

THE REPUBLIC OF SOUTH AFRICA

WILDLIFE CONSERVATION BOND (P174097)

FINAL DRAFT

ENVIRONMENTAL AND SOCIAL MANAGEMENT
FRAMEWORK (ESMF)

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Abbreviations

AENP	Addo Elephant National Park
BAR	Basic Assessment Report
BEE	Black Economic Empowerment
BRREP	Black Rhino Range Expansion Project (WWF)
DALRRD	Department of Agriculture, Land Reform and Rural Development
DEFF	Department of Environment, Forestry and Fisheries (South Africa)
DWS	Department of Water and Sanitation
EAP	Environmental Assessment Practitioner
ECPTA	Eastern Cape Parks and Tourism Agency
EHS	Environmental Health and Safety
EIA	Environmental Impact Assessments
EMI	Environmental Management Inspectorate
ESF	Environmental and Social Framework (World Bank)
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard (World Bank)
GBV	Gender Based Violence
GEF	Global Environmental Facility
GFRNR	Great Fish River Nature Reserve
IUCN	International Union for Conservation of Nature
M&E	Monitoring and Evaluation
NBSAP	National Biodiversity Strategies and Action Plan
NEMA	National Environmental Management Act
NFI	National Forest Inventory
NDP	National Development Plan
NWA	National Water Act
OHS	Occupational Health and Safety
PA	Protected Area
PDO	Project Development Objective
PDP	Provincial Development Plan
PPE	Personal Protective Equipment
Project	South African Wildlife Conservation Bond
SANParks	South African National Parks
SAPS	South African Police Service
SDG	Social Development Goal (UN)
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
UN	United Nations
VIA	Visual Impact Assessment
WCB	Wildlife Conservation Bond
WFA	Wilderness Foundation of Africa
WHO	World Health Organisation
WWF	World Wildlife Fund

I EXECUTIVE SUMMARY

This document provides the Environmental and Social Management Framework (ESMF) for the South African Wildlife Conservation Bond (Project) financed through the grant of the Global Environmental Facility (GEF) administered by the World Bank. The ESMF has been prepared by South African National Parks (SANParks) and Eastern Cape Parks and Tourism Agency (ECPTA) as part of complying with national environmental and social standards and to meet requirements of the World Bank's Environmental and Social Framework (ESF).

The Project will utilise an innovative financing model for direct finance to benefit the conservation of black rhinos through the world's first Wildlife Conservation Bond. The Project funds will provide funding for rhino conservation efforts as well as support local communities participate in the South African biodiversity economy.

The Project consists of four components, which will 1) enhance rhino conservation, natural resource management and community priority investments, 2) support enabling conditions, including coordination and research, 3) Project management, and 4) provide a success payment linked to the expected net increase in rhino population.

The Project will be implemented in Addo Elephant National Park (AENP) and Great Fish River Nature Reserve (GFRNR) due to the critical importance of the black rhino protection programmes and existing track record on rhino protection. However, since the exact location and scope of activities under each component are not going to be identified prior the World Bank's appraisal of the Project, the appropriate instrument at this stage is an Environmental and Social Management Framework (ESMF). The ESMF is an instrument that examines the risks and impacts when a project consists of a program and/or series of subprojects, and the risks and impacts cannot be determined until the program or subproject details have been identified.

This ESMF seeks to ensure that international environmental and social good practice is integrated into the development and operation of investments to be financed under the Project to ensure effective mitigation of potentially adverse impacts while enhancing accruing benefits. The purpose of the ESMF is:

- To provide as much information as possible about environmental and social impacts as possible in the current stage of Project preparation, including tentative land issues, construction related social impacts as well as labour management, community health and safety, stakeholder participation and grievance redress mechanisms,
- To inform the planning and design process through early screening for potential adverse risk and impacts,
- To describe procedures for subsequent assessment of impacts and development of appropriate impact management instruments when the details of the sub project investments become available.

The ESMF sets out the principles, rules, guidelines and procedures to assess the environmental and social risks and impacts and contains measures and plans to reduce, mitigate and/or offset adverse risks and impacts, as well as institutional responsibilities and budget for implementation. The ESMF has been prepared in line with the World Bank's Environmental and Social Framework (ESF) as well as the appropriate Republic of South Africa's policies, legal and institutional framework related to environmental and social assessment. The ESMF aligns with the existing management procedures in place in the two Protected Areas (PAs), including procedures for occupational health and safety, HR policies, including the policy on sexual harassment and other existing safety, health, environmental and quality management frameworks.

Implementation of Project activities will be led by SANParks in AENP and ECPTA in GFRNR using the existing institutional structures, including existing environmental and social experts, supported by technical experts from SANParks and ECPTA headquarters. Both implementing agencies are autonomous agencies governed by an independent Board of Directors and established through legislation passed in 2003. Both current environment and social and future staff to be engaged, by AENP and ECPTA, for the Project will oversee activities.

All activities financed under the project are consistent with the agreed management plans of the area and contribute to the project development objective as well as the overall objectives of the Protected Areas (PAs). There is an agreed five-year implementation plan and budget as well as annual work plans that will be reviewed and approved each year prior to the release of new funds for implementation.

Stakeholder engagement is critical to the Project's success. High expectations as to what the PAs can deliver may lead to frustration with project results, including from actors involved in land claims, a sensitive political issue.¹ Simultaneously, local stakeholders in many instances demonstrate negative perceptions about PAs. The Project intends to help conserve natural habitats and wildlife of global value, while allowing the realization of the economic potential for social development of these natural assets. A number of stakeholder discussions and consultations have been undertaken since February 2019 with a wide range of stakeholders, including communities, Government agencies, and key stakeholder institutions to discuss project design and locations of key infrastructure. These are documented in Section 7 of this ESMF.

1.1 Environmental and Social Impacts and Mitigation

The Project is expected to have multiple significant positive environmental and social impacts through improvement PA management, increase in rhino population and support to enhance the associated biodiversity economy to directly benefit communities in the PA sphere. These benefits are expected through improved habitat management, containment and rhino population management and increasing economic opportunities associated with the PAs.

Potential adverse environmental risks and impacts are mainly linked to minor civil works (such as the construction of rhino holding bomas and water points) to support wildlife management and may include land pollution due to solid waste generation, liquid effluent dust, noise and vibration. However, protective and mitigating measures will be in place to protect all species and habitats in the two PAs. Social risks and impacts are primarily linked to labour and working conditions, community health and safety in relation to engagement in water and fire activities and security personnel and law enforcement that could result in possible violent altercations with suspected poachers.

Benefits, risks and impacts will be assessed for each site-specific investment proposed under the Project in accordance with the ESMF to identify ways to enhance benefits and avoid, minimize and mitigate any identified adverse impacts. The identified adverse impacts will be managed through site-specific measures through standard procedures set out in the ESMF. Additionally, impacts will be managed through stakeholder engagement and training of workers for applying good international practice, for

¹ AENP was established in 1931 (Government Gazette No 243, July 3, 1931). The Marine section of the Park was gazetted in 2019. GFRNR was established through combining three protected areas in 1994 that were originally established between 1973 and 1987. GFRNR is proclaimed as three different reserves: Andries Vosloo Kudu Reserve, Double Drift Game Reserve and the Sam Knott properties.

example, human rights training for personnel engaged in security enforcement. The ESMF also includes an “Ineligible Activities and No-go Areas” list, which includes types of projects and areas which could have a substantial environmental and social footprint and cannot be approved for financing.

The ESMF and associated SEP are aligned with the existing environmental and social procedures in both PAs. The PAs will maintain adequate capacity to ensure the environmental and social due diligence of the project. The PAs may use part of the funding under Component 3 (Project management and monitoring) to fund staff positions. Where specific activities require additional environmental and social attention the PAs will identify the needs as part of the screening and costs will be covered under the activity, including as relevant by contractors.

The following table is a synopsis of possible impacts and proposed mitigation measures, including roles and responsibilities and monitoring indicators. Additional description of standard measures is provided in Annex 2. The mitigation measures or guidelines have been designed in order to avoid, minimize and reduce negative environmental and social impacts at the project level.

Table 1: Proposed Mitigation Measures - Project Monitoring Indicators and Responsibilities

Impact issue	Proposed Mitigation measures	Implementation tool/ criteria	Monitoring indicators (Inputs)	Monitoring indicators (Outcomes)	Verification	Project stage	Responsibility
Security (ref. Annex 7)	Training Safety and human rights protocols	Competency training Annual human rights training Fire arms control measures and security engagement protocol	Arrest records Posting of Firearms Control Act Firearm incidents Storage facilities of firearms and ammunition Movement registers	Percentage of PA personnel trained (human rights) (100 percent) SAPS certification (100 percent of officers issued with firearms)/ competency license	Random checks Annual check of training records	Full project cycle	Firearms Control Officer Reserve manager
Fire management	Fires only permitted at designated locations Firebreaks part of design around buildings	Construction and site design	Worker and contractor instructions Review of designs	Number of accidental fires (0 target)	Site management Construction inspection	Full project cycle	Environmental Planner
Waste management	Provide adequate waste reception facilities at construction camp sites Dispose of waste at approved waste collection sites	Waste management plan (method statement)/ Construction site management plan	Number of waste bins on site Waste disposal plan and training of workers	Percentage of workers who follow the solid waste disposal plan including use of receptacles Number of workers familiar and aware of the waste	Weekly checks by project engineer	Construction Operation	Contractor Project engineer

	Concrete and cement preparation activities shall not be permitted in any sensitive environments It is illegal to bury any type of waste within PA boundaries			disposal plan at the construction sites Working sites and eating areas are maintained in a clean, hygienic and orderly state			
Waste oil/fuel disposal	Provide drums/containers for temporary storage on site, in lined, bunded areas away from water sources, of waste oil from equipment and vehicles. Dispose of waste oil through an approved agent	Waste management plan/Construction site management plan	Waste oil drums/containers on site Availability of waste disposal plan (waste oil)	Number of workers trained on waste disposal plan Number of non-conformances related to improper waste management	Monthly checks by project engineer	Construction Operation	Contractor Project engineer
Dust and air pollution	Operate well maintained vehicles, trucks and other equipment Use good quality fuel and lubricants Suppress dust generation at project sites	Routine maintenance plan for machinery Purchase of fuel at recognized stations Water exposed surfaces several times a day to reduce dust at the site	Availability of equipment and machinery maintenance plan Frequency of watering of surfaces to reduce dust related impacts	Percentage of workers following the good practices for equipment and machinery maintenance	Independent check by project engineers Verification of maintenance record by project engineers Self-check by contractor	Construction	Contractor Project engineer

	Switch off engines when not in use						
Noise	<p>Schedule of works is to be limited to daylight hours</p> <p>Provision of PPE for workers for noise pollution</p> <p>Train workers on the use of PPEs for noise mitigation and reprimand those not complying</p>	Part of contract agreement for the contractors	<p>Recorded grievances</p> <p>Number of PPE procured for noise mitigation</p>	<p>Number of workers correctly and frequently using PPEs</p> <p>Number of noise complaints</p>	Self-check by contractor	Construction	<p>Contractor</p> <p>Project engineer</p>
Impacts on landscape/site rehabilitation	<p>When necessary, undertake a Visual Impact Assessment to assess impact of infrastructure on landscape features and sense of place</p> <p>Landscaping of facilities after construction, and restoration of disturbed areas</p> <p>All disturbed areas should be fully rehabilitated</p> <p>All temporary structures, materials and waste (including areas</p>	<p>Visual Impact Assessment (VIA)</p> <p>Construction site maintenance and restoration plan.</p>	Implementation of VIA and site maintenance and restoration plan	<p>Percentage of vegetation cover recovered at inspection</p> <p>Number of disturbed sites successfully restored</p>	<p>Environmental Planner</p> <p>Site inspection</p> <p>Self-check by contractor</p>	<p>Construction</p> <p>Operation</p> <p>Monitoring phase to be determined on a case-by-case basis</p>	<p>Environmental Assessment Practitioner</p> <p>Contractor/ Project engineer</p> <p>SANParks/ ECPTA</p>

	contaminated during the project, e.g. oil spillages on soil) should be removed from the PA						
Traffic impacts	Use only road worthy vehicles and trucks Use experienced drivers Establish speed limits, Enforce safe driving and take disciplinary action against repeat offenders.	Driver qualification recorded Traffic Safety Plan	Traffic incidence records Grievances Recorded	Number of drivers aware and familiar with the traffic safety plan Percentage of drivers who have not committed a traffic offence for the last 6 months Number of compliance (traffic) inspection and checks conducted by traffic department found to be satisfactory	Project engineers to verify Environmental Planner	Construction Operation	Environmental Assessment Practitioner Contractor/ Project engineer SANParks/ ECPTA
Soil and erosion	Preservation of topsoil Limit duration of excavation Storm water management	ESMP	Site management records	Incidents logged	Monthly checks by project engineer Inspections by Environmental Planner	Construction	Contractor Project engineer
Water	All activities should be conducted at least 32m away	Waste management plan	Visibility of oil on water bodies	Increased water quality upstream and downstream shown by periodic	Daily self-checks by contractors	Construction Operation	Environmental Assessment Practitioner

	<p>from all watercourses</p> <p>No garbage/refuse, oily wastes, fuels/waste oils should be discharged into drains or water bodies</p> <p>Fuel storage tanks/sites should be properly secured</p> <p>Maintenance and cleaning of vehicles, trucks and equipment should take place offsite.</p> <p>Construction activities, including camps to include measures to control runoff</p>	<p>Spill prevention and control plan</p> <p>ESMP to provide measure for the quality of water including physical, chemical and biological where needed</p>	<p>Procurement and installation of water monitoring and measuring gauges</p> <p>On site erosion observed</p> <p>Proposed actions implemented</p> <p>Quality of water following periodic measurements</p> <p>No of pollution incidences recorded</p> <p>Number of complaints on pollution of water</p>	<p>measurements during construction</p> <p>Water samples collected showing compliance to water pollution standards applicable to location under South African Water Quality Guidelines</p>	<p>Periodic reports on performance by contractor to project engineers</p> <p>Spot checks/audits by project engineers</p> <p>Environmental Planner</p>		<p>Contractor/ Project engineer</p> <p>SANParks/ ECPTA</p>
Impact on fauna and flora	<p>Avoid access to sensitive habitat</p> <p>Site specific ESMP will include assessment of sensitive flora/fauna in the area of impact based on review of habitat by technical</p>	<p>Awareness raising among contractor personnel</p> <p>The contractor should notify project engineers of any animal incidents immediately</p>	<p>Wildlife incidents recorded and reported to SANParks/ ECPTA</p>	<p>Number or percentage of terrestrial flora and fauna affected by the sub projects</p> <p>Number of workers trained on the importance of conservation of flora and fauna</p>	<p>Regular inspection or monitoring should be carried out in sensitive areas by Environmental Planer</p>	<p>Construction</p> <p>Operation</p> <p>Maintenance</p>	<p>Environmental Assessment Practitioner</p> <p>Contractor/ Project engineer</p> <p>SANParks/ ECPTA</p>

	<p>expert and required monitoring</p> <p>Prevent animals from accidentally entering the construction area by putting in place adequate fencing</p> <p>Care should be taken when selecting areas for containment bomas and water holes, to not impact on any nesting or borrowing areas.</p> <p>No plants outside the demarcated work areas may be damaged</p> <p>No firewood mayor plant material may be collected in any area of the PA</p>	<p>No animals may be harmed or killed.</p>		<p>Impact on terrestrial flora and fauna</p>	<p>Incidents will be reported to SANParks/ ECPTA to determine the appropriate course of action</p>		
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Impacts on cultural heritage/ archaeological interest	Inform contractor and train workers on chance finds procedures (Annex 8) Identify cultural heritage resources and existing ecologically sensitive areas	Pre-construction surveys / Chance finds procedure Plan for accidental Cultural Finds	Cultural/ archaeological resources/ existing infrastructure encounter incidence register	Number of workers familiar with the chance find procedures	Chance finds procedure under implementation	Preconstruction and construction and repairs/ recovery	Environmental Assessment Practitioner Contractor/ Project engineer SANParks/ ECPTA
Visual impacts and impacts on recreation	Place notices and warning signs at working areas No painting or marking of natural features shall take place. Marking for surveying and other purposes shall only be done with pegs and beacons	ESMP	Grievance records Regular site inspection	Recreational Facilities and areas restored/protected	Warning signs/notices in place	Construction	Contractors/ Project engineers
Occupational health & safety, staff management	Health and safety plan for all construction, including emergency procedures and COVID-19 mitigation for the duration of the pandemic, as reflected in Annex 5	ESMP, including OHS obligations Construction site management plan Training in health and safety policy Procurement of required PPE	Health and safety incident register Grievance records Number of trainings conducted PPE procured	Percentage of incidents resolved Percentage of grievances resolved Inspection of site management Training attendance records (100 percent)	Monthly review of incident and grievance records Training records prior to commencement PPE availability prior to commencement	Full project cycle	Contractors/ Project engineers OHS manager (HQ) OHS coordinator in PAs

	<p>Cover buckets of trucks carrying construction materials such as sand, quarry dust, etc.</p> <p>Active construction areas to be marked with high-visibility tape</p> <p>Backfill and or secure open trenches and excavated areas</p> <p>Provide adequate sanitary facilities</p> <p>Provide PPEs for construction workers</p> <p>Educate construction workers on site rules/regulation and hygiene and disease (HIV/AIDS) prevention</p> <p>Provision of water and sanitation</p>	included in activity budget		Use of PPE			
Site management	Materials to be used during construction/demol	ESMP	Site management records	Incidents logged	Monthly checks by project engineer	Construction	Contractor

	<p>ition/maintenance shall only be stored at demarcated sites</p> <p>All vehicles and equipment must be maintained in a good condition in order to minimise the risk of leakage and possible contamination of the soil or storm water by fuels, oils and hydraulic fluids</p>	Construction site management plan					Project engineer
Labour related impacts (ref. section 8)	Ensure that the local communities are given preferred employment opportunities and provided with training (skilled) to provide future labour in the project e.g. operation and maintenance	Human Resource Management reflecting labour management procedures and related GRM as set out in section 8 of the ESMF	Number of local residents employed in sub projects	Percentage of community members engaged out of the total number of jobs created	Contractor HR records PA HR records	Full project cycle	HR in PA Contractors

2 INTRODUCTION

South Africa is one of most biologically diverse countries in the world. With a varied geography ranging from plains and savannah to deserts and high mountains, South Africa's ecosystems support over 95,000 species, and its rich biodiversity contributes significantly to the national economy, particularly through nature-based tourism. Biodiversity and its habitats also contribute to the livelihood of the poorest segments of the population, by providing a range of goods, such as food, biomass fuel, and medicine; and services such as water.

Protected Areas (PAs) are increasingly under threat, resulting in adverse impacts on biodiversity and ecosystems they harbour, on the rural population dependent on them, and on the broader regional and national economies. Illegally traded natural resources contribute significantly to the loss of biodiversity and threaten sustainable and inclusive development. The World Bank estimates that the annual cost of illegal logging, fishing and wildlife trade is a staggering US\$1-2 trillion globally. Illegal activities erode countries' natural capital and undermine their ability to achieve many of the Social Development Goals (SDGs).

Unsustainable and illegal practices on biodiversity, which are among the main causes of loss and degradation of wildlife, are largely induced by: i) insufficient financing for effective PAs management and to support sustainable rural development; ii) rural poverty, a lack of access to effective and sustainable livelihoods support (such as jobs, business support, direct payments from conservation), and the absence of meaningful livelihood alternatives; and iii) fragmented, non-coordinated, and incompatible land use planning and management, leading to suboptimal land use management decisions.

