

EBRD PR Compliance Matrix

Key: Compliance with each PR has been scored using the following:

EC	Exceeding Compliance: The project has gone beyond the expectations of EBRD's PR requirements. EBRD should be able to use projects rated EC as a role model for positive Environmental and Social effects.
FC	Fully Compliant: The project is fully in compliance with EBRD's requirements, and EU and local environmental, health and safety policies and guidelines.
PC	Partial Compliance: The project is not in full compliance with EBRD's requirements, but has systems, processes or mitigation measure in place which are working towards addressing the deficiencies.
MN	Material Non-compliance: The project is not in material compliance with EBRD's requirements, and the systems, processes and mitigation measures in place are not working towards addressing the deficiencies.
NIA	No information Available. There is currently no information available however is expected at a future stage in the project.

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
1	Assessment and Management of Environmental and Social Impacts and Issues				
	Summary: A DEIA has been provided; this has been approved by MET. It does however fall short on site specific assessment and assessment of social and labour issues to meet PR1. No ESMS or ESMMPs are in place, though the DEIA includes an Environmental Management Plan. A PIU is set up in MRTD and will require further training and capacitation, and appointment of a dedicated ESHS person(s). Contractors must also appoint an ESHS manager and prepare and deliver detailed Lot-specific Construction ESMMPs.				
1.1	Environmental and Social Assessment	PC	<p>A DEIA Report has been prepared to meet national requirements and has been approved by the Ministry of Environment and Tourism.</p> <p>The main baseline topics and impacts are covered, however social impact is not detailed and there is a lack of site specific survey e.g. ecology.</p> <p>A supplementary ESIA has been prepared for the Project to meet EBRD PRs, which also identifies where additional survey work is required.</p>	<p>Incorporate ESIA and ESMMP mitigation, management and monitoring measures and permit requirements into contractual arrangements with contractors.</p> <p>Undertake additional survey work proposed.</p>	1.1, 6.1,
1.2	Environmental and Social Management Systems (ESMS)	PC	<p>There is no ESMS/ESHS for the Project.</p> <p>A PIU has been set up in the MRTD, however requires further training and capacity building as well as a dedicated ESHS Lead.</p> <p>Outline requirements for the ESHS are provided in the Supplementary ESIA and ESMMP.</p>	<p>Develop an integrated Project ESHS management system.</p> <p>Develop PIU, with all key roles identified. Appoint and maintain person(s) to be responsible for ESHS.</p> <p>Ensure contractor implements ESHS and appoints ESHS lead.</p> <p>Monitor compliance with the ESHS.</p>	1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.13

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
1.3	Environmental and Social Policy	NIA	There is no Environmental and Social Policy for the Project.	Establish and implement Project policy for ESHS performance. Contractors shall be required to comply with the policy.	1.2, 1.3
1.4	Environmental and Social Management Plan	PC	An EMP has been prepared as part of the DEIA which covers environmental protection and monitoring (dust, air emissions, noise and vibration, protection of water bodies (pollution and water use) soils, flora and fauna); Rehabilitation for the post-construction rehabilitation of borrow pits, quarry sites, campsites and other affected areas; Cultural heritage survey and protection; and a stakeholder management approach. Gaps in the EMP have been addressed in the Supplementary ESMMP, which covers the construction and operation phases.	The Supplementary ESMMP will be developed by the PIU to account for final design and the results of pre-construction surveys that require mitigation measures. Contractors must follow the Project ESMMP and develop and implement detailed Lot-specific Construction ESMMPs for their Lots. A permit register should be developed to manage permit status. Lot-specific Construction ESMMPs to be reviewed/approved by PIU. PIU to monitor contractor compliance with ESMMP. Prior to operation, MRTD/PIU to develop the O&M management plan/ESMMP.	1.2, 1.4, 1.5, 1.6, 1.7, 1.8, 1.13, 1.14
1.5	Organisational Capacity and Commitment	PC	A PIU within the MRTD has been set up. The PIU should have adequate capacity to implement the Project. This will require recruitment and training. The contractors have not been appointed, so there is not enough information to assess their organisational capacity.	Develop PIU, with all key roles identified. Appoint and maintain person(s) to be responsible for ESHS delivery and compliance. Ensure contractor appoints ESHS lead to approval of PIU and ensure sufficient capacity and capability to deliver ESHS.	1.2, 1.9, 1.10, 1.11
1.6	Project monitoring and reporting	PC	The DEIA EMP identifies monitoring requirements during construction as follows: Monthly air quality, dust, noise and surface water quality (4 sites); quarterly groundwater and soil monitoring; and a review of plant cover and composition once a year. It is not stated however it is assumed that this will be the responsibility of the contractors. The Supplementary ESMMP identifies further monitoring, inspection and reporting required during the construction and operation phases.	Develop and implement a Lot-specific ESMMP identifying site specific monitoring requirements. Reporting to be undertaken in compliance with the Project ESHS. Verification of training and professional qualifications for contractor ESHS managers and staff. PIU to conduct regular audit/inspection of contractors' ESHS performance, including inspections of contractors' construction works and camps with action tracking and feedback loop to contractor. Set up and maintain an ESHS incident reporting procedure to maintain records of annual monitoring, accidents and incidents.	1.2, 1.4, 1.5, 1.6, 1.7, 1.13, 1.14

