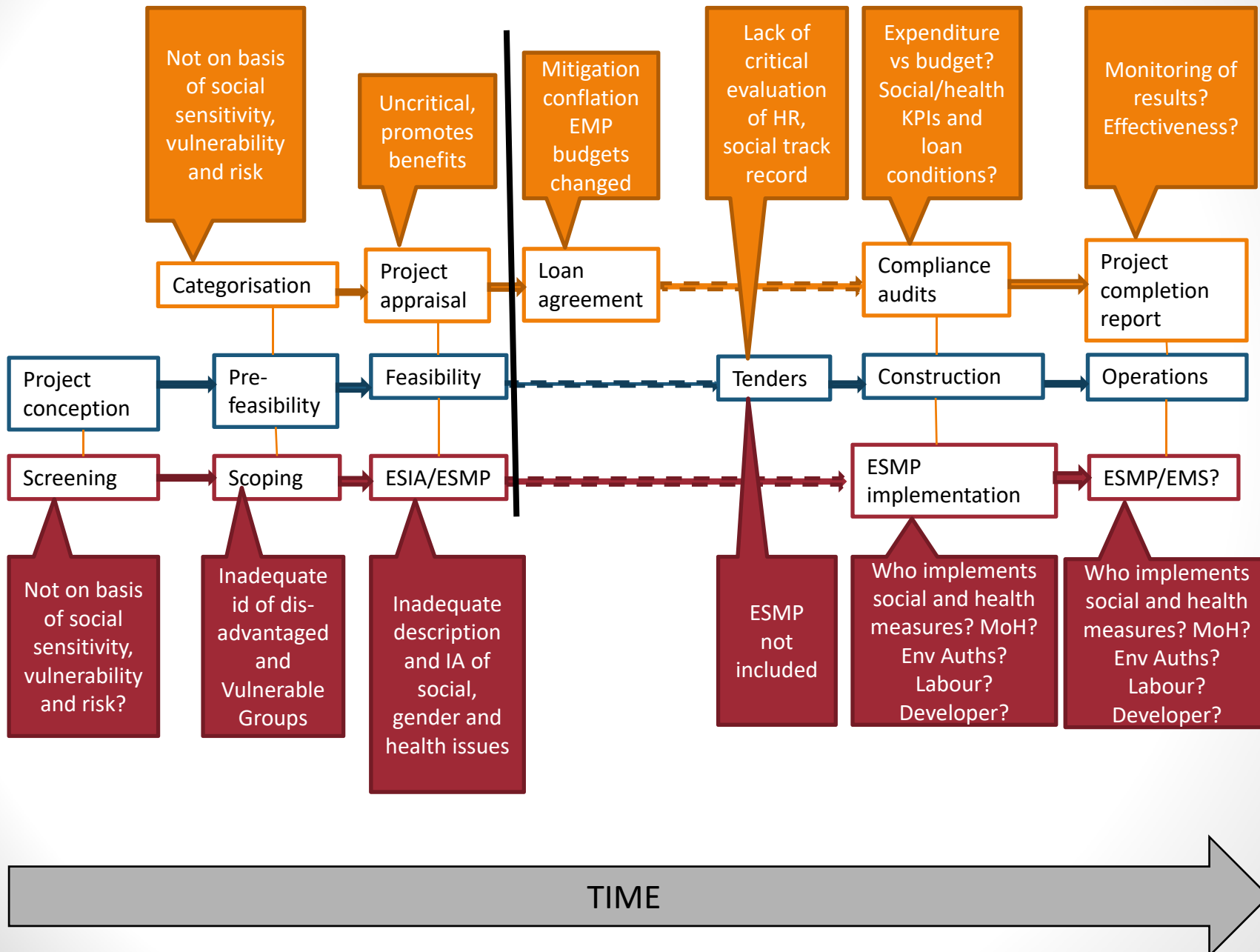
Project 1: almost 3y behind schedule



Project 7: 3y behind schedule



# Typical processes & failings



# Transition Phase: ESIA completion to start of construction

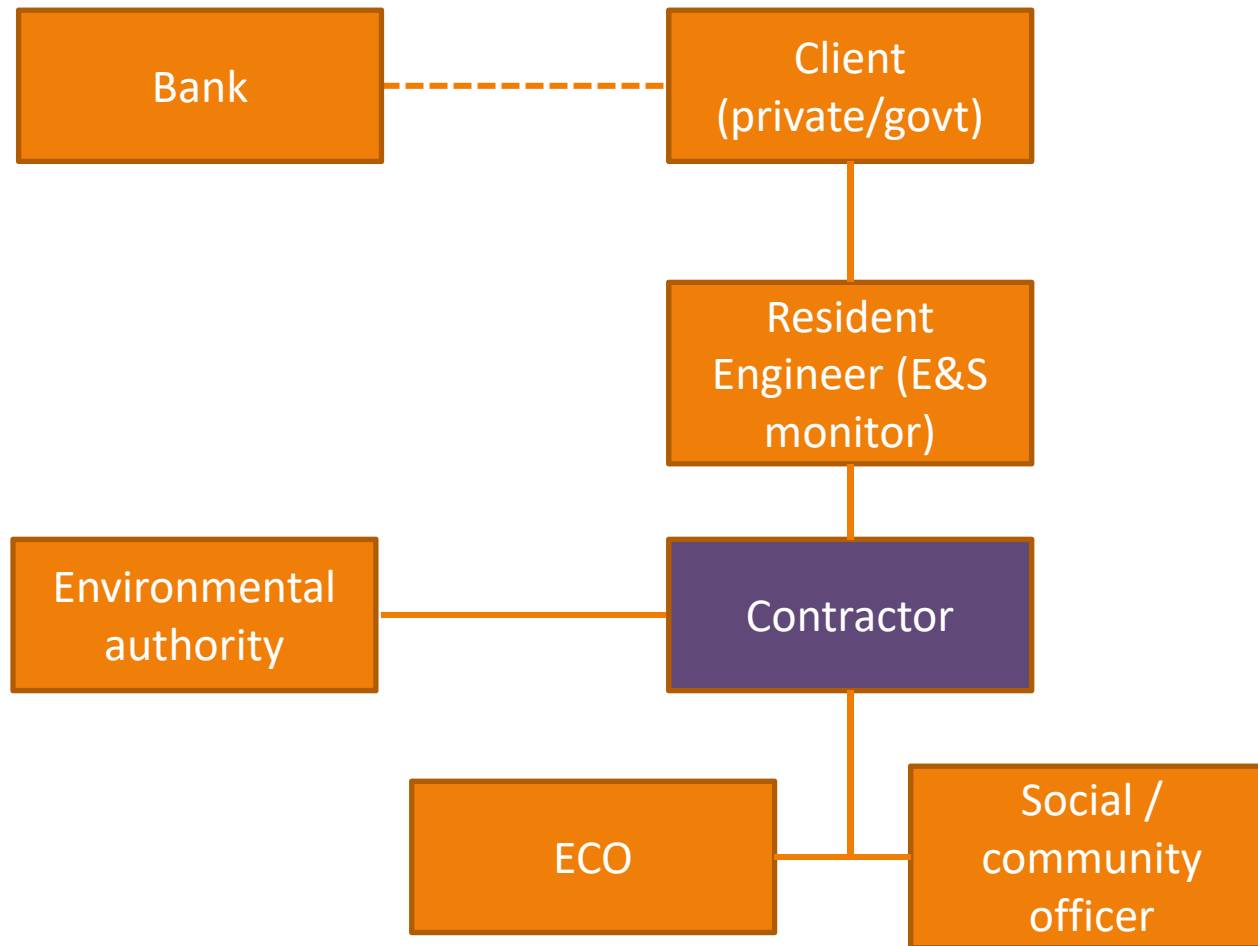
- Baseline conditions change – especially social and health
  - Due to natural demographic processes (influx, population growth)
  - Impact of other development projects
  - Natural degradation
- Staff movements (loss of institutional knowledge):
  - Environmental authority
  - Other relevant ministries
  - Bank/DFI staff
  - Consultants
- Bank/DFI operational safeguard systems change
- National laws and policies change
- International targets for health and social development issues change
- Project scope changes (always!)

# Lost in time

- By the time construction starts....
- ESIA and ESMPs are out of date:
  - Old data
  - Climate change, increased vulnerability
  - Old laws and policies
  - New social and health dynamics not predicted
  - Based on a project scope that may have changed
  - Based on old safeguard systems and policies
- RAP is out of date and thus estimates of compensation are inadequate
- Cost estimates for mitigation measures are out of date
- But, loan agreement based on original ESIA, ESMP and RAP....
- We are implementing projects which bear little resemblance to the ESIA/ESMP!



# Compliance monitoring



# Failures in follow up: Compliance monitoring systems

- **Bank/DFI staff**

- Monitoring left up to contractor on most projects
- Insufficient number of Bank inspections
- Inspections not critical enough:
  - Not based on ESMP or KPIs of loan agreement
  - Expenditure for social and health actions not accounted for
  - No appraisal of effectiveness of mitigation measures in preventing negative impacts *or enhancing benefits*
  - Critical review of quarterly reports?
  - Project evaluation in terms of own E&S safeguards?