Rhino poaching pressures have been extremely high since 2008, particularly in South Africa. The black rhino was the most numerous of the world's five rhino species, and at one stage could have numbered around 850,000. By 1960, an estimated 100,000 remained, and as poaching intensified and pressure on their habitat increased, their numbers declined to just 5,495² individuals today. Black rhinos are listed as Critically Endangered on the IUCN Red List, meaning they are extremely vulnerable to extinction in the wild. The biggest drivers of this decline remain reduction in habitat and poaching. Habitat loss is exacerbated by the increasing costs of rhino security, as many landowners cannot afford to conserve rhinos on their land. South Africa's rhinos have been intensively targeted; rhino poaching in the country increased by 9,000 percent between 2007–2014 with the number of rhinos poached growing from 13 in 2007 to 1,215³ in 2014. In 2019, 594⁴ rhinos were reported poached in South Africa. Efforts to decrease poaching include improved capability to react to poaching incidents, the deployment of new technology, improved information collection and sharing amongst law enforcement authorities, better regional and national cooperation and more meaningful involvement of private sector, non-governmental organizations and donors.⁵ However, there is significant concern that the numbers of poached rhinos are declining

² CITES COP18, Doc. 83.1, Annex 2 of AfRSG Report:

https://www.researchgate.net/publication/331988665_CoP18_Doc_831_Annex_2_African_and_Asian_Rhinoceroses-

[Status Conservation and Trade A report from the IUCN Species Survival Commission IUCN SSC African and Asian Rhino Specialist Groups and TRAFFIC to /link/5c99e945299bf116947deb1/download](https://www.researchgate.net/publication/331988665_CoP18_Doc_831_Annex_2_African_and_Asian_Rhinoceroses-Status_Conservation_and_Trade_A_report_from_the_IUCN_Species_Survival_Commission_IUCN_SSC_African_and_Asian_Rhino_Specialist_Groups_and_TRAFFIC_to_/link/5c99e945299bf116947deb1/download)

³ Minister Edna Molewa highlights progress in the war against poaching and plans for 2015:

https://www.environment.gov.za/mediarelease/molewa_waragainstopoaching2015

⁴ Department of Environment, Forestry and Fisheries report back on rhino poaching in South Africa in 2019: https://www.environment.gov.za/mediarelease/reportbackon2019_rhinopoachingstatistics

⁵ <https://www.timeslive.co.za/news/south-africa/2020-02-03-rhino-poaching-declined-again-in-2019-says-environment-minister/>

each year because rhino populations in South Africa have declined in total numbers to 15,625 white rhino and 2,046 black rhinos⁶, based on data up to the end of 2017.

Traditional rhino conservation financing faces challenges associated to short-funding cycles, which limits long-term planning and the ability to adapt. Traditional conservation funding limits the ability of protected area managers to focus on long-term planning and leverage their knowledge and experience to respond adaptively to changes in field conditions. In addition, the traditional model is focused on outputs rather than outcomes, where current funders have mixed success based on under- or non-performance of implementers as flows are typically for defined, short-term programmes. Current implementation models are inefficient with large overhead costs to implement conservation projects. This traditional model of financing conservation has also typically relied on government and philanthropic dollars where funding is drastically inadequate.

The South African Wildlife Conservation Bond (Project) is focused on addressing major challenges for financing conservation and proposes an innovative financing model to unlock and direct private finance for the conservation of the black rhino in South Africa. The Project aims to catalyse the world's first Wildlife Conservation Bond (WCB) that links the coupon payments of an institutional SDG-related bond issuance to conservation performance. This innovative transaction enables private and institutional bond investors to participate in a market, which generally consists of donors and philanthropic investors. The WCB will use financing from the coupon payments to finance conservation activities at two priority sites for rhino conservation: Addo Elephant National Park (AENP) and Great Fish River Nature Reserve (GFRNR). Project investments will enhance management of these protected areas to secure and increase black rhino populations, and increase benefits realized by local communities. The projected increase of the rhino population aligns with the World Bank's Environmental and Social Standard 6 on net gain of biodiversity.

The Project is financed through the grant of the Global Environmental Facility (GEF) administered by the World Bank. The Project Development Objective (PDO) is to create an outcome-driven structured bond that channels private sector funds to increase black rhino populations in target protected areas in South Africa.

The project performance toward the PDO will be measured through two key outcome indicators:

- Creation of an outcome-driven structured bond (Yes/No)
- Number of black rhino in target sites (annual increase of 5 percent by the end of the project)

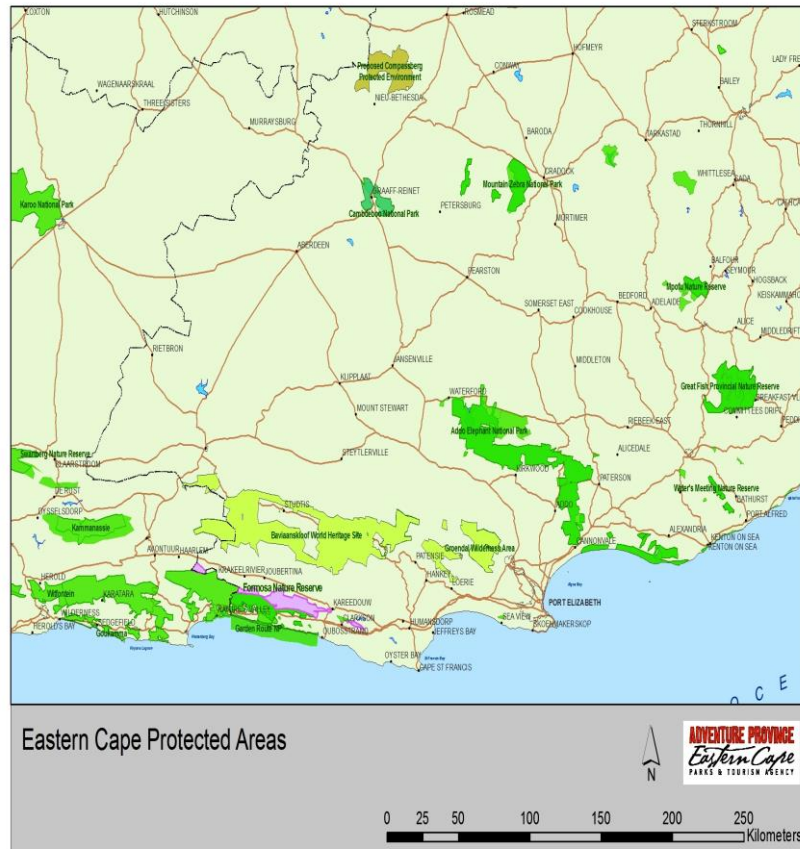
2.1 Project Description

The Project's geographical focus is on two priority PAs in the Eastern Cape Province of South Africa. The Project will support an evidence-based and adaptive management approach that uses data-supported interventions to dynamically respond to changes in performance risks (a surge in poaching incursions). It will invest in site-based conservation management (Component 1), national/regional enabling conditions (Component 2), project management support (Component 3) to effectively and

⁶ Rhino poaching declines again in 2019, says environment minister: https://www.researchgate.net/publication/331988665_CoP18_Doc_831_Annex_2_African_and_Asian_Rhinoceroses-Status_Conservation_and_Trade_A_report_from_the_IUCN_Species_Survival_Commission_IUCN_SSC_African_and_Asian_Rhino_Specialist_Groups_and_TRAFFIC_to_/link/5c99e945299bf1116947deb1/download

efficiently execute project activities and conservation success payment (Component 4). The World Bank will transfer funds (i.e. bond coupon payments) to the project-specific segregated bank sub-accounts at partner sites: SANParks for AENP and ECPTA for GFRNR. These project partners will then use the funds to implement site-specific activities. SANParks and ECPTA will work with communities to optimise social and gender inclusion in Project benefits for a more positive future supported by better conservation in line with the World Bank Environmental and Social Framework (ESF),

Figure 1: Map of the Project Area



2.1.1 Component 1: Improved Rhino Conservation Management (US\$8 M)

The Project’s geographical focus is on two priority protected areas in the Eastern Cape of South Africa AENP and GFRNR. Proceeds generated from the coupon payments from the Wildlife Conservation Bond (WCB) will be used to fund enhanced conservation activities at two priority black rhino populations. The AENP and the GFRNR host two priority black rhino populations that are of global significance to the conservation of this species. of global significance to the conservation of this species. This region experienced a 58 percent increase in rhino poaching in 2018.

The WCB transaction will target a 4 percent growth in black rhino population at these two sites (equivalent to 1.9 percent of the current global black rhino population).⁷ The

⁷ Expert opinion (representatives of IUCN African Rhino Specialist Group, SANParks, ECPTA, Conservation Alpha) indicates that under the WCB model, the partner sites can achieve a rhino growth rate of 6.5% p.a. over the next five years if the project is successfully implemented; the target growth rate is 5% per annum which is aligned with and supports the “Biodiversity Management Plan for the Black Rhinoceros (*Diceros bicornis*) in South Africa” against a counterfactual of -3.7 percent p.a.

project will support implementation of site-specific five-year black rhino conservation strategies. These site-specific rhino conservation strategies are based on best practice, focusing on habitat and biological management, range availability, containment and counter-poaching, community empowerment and robust monitoring protocols.

Component 1a – Improving rhino conservation and natural resource management in the Addo Elephant National Park (US\$4.5 M)

AENP is managed by SANParks. AENP has a strong track record of black rhino conservation and is a major conservation success story given the large-scale expansion of the Park over the past 30 years, including through funding support from the GEF.

Activities under this component will include:

- **Rhino Population Management.** AENP has three sections that currently hold rhino and will expand into a fourth section during Project implementation. This includes translocation of rhinos to the new section from existing rhino sections. This will reduce densities in existing areas and ensure high rhino growth rates in all rhino sections throughout the 5-year investment period.
- **Habitat Management.** Habitat Management plays a low-cost but critical role. Access to water is limited in AENP, both in terms of physical water points and due to competition with elephants. AENP will increase distribution of water in two sections through additional boreholes and secure the supply of water in a third section. As water attracts elephants which compete with rhino, selected water points will have elephant exclusion fences. This mimics a natural water gradient, reducing elephant browse pressures across the reserve by only allowing elephants to drink at certain waterholes.
- **Range Availability.** The new section inside the PA will be fenced to the required specifications to contain rhinos with the infrastructure established for an Anti-Poaching Unit. There is a need for an upgrade to the rhino holding bomas and some rhino capture and transport equipment to facilitate the translocation of rhinos into this new section.
- **Containment and Counter-Poaching.** Given the predicted increase in poaching in the Eastern Cape and the current law enforcement capacity at AENP, substantial security interventions are needed, including recruitment, equipping and training of security staff. An operations control room will be built to collate information and inform intelligence-led law enforcement. Access control will be enhanced, fences upgraded, and communications and aerial support improved. Training and capacity building will be conducted to improve capability to react to poaching incidents, information collection and technology use. In addition, security staff will receive mandatory annual human rights training and will hold an Environmental Management Inspectorate (EMI) certificate, which provides the necessary knowledge and mandate to enforce the law.
- **Community.** The sites will work with target communities to engage them in project activities through the established community forum. The Project sites target a biodiversity economy node identified by the Government of South Africa. Community engagement will include benefits to staff currently employed on a permanent basis and project staff on the following programs: Working for Water, Working on Fire, Working on Ecosystems and Environmental Monitors. SANParks will also employ temporary staff that works on an ad hoc basis and for maintenance functions. Through the Project SANParks will appoint staff to work as rangers, monitors, gate guards, joint operations centre staff and a project manager. Furthermore, there will be employment opportunities during the construction phase of new infrastructure as well as maintaining current

infrastructure. The project offers many positive externalities that can benefit wildlife conservation and the livelihoods of local communities.

• **Component 1b –Securing rhino populations in the Great Fish River Nature Reserve (US\$ 3.5 M).**

The GFRNR is a regional park managed by statute by the ECPTA. GFRNR is a critical reserve for the black rhino population in South Africa. Activities under this sub-component will include:

- **Rhino Population Management.** When black rhino populations are confined, they can suffer from slowing growth rates due to resource limitation and density dependence. The Project will continue ongoing activities in the GFRNR to remove rhinos to other areas to maintain a density which supports high growth rates. Rhinos will be moved in collaboration with the WWF-Black Rhino Range Expansion Project (BRREP) to establish new black rhino populations across Southern Africa, an important strategy to spread extinction risk. In order to retain high growth rates at GFRNR, the density will need to be managed by removing 15 percent of the rhino population every third year.
- **Habitat Management.** Activities will support improved water management in the GFRNR including by creating secure water points in parts of the reserve and removing some existing dams (created under the previous livestock farming era) in high-risk poaching areas. The Project will also invest in a maintenance team to support maintenance of roads, fences, infrastructure and vehicles on the reserve.
- **Containment and Counter-Poaching.** Major security interventions are needed at the GFRNR given the predicted increase in poaching in the Eastern Cape and the current law enforcement capacity at the site. Interventions will include restructuring the security staff under a newly appointed security manager; recruitment, equipment and training of new security personnel; upgrading fences; establishment of an operations room and a communications network; and upgrading access control and aerial support. Training and capacity building will be conducted to improve capability to react to poaching incidents, information collection and technology use. Security staff will receive mandatory annual human rights training and will hold an EMI certificate, which provides the necessary knowledge and mandate to enforce the law.
- **Community.** The sites will work with target communities to engage them in project activities through the established community forum. The reserve's neighbouring communities, local municipalities, traditional leadership and private landowners are all represented on the Park Forum which meets regularly. This forum is used effectively to communicate with neighbouring communities and to keep them informed about new developments and projects like the WCB. The Project sites target a biodiversity economy node identified by the Government of South Africa, and direct employment will support growth of these wildlife economy nodes. The community will also benefit from the project as staff will be hired, including rangers, monitors, administrative staff and other roles that will be employed from the communities. In addition, ECPTA has a co-management agreement with the Likhayaletu Communal Property Association and successfully co-manages the reserve with them and benefits from this project will benefit the community as co-owner of the reserve.
- Interventions under range availability are not included in this component as there are no suitable options for range expansion in the GFRNR.

2.1.2 Component 2 – National/Regional Enabling Conditions to coordinate shared security and research opportunities (US\$0.5 M)

To complement the project-specific interventions (component 1), component 2 focuses on creating national/regional enabling conditions to help catalyse security and research efforts that will benefit both sites. National engagement will strengthen linkages with other relevant projects (including the two GEF-7 activities - South Africa Global Wildlife Program) and engage where feasible in relevant efforts organized by the Global Wildlife Program and the International Consortium on Combating Wildlife Crime. For example, coordination efforts may include activities related to contributions to enforcement coordination, data exchange, sharing of lessons learned and testing of technologies. In addition, given the geographic proximity of the two South African sites, there are several interventions that will serve to benefit both sites through integrating the workplan and budget. These activities have been developed with both SANParks and ECPTA.

Implementation of the national/regional enabling conditions will be implemented by WFA. This component will include the provision of an experienced Senior Law Enforcement Advisor to work with both sites as they implement and institutionalize the significant changes to law enforcement operations at site. This Advisor role will phase out over the course of the 5-years once suitable capacity has been developed at both agencies. The Senior Advisor will provide technical expertise on rhino law enforcement including the deployment of suitable technologies and help facilitate uptake of technologies at both sites to improve detection of poaching incursions. This component facilitates sharing of lessons learnt and building of collaboration between the sites and with other donor-funded efforts. This component will also include support for research activities to improve the body of knowledge and further optimize chances of achieving the rhino growth rates under an adaptive management framework, as well as knowledge management and systematization of the project's lessons learned.

This component will build on the organizational and financial due diligence conducted on each PA during the project preparation phase (Investment Readiness conducted from 2018 to 2020) to assess the enabling environment and to understand whether there were any major associated risks to investment. The enabling conditions categories will be continually assessed during the Project to resolve risks if they arise.

2.1.3 Component 3 – Project management and monitoring (US\$0.5 M)

This component will support project management activities to ensure cost-efficient, timely, and quality delivery of project activities and results, including monitoring and evaluation and project reporting. This would include support for fiduciary management aspects, including procurement and financial management, the World Bank's Environmental and Social Framework (ESF), and monitoring and evaluation. It supports the Monitoring and Evaluation system to report to the GEF, according to its monitoring policies and guidelines on the expected project's results (disaggregating by gender, where appropriate), informing the Conservation Success Payment. Component 3 activities will be carried out by staff assigned by SANParks and the ECPTA to carry out these functions.

The project design includes targeted interventions for generating better jobs at both sites. The number of direct beneficiaries disaggregated by gender as co-benefit is a key indicator that will be monitored and reported on for the project. This will provide detail on permanent and temporary employment at both sites, disaggregated by gender.

2.1.4 Component 4: Conservation Success Payment (US\$13.76 M)

This component will support the disbursement of the GEF Non-Grant Instrument (NGI) funds (up to USD 13.76M) as a conservation success payment to the IBRD bond holders as part of bond redemption. Repayment of GEF NGI funds to the GEF will only be made if the success threshold of est. 4 percent rhino growth is not reached at the close of the 5-year project. If repayment to the GEF is needed, it will vary between USD 0 and USD 13.76 million based on rhino growth rate.

2.2 Purpose and Rationale of the ESMF

While the Project focus is on PA biodiversity management in a manner which enhances social cohesion and environmental sustainability. However, sub-component activities may induce unintended adverse environmental and social impacts on the population and the environment. Most of the potential impacts are expected to be of low to moderate significance and site-specific, such as environmental, occupational or community health and safety aspects. The Project supports security interventions that may be associated with violent altercations with suspected poachers. The associated social risk is considered substantial by the World Bank. Therefore the combined environmental and social risk rating is substantial. The risk category has been chosen as a precautionary measure to ensure that the potential social implications are given due attention, and to help the SANParks and EPTCA to prepare and execute activities diligently in line with the South African legal framework as well as in accordance with the requirements stipulated in the World Bank's ESF.

The ESMF is not introducing a large set of new procedures in the two PAs as existing environmental and social assessments and plans, occupational health and safety, HR policies, including policy on sexual harassment and other existing safety, health, environmental and quality management frameworks are regarded to be sufficient. The two PAs aspire to national and international leadership practices through their environmental and social due diligence.

In projects where the general types of planned activities are known prior to the start of implementation, but where locations and the detailed scope have not yet been identified and design information for the respective type of interventions has not yet been established, a framework approach is used to ensure the Project's environmental and social sustainability is in compliance with the applicable requirements of the World Bank's ESF as well as relevant South African laws. The ESF has ten associated Environmental and Standards (ESSs) that apply to all World Bank projects. ESS1, Assessment and Management of Environmental and Social Risks and Impacts, provides overarching guidance to identify, evaluate and manage the environment and social risks and impacts of Project activities in a manner consistent with the ESF.

All 10 standards may apply to this project, although by appraisal, both SA and the World Bank assessed six of the ESSs to be relevant: ESS 1, 2, 3,4, 6 and 10 – as detailed below. These six ESSs apply to Project activities in varying degrees to provide operational guidance for project preparation and implementation, proportional to the related anticipated risk and impacts of the proposed activities. The objectives of the relevant ESSs and policy application for Project activities are laid out section 4.6.