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1.7	Supply chain management	PC	<p>The primary supply chain of the Project includes the Construction contractors that will be appointed to undertake the construction of the road by the MRTD. According to the Labour Code there will be no child labour or forced labour in the supply chain.</p> <p>The Supplementary ESIA and ESMMP identify the requirement for regular inspections of labour conditions, health and safety and workers' camps.</p>	<p>PIU to develop and implement a Supply Chain Management Plan.</p> <p>Regular inspections of Contractor labour conditions, health and safety and workers' camps.</p>	1.2, 1.4, 1.5, 1.6, 1.12
2	<p>Labour and Working Conditions</p> <p>Summary: Labour and working conditions have been considered at a high level in the DEIA and are addressed in the Supplementary ESIA and ESMMP. Construction companies are not appointed yet. No details are available on number of construction workers beyond that there will be 5 lots and therefore up to 5 contractors for the EBRD road construction. There are some gaps in Mongolian Law in relation to meeting international standards.</p>				
2.1	Human Resource Policies and Working Relationships	NIA	<p>The number of workers likely to be employed for the Project is not stated in any documentation, and it is not clear where the labour force will be sourced from, though this will depend on each contractor.</p> <p>As contractors are not appointed yet, it is not possible to review and comment on their HR policies and the working relationships. As an EBRD requirement, they will be required to comply with national legislation and EBRD PRs/GIP.</p> <p>The Supplementary ESMMP identifies the requirement for a Labour Management Plan and Labour Grievance Mechanism. Contractors will be expected to comply with the policies set out in the Project ESHS.</p>	<p>Requirement for contractors to follow Project ESHS policies to be included in tender documents.</p> <p>Upon appointment of contractors, HR policies and practices should be provided for review.</p> <p>Contractors to develop detailed Labour Management Plan and Labour Grievance Mechanism, and disseminate information about its uses to the workforce, in the language(s) of the workers.</p> <p>PIU to also have labour grievance mechanism in place.</p>	1.3, 1.4, 1.5, 1.6, 2.1, 2.2, 2.3
2.2	Child and Forced Labour	FC	<p>Under the Mongolian Labour Code employers have to comply with minimum wage requirement. Currently minimum wage is 16 years, provided that work is not harmful and work is supervised. The updated exclusion list for child labour (February 2016) states that it is prohibited to employ children under 18 years of age in certain industries (mine, underground mine, construction etc) and dangerous operations (handling chemicals, explosives,</p>	<p>Contractors will be required to meet Mongolian law as a minimum. Contractors will therefore have to avoid exploiting working conditions, long hours, retaining documents and have a system in place to monitor labour and working conditions in their sub-contractors.</p> <p>Contractors to develop detailed Labour Management Plan and Labour Grievance Mechanism, and disseminate information about its uses to the workforce, in the language(s) of the workers.</p>	1.3, 1.4, 1.5, 1.6, 2.1, 2.2, 2.3