# Implementation: Failures in compliance monitoring

- **Resident Engineer's team**

- Supposed to be a full-time E&S officer to oversee implementation of EMP by contractor – but often not appointed
- REs may not have not seen the EMP (or know the contents)
- E&S issues may not be a routine part of weekly/monthly meetings and reports
- No separate accounting for expenditure on such issues
- Little to no vigilance in monitoring social and health issues in affected communities

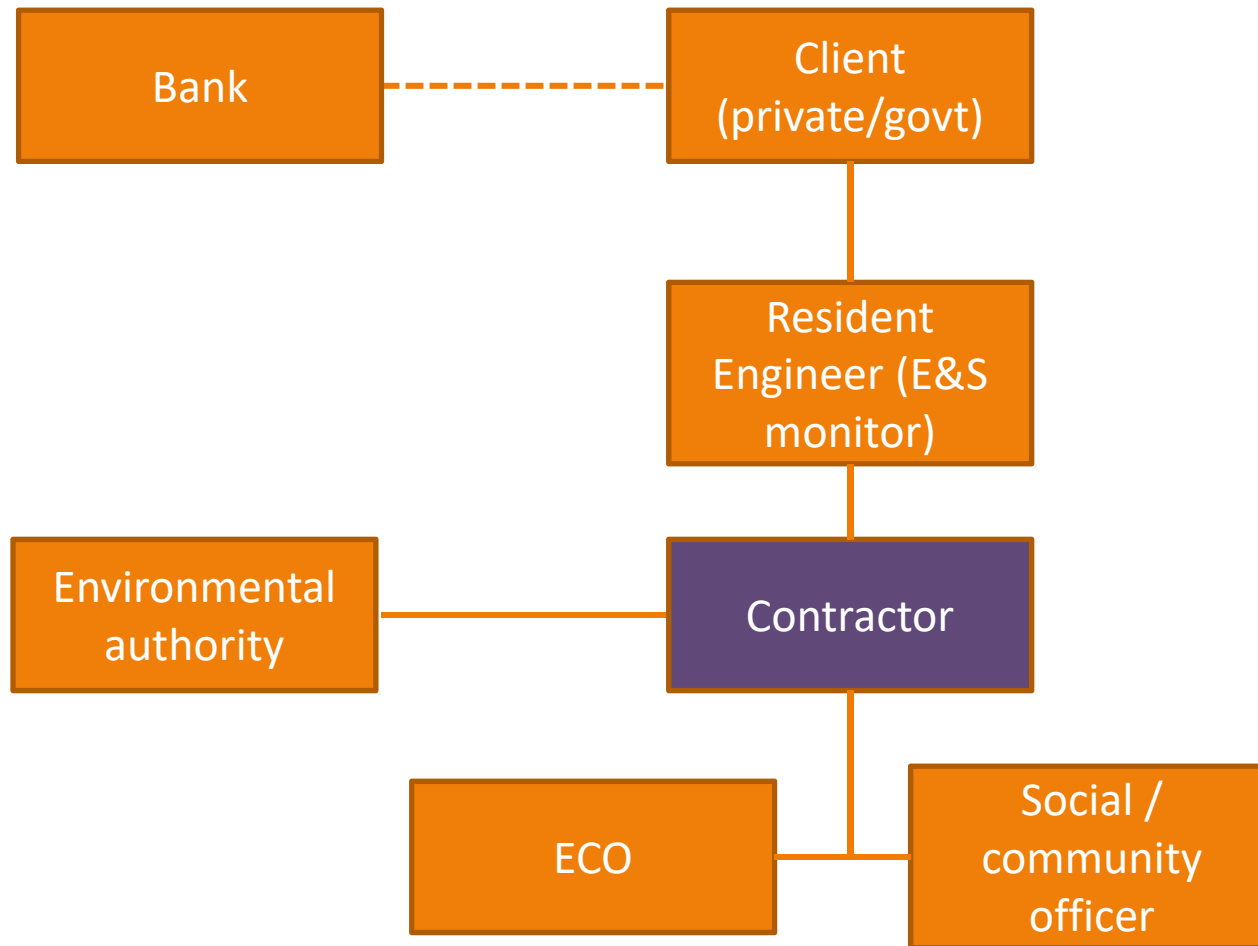


# Implementation: Failures in compliance monitoring

- **Environmental authorities**
  - Short staffed and under-resourced so very little monitoring conducted
    - Rely on fact that EMP will be implemented correctly
    - Rarely have social and community health experts on team
  - No penalties imposed for non-compliance
- **Implementing agency (line ministry)**
  - Short-staffed and under-resourced so full-time officers (technical and E&S) not assigned to projects
- **Other government authorities, departments, agencies**
  - Ministry of Health?
  - National AIDS Council?
  - Local government?
  - Ministry of Labour, Occupational Health and Safety?
  - Who makes sure that social and health benefits are enhanced?