World Bank Environmental and Social Standards

- **ESS 1: Assessment and Management of Environmental and Social Risks and Impacts**
- **ESS 2: Labour and Working Conditions**

- **ESS 3: Resource Efficiency and Pollution Prevention and Management**
- **ESS 4: Community Health and Safety**
- ESS 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement
- **ESS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources**
- ESS 7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities
- ESS 8: Cultural Heritage
- ESS 9: Financial Intermediaries
- **ESS 10: Stakeholder Engagement and Information Disclosure**

The ESF and South African environmental legislation are guided by the risk management and mitigation hierarchy (see Figure 2) in order to avoid, minimize and reduce, mitigate, and/or offset potential adverse environmental and social impacts. The ESMF is a safeguard instrument developed to support the assessment of risks and potential impacts resulting from Project activities by setting out the principles, guidelines, and procedures to anticipate and assess risks and impacts in accordance with the risk hierarchy and to enhance positive impacts and opportunities.

Figure 2: Risk Management and Mitigation Hierarchy



The ESMF supports the management of the environmental, occupational or community health and safety risks and potential impacts associated with activities that should be identified in accordance with the ESF's Environmental and Social Standard 1 (ESS1) objectives with reference to ESS2, 3, 4 and 6

In addition, the ESMF describes procedures and responsibilities necessary for its implementation as well as Project consultation, participation and disclosure process, including grievance redress in accordance with ESS10.

The objectives of the ESMF is to:

- Assess the potential environmental and social impacts of the proposed activities, whether positive or negative and propose mitigation measures, which will effectively address adverse impacts.
- Establish clear procedures for the environmental and social planning, review, approval and implementation of activities to be financed under the Project.
- Specify appropriate roles and responsibilities, and outline the necessary reporting procedures, for managing and monitoring environmental and social concerns related to activities.
- Consider different alternatives, options, and relevant mitigation measures during activity preparation and implementation.

- Address mechanisms for community participation and consultation, disclosure of project documents as well as redress of possible grievances.

It is necessary to identify potential environmental and social constraints early in the planning process to adequately mitigate associated adverse impacts as part of the development of the activity. The ESMF includes screening criteria to select eligible activities and identify potential issues for further assessment and provides practical tools for use during activity planning for assessing, evaluating, avoiding, reducing and mitigating any identified environmental and social impact and risk (Annex 1). Based on the screening, the ESMF provides guidance to determine level of risk and impact. Project impacts may be managed through site-specific Environmental and Social Management Plans (ESMPs), adoption of standard mitigation procedures for low risk projects or, for higher risk projects, full Environmental and Social Impact Assessment (ESIA) (unlikely given the low to moderate nature of proposed activities). Additionally, the ESMF includes an “Ineligible Activities and No-go Areas” list, which includes types projects and areas which could have a substantial environmental and social footprint and cannot be approved for financing.

In addition to this ESMF, the Project has also prepared Stakeholder Engagement Plan (SEP). Both documents also provide specific precautions in relation to risk management during the COVID-19 pandemic. The Project will continue to update COVID-19 mitigation measures in accordance with South African government requirements and good international practice provided through the World Health Organisation (WHO).

2.3 Methodology

Review of the existing baseline information and literature material was undertaken to gain a deeper understanding of the potential Project environmental and social risk and impacts. A desk review of the South Africa’s legal framework and policies was also conducted, and national policy and legal documents were reviewed. In addition, the following World Bank documents were assessed:

- Project Concept Note
- Project Appraisal Document
- Project Information Document
- World Bank ESF
- Concept Stage Environmental and Social Review Summary

In addition, other relevant literature was collected to establish a general baseline for socio-economic and biophysical conditions in the Project area.

The Project intends to help conserve natural and critical habitats and wildlife of global value, while allowing the realization of the economic potential for social development of these natural assets. Stakeholder engagement therefore is one of the central concepts of the Project. The ESMF was developed as an interactive process between key officials in the two PAs. Due to COVID-19 the ESMF will be disclosed virtually to allow for broader stakeholder feedback and to ensure operational readiness. A summary of key procedures will be translated to IsiXhosa to allow for broad stakeholder engagement through forthcoming People & Parks events as well as other key public engagements to allow for broad engagement in environmental and social management. All necessary safeguard documents that will be locally disclosed will also be forwarded to the World Bank for disclosure at the official World Bank Website.

However, currently, stakeholder engagement needs to take into account COVID-19 related quarantine and lockdown measures. The World Bank’s guidance Technical Note on Public Consultations and Stakeholder Engagement in WB-supported operations will be followed when there are constraints on conducting public meetings.

3 ENVIRONMENTAL AND SOCIAL CONTEXT

The Eastern Cape is located on the east coast of South Africa between the Western Cape and KwaZulu-Natal provinces. Inland, it borders the Northern Cape and Free State provinces, as well as Lesotho. It is approximately 170 thousand km² and is inhabited by about 6.7 million people. This equals about 13.8 percent of both the total population and the total land area of South Africa. The majority speak isiXhosa, followed by Afrikaans, then English and seSotho. Bhisho is the capital of the East Cape Province and hosts the governing bodies. Port Elizabeth in Algoa Bay is the largest city and biggest industrial hub in the Eastern Cape Province. The Eastern Cape is divided into 6 District Municipalities and two Metropolitan Areas (Nelson Mandela Bay – Port Elizabeth, and Buffalo City - East London). It is further divided into 37 Local Municipalities. The region boasts remarkable natural diversity, ranging from the semi-arid Great Karoo to the forests of the Wild Coast and the Keiskamma Valley, the fertile Langkloof, and the mountainous southern Drakensberg region. The Eastern Cape’s main feature is its spectacular coastline bordering the Indian Ocean.

Figure 3: Eastern Cape Province and Municipalities



3.1 Environmental Context

3.1.1 Climate

The Eastern Cape has nine climatic regions ranging from areas with late summer rainfall and frosty winters, to areas that experience rainfall throughout the year. Generally, it is one of the coldest regions in South Africa with an average daily high temperature of 24 degrees Celsius. The northern areas generally have a high altitude and little water,

which result in semi-arid conditions that characterize regions such as the Karoo. To the south, the climate is different since a number of rivers trickle down from the mountains and provide an ample supply of water. The coast experiences more wind and higher levels of humidity. Conditions inland are usually drier and hotter and there is a lower rainfall level than at the coast. In summer, temperatures range from 16 to 26 degrees Celsius while winter temperatures range from 7 to 20 degrees Celsius. Winter months fall between April and August while summer temperatures are highest between November and April.

3.1.2 Topography

Eastern Cape is predominantly mountainous area. It includes the southern spur of the Drakensberg, rising to more than 9,000 feet (2,700 m) in the northeast, and descends southward from the great interior plateau (Highveld) of southern Africa to form a relatively narrow coastal plain along the Indian Ocean. Southwest of the Highveld and the Great Fish River, the topography is characterized by east-west-trending mountain ranges and valleys. East of the Great Fish River, including the lower valley of the Great Kei River, perennial streams have carved deep valleys on their way to the ocean.

3.1.3 Hydrology

The Eastern Cape includes three of South Africa's Hydrological Zones. The Mzimvubu-Tsitsikamma, Breede-Gouritz-Berg and a small portion of the Kraai sub-catchment of the Upper Orange Hydrological Zones also lies within the provincial boundary. The Acting Director-General of the Department of Water and Sanitation declared a water emergency in the Mzimvubu-Tsitsikamma Water Management Area in the Eastern Cape Province in 2018.

3.1.4 Soils and Geology

The Geology of the Eastern Cape is dominated by younger sedimentary rocks, predominantly clay or sand based. Due to the young geology, there are few valuable mineral or precious metal deposits, however there are a number of deposits of industrial minerals such as high-quality clay and travertine (limestone) in the Port St Johns area, kaolin deposits near Grahamstown and titanium from the Pondoland area. Coal seams found in the Eastern Cape are predominantly narrow and of poor grade, although some mining occurs. The soils of the Eastern Cape show similarities to other sub-tropical soils with a high percentage of mica, quartz and kaolinite. Where they are farmed without suitable management, they typically show low levels of nutrients. The soils of the Eastern Cape are typically shallow, unstable and less developed, apart from those few areas that receive more reliable and efficient rainfall. With predominantly sandy soils and dry conditions, soil erosion is a major problem in the Eastern Cape when poor pasture management occurs.

3.1.5 Forests

South Africa's plantations represent about 1 percent of the world's forestry plantations of 109.5 million ha. The plantations of the Eastern Cape, which total 129,334 ha, represent 10 percent of South Africa's total forestry plantations. 51 percent of the province's plantations are privately owned, while 46 percent are state-owned. 103,807 ha (81 percent) are pine plantations. Additionally, the National Forest Inventory (NFI) identified 226,997 ha of natural forest in the Eastern Cape out of which 139,944 ha are named and are assumed to be legally demarcated forests. 87,053 ha of forest, while

shown on the NFI maps, are not identified by any names and are assumed to not be legally demarcated. The most significant commercial activities in the forestry sector arise from the processing of timber from the province's commercial forestry plantations. It is estimated that around 770,500 m³ of timber is processed in the Eastern Cape each year, producing 328,700 m³ of sawn board which is mainly used in the construction sector.

3.1.6 Flora and Fauna

The Eastern Cape Province is internationally recognized for its scenic beauty and its diverse biodiversity. Among the nine provinces, it has the highest biome diversity with at least seven biomes: Savanna, Grassland Succulent Karoo, Nama Karoo, Forest, Fynbos and Thicket. The terrestrial vegetation is diverse and much of it is endemic to the vicinity and the uniqueness of the province.

There are a number of floral habitats meeting in the Eastern Cape, producing a range of different plants and environments. In the north and west, the aromatic, succulent-rich Karoo environment contrasts with the intermingled northeastern sub-tropical forests and more temperate woods of the south along the coast. Ancient forest remnants are found at Keiskammahoe, Dwesa, Port St Johns and Bathurst, and mangroves grow on the Wild Coast. Inland in the more eastern areas are extensive grasslands and in the western central plateau is savannah bushveld. Many of these are fragile environments and host a wide variety of wildlife.

3.1.7 Addo Elephant National Park

AENP is a 175,000 ha PA located 75 km north of Port Elizabeth. The park was initially proclaimed in 1931 to preserve the threatened African elephant *Loxodonta africana*, population in the Eastern Cape. Reduced to 11 animals, the population has increased to over 620 by 2014, the second largest population in South Africa. Although the park is at the junction of five biomes, the 20 large mammalian herbivore species diversity is still less than other national parks. The park also harbours Cape buffalo, *Syncerus caffer*, population, whose offspring, because of their disease-free status, are in great demand.

The present park represents five of South Africa's seven biomes, namely the Nama Karoo, Fynbos, Forest, Thicket, Grassland and the azonal Wetland (only lacking the Succulent Karoo and Savannah). This makes it the most diverse park in South Africa and Africa and represents a critical habitat for several species, including black rhino. A total of 43 vegetation units have been identified, some of these being Afro-montane Forest, Coastal Forest, Eastern Mixed Nama Karoo, Central Lower Nama Karoo, Mountain Fynbos, Grassy Fynbos, Valley Thicket, Mesic Succulent Thicket, Spekboom Succulent Thicket, Xeric Succulent Thicket and Coastal Grasslands. Pending expansion plans for the park will increase this number of nationally recognised vegetation types to 13, more than any other conservation area in the country.

Landscapes vary from the short succulent Noorsveld type (characterised by the short sweet noorsdoring, *Euphorbia coerulescens*), karroid vegetation of the Central Lower Nama Karoo vegetation type, and Spekboom Succulent Thicket on the warm northern slopes near Darlington Dam. None of the Noorsveld was conserved prior to its incorporation into the park. The Zuurberg Mountains consist predominantly of Mountain and Grassy Fynbos on the higher lying leached nutrient-poor sandstone-derived soils. The southern side of the mountain range has relatively nutrient-rich alluvium- and aeoliant-type soils with its characteristic Xeric and Mesic Succulent Thicket. Along the moist coast, unique mixes of Afro-montane and coastal forests interspersed with coastal grasslands occur.

The variation in altitude, topography, climate, geology and soil composition over a relatively short range within the park accounts for the diverse floristic change. The vegetation varies from typical thicket species such as spekboom *Portulcaria afra*, white milkwood *Sideroxylon inerme*, and cape plumbago *auriculata*, to forest species such as broad leaved yellowwood *Podocarpus latifolius*, through to typical Fynbos species on the mountainous areas to the characteristic *Pentzia* spp shrub land and Noorsveld *Euphorbia* spp. communities in the Karoo section.

The rich browsing value of the Thicket vegetation accounts for the high proportion of large browsing and intermediate mammalian herbivores (of which there are ten species), such as elephant, black rhinoceros *Diceros bicornis*, kudu *Tragelaphus strepsiceros*, eland *Tragelaphus oryx*, and bushbuck *Tragelaphus scriptus*. The bulk of the grazing species is made up of Cape buffalo and plains zebra (*Equus quagga*).

The introduction of lion *Panthera leo*, into the main elephant section (and Kuzuko contractual section in 2007) was intended to complete the Big 5 eco-tourism product, in addition to their importance as agents of predation. Spotted hyena *Crocuta crocuta*, have also been introduced as part of re-establishing the carnivore process in the park in 2004, with cheetah *Acinonyx jubatus*, introduced in 2007 into the Kuzuko contractual section. Species such as cheetah are planned for introduction into the Darlington area once the area and game populations are secured. Certain species such as oribi *Ourebia ourebi* and serval *Felis serval*, would require a meta-population management strategy prior to reintroduction.

The park has a wide range of suitable protected habitats for terrestrial birds, including some red data species such as the ground hornbill *Bucorvus leadbeateri*, Cape vulture *Gyps coprotheres*, martial eagle *Polemaetus bellicosus*, Stanley's bustard *Neotis denhami*, kori bustard *Ardeotis kori*, grass owl *Tyto capensis* and cuckoo hawk *Aviceda cuculoides*. The park is important for the conservation of the region's herpetofauna – it conserves 13 endemic species, two of which are restricted to the Eastern Cape region, namely the Tasman's girdled lizard *Cordylus tasmani* and the Cape legless burrowing skink *Scelotes anguina*. The park is also home to populations of five species of land tortoises, and 14 of the expected 15 species of frogs being red data listed species (Branch 1988). Known important invertebrates in the park include the endemic dune grasshopper *Urnsiella rubropunctata* in the Alexandria dune fields, and the endemic flightless dung beetle *Circellium bacchus* which is specially adapted to exploit the faeces of large herbivores in the dense thicket biome.

The marine section of the park, situated in Algoa Bay, falls within the warm temperate bio-geographic marine province, and consist of the Bird and St. Croix island groups and surrounding waters. The Bird Island marine protected area contributes towards the nine percent of the South African coastline which is considered a no-take or completely protected area. Dominant marine fauna can be grouped into marine mammals (seals, whales, dolphins), birds (penguins, gannets, terns *etc.*), fish (migratory and reef species) and highly diverse benthic fauna on the reefs. The two island groups within the Bay are important as breeding grounds for birds and seals. A number of birds of conservation significance occur on the islands: the endangered African penguin *Spheniscus demersus*, comprising more than 50 percent of the world population, the Cape gannet *Morus capensis*, comprising 40 percent of the world population, the endangered roseate tern *Sterna dougallii*, and the endemic African black oystercatcher *Haematopus moquini*.

AENP is surrounded by a mixture of private and government owned land. Eastern Cape has seen a significant growth in privately owned game farms and ecotourism establishments, which is viewed as more environmentally and economically sustainable than livestock farming.

3.1.8 The Great Fish River Nature Reserve

GFRNR is 45,500 ha and straddles the Great Fish River in the southeast of the Eastern Cape Province, 150 km from Port Elizabeth, midway between Grahamstown and King William's Town. The Great Fish River bisects the GFRNR, which comprises representative steep river valleys and inter-basin ridges of the Great Fish River catchment area, dense, semi-succulent, thorny scrub or thicket and notable variations in topography and elevation ranging from 95 to 559 m.

The geology, topography and climatic variations have resulted in high levels of plant diversity and a high incidence of plant endemism. Subtropical Fish River Thicket is the dominant vegetation type, interspersed with areas of savannah and grassland. Generally, the vegetation at the higher elevations has greater grass content whereas in the low-lying areas the vegetation is short and thorny or succulent thicket. Annual rainfall has an effect on the amount of grass growth available to herbivores. The vegetation has three main physiognomic components, a woody tree and tall shrub component, a dwarf shrub component and a grass component. GFRNR represents a critical habitat for several species, including black rhino. Of the broad habitat types represented in the GFRNR, namely Albany Thicket, Fish Arid Thicket, Fish Valley Thicket, Dune Thicket with Grassland, Valley Thicket, Valley Thicket with Succulent Karroo and Grassland, the thicket and thicket mosaic types are most prominent vegetation types.

Historically, when the large mammal complement was being initially restored after the change in land use, a number of extra-limital species were introduced into the Double Drift Nature Reserve. The understanding of ecological functioning is that extra-limital species are undesirable and an effort has been made to remove these through game auctions or culling. They include blue wildebeest, nyala, waterbuck and white rhino. Warthog from Zululand were introduced on the understanding that they were the same as the species, which was extirpated from the Eastern Cape in the mid-1800s. This has subsequently been demonstrated to be incorrect and they are now considered to be an alien invasive species.

Restoration of indigenous large mammals has progressed well and the GFRNR currently has a large and diverse population of indigenous mammal species, particularly large and medium-sized herbivores. The large predator component remains to be re-established although there are signs of leopard in the area. In total, 73 mammal species, including hippopotamus, aardvark, honey badger, black-backed jackal, caracal and cape clawless otter have been noted on GFRNR and red hartebeest, steenbuck, grysbok, kudu and eland have been re-introduced including a healthy population of over 200 disease free buffalo. There is limited documentation on the birdlife in the GFRNR although approximately 240 species, including Cape vulture, Verreaux's eagle, martial eagle, kori bustard, Stanley's bustard, ground hornbill, giant eagle owl and blue crane, have been noted. There is currently no database regarding diversity of reptiles, amphibians, fish and invertebrate's species and no systematic effort has been made to identify endemics, threatened or endangered species. GFRNR boasts an important population of black rhino (*Diceros bicornis minor*).

The eastern part of the GFRNR is characterised by dense populations of people living on communal land, with high levels of unemployment, a strong sense of traditional leadership, and largely dependent on subsistence agriculture, natural resource use and social grants. In contrast, the areas to the west are characterised by commercial agriculture and private game reserves, low population densities, private freehold land and low levels of unemployment.

3.2 Social Context

3.2.1 Population and Size⁸

Between the 2011 Census and the 2016 Community Survey the total population of the Eastern Cape increased from 6.6 million to 7 million, or by 6.6 percent. This was slightly less than the South African population increase of 7.5 percent. The relatively slow growth of the Eastern Cape population is due to net out-migration rather than lower fertility rates or higher morbidity rates than the national average, higher than other South African provinces. Deep rural areas are de-populating. Over the 2011 to 2016 period, the Eastern Cape's population contracted by 52,930 people due to the net effects of migration. The outmigration of men is more pronounced than females; 56.8 percent of the population over age 30 in the province is female.

The total fertility rate has been declining over the last few years in all South African provinces. Eastern Cape has seen a marked decline in the total fertility rate: down from 3.55 (between 2001 and 2006) to an estimated 3.06 (between 2011 and 2016). The population age structure of the Eastern Cape mirrors that of South Africa in that it has a large proportion of young people. In the province, minors (ages 0-14) account for 34.8 percent of the provincial population.