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			operating equipment etc). The exclusion list is equally applicable to public and private sectors. The ESMMP requires compliance with Mongolian law and GIP.	PIU monitoring over potential use of child labour in local sub-contractors and supply chain is required.	
2.3	Non-Discrimination and Equal Opportunity	FC	Mongolian laws and regulations on employment and working conditions prohibit discrimination based on gender, age, physical ability, race, ethnical origins etc. Men and women are entitled for equal payment for the same job/work performed. The ESMMP requires compliance with Mongolian law and GIP.	Contractor skills assessment is recommended to identify the available labour force in the area to plan and manage the workforce for the project, including the provision of jobs for women. Employment opportunities for local people to promote gender equality. Contractors to develop detailed Labour Management Plan and Labour Grievance Mechanism, and disseminate information about its uses to the workforce, in the language(s) of the workers. PIU monitoring of contractor performance.	1.3, 1.4, 1.5, 1.6, 2.1, 2.2, 2.3
2.4	Workers Organizations	PC	By Mongolian laws employers are encouraged to support worker's right for assembly. However, it is unlikely that contractor's workers will have a collective agreement. The ESMMP requires compliance with Mongolian law and GIP.	Contractors will be required to meet Mongolian law and GIP. Once appointed, HR policies and practices of contractors should be reviewed to confirm the company's approach to workers organisation. Contractors to develop detailed Labour Management Plan and Labour Grievance Mechanism, and disseminate information about its uses to the workforce, in the language(s) of the workers.	1.3, 1.4, 1.5, 1.6, 2.1, 2.2, 2.3
2.5	Wages, benefits, and conditions of work and accommodation	NIA	Information related to wages, benefits, and conditions of work and accommodation is not yet available as the contractors have not been appointed. Contractors have to pay no less than the minimum wage (currently MNT320,000 per month). The ESMMP requires that Mongolian law and GIP is met. Construction worker camps to meet IFC/EBRD requirements on worker accommodation and be inspected regularly for compliance. Impacts on local accommodation and amenities to be considered by contractors and mitigated.	Review contractors wage and benefit structures to ensure full compliance with EBRD requirements. Contractors to develop detailed Labour Management Plan and Labour Grievance Mechanism, and disseminate information about its uses to the workforce, in the language(s) of the workers. Contractor to develop a Camp Management Plan in accordance with IFC/EBRD requirements; plan to be to approval of PIU. Independent labour inspections and health and safety audits will be undertaken of the contractors and camps to ensure compliance with national legislation and EBRD requirements.	1.3, 1.4, 1.5, 1.6, 2.1, 2.2, 2.3, 2.4, 2.5

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
2.6	Retrenchment	NA	Not applicable.	No actions are required.	
2.7	Grievance Mechanism	PC	<p>No formal grievance mechanism is in action at the MRTD/PIU.</p> <p>Contractor grievance mechanisms proposed are not known.</p> <p>The Supplementary ESIA/ESMMP requires a community and labour grievance mechanism to be in place. The Supplementary SEP prepared as part of the ESA identifies the necessary strategies for internal and external communications including interaction with the contractors and the local communities, as well as the proposed grievance mechanism.</p>	<p>Develop and implement Project SEP, including setting up the Project community grievance mechanism. To be presented to the general public in the simplest format.</p> <p>Contractors to develop detailed lot-specific SEPs, to approval of PIU.</p> <p>PIU to prepare and implement a Project Code of conduct which will be mandatory for all contractors.</p>	1.2, 2.6, 2.7, 2.8
2.8	Non-Employee Workers	NIA	No information is available.	Upon selection of contracts review their practices regarding non-employee workers. As part of the tender / bidding process environmental and social policies to be incorporated into contractual arrangements.	1.3, 1.5, 1.6, 2.1, 2.2, 2.3
2.9	Supply Chain	PC	<p>At this stage of the Project, the contractors i.e. the primary supply chain are unknown. Meetings with the MRTD indicate that up to 5 different contractors may be employed.</p> <p>There is no national requirement for supply chain audit however the Supplementary ESIA/ESMMP identifies the requirement for supply chain management.</p>	<p>PIU to develop and implement a Supply Chain Management Plan.</p> <p>All contractors will be expected to manage their supply chain in accordance with the requirements of their contract.</p> <p>Independent audits to be carried out to ensure that social issues such as terms and conditions of employment are compliant with EBRD requirements.</p>	1.2, 1.4, 1.5, 1.6, 1.12, 2.2, 2.3
2.10	Security Personnel Requirements	PC	Not discussed in the DEIA. In the case security personnel are deployed at construction worker camps, the private security service provider has to comply with Mongolian Law on security service providers. Requirement for audit of potential security suppliers is identified in the Supplementary ESMMP.	<p>Appointed contractors to ensure compliance with Mongolian law.</p> <p>Local police to monitor compliance with law.</p> <p>PIU to review contractors' arrangements with security service provider.</p>	1.4, 1.5, 2.9
3	Resource Efficiency and Pollution Prevention and Control				