# Compliance monitoring





# Implementation: Contractor failures

- Few contractors have a copy of the EMP or know the contents
  - No change management system in place to deal with changes in project scope
  - No budget (or knowledge of budget) for E&S mitigation
  - E&S issues not part of weekly/monthly meetings & reports
  - **No accountability**
- *If* an ECO employed:
  - May not have adequate human, financial and technical resources to perform all necessary tasks
  - May be too junior to have any 'clout'
  - Integrity may be compromised
- A dedicated social or community liaison officer is rarely employed by the contractor

# Failures in ESMP implementation

- Employment of local people – targets often not met or enforced
- Employment of women – targets never met
- Focus on “HIV/AIDS/STIs sensitisation and awareness programme”
  - Most people in Sub-Saharan Africa are aware of HIV
  - Focus needs to be on prevention and behaviour change
  - Focus needs to be on health more broadly, especially co-morbid conditions e.g. TB, Hepatitis, as well as NCDs, pollution-induced diseases, injuries, etc
- Little or no monitoring of environmental aspects which may have health consequences e.g. dust, fumes, gas, noise, vibration, water pollution, soil contamination, etc
- Little or no monitoring of community health
- Little concomitant response from MoH to improve health care facilities and services in project areas
- Contractor believes social and health issues are the responsibility of government

# Solutions: Grievance mechanisms???



**Inappropriate in rural Africa  
Way too late!**

# Solutions

- **Bank appraisal and compliance monitoring**
  - Guidance notes on health in the context of large capital projects
  - Training on **critical** ESIA/ESMP appraisal and compliance monitoring
  - Increase number of compliance audits during construction and operations
  - Need better health and social KPIs to address **all** key health and social indicators
  - Budget line items for environmental, social and health issues need to be more detailed so can account for expenditure against budget
  - More post-project monitoring to gauge effectiveness of mitigation **and** realisation of project benefits
  - Greater scrutiny of contractor's human rights, environmental and social track records during procurement
  - Enforce local labour targets; realistic gender targets

# Solutions *contd.*

- **Environmental authorities**

- Reject sub-standard ESIAs and ESMPs
- Projects must be re-registered and updated if not implemented within **3 years** of approval, or if project scope changes
- Training on critical ESIA/ESMP review and compliance monitoring
- Conduct compliance audits as per legal requirements
- Impose penalties for non-compliance
- Establish cooperation with ministries responsible for health, gender, social welfare, OHS, etc

- **Resident Engineer**

- Appoint E&S Officer
- Make sure contractor implements all requirements of the ESMP – impose penalties if necessary
- Include E&S issues in weekly/monthly meetings and reports
- Monitor expenditure on E&S issues on monthly basis

# Conclusions

- A good ESIA does not necessarily ensure a good project outcome (but it helps)
  - So many issues get lost or change in the transition period between ESIA completion and the start of project construction
- Some poor (and good) ESIAs/ESMPs can result in good outcomes if:
  - Responsible contractor is appointed
  - Strong ECO *and* social/community liaison officers
  - Budgets and resources available to do their jobs
  - Formation of Community Liaison Committees
  - Form partnerships with NGOs, CBOs to monitor health, social issues
  - Regular reporting of E&S issues at meetings and in monthly reports
  - Diligent and vigilant RE
  - Competent authorities carry out regular compliance audits
  - Bank E&S staff carry out regular compliance inspections, according to clearly specified operational procedures and guidelines

***“There is no excuse for any company,  
lender or investor to claim to be unaware  
that their investments could impact human  
rights.”***

Maplecroft, Amnesty International, 2002



The background is a dense field of stars of various colors (white, yellow, orange, blue) against a black sky. In the center, there is a large, dark, circular region that appears to be a deep well or a shadow, possibly representing a black hole or a specific astronomical feature.

*Thank you!*

Bryony Walmsley

Southern African Institute for Environmental Assessment



# Questions?



# Thank you!

**Next webinar is  
13 March:**

**Overview of  
Proposed  
Canadian Impact  
Assessment Act**



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