3.2.2 Economic Growth and Setting

The historic absence of significant mining activity in the Eastern Cape, and the creation of the former homelands as unproductive "labour reserves", are the main reasons that the provincial economy has tended to underperform compared to the national economy in terms of higher rates of poverty and unemployment. Generally, the province has a rather small and slow-growing private sector with low levels of fixed investment. The capital assets per capita are approximately half the national average. The province also has a small agricultural sector with declining levels of employment; partial de-industrialisation, particularly of labour-intensive, non-automotive manufacturing; and very low levels of productive economic activity in the former homelands. In terms of economic structure, there are significant differences between the province and the country. The Eastern Cape has a very small primary sector (the smallest in South Africa both absolutely and as a percentage of provincial GDP), a medium-sized secondary sector and the largest tertiary services sector (as a percentage of GDP) in the country. Within the tertiary sector, the largest sub-sector is general government (including community services), which accounts for 20 percent of national GDP and contributes 34 percent of provincial gross domestic product. This underlines the province's dependence on state spending (and social grants), and its high-risk exposure to future fiscal contractions. Local economies in the former homelands are particularly dependent on state spending and social grants. The impact at the national level of prolonged recession, low growth and low investment levels has been harsh. The Eastern Cape has been particularly badly affected.

Most economic activity in the province is in the two coastal metro areas. The relatively high population growth of several other coastal municipal areas also indicates the emergence of a predominantly coastal economy. There has been increasing unemployment, including in the economic hubs (unemployment in Nelson Mandela Metro increased from 26.4 percent to 28.8 percent between 2006 and 2016). There are 781,000 unemployed people in the Eastern Cape and there was a net loss of 64,570 jobs between 2006 and 2016. Employment growth has low since adoption of the Provincial Development Plan in 2014 and youth unemployment now stands at 39.1 percent

⁸ This section is based on Statistics of South Africa www.statssa.gov.za.

(official definition). Since the downturn, the Eastern Cape has lagged behind national trends in production, employment, education levels and population growth. This is reflected in the falling share of the Eastern Cape in the national economy on key measures.

3.2.3 Education

An estimated 28 percent of the Eastern Cape population over the age of 20 years old have either a matric qualification or some form of tertiary education in 2015. This is the lowest in the country and also notably less than the national average (39 percent). However, at 6.5 percent, the province has the fourth lowest proportion of individuals with no schooling after the Western Cape (3.2 percent), Gauteng (4.2 percent) and the Free State (7.5 percent). The Eastern Cape Education Department experienced a decrease in overall learner enrolment of 105,501 learners (5.1 percent) between 2010 and 2014, with a decrease of 13,445 enrolments (0.7 percent) between 2012 and 2013 alone. In 2014, learner numbers increased marginally by approximately 8,800. Learner numbers are expected to decline marginally in 2015.

3.2.4 Agriculture and Manufacturing

Merino sheep, goats, and dairy cattle are raised throughout Eastern Cape. Corn (maize), and sorghum are grown inland with irrigation, while oranges, pineapples are cultivated along the coast. Port Elizabeth and East London are manufacturing centres where the production of motors and the canning of fruit and vegetables are important.

3.2.5 Poverty and Income Distribution

The Eastern Cape and Limpopo have remained among the poorest provinces since 2001. However, the report shows a notable 17,5 percentage point drop in multidimensional poverty in the Eastern Cape since 2001. Eastern Cape remained the poorest province in 2016, with 12.7 percent of its households classified as multi-dimensionally poor. The report highlights that black African females, children (17 years and younger), people from rural areas, those living in the Eastern Cape and Limpopo, and those with no education, are the main victims in the ongoing struggle against poverty. Eastern Cape had the highest percentage (95.4 percent) of older poor persons receiving an old-age grant when compared to the other provinces. Although the percentage is high, there is not too much of a difference between the older poor persons and the province's coverage for its overall older population. Eastern Cape (42,8 percent) also has the highest percentage of poor households with children receiving child support grants compared to other provinces. In the Eastern Cape, the poverty headcount was 76.6 percent in 2006; 77.4 percent in 2009; 69 percent in 2011; and 72.9 percent in 2015.

The share of people in extreme, or food poverty, stood at 36.7 percent in 2018 and the upper bound poverty line at 69.1 percent. From 2011, however, there is a notable trend reversal, with poverty on the increase for all three poverty measures. Poverty shows a similar trend of decline followed by regression across poverty measures, including the South Africa Multiple Index of Deprivation. While households gained better access to services and facilities, their financial situation has deteriorated due to a combination of international and domestic factors such as stagnant economic growth, increasing unemployment and higher prices.

The province is facing a quadruple burden of disease, driven by HIV/AIDS and tuberculosis, non-communicable diseases, maternal and child mortality, injury and violence. Health status is also influenced by environmental conditions, incomes and living conditions. Food security remains low, with child stunting still persistent. The

number of people with HIV/AIDS has increased from 314,000 in 1996 to 838,000 in 2018, due to treatment availability and improved survival rates. AIDS-related deaths have decreased from 35,000 at its peak in 2003 to 15,000 in 2018. HIV positive estimates and estimated HIV death rates follow the national trends. Young women show the highest rates of prevalence and incidence.

3.2.6 Labour and Employment

Over half of the youth labour force (57.3 percent) are unemployed within the Eastern Cape and the official unemployment rate for the province in the third quarter of 2016 was 28.2 percent. Most districts within the Eastern Cape have a comparable youth unemployment rate, the lowest, however, is Sarah Baartman with 39.6 percent and the highest is O.R. Tambo with 63.4 percent, followed closely by Amathole with 62.9 percent. These are the only two districts over 60 percent, while Sarah Baartman is the only district below 50 percent. Statistics South Africa 3rd quarter 2014 indicates that 28 percent of women within the labour force are unemployed. Thus, the female unemployment rate is aligned with the general unemployment rate for the province. The districts with the largest female unemployment rates are O.R. Tambo (43.5 percent), Amathole (43 percent) and Alfred Nzo (42.8 percent). The lowest female unemployment rate was in Sarah Baartman at 30.1 percent.

The provincial labour force numbered just over 2 million in the third quarter of 2016, up by approximately 284,000 since the third quarter of 2011. Black Africans accounted for 82.7 percent of the labour force, followed by Coloured (11.5 percent) and Whites (5.7 percent). In the third quarter of 2016, the three largest formal sector industries in terms of employment in the Eastern Cape were community, social and personal services, which includes the government sector (28.6 percent of formal sector employment), wholesale and retail trade (23.3 percent) and manufacturing (10.7 percent). Together, these three industries account for 62.6 percent of all formal sector employment in the Eastern Cape in 2016.

3.2.7 Water

Access to water in adequate quality and quantity is a national challenge for South Africa as with the Eastern Cape Province. The highest access to piped water is within the Nelson Mandela Bay (90.3 percent) and Sarah Baartman (85.8 percent), with Buffalo City third with 70.6 percent. Amathole leads the province with households that access water through community stands, followed by Chris Hani and O.R. Tambo. Nelson Mandela Bay, Chris Hani, Buffalo City and Sarah Baartman source almost all their water from either piped water or community stands. O.R. Tambo and Alfred Nzo source the majority of their water from natural sources, such as dams, rivers and streams. Growth in households' access to piped water between 2012 and 2013 has been small, but positive.

3.2.8 Electricity

Access to electricity is highest in urban environments whilst access is lower in rural areas. Electricity access is available throughout all districts, with only two districts not having at least 70 percent of households connected to the grid. These are Joe Gqabi with 69.1 percent, and Alfred Nzo with only 46 percent of households.

3.2.9 Sanitation Services

Flush and chemical toilets are the most widely used sanitation type in the province, with the majority of households in Nelson Mandela Bay (89.3 percent), Buffalo City (71.3 percent), and Sarah Baartman (73.5 percent) having access to this sanitation type. Other districts have larger access to pit latrines over toilets; this includes Amathole (46.6 percent), O.R. Tambo (57.2 percent) and Alfred Nzo (67 percent). The Eastern Cape saw an increase in bucket latrines of 0.8 percent in 2012/2013, with the highest growth in Buffalo City at 1.1 percent, followed by Joe Gqabi at 0.9 percent and the lowest growth of 0.5 percent in Alfred Nzo and O.R. Tambo.

4 LEGAL AND ADMINISTRATIVE FRAMEWORK

This section outlines and highlights the relevant institutional and legal as well as policy framework in South Africa that has a direct bearing on the Project. The chapter further highlights the World Bank ESSs applicable to the project including a comparative analysis and gaps existing between the ESSs and host country regulations and suggestions on bridging the gaps.

4.1 The South African Legal and Policy Framework

4.1.1 Constitution, 1996

In respect of the Bill of Rights included in the Constitution of the Republic of South Africa, 1996, the citizens of South Africa have in terms of Section 24, the right to have the environment protected and to live in an environment that is not harmful to human health or well-being. One of the legal instruments developed to ensure that this right is given effect to is Environmental Impact Assessments (EIA), as detailed in the EIA Regulations (different sets of Regulations promulgated over time in accordance with the National Environmental Management Act (NEMA)).

The Constitution of South Africa states that *the public interest includes the nation's commitment to land reform, and to reforms to bring about equitable access to all South Africa's natural resources* and that *the state must [...] foster conditions which enable citizens to gain access to land on an equitable basis*. The Constitution further elaborates that everyone has the right (a) to an environment that is not harmful to their health or wellbeing; and (b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that: (i) prevent pollution and ecological degradation; (ii) promote conservation; and (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development. In addition, *the public interest includes the nation's commitment to land reform, and to reforms to bring about equitable access to all South Africa's natural resources*.

4.1.2 National Development Plan 2030

The National Development Plan (NDP) aims to eliminate poverty and reduce inequality by 2030. South Africa can realise these goals by drawing on the energies of its people, growing an inclusive economy, building capabilities, enhancing the capacity of the state, and promoting leadership and partnerships throughout society. The plan focuses on the critical capabilities needed to transform the economy and society. Given the complexity of national development, the plan sets out six interlinked priorities:

- Uniting all South Africans around a common programme to achieve prosperity and equity.
- Promoting active citizenry to strengthen development, democracy and accountability.
- Bringing about faster economic growth, higher investment and greater labour absorption.
- Focusing on key capabilities of people and the state.
- Building a capable and developmental state.

- Encouraging strong leadership throughout society to work together to solve problems.

Of particular importance to this project are the following NDP objectives: i) Environmental Sustainability and Resilience through increased landscapes under protection for biodiversity conservation and investment in rural livelihoods; ii) Economy and Employment through reduced unemployment, broadened ownership of assets and increased GDP; iii) Social Protection through training and skills development for income support and improved participatory governance and co-management for more transparent benefit-sharing with marginal communities; and iv) Inclusive Rural Economy through sustainable rural economic development; promotion of inclusive businesses and value chains; and multi-stakeholder engagement among strategic partners (Government of South Africa, NGOs, and private sector), beneficiaries and PAs authorities.

4.1.3 National Environmental Management Act, 1998

The National Environment Management Act (NEMA) (Act No. 107 of 1998) requires the protection of the environment for future generations, competent authorities to manage the environment, and sets out measures for environmental law enforcement. NEMA introduced the environmental impact management regime, in particular the EIA process. NEMA, as amended and the EIA Regulations of 2014, an application for environmental assessment for certain listed activities must be submitted to the provincial environmental authority, or the national authority, the Department of Environment, Forestry and Fisheries (DEFF), depending on the types of activities. The current EIA regulations of 2014, Listing Notice 1 of 2014, Listing Notice 2 of 2014, and Listing Notice 3 of 2014, promulgated in terms of Sections 24(5), 24M and 44 of the NEMA, and subsequent amendments, commenced on 04 December 2014. Listing Notice 1 and Listing Notice 3 lists those activities for which a Basic Assessment process is required, while Listing Notice 2 lists the activities requiring a full Scoping and EIA process. The EIA Regulations of 2014 define the processes that must be undertaken to apply for environmental assessment.

4.1.4 Protected Areas Act, 2003

The Protected Areas Act (Act No. 57 of 2003) declares its objectives as *to promote sustainable utilisation of protected areas for the benefit of people, in a manner that would preserve the ecological character of such areas; and to promote participation of local communities in the management of protected areas, where appropriate*. The purpose of the declaration of areas as protected areas include assisting in ensuring the sustained supply of environmental goods and services; providing for the sustainable use of natural and biological resources; creating or augmenting destinations for nature-based tourism; managing the interrelationship between natural environmental biodiversity, occurring in South Africa, human settlement and economic development.

Among the purposes of the declaration of the Protected Areas Act is the protection of ecologically viable areas representative of South Africa's biological diversity and its natural landscapes and seascapes in a system of protected areas, preservation of the ecological integrity of those areas and conservation or biodiversity in those areas. In addition, the Law stipulates the purposes of assisting in ensuring the sustained supply of environmental goods and services, providing for the sustainable use of natural and biological resources, creating or augmenting destinations for nature-based tourism. The Law also mentions the purpose of managing the interrelationships between natural environmental biodiversity, human settlement and economic development and contributing to human, social, cultural, spiritual and economic development.

Norms and Standards for the Management of Protected Areas were gazetted in 2016. The legislation established objectives and security measures, requires sound relationship with neighbouring communities (including environmental education, awareness and communications programmes) and effective management. The Norms and Standards also establishing standard reporting by PA management to government authorities.

4.1.1 Eastern Cape Parks and Tourism Agency Act, Act 2 of 2010.

The Eastern Cape Parks & Tourism Agency Act, Act 2 of 2010, Eastern Cape, provides for the establishment of the ECPTA in order to develop and manage protected areas and to promote and facilitate the development of tourism in the Province.

Section 12 of the act outlines the powers of the ECPTA in relation to protected area management. In terms of this section, the ECPTA must:

- Control, manage and maintain the protected areas;
- Make inventories, assess, monitor and protect natural resources in the protected areas;
- Take the necessary steps to ensure the security of animal and plant life in the protected areas;
- Take the necessary steps to ensure appropriate ecological management of the protected areas;
- Perform the duties and functions required of the management authority of a protected area; and
- Prepare and submit to the MEC management plans for protected areas.

In terms of the Act, the ECPTA is empowered to manage the GFRNR.

4.1.2 Environmental Impact Assessment Regulations, 2014

Environmental authorization under NEMA follows the Environmental Impact Assessment Regulations (GN R. 982, 4 December 2014) pertaining to environmental impact assessments under sections 24(5), 24M and 44 of NEMA. Listing Notices GN R. 983, R. 984, R. 985 of 4 December 2014 define activities that could have a negative impact on the environment that must be investigated and reported following either the Basic Assessment report (regulation 19) or Scoping and Environmental Impact Reporting procedures (regulations 21 to 24). Listed activities may not commence without an environmental authorization from the competent authority.

The EIA process is outlined in the Environmental Impact Assessment Regulations and Listing Notices aimed at implementing chapter 5 of the NEMA. The Regulations provides for listing of activities, which may not commence without an environmental authorisation and also identifies a process and reports to be submitted to the Competent Authority for decision-making purposes. The process provides the proponent with an opportunity to assess the potential environmental impacts of the proposed development as well as provide for identification of mitigation measures to be in place to ensure that environmental impacts are avoided, minimised or mitigated. Key to this process is the public participation element, which is also legislated. It forms the integral part of the EIA process and comments and inputs from the interested and/or affected parties are taken into consideration by the competent authority when making decisions on applications. The purpose of the EIA Regulations, 2014, as amended, is to regulate applications for environmental assessment, subjected to environmental impact assessment, to avoid or

mitigate detrimental impacts on the environment, and to optimise positive environmental impacts.

Activities that may result in substantial impact to the environment have been identified and which require environmental authorisation by following the EIA process. The EIA Regulations require that an EIA process be undertaken for these activities and submitted to the competent authority for consideration. Commencement with any of these identified activities prior to obtaining authorisation from the relevant competent authority is prohibited by these Regulations and constitutes an offence. However, in this project, it is not expected that any activities or sub-projects will be of substantial or high risk; If a sub-project is found to be high or substantial risk, the overall risk rating for the project will be re-visited to determine if it needs to be revised. The PAs must inform the Bank and the risk rating of the main project will be revised accordingly.

4.1.3 Biodiversity Act, 2004

The Biodiversity Act (Act No. 10 of 2004) provides for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act, 1998; the protection of species and ecosystems that warrant protection; the fair and equitable sharing of benefits arising from bio-prospecting involving indigenous biological resources; the establishment and functions of a South African National Biodiversity Institute; and for matters connected therewith.

The associated Threatened or Protected Species Regulations (February 23, 2007) sets management requirements applicable for the Project including requirements for controlled environments for protected species and breeding within a controlled environment.

4.1.4 National Water Act, 1998

The National Water Act (Act No. 36 of 1998) is the primary legislation regulating both the use of water and the pollution of water resources. It is applied and enforced by the Department of Water and Sanitation (DWS).

Section 19 of the NWA regulates pollution, which is defined as *the direct or indirect alteration of the physical, chemical or biological properties of a water resource so as to make it:*

- *Less fit for any beneficial purpose for which it may reasonably be expected to be used; or Harmful or potentially harmful to –The welfare, health or safety of human beings;*
- *Any aquatic or non-aquatic organisms;*
- *The resource quality; or*
- *Property.*

The persons held responsible for taking measures to prevent pollution from occurring, recurring or continuing include persons who own, control, occupy or use the land. This obligation or duty of care is initiated where there is any activity or process performed on the land (either presently or in the past) or any other situation that could lead or has led to the pollution of water. The following measures are prescribed in the section 19(2) of the NWA to prevent pollution:

- Cease, modify or control any act or process causing the pollution

- Comply with any prescribed standard or management practice
- Contain or prevent the movement of pollutants
- Eliminate any source of the pollution
- Remedy the effects of pollution
- Remedy the effects of any disturbance to the bed or banks of a watercourse

The NWA states in Section 22(1) that a person may only use water:

- Without a licence –
 - if that water use is permissible under Schedule 1;
 - if that water use is permissible as a continuation of an existing lawful use; or
 - if that water use is permissible in terms of a general authorisation issued under section 39. If the water use is authorised by a licence under this Act; or
- If the responsible authority has dispensed with a licence requirement under subsection (3).

Water use is defined in Section 21 of the NWA.

4.1.5 National Forest Act, 1998

The National Forest Act (Act No. 84 of 1998) establishes natural forests and woodlands form an important part of that environment and need to be conserved and developed according to the principles of sustainable management. In terms of section 7(1) of the National Forests Act, 1998, no person may cut, disturb, damage or destroy any indigenous tree in, or remove or receive any such tree from, a natural forest except in terms of: (a) license issued under subsection (4) or section 23; or (b) an exemption from the provisions of subsection (4) published by the Minister in the Gazette. Regulations associated with the national Forests Act were published as Government Notice No. R466 (29 April 2009).

4.1.6 Environmental Conservation Act, 1989

The Environmental Conservation Act (Act No. 73 of 1989) provides for the effective protection and controlled utilization of the environment and for the matters incidental thereto.

4.1.7 National Air Quality Act, 2004

The main objectives of the Air Quality Act (Act No. 39 of 2004) are to protect the environment by providing reasonable legislative and other measures to:

- Prevent air pollution and ecological degradation;
- Promote conservation; and
- Secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development in alignment with Sections 24a and 24b of the Constitution of the Republic of South Africa.

The Act has devolved the responsibility for air quality management from the national sphere of government to local spheres of government (district and local municipal authorities), who are tasked with baseline characterization, management and operation of ambient monitoring networks, licensing of listed activities, and development of emissions reduction strategies. The Act makes provision for the setting and formulation of national ambient air quality and emission standards. If the need arises, these standards can be set more stringently on a provincial and local level.

4.1.8 Occupational Health and Safety Act, 1993

The objective of the Occupational Health and Safety Act (Act no. 85 of 1993) is to provide for the health and safety of persons at work and for the health and safety of persons in connection with the use of plant and machinery; the protection of persons other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work; to establish an advisory council for occupational health and safety.

4.1.9 National Health Act, 2003

The objective of the National Health Act (Act No. 61 of 2003) is to provide a framework for a structured uniform health system within the Republic, taking into account the obligations imposed by the Constitution and other laws on the national, provincial and local governments with regard to health services.