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
	<p>NB. Appraisal should carefully consider (and state) what regulations or standards have been applied to compliance assessment (e.g. EU, National, Sector Best Practice). Assessments should address consideration of the performance of alternative techniques.</p> <p>Summary: The Project will implement pollution prevention and control techniques in line with national standards. A number of gaps have been identified to meet international standards that need addressing as follows:</p>				
3.1	Resource Efficiency	PC	The Supplementary ESIA and ESMMP identify measures for resource efficiency to be implemented by the contractors.	Resource efficiency to be addressed through the Lot-specific Construction ESMMP and form part of contractor contracts. Develop and implement comprehensive Waste Management plan to address waste hierarchy measures as well as sourcing and use of raw materials such as aggregates, water and energy on site.	1.4, 1.5, 1.6, 3.1
3.2	Pollution Prevention and Control – Air emissions	PC	The EMP in the DEIA identifies the requirement for air emission control, including dust. Monitoring requirements are also set including regular inspection of vehicles and monthly monitoring of SO ₂ , CO and NO ₂ and PM _{2.5} and PM ₁₀ at 20 locations along the works area and CO, NO ₂ and SO ₂ at active construction sites. The Supplementary ESIA/ESMMP identifies that measurements should be undertaken at sensitive receptors and that a preconstruction baseline survey must be completed as well as post construction monitoring and survey.	Develop and implement a detailed Air Quality Management and Monitoring with enhanced measures to control fugitive emissions and point source emissions. Undertake a preconstruction (baseline) air quality/dust survey. Undertake air quality surveys in operations years and assess compliance with Mongolian standards. Develop and implement a detailed Noise and Vibration Management Plan. Undertake a preconstruction (baseline) noise survey. Undertake noise surveys in operations years and assess predicted noise and vibration at specified NSR.	1.4, 1.5, 1.6, 1.7, 1.8, 3.2, 3.6, 4.10
3.3	Pollution Prevention and Control – Waste waters	PC	The EMP in the DEIA does not identify the requirement for wastewater management. The Supplementary ESIA/ESMMP identify outline measures.	Develop and implement a detailed Waste Management with enhanced measures to treat and control wastewater from construction camps and along work fronts.	1.4, 1.5, 1.6, 1.7, 1.8, 3.3, 3.5, 3.7
3.4	Greenhouse Gases	FC	The DEIA estimates 351.5 tonnes of greenhouse gas emission per year from the road project construction mainly from road construction machinery use. However, no information on how this was calculated has been provided. No data provided for the operation phase. A calculation undertaken for the Supplementary ESIA indicates that 130,629 tonnes/year for the baseline year (2017); 187,804 tonnes/year for the commissioning year (2020) and 2,264,227	No further action.	