4.1.10 Physical Planning Act, 1991

The objective of the Physical Planning Act (Act no. 125 of 1991) is to promote the orderly physical development of the Republic, and for that purpose to provide for the division of the Republic into regions, for the preparation of national development plans, regional development plans, regional structure plans and urban structural plans by the various authorities responsible for physical planning.

4.1.11 Basic Conditions of Employment, 1991

The Basic Conditions of Employment Act (Act no. 75 of 1997) gives effect to the right to fair labour practices referred to in section 23(1) of the Constitution by establishing and making provision for the regulation of basic conditions of employment; and thereby to comply with the obligations of the Republic as a member state of the International Labour Organisation. The Basic Conditions of Employment Amendment Act, No 20 of 2013 was published and became effective on 1 September 2014.

4.1.12 Labour Relations Act, 1995

The Labour Relations Act (Act no. 66 of 1995) aims to promote economic development, social justice, labour peace and democracy in the workplace. It sets out to achieve this by fulfilling the primary objectives of the Act, which are to give effect to and regulate the fundamental rights conferred by section 27 of the Constitution, including the right to fair labour practices, to form and join trade unions and employer's organisations, to organise and bargain collectively, and to strike and lock out; to provide a framework for regulating the relationship between employees and their unions on the one hand, and employers and their organisations on the other hand. At the same time it also encourages employers and employees to regulate relations between themselves; and to promote orderly collective bargaining, collective bargaining at sectoral level, employee participation in decision-making in the workplace and the effective resolution of labour disputes.

4.1.13 Employment Equity Act, 1998

The Employment Equity Act (Act no. 55 of 1998) promotes equity in the workplace, ensures that all employees receive equal opportunities and that employees are treated fairly by their employers. The law protects you from unfair treatment and any form of discrimination. The law states that your employer may not discriminate against you directly or indirectly through employment policy or practice on the grounds of race, gender, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language, and birth.

The law aims to redress injustices of the past by implementing affirmative action measures. According to the legislation, it isn't unfair discrimination to promote affirmative action consistent with the Act or to prefer or exclude any person on the basis of an inherent job requirement.

4.1.14 Promotion of Equality and Prevention of Unfair Discrimination Act, 2000

In terms of the Promotion of Equality and Prevention of Unfair Discrimination Act (Act no. 4 of 2000), which gives expression to the right to equality, section 8 stipulates that no person may be unfairly discriminated against on the grounds of gender, expressly including gender-based violence. Section 8 of the Act goes onto prohibit any limitation of

women's access to social services, such as health or education, and the denial or systemic inequality of access to opportunities.

4.1.15 Criminal Procedures Act, 1977

Criminal Procedures Act (Act no. 51 of 1977) provides the protocols in place for criminal proceedings and due process that must be provided to anyone accused of a crime, including persons who are detained by PA officials.

4.1.16 Criminal Law Amendment Act, 1991

The Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007) is an act of the Parliament of South Africa that reformed and codified the law relating to sex offences. It repealed various common law crimes, including rape and indecent assault, and replaced them with statutory crimes defined on a gender-neutral basis. It expanded the definition of rape, previously limited to vaginal sex, to include all non-consensual penetration; and it equalised the age of consent for heterosexual and homosexual sex at age 16. The Act provides various services to the victims of sexual offences, including free post-exposure prophylaxis for HIV, and the ability to obtain a court order to compel HIV testing of the alleged offender. It also created the National Register for Sex Offenders, which records the details of those convicted of sexual offences against children or people who are mentally disabled.

4.1.17 Firearm Control Act, 2000

Firearm Control Act (Act no. 60 of 2000) and associated amendments establishes the procedures under which a firearm is permitted. It includes the provisions for permitting procedures for persons in South Africa who seek to obtain a firearm, including procedures for ensuring competency and associated licencing and permits as well as procedures to terminate firearm licences.

4.1.18 Restitution of Land Rights Act, 1994

In 1994, the first law to be passed by the first democratically elected parliament was the Restitution of Land Rights Act (Act no. 22 of 1994). This was done with the conscious acknowledgement that land justice is important to deal with the challenges of poverty, unemployment and inequality.

The Act makes provision for the restitution of rights in land to persons or communities dispossessed of such rights after 19 June 1913 as a result of past racially discriminatory laws or practices. To administer this task, the Act established a Commission on Restitution of Land Rights and a Land Claims Court. The Minister is authorised to purchase, acquire in any other manner or expropriate land or rights in land for the purpose of restitution awards.

4.1.19 Communal Property Association Act, 1996

The Communal Property Association Act (Act no. 28 of 1996) makes provision for communities to form juristic persons, to be known as communal property associations, in order to acquire, hold and manage property on a basis agreed to by members of a community.

4.1.20 Heritage Resources Act, 1999

The Heritage Resources Act (Act no. 25 of 1999) is the overarching legislation that protects and regulates the management of heritage resources in South Africa, with specific reference to the following Sections:

5. General principles for heritage resource management
6. Principles for management of heritage resources
7. Heritage assessment criteria and grading
35. Protection of palaeontological, archaeological and meteorite resources
38. Heritage resources management

The Act requires that Heritage Resources Authorities be notified as early as possible of any developments that may exceed certain minimum thresholds in terms of Section 38(1), or when assessments of impacts on heritage resources are required by other legislation in terms of Section 38(8) of the Act.

4.1.21 Promotion of Access to Information Act

The purpose of the Promotion of Access to Information Act is to ensure that people can exercise their constitutional right of access to any information that is required for the exercise or protection of any right and is held by:

- The State
- Another person

The motivation for giving effect to the right of access to information is to foster a culture of transparency and accountability in both public and private bodies, and to promote a society in which the people of South Africa have effective access to information to enable them to fully exercise and protect all their rights.

4.2 South African Administrative Framework

The environment is included in Schedule 4 to the Constitution as a functional area of concurrent national and provincial legislative competence. This means that both national and provincial government have the power to make legislation that affects the environment. Where a conflict exists between national and provincial legislation, national legislation that applies uniformly regarding the country as a whole prevails over provincial legislation if any of the conditions set out in section 146 of the Constitution are met. The conditions include where the national legislation is necessary for the protection of the environment and where a matter requires uniformity across the nation and the national legislation is necessary to maintain security or economic unity. Other functional areas relevant to this guideline are also listed in Schedule 4. They include agriculture, soil conservation, nature conservation, housing, public transport, regional planning and development, urban and rural development and pollution control.

Schedule 5 of the Constitution contains matters of exclusive provincial legislative competence. They include provincial planning and provincial roads. The national government has exclusive legislative competence in respect of matters not listed in Schedules 4 and 5; these matters include energy and water (other than sanitation and potable water systems). Local government (municipalities) Municipalities have specific responsibilities in terms of ensuring sustainable development.

The Local Government Municipal Systems Act, 32 of 2000, for example, defines development to mean: sustainable development, and includes integrated social, economic, environmental, spatial, infrastructural, institutional, organisational and human resources development of a community aimed at improving the quality of life of its members with specific reference to the poor and other disadvantaged sections of the community; and ensuring that development serves present and future generations; The Act specifically requires that municipal services be environmentally sustainable. Environmentally sustainable in relation to the provision of a municipal service, means the provision of a municipal service in a manner aimed at ensuring that the risk of harm to the environment and to human health and safety is minimised to the extent reasonably possible under the circumstances; the potential benefits to the environment and to human health and safety are maximised to the extent reasonably possible under the circumstances; and legislation intended to protect the environment and human health and safety is complied with. The Act further provides that the national Minister responsible for Local Government may make regulations or issue guidelines for incentives and penalties to encourage the efficient use of resources when providing services, the recycling of waste and other environmental objectives.

4.2.1 Department of Environment, Fisheries and Forestry (DEFF)

DEFF is mandated to give effect to the right of citizens to an environment that is not harmful to their health or wellbeing, and to have the environment protected for the benefit of present and future generations. To this end, the department provides leadership in environmental management, conservation and protection towards sustainability for the benefit of South Africans and the global community. In terms of authorization, DEFF is mandated to provide:

- Environmental Authorization
- Waste Management License
- Atmospheric Emission License

4.2.2 Department of Agriculture, Land Reform and Rural Development

The mission of the Department of Agriculture, Land Reform and Rural Development is to initiate, facilitate, coordinate, catalyse and implement an integrated rural development programme. The Department's strategic objectives are: corporate governance and service excellence through compliance within the legal framework; land administration and spatial planning for integrated and sustainable growth and development, with a bias towards rural areas; equitable access to and sustainable use of land for development; improved rural services to support sustainable livelihoods; improved access to sustainable employment and skills development opportunities; promotion of economically, socially and environmentally viable rural enterprises and industries; and restoration of land rights.

4.2.3 Department of Water and Sanitation

The Department of Water and Sanitation's legislative mandate seeks to ensure that the country's water resources are protected, managed, used, developed, conserved and

controlled in a sustainable manner for the benefit of all people and the environment. In terms of authorization, DHSWS is mandated to provide;

- Water Use Licence, including General Authorisation
- Concurrence record of decisions (related to waste licences and environmental authorisations)

4.2.4 Provincial Government

The nine provinces in South Africa are governed by provincial governments, which form the second layer of government, between the national government and the municipalities. The provincial governments are established, and their structure defined, by Chapter Six of the Constitution of South Africa.

The powers of the provincial governments are circumscribed by the national constitution, which limits them to certain listed "functional areas". In some areas, the provincial governments' powers are concurrent with those of the national government, while in other areas the provincial governments have exclusive powers. The constitution prescribes a principle of "co-operative government" whereby the various layers of government must co-ordinate their actions and legislation; it also lays down a series of rules for resolving conflicts between national and provincial legislation. The relevant provincial departments dealing with social and environmental issues and authorisations in Eastern Cape are:

- Department of Finance, Economic Development, Environmental Affairs and Tourism
- Department of Social Development
- Department of Rural Development and Agrarian Reform
- Department of Health
- Provincial Heritage Resources Authority

4.2.5 Local and District Municipalities

Local and district municipalities have the following mandates with respect to the following relevant environmental and social authorization:

- Atmospheric Emission Licences
- Biodiversity permit

The local and district municipality departments dealing with social and environmental issues and authorisations in Eastern Cape are:

- Amathole District Municipality
 - Ngqushwa Local Municipality
 - Raymond Mhlaba
- Sarah Baartman District Municipality
 - Sunday's River Valley Local Municipality
 - Makana

Traditional leadership and communities are engaged through the Park Forum for the respective PA, described in more detail in the Project SEP.

4.3 South African Environmental and Social Impact Assessment Process

The environmental and social assessment process in South Africa excludes projects of low risk. Where moderate or higher environmental and social risks are identified, it is determined whether the activity requires a Basic Assessment or Scoping and Impact Assessment. The process is made up of the following three steps.

1. **Application or notification phase:** This involves completion of information in a notification form (in the case of Basic Assessment) or an application form (in the case of scoping and an Environmental and Social Impact Assessment (ESIA)) for submission to the provincial environmental agency. This step in the process is largely for administrative purposes, since it is the means for registering the project, which will then be allocated a reference number and case officer. It is advisable to confirm the activities for which application is being made, particularly when the final documentation is submitted (i.e. Basic Assessment Report or ESIA). Projects can change and evolve during the EIA process.
2. **Scoping phase:** The aim of the scoping phase is to address the question: What issues and alternatives need further investigation? While the scoping phase culminates in a scoping report in the scoping/ESIA process, it is done in preparation for and prior to the compilation of the BAR in the basic assessment process.
3. **Impact Assessment phase:** The ESIA includes a draft environmental and social management plan and specialist reports that generate new knowledge in order to address key issues in a particular field, for example, an atmospheric emissions study that uses dispersion models to determine the extent of emissions and likely spread of air pollutants. The ESIA and specialist reports are made available for comment to all registered interested and affected parties, including all government departments that administer laws relating to the environment. The revised ESIA and specialist reports will be updated to take into account any comments from interested and affected parties.

The requirement to obtain environmental authorization for certain development proposals or projects is legislated in NEMA. The EIA Regulations make provision for two types or levels of assessment, namely Basic Assessment and Scoping and EIA.

4.4 International Environmental and Social Management Requirements

South Africa has signed the SDGs which places poverty and inequality at the forefront of its National Development Plan. South Africa has regular reporting on the implementation to meet the 16 SDG goals by 2030. Particularly relevant to the Project are Goal 1: No Poverty, Goal 2: Zero Hunger, Goal 5: Gender Equality, Goal 8: Decent Work and Economic Growth, Goal 10: Reduced Inequality, Goal 11: Sustainable Cities and Communities and Goal 13: Climate Action.

There are over 500 Multilateral Environmental Agreements registered with the United Nations. These agreements require country level commitments that can be fostered through a cooperative regional approach. The conventions or treaties are legally binding to contracting states. South Africa is a signatory to several international treaties and conventions that are relevant to the sectors that the proposed sub projects under the project. Conventions signed by South Africa which are relevant to this Project are outlined below. The Project supports and adheres to these Conventions in regards to design and expected outcomes:

United Nations Convention on Biological Diversity (1995)

Signed by 150 government leaders at the 1992 Rio Earth Summit, the Convention on Biological Diversity is dedicated to promoting sustainable development. Conceived as a practical tool for translating the principles of Agenda 21 into reality, the Convention recognizes that biological diversity is about more than plants, animals and microorganisms and their ecosystems – it is about people and our need for food security, medicines, fresh air and water, shelter, and a clean and healthy environment in which to live.

Convention to Combat Desertification (1994)

The Convention aims to improve the living conditions of vulnerable populations living in arid, semi-arid and dry sub-humid areas.

Convention on Biological Diversity (1994)

The Convention aims to encourage sustainable development that considers biodiversity. Some of the strategies in place to achieve this are to decrease the rate of loss of natural habitats, establish conservation areas, restore degraded areas and protect environments susceptible to human impacts.

United Nations Framework Convention on Climate Change (1992)

The Convention aims to limit human activities contributing to climate change and to come up with solutions to curb the negative results of climate change.

Convention on International Trade in Endangered Species of Fauna and Flora (1975)

The Convention aims to ensure that the international trade of specimens (fauna and flora) does not threaten their survival.

United Nations on Combating Poverty (1997)

The aim is to ensure that all individuals are provided with the opportunity to earn a sustainable livelihood. In order to achieve this the UN will need to implement policies and strategies that promote adequate levels of funding and focus on integrated human development.

United Nations Global Compact

To encourage businesses worldwide to adopt sustainable and socially responsible policies, and to report on their implementation. Its primary objectives are to mainstream its ten principles in business activities around the world catalyse actions in support of broader UN goals, such as the Basic Assessment Report (BAR)).

World Heritage Convention 1997

Convention concerning the protection of the world cultural and natural heritage

Forced Labour Convention 1930

Commits signatory countries to suppress any form of forced labour. The convention recognizes the legitimacy of minor communal services performed in the interest of the community as a 'normal civic obligation' and of service required in the case of emergency. The Convention was ratified by South Africa in 1997.

Discrimination (Employment and Occupation) Convention 1958

Commits signatory countries to promote, through their national policies, equality of opportunity and treatment in respect of employment and occupation, with a view to

eliminating any discrimination. Discrimination is defined as any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin. The Convention was ratified by South Africa in 1997.

Minimum Age Convention 1973

Commits signatory countries to the abolition of child labour and the legal determination of a minimum age at a level consistent with the fullest physical and mental development of young persons, but in any case, of no less than 15 years and for work which may 'jeopardize the health, safety or morals of young persons' of no less than 18 years. The Convention was ratified by South Africa in 2000.

Worst Forms of Child Labour Convention 1999

Commits signatory countries to the urgent prohibition and elimination of the worst forms of child labour. The Convention was ratified by South Africa in 2000.

Equal Remuneration Convention 1951

Commits signatory countries to the principle of equal remuneration for men and women workers for work of equal value. The Convention was ratified by South Africa in 2000.

Africa Convention on Conservation of Nature and Natural Resources 2003

To encourage conservation, utilisation and development of soil, water, flora and fauna for the present and future welfare of mankind, from an economic, nutritional, scientific, educational, cultural and aesthetic point of view.

4.5 World Bank Environmental & Social Standards

The World Bank Environmental and Social Standards (ESSs) constitute the requirements relating to the identification and assessment of environmental and social risks and impacts associated Project activities. ESS1, Assessment and Management of Environmental and Social Risks and Impacts, provides the overarching guidance to identify, evaluate and manage the environment and social risks and impacts of the activities in a manner consistent with the ESSs. ESS1 also sets out the principles for activities to be designed to avoid, minimize, reduce or mitigate the adverse environmental and social risks and impacts. The ten ESSs are:

- **ESS1: Assessment and Management of Environmental and Social Risks and Impacts**
- **ESS2: Labour and Working Conditions**
- **ESS3: Resource Efficiency and Pollution Prevention and Management**
- **ESS4: Community Health and Safety**
- ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement
- **ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources**
- ESS7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities
- ESS8: Cultural Heritage
- ESS9: Financial Intermediaries
- **ESS10: Stakeholder Engagement and Information Disclosure**

The six bolded ESSs—ESS1, 2, 3, 4, 6 and 10—are currently deemed applicable to Project activities and are guiding implementation proportionally. The objectives of the relevant ESSs are laid out section 4.6 on Gap Assessment of International Objectives and National Requirements. In the event that ESS 5, 7, 8 or 9 becomes relevant, the measures

in both the South Africa laws and the provisions in ESS 5,7, 8 or 9 will be adopted for this project.

4.5.1 World Bank Group's Environmental, Health and Safety Guidelines

The World Bank Group Environment, Health and Safety guidelines are technical reference documents with general and industry-specific examples of Good International Industry Practice. During the identification and evaluation of environment and social risks and impacts required in accordance with ESS1 and ESS2, there may be need to recommend alternative (higher or lower) levels or measures, which become site-specific requirements. If less stringent levels or measures than those provided in the Guidelines are appropriate, in view of specific circumstances, a full and detailed justification for any proposed alternatives is needed as part of the site-specific assessment. Where South Africa regulations differ from the levels and measures presented in the Guidelines, activities are expected to achieve whichever is more stringent.

The Project will apply the General Guidelines, which require (i) the early identification of potential activity hazards and risks informing the site selection and design of activities; (ii) an activity risk management strategy which reduces risks to human health and the environment by preventing irreversible and/or significant impacts, eliminating hazards, and reducing and minimizing remaining impacts; and (iii) the preparedness of workers and communities to deal with accidents. Specific guidelines may apply to activities and mitigation measures, as relevant are included in site-specific ESMPs.

4.6 Gap Assessment of World Bank and National Requirements

The following table provides the overview, using the World Bank’s Environmental and Social Standards as the organizing principle to integrate the Project’s approach with the relevant laws and regulation.

Table 2: Gap Assessment of Environmental and Social Approaches

ESS Objectives	South African National Laws and Regulations	Project Approach to Align National and World Bank Requirements	Relevant Safeguard Instrument
ESS1: Assessment and Management of Environmental and Social Risks and Impacts			
Identify, assess, evaluate, and manage environment and social risks and impacts.	NEMA requires mandatory review of environmental impact and mitigation plans if projects are assessed to have significant adverse impact.	The South African framework is extensive on environmental assessment and requires integration of social impact assessment. Through the screening approach the Project will rate the risk categorisation of low, moderate, substantial or high. Low risk projects do not require review under the South African EIA Regulations, while moderate risk projects require a Basic Assessment. Activities rated substantial or high will require development of ESIA.	ESMF screening procedures are aligned with national and international standards. Monitoring and reporting of the Project’s environmental and social performance will be made in accordance with the Project’s Environmental and Social Commitment Plan.
Adopt a mitigation hierarchy: <ul style="list-style-type: none"> • Anticipate and avoid risks and impacts • Where avoidance is not possible, minimize or reduce risks and impacts to acceptable levels • Once risks and impacts have been minimized or reduced, mitigate and • Where significant residual impacts remain, compensate for or offset them, where technically and financially feasible 	Mitigation required under NEMA which is, in the case of the Project, is reviewed by the Eastern Cape Environmental Affairs. For any residual impacts Eastern Cape Environmental Affairs can issue licenses related to pollution control, waste management or hazardous waste management subject to environmental impact statements and mitigation plan approval.	South African law requires comprehensive mitigation plans in place to prevent, reduce and manage environmental impacts but is silent on social impact. The Project’s approach will provide comprehensive mitigation of environmental and social risks, guided by the ESMF.	Participatory community engagement will contribute to identification of mitigation measures. Standard mitigation measures are included in the ESMF . Activities with moderate risk classification will require a site specific ESMP . Activities with substantial or high risks are subject to further review and if approved for funding, will require the development of an ESIA .

ESS Objectives	South African National Laws and Regulations	Project Approach to Align National and World Bank Requirements	Relevant Safeguard Instrument
Adopt differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable	South African law has equal protections embedded in the country's legal framework.		
Utilize national environmental and social institutions, systems, laws, regulations and procedures where appropriate.	NEMA does not require monitoring of activities, which are considered low risk.	Where required, ESMPs and ESIA, including Basic Assessment and Scoping Reports as required by NEMA will be shared with Provincial officials in Environmental Affairs for review and approval.	Site specific ESMP, ESIA, Basic Assessment and Scoping Reports , where needed.
Promote improved environmental and social performance, in ways which recognize and enhance Borrower capacity.	South African law requires equitable and sustainable use of resources. The South African Constitution sets out the right of all to an environment that is not harmful to their health or well-being and to have the environment protected for the benefit of present and future generations	The Project will promote efficiency and sustainability in environmental and social performance as a core principle embedded in Project design.	The principle is embedded in the ESMF approach to enhance local capacity.
ESS2: Labour and Working Conditions			
Promote safety and health at work.	The Occupational Health and Safety Act outlines requirements to ensure health and safety conditions in the workplace, and the related articles has broad provisions related to safety in construction as well as training related to occupational health and safety.	<p>South African labour law outlines broad principles for safety and health that are consistent with ESS2, and the ILO Core Labour Standards. In addition, the World Bank Group Occupational Health and Safety Guidelines⁹ provide detailed guidance that will be referenced where relevant related to:</p> <ul style="list-style-type: none"> • General Facility Design and Operation (2.1) • Communication and Training (2.2) • Physical Hazards (2.3) • Chemical Hazards (2.4) • Personal Protective Equipment (2.7) • Monitoring (2.9) 	<p>During the scoping and screening of activities' environment and social risks and impacts the Project will determine which of the standard mitigation measures in ESMF are proportional to health and safety and apply.</p> <p>Where the risk of an activity is rated moderate, substantial or high there may be a need to include higher levels or measures to mitigate site-specific risks and impacts, which will be stipulated in associated ESMPs and/or ESIAs.</p>

ESS Objectives	South African National Laws and Regulations	Project Approach to Align National and World Bank Requirements	Relevant Safeguard Instrument
			Contractors and sub-contractors engaged by the Project must maintain accurate records of occupational accidents, diseases, including environmental or social incidents.
Promote the fair treatment, non-discrimination, and equal opportunity of workers.	The Promotion of Equality and Prevention of Unfair Discrimination Act provides the right to equality, disbands discrimination and the Employment Equity Act promotes equity in the workplace.	The Project will, in accordance with ESS2 and National Laws, recruit a diverse workforce and ensure that contractors have equal protections in place. The Project will provide oversight to ensure that there is no discrimination or harassment with respect to any aspects of the employment relationship, including recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, including based on gender, age, race or ability based.	Labour management procedures are provided in Section 6 of the ESMF and reflected in the standard mitigation measures in the ESMF. Recruitment of any Project related staff must promote non-discrimination, fair treatment and equal opportunity.
Protect workers, with emphasis on vulnerable workers.		<p>The Project will ensure that there is induction of all workers, whether directly employed or through contractors, and establish:</p> <ul style="list-style-type: none"> • Equal opportunities for employment • Contract rights and conditions, including salary, overtime, grievance • Workplace conduct/Code of Conduct • Register of all workers, including age and contract conditions • Worker grievance system • Health and safety policy based on IFC guidelines, provision of PPE where needed • Health surveillance, record injuries and near misses 	Incorporate labour management requirements in all procurement documents to require adequate records and training of all workers engaged and associated with the Project. Contractor's records will be subject to supervision by Project officers.
Prevent the use of all forms of forced labour and child labour.	The South African Constitution states that no one may be subjected to slavery,	International and national labour protections are aligned in aspects related to child and	The initial screening of risk and impact must identify activities where

ESS Objectives	South African National Laws and Regulations	Project Approach to Align National and World Bank Requirements	Relevant Safeguard Instrument
	servitude or forced labour. It further provides that children under 18 have a right to be protected from work that is exploitative, hazardous, inappropriate for their age, detrimental to their schooling, or detrimental to their social, physical, mental, spiritual, or moral development. The minimum age for work in South Africa is 15 years for non-hazardous engagement.	forced labour. No one under the age of 18 may be engaged in any Project activities.	anyone below the age of 18 may participate. All prospective persons employed under the Project must provide a copy of their National ID to verify age requirements. Workers age, regardless of the type of labour contributed, must be recorded by the respective employer and is subject to review.
Support the principles of freedom of association and collective bargaining of workers in a manner consistent with national law.	The South African Constitution's Bill of Rights Section 18 establishes the right to freedom of association.	Worker organisations and/or unions and their representatives will be recognized through all employer/ employee relationship, as relevant.	Contract provisions and contract management must recognize the right to participate in and form worker associations.
Provide workers with accessible means to raise workplace concerns.	The South African Constitution provisions for the Public Service Commission to investigate grievances of employees in the Public Services. The Labour Relations Act, Section 185, provides the right to not be unfairly dismissed or be subjected to unfair labour practices and outlines mechanism for addressing disputes and grievances that cannot be resolved in the workplace.	The Project and Project contractors must have workplace procedures in place. Workers may appeal determinations in accordance with the South African Labour Relations Act.	Contract provisions should reflect grievance procedures in place by the contractor as measures in place to appear through the Project. These must be shared with workers at induction in workplace procedures.
ESS3: Resource Efficiency and Pollution Prevention and Management			
Promote the sustainable use of resources, including energy, water, and raw materials.	NEMA, Section 28, addresses duty of care and remediation of environmental damage, National Water Act specifically addresses the need to conserve and manage water resources.	ESS3 has a wider reach than South African Law and will apply to the Project approach to ensuring resource efficiency and sustainable use of resources required to implement activities.	The standard mitigation measures, part of the ESMF, incorporate resource efficiency and pollution prevention and management. Where required, additional measures may be included in site specific ESMP or ESIA , where needed, will be guided by these principles.
Avoid or minimize adverse impacts on human health and the environment caused by pollution from activities.	A primary purpose of the South African Constitution, Labour, Social and Environmental Law is to protect the health of humans and the environment.	ESS3 and South African Law concur on the purpose of efforts to avoid and minimize impacts, as well as enhance livelihoods through active management.	

ESS Objectives	South African National Laws and Regulations	Project Approach to Align National and World Bank Requirements	Relevant Safeguard Instrument
Avoid or minimize project-related emissions of short and long-lived climate pollutants.	South African law requires best practicable environmental options to be adopted in relation to discharges or emissions.	ESS3 and South African Environment Law are equivalent.	
Avoid or minimize generation of hazardous and non-hazardous waste.	Where hazardous waste is kept or utilized, a project proponent must obtain permit through the Provincial Environmental Affairs.	ESS3 and South African Environment Law have the equivalent intent to avoid or minimize hazardous and non-hazardous waste.	
Minimize and manage the risks and impacts associated with pesticide use.	DEFF regulates the manufacture, distribution, sales, use and advertisement of pesticides. It derives this mandate from the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947.	ESS3 and South African Law have the equivalent intent to avoid or minimize use of pesticides.	It is not anticipated that Project activities will involve the use of pesticides. Should pesticide use be required for any activity a site-specific ESMP or ESIA will be developed.
ESS4: Community Health and Safety			
Anticipate or avoid adverse impacts on the health and safety of activity-affected communities during activity life-cycle from routine and non-routine circumstances.	The Constitution provides broad protection of people's social rights and justice, including right to health care, food, water and social security. Labour Law provides protection for community health and safety through ensuring safe workplaces.	<p>ESS4 and the South African legislative framework provide broad protections of community health and safety. The World Bank Occupational Health and Safety guidelines can be referenced for specific and operational guidance for community health and safety related to:</p> <ul style="list-style-type: none"> • Water Quality and Availability (3.1) • Structural Safety of Project Infrastructure (3.2) • Life and Fire Safety (3.3) • Traffic Safety (3.4) • Transport of Hazardous Materials (3.5) • Disease Prevention (3.6) • Emergency Preparedness and Response (3.7) <p>Standard HR procedures are in place in both PAs to prevent communicable disease and GBV/SEA, including procedures to handle grievance.</p>	Potential for adverse risk and impact for community health and safety must be captured during screening of activities and mitigation reflected in ESMP or ESIA prior to commencement of activities.
Promote quality, safety, and climate change considerations in infrastructure design and construction, including dams.			Standards provision to integrated quality, safety and climate change considerations in design is contained in the ESMF. Where an activity is rated moderate, substantial or high risk additional measures will be reflected in the site specific ESMP or ESIA.
Avoid or minimize community exposure to activity-related traffic and road safety risks, diseases and hazardous materials, and have in place effective measures to address emergency events.			Separate measures are provided in the ESMF in relation to security personnel.
Ensure that safeguarding of personnel and property is carried out in a manner that avoids or minimizes risks to the activity-affected communities.			

ESS Objectives	South African National Laws and Regulations	Project Approach to Align National and World Bank Requirements	Relevant Safeguard Instrument
ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources			
<p>Protect and conserve biodiversity and habitats.</p> <p>Apply the mitigation hierarchy and the precautionary approach in the design and implementation of projects that could have an impact on biodiversity.</p> <p>Support livelihoods of local communities, including Indigenous Peoples, and inclusive economic development, through the adoption of practices that integrate conservation needs and development priorities.</p>	<p>The Biodiversity Act and the Protected Areas Act provides for the management and conservation of South Africa's biodiversity within the framework of the National Environmental Management Act. This includes the protection of species and ecosystems that warrant protection to ensure that there is no net loss as well as preventive measures to ensure that no species become critically endangered, the fair and equitable sharing of benefits arising from bio-prospecting involving indigenous biological resources, the establishment and functions of a South African National Biodiversity Institute; and for matters connected therewith.</p>	<p>ESS6 and the South African law on biodiversity conservation and sustainable management are equivalent.</p> <p>Experts will be deployed from SANParks or AENP to assess biodiversity habitats potentially affected by Project activities, or where specialist knowledge is required, independent specialist will be engaged.</p>	<p>The standard mitigation measures, part of the ESMF, incorporate simple mitigation measures. However, where required, additional measures may be included in site specific ESMP or ESIA, where needed, will be guided by these principles.</p>
ESS10: Stakeholder Engagement and Information Disclosure			
<p>Establish a systematic approach to stakeholder engagement that helps Borrowers identify stakeholders and maintain a constructive relationship with them.</p> <p>Assess stakeholder interest and support for the activity and enable stakeholders' views to be taken into account in activity design.</p> <p>Promote and provide means for effective and inclusive engagement with activity-affected parties throughout the activity life-cycle.</p>	<p>South Africa has strict measures in regards to public participation, including through the Access to Information Act. For example, re. legislative initiatives: a law cannot be valid unless the public has been heard and consulted upon with the public. The EIA regulations specifically require that impacted and affected persons be consulted in regards to Project measures.</p>	<p>All environmental and social impact work will be conducted with involvement of impacted and affected persons. Project activities under Component 1 specifically respond to community need and interest wherefore community members will be closely involved in project design and implementation, including identification of environmental and social risk and impact. Local language will be used during community engagements</p>	<p>The ESMF is accompanied by the SEP, which is part of the Project design to ensure systematic stakeholder engagement, assessment of interests and on-going information sharing.</p>

ESS Objectives	South African National Laws and Regulations	Project Approach to Align National and World Bank Requirements	Relevant Safeguard Instrument
Ensure that appropriate information is disclosed to stakeholders in a timely, understandable, accessible and appropriate manner.			
To provide project-affected parties with accessible and inclusive means to raise issues and grievances and allow Borrowers to respond to and manage such grievances.			

5 POTENTIAL ENVIRONMENTAL AND SOCIAL IMPACTS AND MITIGATION

Overall Project implementation is expected to have positive environmental and social impacts. However, it is important to identify potential risks early in Project preparation and design, both in terms of the Project's overall design and of the specific investment activities.

Expected activities relevant to environmental and social risk and impact include, and are primarily budgeted under Component 1 of the Project:

- Rhino translocation
- Drilling and operation of new boreholes (and related construction of elephant exclusion fences)
- Maintenance of PA infrastructure, including roads and fences
- Construction of Rhino holding bomas (AENP, inside park)
- Recruitment and equipment of security staff (including annual human rights training and engagement of a Senior Enforcement Advisor)
- Construction of the operations control room for enhanced security operations (inside park)

Component 4 provides the potential for a conservation success payment of up to \$13.76 mill, which would provide investments for activities similar to what is described in the bullets above.

5.1 Expected Positive Impacts

The Project will increase capacity and mobilize investments in these two PAs, which in turn should support community stewardship and associated livelihoods. Overall, enhanced conservation management is expected to deliver net positive benefits, specifically a net increase in the endangered black rhino population. Project investments will play a catalytic role in conserving rhinos and stimulating greater linkages for local small and micro-businesses that can lead to multiplier effects for communities to share local and regional economic benefits. Increased flow of knowledge, data, and investment information will provide further benefits that are equally difficult to quantify. The project will also produce non-quantifiable local and national benefits from strengthened capacity to manage rhinos in protected areas. As the project aims to bring in private sector participants, it is expected to generate positive rates of return. At the site level, the primary beneficiary of the Project is SANParks and ECPTA and the staff and communities living around the AENP and GFRNR.

SANParks and ECPTA will benefit from funding of their rhino strategies, which will also support management effectiveness, tourism, and broader biodiversity economy efforts in the region. This will happen through improved habitat management, range availability, containment and population management the two agencies ability to support a growing rhino population is enhanced.

Immediate benefits to communities will be through full and part time job creation where recruitment of community members is prioritised. Communities are expected to see tangible benefits of Project interventions and increase commitment for long-term conservation initiatives that enhance sustainable rural development.

The Project will also benefit the regional and global community through the protection of globally significant biodiversity and natural habitats from improved management of 153,141 hectares.

5.2 Potential Adverse Impacts

The potential adverse environmental and social impacts and risks of the Project are numerous and this ESMF highlights these impacts which are broad and cut across most of the envisaged investments projects.

In general, potential adverse risks and impacts on the environment are mainly linked to civil works to support wildlife management and may include environmental, health, and safety (EHS), occupational health and safety (OHS) and pollution due to solid waste, dust, noise, and vibration and liquid effluent.

Potential social risks and impacts are primarily linked to community health and safety in relation to engagement in water and fire activities and security personnel and law enforcement that could result in violent altercations with suspected poachers. The World Bank has also assessed that there may be a potential for sexual exploitation and abuse (SEA) and gender based violence (GBV) in relation to PA or contract workers engaged in the Project.

However, the specific adverse impacts for each investment will be distinguished during the preparation of the specific ESIA/ESMP based on the sub-component investment environmental category once the screening process is complete.

5.2.1 Environmental

Loss of flora should be minimized in all activities. However, there will be some temporary vegetation loss during the construction phase either to improve access roads and during actual construction. The construction works will involve bush clearing, removal of topsoil, excavation and mass haulage. These activities could expose the land to elements of erosion such as wind and water and could trigger the process of land degradation. Upon completion of the activity, the disturbed areas must be rehabilitated.

Loss of fauna should be avoided by the project. Potential investments are expected to be small-scale and primarily within PAs and therefore it is expected that they will not result in killing of wild fauna, destruction of their habitat or fragmentation of ecosystems, isolation of species population or impact migratory routes. The PAs are experienced in managing rehabilitation and construction inside the two parks, but any sub-component activities in communities should also incorporate protective measures to avoid losses or impacts.

Soil erosion could occur during the construction phase as a result of the activities that will be going on in the construction areas especially land clearing. The equipment and machines that shall be used in the construction process could interfere with the soil structure making it loose hence liable to erosion.

Water flow and quality. There is risk of wastewater leakages and liquid effluent from construction activities, machinery and equipment; risk of solid and liquid wastes from construction sites could affect the water quality especially if investment projects are relatively close to natural water bodies. Indiscriminate disposal of solid waste or badly designed boreholes could impact or restrict flow or natural courses of water bodies. Indiscriminate drilling of boreholes or impoundments may also impact water availability in an area experiencing water scarcity already which could affect habitat sustainability.

Borrow pits and quarries are sites where stone, sand, gravel, till, clay, or other granular soils are extracted for construction of the various investments. Environmental impacts of pit and quarry development can include the loss, reduction or disturbance to wildlife and habitat, erosion, dust, soil/groundwater contamination, damage to historic resources, waste disposal, noise, and aesthetics. However, no borrow pits or quarries are allowed within the PAs.

Air quality. Airborne dust will be caused by excavation, vehicle movement hence engine combustion and materials handling, particularly from construction sites during the construction phase of the identified investments. Air pollution will be further caused by emissions from vehicles and construction machinery, resulting in dust emissions, suspended particulate matter among others.

Noise and vibration. Construction activities could result in significant noise impacts so as to impact on general well-being of communities and disruption within the PAs. Infrastructure developments involving the use of equipment that emit incessant noise usually harmful to the environment.

Waste. Solid waste issue is a potential adverse impact that will be as a result of abandonment of litter/construction materials on site. These could include construction waste, solid and liquid chemicals and municipal waste or discarded remnants from rehabilitation activities.

Visual. Development of tourism lodges and infrastructure, wildlife meat processing facilities and unsightly earthworks and borrow pits during construction may be a source of visual related impacts especially through scarring of landscapes. During operations, visual intrusion of equipment on site may be seen as a negative impact at the local level.

Worker health and safety. Occupational health and safety for the workers during construction is likely to be a concern, especially without appropriate protective equipment and training; and proper precautions or use of inadequate equipment and poorly maintained machines which could result in accidents that may result in loss of life, limbs, injuries among others. Poor worker conditions associated with air, solid and liquid pollution or long hours of work also pose a risk to health and safety. Furthermore, for the duration of the COVID-19 pandemic there is a risk that workers can spread the disease without adequate worksite precautions.

5.2.2 Social

Security personnel. Safety of security personnel can be threatened by suspected poachers through violent altercations, as well as increase in incidents where good practices associated with firearm use and human rights measures are not adhered to.

Public and community health and safety. There is a potential risk that the construction process for most of the investment projects could increase HIV/AIDS prevalence in the project areas especially through interactions of the locals with the labour forces. Increase in risk of sexually transmitted diseases, such as HIV/AIDS etc. due to influx of migrant workers; solid waste and effluent discharge from construction camps and risk of increase in vectors of *schistosomiasis* due to stagnant water associated with construction works/borrow pits, etc. There may be minor community health and safety related impacts during construction or associated with specific community investments, including risk of increased GBV and SEA. Specific risks of GBV/SEA will be considered in subsequent ESMPs and measures will be put in place to mitigate and manage any risks of incidents.