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			tonnes/year for the future year (2040) based on a speed of 100 km/hr for a length of road of 202 km.		
3.5	Water	PC	<p>Water requirements are identified and the source of water, i.e. groundwater, is identified. However, volumes of water required are not identified.</p> <p>The Supplementary ESIA identifies potential impacts on herder's groundwater supplies and the requirement for survey by contractors.</p> <p>Measures to manage pollution of surface and groundwater are identified in the Supplementary ESMMP. The DEIA identifies the need to establish water protection zones around surface water bodies and impose strict water protection rules.</p> <p>Monthly monitoring of water quality in Bornuur lake, Kharaa river, Saikhan river, Bayangol river is identified as a requirement during construction.</p> <p>The requirement for water permits is identified.</p>	<p>Develop and implement a detailed Water Management Plan with enhanced measures to protect local water sources.</p> <p>Identify location of herder groundwater supplies and protect them from damage in construction.</p> <p>Develop list of permits together with the responsibilities for obtaining permits.</p>	1.4, 1.5, 1.6, 1.7, 1.8, 3.4
3.6	Wastes	PC	<p>The DEIA recognises that wastes will be generated by the project however, waste types are not identified and no mitigation measures specific for different types of waste are identified.</p> <p>No volumes of excavated materials are identified, however requirement of re-use on site is.</p> <p>The Supplementary ESMMP sets out measures to management waste impacts.</p>	<p>Develop and implement a detailed Waste Management Plan which includes a comprehensive solid waste management plan for hazardous and non-hazardous wastes; and information on produced reuse and recovery of materials.</p>	1.4, 1.5, 1.6, 1.7, 1.8, 3.5
3.7	Hazardous Substances and Materials	PC	<p>Hazardous substances and materials to be used in the project are not listed/defined clearly in the DEIA. Safety requirements for storage of fuel are however given and requirements for management of hazardous substances including storage is mentioned in connection to the prevention of spills potentially causing soil contamination.</p> <p>The DEIA requires the contractor to develop and implement an emergency management plan which includes management of fuel, lubricant and other hazardous substance.</p>	<p>Develop and implement hazardous materials management as part of the Waste Management Plan.</p> <p>Develop and implement a detailed Emergency Preparedness and Response plan and approval by PIU.</p> <p>Review for potential contamination related to any removal of petrol stations and other contamination in areas to be excavated.</p>	1.4, 1.5, 1.6, 1.7, 1.8

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
			The ESMMP sets out the requirements for a detailed Waste Management Plan covering hazardous materials.		
4	Health and Safety		<p>Summary: The DEIA covers aspects of health and safety, however not in detail. The design provided to date has no detailed information on specific health and safety aspects of design such as pedestrian crossings in towns. The Supplementary ESIA covers aspects of health and safety.</p>		
4.1	Occupational Health and Safety	PC	<p>The DEIA details relevant legislation governing construction safety, road construction, OHS, including PPE. However, there is no reference to workers camps, hygiene standards, hazardous materials (hospital waste) and drinking water.</p> <p>Appointed construction contractors and suppliers will have to abide by the Mongolian Law on OHS.</p> <p>The Supplementary ESIA/ESMMP sets out the requirements for OHS management.</p>	<p>Develop and implement a detailed OHS Plan.</p> <p>Individual construction companies' OHS policies and practices to be developed and reviewed upon selection and appointment.</p>	1.4, 1.5, 4.1, 4.2
4.2	Community Health and Safety	PC	<p>The DEIA does not provide a detailed assessment of community health and safety, except reference to possible emergency situations and collision of livestock with cars. This has therefore been addressed in the Supplementary ESIA.</p> <p>The Supplementary ESIA/ESMMP sets out the requirements to manage community health, safety and security.</p>	<p>Develop and implement detailed Community Health, Safety and Security Plan and Traffic Management Plan for PIU approval. This should include, as necessary, traffic management plans, public notices of and engagement about construction operations; security as needed to prevent unauthorized access to project locations, with appropriate training for security personnel; and hazard notices/signs/barriers to prevent access to hazardous project areas.</p> <p>Review health care facilities along road in relation to potential road traffic accidents (RTAs) and develop and implement Emergency Preparedness and Response Plan in liaison with local service providers.</p> <p>Implementation of an appropriate inspection and maintenance regime during operation.</p> <p>Independent audits of traffic and road safety measures to be undertaken prior to commission the road and in operation.</p>	1.4, 1.5, 1.6, 4.3, 4.4, 4.5, 4.6, 4.9, 4.10
4.3	Infrastructure, Building, and Equipment Design and Safety	NA			