Traffic congestion from construction and maintenance could potentially cause disruption of access, health and safety impacts, as well as economic impacts. The use of

construction vehicles and machineries in project sites could cause increased traffic and flow of vehicles resulting in possible traffic safety issues.

Labour influx. The increase in the number of people in a specific Project area or site, especially during construction, has the potential to lead to a number of negative socio-economic impacts, including increased insecurity and community conflicts, increased incidences of diseases; increased risk of accidents and occupational hazards; and immigration of construction workers and labour force management challenges. However, the Project activities are generally smaller investments that will not require significant labour input and where labour is needed, the Project has an emphasis on engaging local labour wherever possible to have a minimum influx of workers and provide opportunities to local populations. Regardless, all consultants and workers will be required to sign Code of Conducts to encourage respectful behaviour.

Crime. The increase in the number of people in a specific Project area or site especially during construction has the potential to lead to a number of negative socio-economic impacts, including increased insecurity and community conflicts, increased incidences of diseases; increased risk of accidents and occupational hazards; and immigration of construction workers and labour force management challenges.

5.3 Ineligible Activities and No-go Areas

Due to the adverse environmental and social impact associated with certain activities, the Project has determined that activities with the followed activities will be ineligible for Project funding.

Involuntary land acquisition

- Activities involving involuntary land acquisition as defined under ESS5.

Labour

- Activities involving use of child labour
- Activities involving use of forced labour

Waste

- Activities involving discharge of untreated wastes and effluents
- Activities involving mining of sands, rocks and other substrata materials

Forests, Natural Habitats and Trees

- Activities likely to cause significant damage to forests, nesting grounds or any other kind of identified/designated natural and critical habitat.
- Any activity that involves cutting of any tree or trees except in accordance with the South African regulations
- Activities involving destruction/exploitation of any kind of wildlife

Physical and cultural resources

- Activities likely to cause damage to objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance
- Any subproject involving construction within 200 meters to historical monuments and within 100 meters to railways, highways, etc.

Air, land and water resources

- Activities connected with quarrying of sand in any area in a water course within a distance of five hundred metres from any dam, check dam, reservoir or any other structure or construction on or across such watercourse, owned or controlled or maintained by Government for the purpose of irrigation
- Any activity involving promotion, use, storage and distribution of pesticides that are banned or are included in classes Ia, Ib and II of the WHO classification (Refer to Annexure IX on WHO classification of pesticides)
- Any industrial and mining activity without obtaining necessary permits
- Any construction activity involving locating of the leach pit, soak pit, earth closet or septic tank within a distance of 7.5 m radius from existing well or 1.2 m from the plot boundary

Security

- Purchase or trade of weapons
- Purchase or trade of ammunition

All rivers and wetland areas are 'no-go' areas and no vehicles or persons may enter these areas during construction or maintenance associated with the Project. Demarcation of other sensitive areas shall be made and must be respected. Fencing may be required to protect particular natural environment. The PA will determine any no-go areas prior to commencement of activities during preconstruction surveys.

5.4 Summary of Standard Environmental and Social Management and Mitigation Measures

The following table is a synopsis of possible impacts and proposed mitigation measures, including roles and responsibilities and monitoring indicators. Additional description of standard measures is provided in Annex 2. The mitigation measures or guidelines have been designed in order to avoid, minimize and reduce negative environmental and social impacts at the project level.

Table 3: Proposed Mitigation Measures - Project Monitoring Indicators and Responsibilities¹⁰

Impact issue	Proposed Mitigation measures	Implementation tool/ criteria	Monitoring indicators (Inputs)	Monitoring indicators (Outcomes)	Verification	Project stage	Responsibility
Security (ref. Annex 7)	Training Safety and human rights protocols	Competency training Annual human rights training Fire arms control measures and security engagement protocol	Arrest records Posting of Firearms Control Act Firearm incidents Storage facilities of firearms and ammunition Movement registers	Percentage of PA personnel trained (human rights) (100 percent) SAPS certification (100 percent of officers issued with firearms)/ competency license	Random checks Annual check of training records	Full project cycle	Firearms Control Officer Reserve manager
Fire management	Fires only permitted at designated locations Firebreaks part of design around buildings	Construction and site design	Worker and contractor instructions Review of designs	Number of accidental fires (0 target)	Site management Construction inspection	Full project cycle	Environmental Planner

¹⁰ This table is identical to Table 1 in the executive summary.

Waste management	<p>Provide adequate waste reception facilities at construction camp sites</p> <p>Dispose of waste at approved waste collection sites</p> <p>Concrete and cement preparation activities shall not be permitted in any sensitive environments</p> <p>It is illegal to bury any type of waste within PA boundaries</p>	Waste management plan (method statement)/ Construction site management plan	<p>Number of waste bins on site</p> <p>Waste disposal plan and training of workers</p>	<p>Percentage of workers who follow the solid waste disposal plan including use of receptacles</p> <p>Number of workers familiar and aware of the waste disposal plan at the construction sites</p> <p>Working sites and eating areas are maintained in a clean, hygienic and orderly state</p>	Weekly checks by project engineer	<p>Construction</p> <p>Operation</p>	<p>Contractor</p> <p>Project engineer</p>
Waste oil/fuel disposal	<p>Provide drums/containers for temporary storage on site, in lined, bunded areas away from water sources, of waste oil from equipment and vehicles.</p> <p>Dispose of waste oil through an approved agent</p>	Waste management plan/Construction site management plan	<p>Waste oil drums/containers on site</p> <p>Availability of waste disposal plan (waste oil)</p>	<p>Number of workers trained on waste disposal plan</p> <p>Number of non-conformances related to improper waste management</p>	Monthly checks by project engineer	<p>Construction</p> <p>Operation</p>	<p>Contractor</p> <p>Project engineer</p>
Dust and air pollution	Operate well maintained vehicles,	Routine maintenance plan for machinery	Availability of equipment and	Percentage of workers following the good practices	Independent check by	Construction	Contractor

	<p>trucks and other equipment</p> <p>Use good quality fuel and lubricants</p> <p>Suppress dust generation at project sites</p> <p>Switch off engines when not in use</p>	<p>Purchase of fuel at recognized stations</p> <p>Water exposed surfaces several times a day to reduce dust at the site</p>	<p>machinery maintenance plan</p> <p>Frequency of watering of surfaces to reduce dust related impacts</p>	<p>for equipment and machinery maintenance</p>	<p>project engineers</p> <p>Verification of maintenance record by project engineers</p> <p>Self-check by contractor</p>		<p>Project engineer</p>
Noise	<p>Schedule of works is to be limited to daylight hours</p> <p>Provision of PPE for workers for noise pollution</p> <p>Train workers on the use of PPEs for noise mitigation and reprimand those not complying</p>	<p>Part of contract agreement for the contractors</p>	<p>Recorded grievances</p> <p>Number of PPE procured for noise mitigation</p>	<p>Number of workers correctly and frequently using PPEs</p> <p>Number of noise complaints</p>	<p>Self-check by contractor</p>	<p>Construction</p>	<p>Contractor</p> <p>Project engineer</p>
Impacts on landscape/site rehabilitation	<p>When necessary, undertake a Visual Impact Assessment to assess impact of infrastructure on landscape features and sense of place</p> <p>Landscaping of facilities after construction, and</p>	<p>Visual Impact Assessment (VIA)</p> <p>Construction site maintenance and restoration plan.</p>	<p>Implementation of VIA and site maintenance and restoration plan</p>	<p>Percentage of vegetation cover recovered at inspection</p> <p>Number of disturbed sites successfully restored</p>	<p>Environmental Planner</p> <p>Site inspection</p> <p>Self-check by contractor</p>	<p>Construction</p> <p>Operation</p> <p>Monitoring phase to be determined on a case-by-case basis</p>	<p>Environmental Assessment Practitioner</p> <p>Contractor/ Project engineer</p> <p>SANParks/ ECPTA</p>

	<p>restoration of disturbed areas</p> <p>All disturbed areas should be fully rehabilitated</p> <p>All temporary structures, materials and waste (including areas contaminated during the project, e.g. oil spillages on soil) should be removed from the PA</p>						
Traffic impacts	<p>Use only road worthy vehicles and trucks</p> <p>Use experienced drivers</p> <p>Establish speed limits,</p> <p>Enforce safe driving and take disciplinary action against repeat offenders.</p>	<p>Driver qualification recorded</p> <p>Traffic Safety Plan</p>	<p>Traffic incidence records</p> <p>Grievances Recorded</p>	<p>Number of drivers aware and familiar with the traffic safety plan</p> <p>Percentage of drivers who have not committed a traffic offence for the last 6 months</p> <p>Number of compliance (traffic) inspection and checks conducted by traffic department found to be satisfactory</p>	<p>Project engineers to verify</p> <p>Environmental Planner</p>	<p>Construction</p> <p>Operation</p>	<p>Environmental Assessment Practitioner</p> <p>Contractor/ Project engineer</p> <p>SANParks/ ECPTA</p>

Soil and erosion	<p>Preservation of topsoil</p> <p>Limit duration of excavation</p> <p>Storm water management</p>	ESMP	Site management records	Incidents logged	<p>Monthly checks by project engineer</p> <p>Inspections by Environmental Planner</p>	Construction	Contractor Project engineer
Water	<p>All activities should be conducted at least 32m away from all watercourses</p> <p>No garbage/refuse, oily wastes, fuels/waste oils should be discharged into drains or water bodies</p> <p>Fuel storage tanks/sites should be properly secured</p> <p>Maintenance and cleaning of vehicles, trucks and equipment should take place offsite.</p> <p>Construction activities, including camps to include</p>	<p>Waste management plan</p> <p>Spill prevention and control plan</p> <p>ESMP to provide measure for the quality of water including physical, chemical and biological where needed</p>	<p>Visibility of oil on water bodies</p> <p>Procurement and installation of water monitoring and measuring gauges</p> <p>On site erosion observed</p> <p>Proposed actions implemented</p> <p>Quality of water following periodic measurements</p> <p>No of pollution incidences recorded</p> <p>Number of complaints on pollution of water</p>	<p>Increased water quality upstream and downstream shown by periodic measurements during construction</p> <p>Water samples collected showing compliance to water pollution standards applicable to location under South African Water Quality Guidelines</p>	<p>Daily self-checks by contractors</p> <p>Periodic reports on performance by contractor to project engineers</p> <p>Spot checks/audits by project engineers</p> <p>Environmental Planner</p>	<p>Construction</p> <p>Operation</p>	<p>Environmental Assessment Practitioner</p> <p>Contractor/ Project engineer</p> <p>SANParks/ ECPTA</p>

	measures to control runoff						
Impact on fauna and flora	<p>Avoid access to sensitive habitat</p> <p>Site specific ESMP will include assessment of sensitive flora/fauna in the area of impact based on review of habitat by technical expert and required monitoring</p> <p>Prevent animals from accidentally entering the construction area by putting in place adequate fencing</p> <p>Care should be taken when selecting areas for containment bomas and water holes, to not impact on any nesting or borrowing areas.</p> <p>No plants outside the demarcated work areas may be damaged</p>	<p>Awareness raising among contractor personnel</p> <p>The contractor should notify project engineers of any animal incidents immediately</p> <p>No animals may be harmed or killed.</p>	Wildlife incidents recorded and reported to SANParks/ ECPTA	<p>Number or percentage of terrestrial flora and fauna affected by the sub projects</p> <p>Number of workers trained on the importance of conservation of flora and fauna</p> <p>Impact on terrestrial flora and fauna</p>	<p>Regular inspection or monitoring should be carried out in sensitive areas by Environmental Planer</p> <p>Incidents will be reported to SANParks/ ECPTA to determine the appropriate course of action</p>	<p>Construction</p> <p>Operation</p> <p>Maintenance</p>	<p>Environmental Assessment Practitioner</p> <p>Contractor/ Project engineer</p> <p>SANParks/ ECPTA</p>

	No firewood mayor plant material may be collected in any area of the PA						
Impacts on cultural heritage/ archaeological interest	Inform contractor and train workers on chance finds procedures (Annex 8) Identify cultural heritage resources and existing ecologically sensitive areas	Pre-construction surveys / Chance finds procedure Plan for accidental Cultural Finds	Cultural/ archaeological resources/ existing infrastructure encounter incidence register	Number of workers familiar with the chance find procedures	Chance finds procedure under implementation	Preconstruction and construction and repairs/ recovery	Environmental Assessment Practitioner Contractor/ Project engineer SANParks/ ECPTA
Visual impacts and impacts on recreation	Place notices and warning signs at working areas No painting or marking of natural features shall take place. Marking for surveying and other purposes shall only be done with pegs and beacons	ESMP	Grievance records Regular site inspection	Recreational Facilities and areas restored/protected	Warning signs/notices in place	Construction	Contractors/ Project engineers
Occupational health &	Health and safety plan for all construction,	ESMP, including OHS obligations	Health and safety incident register	Percentage of incidents resolved	Monthly review of incident and	Full project cycle	Contractors/ Project engineers

<p>safety, staff management</p>	<p>including emergency procedures and COVIC-19 mitigation for the duration of the pandemic, as reflected in Annex 5</p> <p>Cover buckets of trucks carrying construction materials such as sand, quarry dust, etc.</p> <p>Active construction areas to be marked with high-visibility tape</p> <p>Backfill and or secure open trenches and excavated areas</p> <p>Provide adequate sanitary facilities</p> <p>Provide PPEs for construction workers</p> <p>Educate construction workers on site rules/regulation and hygiene and</p>	<p>Construction site management plan</p> <p>Training in health and safety policy</p> <p>Procurement of required PPE included in activity budget</p>	<p>Grievance records</p> <p>Number of trainings conducted</p> <p>PPE procured</p>	<p>Percentage of grievances resolved</p> <p>Inspection of site management</p> <p>Training attendance records (100 percent)</p> <p>Use of PPE</p>	<p>grievance records</p> <p>Training records prior to commencement</p> <p>PPE availability prior to commencement</p>		<p>OHS manager (HQ)</p> <p>OHS coordinator in PAs</p>
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	disease (HIV/AIDS) prevention Provision of water and sanitation						
Site management	Materials to be used during construction/demolition/maintenance shall only be stored at demarcated sites All vehicles and equipment must be maintained in a good condition in order to minimise the risk of leakage and possible contamination of the soil or storm water by fuels, oils and hydraulic fluids	ESMP Construction site management plan	Site management records	Incidents logged	Monthly checks by project engineer	Construction	Contractor Project engineer
Labour related impacts (ref. section 8)	Ensure that the local communities are given preferred employment opportunities employment and provided with training (skilled) to provide future labour in the project e.g. operation and maintenance	Human Resource Management reflecting labour management procedures and related GRM as set out in section 8 of the ESMF	Number of local residents employed in sub projects	Percentage of community members engaged out of the total number of jobs created	Contractor HR records PA HR records	Full project cycle	HR in PA Contractors

6 INSTITUTIONAL ARRANGEMENTS

Implementation of the Project activities will be led by SANParks in AENP and ECPTA in GFRNR. The current administrative organisation will be maintained, but additional staff will be added to ensure adequate implementation of the scale up of activities that will be implemented with Project funds. For environmental and social management, existing staff structures apply, including the ability to engage short term experts for impact assessments and planning. Not new environmental and social staff will be added for the Project. In addition, the Project will rely on contractors for the implementation of some activities, as described in the section on Labour Management Procedures.

SANParks was established through the Protected Areas Act (2003) as a conservation authority mandated to conserve, protect, control and manage a system of national parks and other defined protected areas and their biodiversity. SANParks is a public entity under the jurisdiction of the Department of Environmental Affairs, now known as the Department of Environmental, Forestry and Fisheries (DEFF); and the leading conservation authority in all national parks in South Africa. It manages a total of nineteen (19) national parks in seven (7) of the nine (9) provinces of South Africa with a total area of just over four million hectares comprising 67 percent of the protected areas under state management and is recognized as a world leader in conservation and protected area management. SANParks is implementing several programmes promoting access and benefit sharing, socio-economic development and improved living conditions for local communities living around the national parks. SANPARKS has significant capacity in managing the environmental and social impacts of its activities to meet requirements of national law and international good practice.

ECPTA was established through the Eastern Cape Parks & Tourism Act, Act 2 of 2010 and has existing staff that oversees on-going projects, including through the People & Parks Programme to implement stakeholder requirements, as well as an established framework for project management oversight and ecological and environmental review and oversight.

At present, the implementing agencies expected to implement activities require capacity building on the ESMF procedures and Environmental and Social Standards in order to ensure adequate reporting to the World Bank on implementation. This ESMF proposes capacity building by way of awareness creation and sensitization, actual training through workshops and seminars as well as short courses. This training could be arranged through the World Bank ESF team.

The PAs will ensure that all staff assigned to environmental and social management of this project will receive the required training, including security training set out in the protocol, is conducted in a timely manner and recorded.

6.1 ECPTA Institutional Framework

For larger activities proposed, a Project Manager will be appointed to oversee all requirements as part of the activity budget, while for smaller activities (e.g., maintenance) the activity implementation will be overseen by the Reserve Manager. The Project Manager or Reserve Manager will submit the activity description to the ECPTA Environmental Planner and the Senior Manager for Scientific Services for review. Where required, Scientific Services will carry out ecological sensitivity analysis and submit it to the Project Manager/Reserve Manager and Environmental Planner. The Environmental Planner based in East London who will oversee the screening process and risk classification as set out in section 11 with support from the Project Manager/Reserve Manager to integrate all appropriate aspects, including labour management procedures and detailed stakeholder planning as part of the activity budget and engagement. Where

activities require environmental and social risk mitigation measures, an environmental officer will be appointed to ensure due diligence in implementation, supervision and reporting. For higher risk activities an independent Environmental Assessment Practitioner (EAP) will be procured to develop the appropriate assessments ECPTA has a regional ecologist and two technicians who review and comment on environmental impact assessments. ECPTA has Senior Managers responsible for Scientific Services, Protected Areas Expansion and Planning, and Biodiversity and Heritage Management who provide technical input and provide oversight to EIA processes in GFNR as well as the buffer of GFNR. For lower risk activities the Reserve Manager may be responsible for screening and mitigation planning.

Stakeholder engagement will be managed through the existing People & Parks procedures and staffing, overseen by the Community Liaison Officer in GFRNR.

6.2 AENP Institutional Framework

The Park Manager oversees environmental management. Tools currently in place includes the Management Effectiveness Tracking Tool (METT) Assessment, which is conducted on an annual basis. Depending on the specific activity implemented, an independent environmental practitioner may be engaged in accordance with national law. Where contractors are engaged under the Project, there will be a contractual requirement to prepare ESMPs to ensure that the activity does not have an adverse impact.

AENP employs a full time Socio-Economic Transformation Officer that focuses on and works with the communities surround the Park, including the People & Parks programme and liaises with communities through the Park Forum. The Transformation Officer is engaged in several environmental education programmes in schools.

A Human Capital Officer oversees all aspects related to OHS, including incident tracking.

The Park Manager, Socio-Economic Transformation Officer and Human Capital Officer are based in the PA. SANParks environmental practitioner overseeing AENP activities is based in Knysna. Where activities require environmental impact assessments an external consultant is typically contracted.

6.3 Budget for ESMF Implementation

The ESMF and associated SEP are aligned with the exiting environmental and social procedures in both PAs. The PAs will maintain adequate capacity to ensure the environmental and social due diligence of the project. The PAs may use part of the funding under Component 3 (Project management and monitoring) to fund staff positions. Where specific activities require additional environmental and social attention the PAs will identify the needs as part of the screening and costs will be covered under the activity, including as relevant by contractors.