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
4.4	Hazardous Materials Safety	NA	See section 3.7.		
4.5	Product and Services Safety	NA			
4.6	Traffic and Road Safety	PC	<p>A number of road safety concerns have been raised by the EBRD road safety audit team to be incorporated into the design.</p> <p>Site visit observations include large areas of substandard surfacing on the existing road which cause drivers to swerve to avoid potholes and surface defects. Driver behaviour is poor, with opportunistic overtaking and aggressive driving techniques.</p> <p>Large sections of the road where animals roam freely in multiple locations could lead to collisions with vehicles, particularly during darkness as there is no lighting for large sections of road.</p> <p>Road safety concerns raised by consulted local governments and communities at Bagh meetings. For communities, high potential collision of livestock with cars is of major concern. Culverts, proper signage, lighting at soum centres are requested by communities.</p>	<p>Incorporation of EBRD road safety team recommendations into the design.</p> <p>Provide fencing along the road to prevent access by livestock. Adequate provision of livestock crossings.</p> <p>Educational pre-construction public consultation with local communities to discuss safety e.g. encourage communities, in particular herders and households with livestock, not to leave small livestock unattended. Potential use of reflective collars for large livestock (e.g. cows) which is a new practice in some other regions of Mongolia.</p>	1.4, 1.5, 1.6, 4.4, 4.5, 4.6, 4.9
4.7	Natural Hazards	PC	<p>Flooding is covered briefly in the DEIA, mainly related to the trigger of rock/mudslides. Design of bridges has taken into account climate resilience. Seismicity has been considered in the design documents.</p>	<p>Review of culverts and drainage design on completion.</p> <p>Drainage channels design for storm events required.</p>	1.4, 1.5, 1.6, 4.7, 4.9
4.8	Exposure to Disease	PC	<p>No assessment of communicable diseases resulting from influx of construction workers in the DEIA. The Supplementary ESIA identifies potential risks and proposes mitigation measures in the Supplementary ESMMP.</p>	<p>Develop and implement detailed Community Health, Safety and Security Plan and Workers' Camp Management Plan in accordance with IFC/EBRD requirements; plan to be to approval of PIU. For labour accommodation, provide separate facilities for men and women to avoid any unwanted contact or attention.</p>	1.4, 1.5, 1.6, 4.3, 4.8

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
				<p>Project Code of conduct to be developed and adhered to all by all contractors and employees.</p> <p>Contractors to conduct regular medical check-ups of staff.</p>	
4.9	Emergency Preparedness and Response	PC	An emergency plan is referenced in the DEIA, however is not included in the EMP. The requirement for a detailed Emergency Preparedness and Response Plan is identified in the Supplementary ESIA/ESMMP, together with measures to be addressed in the Plan.	<p>Develop and implement Emergency Preparedness and Response Plan. To be prepared in liaison with local providers such as hospital. PIU to review and approve plan.</p> <p>First-aid points to be set up at construction sites.</p>	1.4, 1.5, 1.6, 4.9
5	<p>Land Acquisition, Involuntary Resettlement and Economic Displacement</p> <p>Summary: The MRTD under national law has access to a 50 m right of way from the centreline of the existing road. The footprint of the new road will result in some low level physical and economic displacement. Physical displacement of some structures (e.g. Ovoos, billboards and road traffic memorials) has been identified by the MRTD/PIU and they are liaison with owners to relocate these structures; no residential properties will be affected, and no physical displacement of people has been identified. Some economic displacement of stall holders and petrol stations has been identified as a result of the impact on structures, however, no detailed assessment of economic displacement has taken place. No assessment of impacts on land and consequent impacts on livelihoods has taken place. No evidence of entitlements or eligibility matrices.</p>				
5.1	Avoid or minimise displacement	PC	<p>List of assets within the project footprint (Phase I and II) has been provided by MRTD/PIU. Most of these assets are other structures such as billboards, road traffic accident memorials and advertising structures. Impacts on stall holders and petrol station assets has also been identified. Relocation of most of the structures identified has taken place or is in progress in liaison with asset owners.</p> <p>Consideration not given to vulnerable people, therefore not known if there are any affected or not. Limited consideration to economic displacement. No consideration of land impacts and consequent impacts on livelihoods.</p> <p>A LARF has been prepared as part of the ESA to identify gaps between the process to date and EBRD PR5, and future actions for compliance with PR5 identified.</p> <p>Temporary impacts may also occur during construction due to the need for workers' camps and temporary lay down areas.</p>	<p>Gaps to meet EBRD PR5 to be addressed in a detailed Land Acquisition and Resettlement Plan (LARP) developed by MRTD/PIU. LARP to be in compliance with the LARF.</p> <p>Any potential involuntary temporary displacement during construction to be addressed in a detailed LARPs prepared by the contractors. LARP to be in compliance with the LARF.</p>	5.2, 5.3, 5.4

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5.2	Consultation	PC	Affected asset owners have been consulted and agreements made for compensation. Some evidence and records of these engagements provide. Status of relocation of assets provided. However, overall the process does not meet full requirements of EBRD PR5, as identified in the LARF.	As above	5.1
5.3	Compensation for displaced persons	PC	Relocation (in kind) compensation has been agreed for most of the asset owners identified as affected. Some negotiations are still underway. Packages have not been developed community in accordance with an eligibility and entitlements matrix. The LARF sets out a Project eligibility and entitlements matrix.	As above.	5.2, 5.3, 5.4
5.4	Grievance mechanism	PC	No information. Not discussed in DEIA or identified as in place by MRTD/PIU, although issues are generally raised in formal local government meetings.	Develop and implement Project grievance mechanism.	5.1, 5.5
5.5	RAP/LRP documentation	PC	No RAP/LRP prepared to date.	Gaps to meet EBRD PR5 to be addressed in a detailed Land Acquisition and Resettlement Plan (LARP) developed by MRTD/PIU. LARP to be in compliance with the LARF. Any potential involuntary temporary displacement during construction to be addressed in a detailed LARPs prepared by the contractors. LARP to be in compliance with the LARF.	5.2, 5.3
5.6	RAP/LRP implementation	PC	As above	As above	5.4
5.7	Monitoring	PC	Monitoring of land acquisition related activities will form part of the annual monitoring of the Project performance, as all land acquisition related actions form part of the ESAP. There is a requirement to monitor environmental and social impacts of the Project including those of resettlement and land acquisition activities.	Monitoring in accordance with requirements set out in detailed LARPs. Independent audit of LARP implementation.	5.5
6	Biodiversity and Living Natural Resources				

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
	Summary: No land in the Project Area belongs to the classification of State Special Protected Area. There are 12 Local Special Protected Areas, five of which are dissected by the existing road however observations from the site visit indicate that there is no discernible difference when the protected areas start and finish. No endangered or important flora identified. Potential for impact on nesting and breeding birds from tree removal; and potential impacts on endangered marmot; and red deer, if present in the area. Further survey has been identified as required to fully assess the potential impact.				
6.1	Assessment of Biodiversity and Living Natural Resources	PC	<p>No land in the Project Area belongs to the classification of State Special Protected Area. The project impacts on Local Special Protected Areas – which are protected for varied reasons, mainly to prevent additional development and exploitation. Observations from the site visit indicate that there is no discernible difference when the protected areas start and finish for the five sites that the road currently dissects.</p> <p>The project is in a modified habitat. The DEIA identifies that over 1000 trees are to be removed from the right of way, however currently it is not clear if that would be as a result of the Phase I or Phase II works. The trees are not of value, however, may provide habitat for breeding and nesting birds.</p> <p>Reconnaissance survey undertaken as part of the Supplementary ESIA indicates that marmot and red deer may be in the Project Area; further detailed survey is required.</p>	<p>Survey of wildlife movement and distribution, covering as a minimum, red deer connectivity areas by specialist. Additional measures to be included in these areas on basis of specialist recommendations; this will include measures such as speed limits and road signs.</p> <p>Avoid tree felling during the nesting and breeding period. Where this is not possible, it will be necessary for a pre-clearance walkover to be completed by a suitably qualified ecologist to check for the presence of active bird nests. Should any nests be identified, it is recommended that these are excluded from works until such time that the young birds have fledged the nest - detailed advice in this regard should be sought from the ecologist upon completion of survey.</p> <p>Survey for marmot holes prior to works. If active marmot holes i.e. holes with resident marmot, are found within the construction area of disturbance, professional conservation organisations must be contacted to capture the animals and translocate them to other suitable areas prior to the works starting.</p> <p>Ensure compensation planting is required as part of the mitigation of impact on natural resources to ensure no net loss of biodiversity (on a 2:1 planting ratio).</p>	1.4, 1.5, 1.6, 1.7, 1.8, 6.1, 6.2, 6.3, 6.4, 6.5
6.2	Conservation of Biodiversity	PC	As above	As above	
6.3	Sustainable Management of Living Natural Resources	PC	As above	As above	
7	Indigenous People				
7.1	Indigenous People Assessment	NA	Not applicable since there are no Indigenous People in Mongolia	No Action Required	

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
7.2	Adverse Effects Avoidance and Indigenous Peoples Development Plan	NA	As above	As above	
7.3	Information Disclosure, Meaningful Consultation and Informed Participation	NA	As above	As above	
7.4	Grievance Mechanism and Prevention of Ethnically Based Discrimination	NA	As above	As above	
7.5	Compensation and Benefit-Sharing	NA	As above	As above	
7.6	Impacts/Relocation on Traditional or Customary Lands and Cultural Heritage	NA	As above	As above	
8	Cultural Heritage Summary: Ovoos identified requiring removal, however no special permissions required for this. Two potential tombs identified on site visit. Cultural heritage and archaeological survey required by a qualified specialist required prior to construction on site.				
8.1	Assessment and Management of Impacts on Cultural Heritage	PC	<p>The DEIA does not identify any sites of cultural importance along the existing road. Ovoos requiring relocation have been identified by the PIU; these do not require any special permission however have been relocated in liaison with the owners.</p> <p>During the Supplementary ESIA site visit, two potential tombs have been investigated by the ESA Project Team. This will need to be investigated further by a qualified professional.</p>	<p>Archaeological, palaeontological and ethnic survey is recommended along the road and works areas by a qualified specialist in accordance with Mongolian law. To be undertaken via MRTD prior to start of construction and mitigation measures incorporated into an updated project ESMMP.</p> <p>Develop and implement Chance find procedure.</p>	1.4, 1.5, 1.6, 1.7, 1.8, 8.1, 8.2
8.2	Consultation with affected	PC	No information is available on consultation on cultural heritage.	Develop and implement Project grievance mechanism.	

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
	communities and other stakeholders				
8.3	Project use of Cultural Heritage	NA	The project will not use cultural heritage.	No action required.	
10	Information Disclosure and Stakeholder Engagement Summary: Consultation with local governments and communities has taken place as part of the DEIA process. Further engagement with affected parties and vulnerable people as part of the Supplementary ESIA. A Supplementary SEP has been prepared. This will need to be developed prior to construction and Lot-Specific Construction SEPS developed and implemented by the contractors.				
10.1	Stakeholder Engagement Plan	PC	<p>Engagement has been undertaken as part of the DEIA process with local governments and communities. The Project's environmental impacts were presented and discussed at 4 Soum Hural meetings and 15 Bagh Public Meetings. In total 783 people attended public meetings. Local governments submitted their concerns and recommendations in official letters addressed to DEIA company. The main issues raised to date are:</p> <ul style="list-style-type: none"> - Livestock crossings - Dust during construction - Location of temporary roads - Rest stops - Quality of road - Livelihoods of business owners along the road <p>FGDs and key informant interviews have been completed as part of the Supplementary ESIA with elderly, women, disabled, herders and health centres along the road.</p> <p>A Supplementary SEP has been prepared to report on this engagement and set out the programme for future engagement and the proposed grievance redress mechanism.</p>	<p>Supplementary SEP to be disclosed as part of the disclosure of the ESA documents.</p> <p>PIU to develop and implement Project SEP as a common approach to engagement across the Project Lots.</p> <p>Contractors to develop and implement individual Lot-specific Construction SEPs.</p> <p>Grievance mechanism outlined in the Supplementary SEP to be implemented in coordination with the local soums.</p>	10.1, 10.2
10.2	Operational Grievance Mechanism		<p>Affected stakeholders can file complaints or grievances to Bagh Governor or Soum administration according to common practice in Mongolia. For serious issues local officials direct /guide companies to take mitigation measures. Local administration has a formal process for</p>	Grievance mechanism outlined in the Supplementary SEP to be implemented in coordination with the local soums.	10.1, 10.2

KPI Ref.	Performance Requirement	Score	Comments / Issues	Actions Required	ESAP Ref.
			<p>reporting on community complaints or grievances. Community members in soums usually prefer face-to-face communication and log any suggestions or complaints in oral form.</p> <p>The Supplementary SEP grievance mechanism uses the above established process, with interfaces with contractors and overall oversight by the PIU.</p>		
Overall Compliance					
	National Environmental, Social, Health and Safety Requirements	FC	The DEIA is compliant with Mongolian environmental, social, health and safety regulatory requirements. It has been submitted to MET and approved.	No further action required.	
	EU Environmental, Social, Health and Safety Requirements	PC	As per comments in this table.	As identified in this table.	