7 STAKEHOLDER CONSULTATIONS AND GRIEVANCE PROCEDURES

Stakeholder engagement is critical to the Project's success. The Project intends to help conserve natural habitats and wildlife of global value, while allowing the realisation of the economic potential for social development of these natural assets. High expectations as to what the PAs can deliver may lead to frustration with Project results.

Simultaneously, local stakeholders in many instances demonstrate negative perceptions about PAs. However, there are no existing tension in the region related to the PAs. Issues that are frequently discussed in Parks Fora relate to the economic pressures in the adjacent communities. The PAs constitute major employers in the area and will increase opportunities through the Project investments, with a significant portion of recruitment through the community structures to ensure equitable access to employment. Recent discussions have taken place regarding access to elephant dung and medicinal plants. Elephant dung will likely be accommodated while access to specific plants require further impact assessment to protect the biodiversity in the PAs. Grazing access has come up through community engagement but cannot be accommodated due to the associated impact.

During the preparation of the Project a number of engagements were organised to consult key stakeholders, including government agencies and key project stakeholders in the two PA locations. The meetings and key discussion points are reflected in the table below.

Table 4: Prior Stakeholder Consultations

Place	Date	Participants	Key Points Raised
SANParks Summit hosted at Golden Gate	25 -27 November 2019	National Socio Economic Transformation Summit participants	<ul style="list-style-type: none"> ○ Broadening access to resources ○ Development and implementation of social cohesion programmes ○ Support to obtain contracts, development of business plans, marketing, mentorship and partnerships
Greater Fish Nature Reserve	5 December 2019	ECPTA Brakfontein Communal Property Association	<ul style="list-style-type: none"> ○ General discussions about developments and opportunities for Brakfontein game farm ○ ECPTA indicated that it is attempting to leverage resource for Brakfontein and Double Drift through the GEF7 process ○ The rationale of GEF7 Pillar 2 was explained and it was communicated that there seems to be an opportunity for support via GEF7 ○ It was resolved that ECPTA can continue to investigate opportunity for Brakfontein as it aligns with the vision that the community has for the region.
Greater Fish Nature Reserve	20 January 2020	ECPTA Brakfontein Communal Property Association	<ul style="list-style-type: none"> ○ Provided feedback on GEF7 developments, including copy of the proposal submitted and to verify that the content is in line with the vision of the community

			<ul style="list-style-type: none"> ○ Attendees worked through the proposal and the draft presentation. The delegated CPA representatives confirmed that the proposal and the presentation reflect the vision of the community accurately. ○ Logistics for site visit to Brakfontein
Addo Elephant National Park	29 January 2020	DEFF SANParks iSimangaliso Wetland Park Authority SANBI Eastern Cape Parks and Tourism Agency Wilderness Foundation Africa Mayibuye Ndlovu Development Trust	<ul style="list-style-type: none"> ○ Opportunities for community beneficiation from tourism in Addo Elephant National Park ○ Need to create benefits from conservation for land claim communities ○ Need for more collaboration and closer working relationship between PA agencies and neighbouring communities ○ Need for technical and financial support in setting up community-owned enterprises ○ Importance of well-structured and capacitated community governance structures
Greater Fish Nature Reserve	30 January 2020	DEFF SANParks iSimangaliso Wetland Park Authority SANBI Eastern Cape Parks and Tourism Agency Likhaya Lethu CPA People and Parks Programme (Eastern Cape) Umhlaba Consulting World Bank	<ul style="list-style-type: none"> ○ Limited livelihood options – very poor rural area with limited access routes ○ Effective co-management agreement between community and conservation agency ○ Opportunity to development a diverse and resilient wildlife economy model, which provides for tourism development, hunting, game breeding, wildlife meat processing ○ Active Provincial People & Parks Programme ○ Well-structured Park Forum representing community leaders and traditional leaders in the area ○ Need technical and financial support with the development of feasibility studies, private sector investment, and reserve management skills
SANParks Summit hosted in Port Elizabeth	14 March 2020	National Youth Summit participants	<ul style="list-style-type: none"> ○ Business opportunities within the PA ○ Key areas for entrepreneurial development ○ Support for youth ○ Memorandum of understanding signed with National Youth Development Agency

Stakeholder engagement during Project implementation is described in further details in the Project SEP.

The World Bank ESS10 require that this ESMF and ESIA reports for sub projects are made available to project affected groups, local NGOs, and the public at large. Public disclosure of ESIA documents is also a requirement in South Africa legislation and related environmental and social procedures. The PAs will make available copies of the ESMF, SEP and any required site specific ESMPs or ESIA's on the respective websites and offices.

7.1 Grievance Redress Mechanism and Stakeholder Feedback

Grievance Redress Mechanisms (GRM) and feedback provide a formal avenue for affected groups or stakeholders to engage with the Project on issues of concern or unaddressed impacts. The mechanism will capture any complaints, feedback or suggestions about the way a Project is being implemented or related impact. They may take the form of specific complaints for damages/injury, concerns about routine project activities, or perceived incidents or impacts or questions about benefits arising from the project. Identifying and responding to grievances supports the development of positive relationships between projects and affected groups/communities, and other stakeholders. Grievances can be an indication of growing stakeholder concerns (real and perceived) and can escalate if not identified and resolved. The management of grievances is therefore a vital component of stakeholder management and an important aspect of risk management for a project. Projects may have a range of potential adverse impacts to people and the environment in general, identifying grievances and ensuring timely resolution is therefore very necessary. The process for GRM and feedback is further detailed in the Project SEP.

The PAs are currently primarily receiving comments and feedback through the regular Park Fora. There is therefore already an understanding amongst interested and affected parties to ability to submit grievances and feedback. However, grievances can be submitted by email, written letter, SMS and a suggestion/complaint box placed at main PA offices. All pertinent contact points will be shared during upcoming Park Fora and other communication between communities and PAs to ensure knowledge of access as well as procedures for case handing. Registration of issues will be handled by each PA's People & Parks staff and referred within existing structures as necessary to provide a timely respond and resolve issues. The PA will provide a written response of the resolution to complainants/person who raised an issue. The Project Committee for each PA, which may be constituted within existing structures, will, on a monthly basis, review any comments and feedback registered and status of resolution. Status of the grievance mechanism will be a standing item on the Project Committee agenda. Should an appeal be filed by a complainant the Project Committee will review and determine a response. The People & Parks staff will maintain logs and refer issues for assessment or investigation to maintain timely verification and resolution to issues. This includes issues that are raised Park Fora for the PAs. The People & Parks staff will compile status and progress reports for World bank regular reporting based on the monthly status reports from the Project Committee.

Specific GRM and feedback contact points are the following:

Addo Elephant National Park (main camp) through the existing People & Park Forum established to oversee the implementation of the Park Management Plan, People & Parks Programme structures, Mayibuye Ndlovu Development Trust; and/ or Park Reception: 042 233 8600.

Great Fish River Nature Reserve through the existing Double Drift Co-management Committee established to oversee the implementation of the Double Drift Co-Management Agreement and People & Parks Programme structures; and/ or 043 492 0881/0800 611 085/SMS: 33490 or info@ecpta.co.za/ecpta@whistleblowing.co.za

The Project will ensure in consultations with stakeholders that grievance mechanisms are appropriate and acceptable. The GRM is an essential part of the safeguard instrument to resolve complaints on the project activities. It should address concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to all segments of the complainant persons. Generally, the GRM will ensure that (i) the public within project areas is aware of rights to access and shall have access to the mechanism free of administrative and legal charges, and (ii) concerns arising from project activity in all phases are addressed effectively. Such kinds of approach are useful, among others, to improve project outcomes, help to prioritize supervisions, identify systematic implementation issues and trends, and promote accountability through creating more predictable, timely and results-oriented responses to citizen concerns.

In addition to the grievance mechanism itself, the Project will develop a communication plan to inform the stakeholders about the existence of the GRM and instructions of operation. The communication plan includes aspects of stakeholder-targeted communication channels, facilitators, multipliers and timelines. An outline of stakeholder characteristics is provided in Annex 1 and will be updated following Project effectiveness.

In addition, communities and individuals who believe that they are adversely affected by a World Bank supported project may submit complaints to existing project-level grievance redress mechanisms or the World Bank's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond.

For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org. It is however recommended that a project level grievance mechanism that has been agreed upon by all stakeholders is put in place early, to avoid small matters snowballing into conflicts that may lead to delayed disbursement and implementation.

8 LABOUR MANAGEMENT PROCEDURES

The procedures provided in this section reflect existing PA management procedures that comply with national legislation and standards. These procedures may be enhanced further, based on site-specific assessments, where activities require either site specific ESMPs or ESIAs. Where no additional site specific environmental and social planning is required, these procedures will guide implementation of activities funded by the Project.

As part of the Labour Management Procedures and contractor engagement, the and the related management objectives for the PAs will be followed. The South African legislative framework and regulation provide protections for workers which is equivalent to protections required in World Bank funded projects in accordance ESS2 – Labour and Working Conditions. The key relevant aspects to the Project are:

- **Occupational Health and Safety** to ensure health and safety conditions in the workplace, including adequate training and protective measures such as Personal Protective Equipment (PPE).
- **Equality, equity and fair treatment** is strongly legislated in South Africa to address past inequality and affirmative action is required in accordance with the Black Economic Empowerment Act (BEE) and the associated BEE Codes, as well as protection against discrimination based on gender, age or ability.
- **Prevention of forced and child labour.** The minimum age for non-hazardous work in South Africa is 15 years and the Constitution states that no one may be subjected to slavery, servitude or forced labour.
- **Freedom of association** is guaranteed under Bill of Rights. However, persons in government management are not permitted to unionise.
- **Workers grievances** is protected under the South African Constitution.

The PAs will primarily rely on existing staff for management of the Project. However, additional staff Project activities with additional hiring of Project workers under Component 1 to provide for improved rhino conservation management. These new hires will be directly employed by the respective PAs using existing contract provisions.

An unknown number of contracted workers will be engaged by contractors for civil works and minor infrastructure improvement.

The Project activities will not involve any migrant or primary supply workers as defined under ESS2.

The key labour risks under the Project are related to OHS, including the risk that poaching poses to PA officials as well as worker during various construction works. The security related risks are explored further in the Security Protocol section.

The Project does not expect to induce labour inflow, as procedures exist to ensure that all labour that is feasible to source in local communities is provided there. These procedures include systems to identify qualified workers in the communities. To enable the highest possible numbers of local community members to benefit from job creation the PAs have a formal approach to selection and training to create an enabling environment. For field rangers, this may include either a Conservation Guardianship Course or a Basic Field Ranger Course over a six-week period. The course covers key aspects of good practice included in the EMSF, including OHS. These recruitment procedures ensure that there is minimal risk associated with worker inflow.

8.1 Policies and Procedures

Regardless of the status of workers engaged under or associated with the Project, clear terms and conditions must be shared prior to engagement to assure clear understanding of all persons engaged. Introduction will include terms and conditions, risks and OHS mitigation measures, as well as the general HR policies including access to submit concerns.

8.1.1 Occupational Health and Safety

The PAs undertake assessments regularly to identify, control, reduce or minimise OHS risks. OHS is overseen by dedicated personnel in each PA. In addition, a health and safety committee meets monthly to review OHS issues, including incidents, investigations and complaints.

In accordance with the PA's OHS policies, every individual engaged has the duty to:

- Uphold health and safety in the premises and outside of SANParks premises.
- Take care of their own health and safety and that of other persons who might be affected by their acts or omissions.
- Comply with all the health and safety rules, instructions, training, supervision and all the safety systems provided through the program.
- Attend health and safety training sessions.
- Use personal protective equipment (PPE) provided by the employer.
- Refrain from damaging, misusing or interfering with anything that has been provided for health and safety reasons.
- Inform the safety representatives, safety committees and any health and safety organ of any situation that may be considered to be threatening the health and safety or any shortcomings in the safety program.
- Undertake only those tasks that they are trained and authorized to undertake.

Each PA is required to ensure the availability of health and safety policies and guidelines, alert employees to potential hazards, retain updated risk assessments and post risk profiles, have clear health surveillance arrangements, provided adequate PPE and maintain clear accident and emergency procedures.

Safety induction is coordinated between the OHS office and the HR department. Training, including refresher courses, must be provided to ensure that all employees have instructions proportionally to their assigned tasks and responsibilities. Persons who are required to use PPE must receive proper training in use. Registers will be kept of training and acceptance of PPE.

Every supervisor and at least one of every 50 employees must have first aid training. These first aid representatives must retain a valid certificate of competence. First aid boxes are posted in accessible and well known locations in the work locations and content must be replenished upon use. Any incidents requiring first aid are recorded; in case of serious incidents the heads of departments must be notified.

Fire preventive measures are being implemented as part of the Project. However, the PAs must regularly conduct fire drills, inspect escape routes, and maintain fire warning systems and equipment.

8.1.2 Age of Employment

The minimum age for engagement in the Project is 18.

Project activities may not engage child labour, defined as any person below 18 years of age. PAs, contractors and sub-contractors are therefore required to retain records of anyone engaged in activities funded by the Project and verify age through details obtained from the South African National Identify Card.

Should contractor or sub-contractor be found to be in violation of this policy they will be suspended pending further investigation and may face government prosecution.

8.1.3 Terms and Conditions

The employer will obtain a signed agreement with the following details when a worker is engaged. The information captured shall be readily available during inspection of contractor records by PAs and during World Bank supervision missions. The agreement, as applicable to the type of engagement, should be jointly signed by worker and employer.

- Name of employer(s)
- Job description
- Employee details
 - South African National Identify Card
 - Name
 - Date of Birth
 - Contact details/address
 - Resident in PA community (yes/no)
- Date of employment commencement
- Wage agreement:
 - Remuneration
 - Frequency of payment
 - Method of payment
 - Mandatory deductions, as relevant (taxes, other)

The employer must keep a signed record that affirms that the following information has been provided to the worker and associated induction training records:

- Collective agreement, if applicable
- Hours of work
- Probation period
- Notice period
- Acknowledgement of knowledge of access to grievances related to Project and/or employment (signature)
- Leave entitlements
- Code of Conduct (see following section)
- Other benefits, as relevant (Pension, Transport, Housing, Holiday, Education, Health)

8.1.4 Code of Conduct

The PAs have a strict policy to prevent sexual harassment as well as procedures for settling complaints or grievances. To reflect these procedures, and associated GBV or SEA, as well as procedures required to adhere to good procedures for OHS, all persons engaged under the Project must adhere to standard principles reflected in the PA's Code of Conduct related to promote exemplary conduct in the workplace. The PAs must ensure that any employer is responsible to ensure that any persons engaged, including consultants, are appraised of the principles and keep diligent records of acceptance along with the records affirming terms and conditions (see prior section).

Contractor and sub-contractor's personnel procured for works may submit their existing Codes of Conduct for review of equivalence in response to request for proposals or adopt Code of Conduct from the World Bank's Standard Procurement Document, which is provided in Annex 9. This document, or the Contractors approved Code of Conduct, must be signed by the worker engaged and maintained as part of the labour management procedure.

8.1.5 Worker Grievance

The PAs will use their existing labour grievance code and procedure, for ECPTA currently applicable is Amendment 1 of November 25, 2009. For SANParks the Grievance Policy & Procedure approved May 9, 2016 applies. In accordance with national legislation employees have the right to raise issues without fear of victimisation. Issues should be raised with the immediate management if possible and be sought resolved at the lowest level possible. The aim is to resolve issues expeditiously and not cause unreasonable delays. If the grievance is not resolved the employee should use the PAs grievance form and management will subsequently investigate. If it cannot be resolve it will be referred to the Senior Manager. Further review may be referred to the Executive Director and can finally be appealed to the CEO or brought to formal review using national systems.

In accordance with SANPark's OHS policy, where grievances related to OHS the OHS representative will investigate complaints by employees. The OHS committee shall meet monthly and review all grievances and incidents.

8.2 Contractor Management

Any contractors or sub-contractors engaged under the Project are required to adhere to the national standards and the provisions specified in this ESMF. The contractors and subcontractors must provide a declaration of eligibility and qualification which includes any prior suspensions, terminations and/or where performance guarantees have been called by an employer related to non-compliance of any environmental, social, health or safety requirement in the past five years.

In accordance with the PA's OHS policy, contractors, service providers and concessionaires must agree with the following requirements:

- SANParks will plan, coordinate, control and monitor the activities of any individual or organization that renders a service in, or for SANParks.
- Prior to awarding any contract, the health and safety requirements must be met by whoever applied for the contract or tender.
- Whilst rendering a service in, or for SANParks, the service provider must take the necessary and reasonable care to ensure that the health and safety of personnel and any other who might be affected are not compromised.
- Before commencing with work the service provider must receive a document from the Occupational Health and Safety Manager that they are complying with SANParks standards and requirements pertaining to health and Safety.

Contractors engaged under the Project are required to identify OHS representatives and management plans in place for OHS, which may form part of the ESMP. The OHS representative of the contractor will be responsible for providing and keeping records of OHS trainings and oversee work related incidents (see incident section). For the duration of the COVID-19 pandemic, the OHS representative will also ensure that COVID-19 risk mitigation measures are adhered to (see Annex 5).

Where OHS risks are identified during the screening as a key risk, the Project must ensure that an OHS representative is part of the key personnel identified during procurement.¹¹

¹¹ The Contractor will accordingly, in their proposal, identify cost in the Bill of Quantities and include required qualified environmental and/or social specialist consummate with the site-specific plans. The Contractor's reflection of these requirements will form part of the Technical Evaluation of the Contractor's proposal.

9 REPORTING OF INCIDENTS

PA management, contractors and subcontractors are responsible for maintaining incident reports related to any social, labour, health and safety, security or environmental incident or accident and any near misses to enable actions to be taken to prevent reoccurrence and reduce the number and severity of future incidents. Comprehensive incident reporting and investigation enables analysis of performance in order to identify trends and where improvement is required. A template for recording incidents is provided in Annex 6.

Serious or Severe Incident

Any social, labour, health and safety, security or environmental incident or accident having a negative impact on the Project. This may include fires, spills or workplace accidents, which result in serious or multiple injuries or major pollution. Any injury of any employee or voluntary workers that causes loss of working time (Loss Time Injury) is considered as a Serious or Severe Incident.

Incidents included any accidents or near misses. Copies of the reports must be forwarded to corporate headquarters (SANParks or ECPTA).

PAs shall record any **indicative incidents** or near misses, with date and location, and related corrective action in biannual progress reports to the World Bank.

Any **serious or severe incident** occurring related to Project activities shall be reported to the World Bank Task Team Leader as soon as possible and no later than 24 hours after the incident occurred through an initial communication reflecting the basic information known at the time of the report.

Table 5: Indicative Incident

Environmental	Social	OHS
Small-volume hydrocarbon or chemical spills	Grievances due to Project use of public roads	Underuse of personal protective equipment (PPE) by Works Contractor
Localized dust, light, or noise pollution	Project interference with locally significant practices or sites	Local increase in the occurrence of communicable disease
Illegal hunting of wildlife (non-endangered)	Vehicle damage to public or private roads caused by Works Contractors	Minor job site injuries
Small volume sediment, pesticide, or fertilizer run-off into local waterways	Nuisance-level contact between employees and community	Poor "housekeeping" at site, e.g., littering and random disposal of solid waste
Minor off-site disposal of solid waste from Project	Minor instances of inappropriate behaviour of security forces or other Contractor personnel	Lack of understandable warning or traffic control signage
Poor quality or delayed site restoration and re-vegetation	Overloading of local commercial services from use by Project personnel	Almost empty first aid kit at work site
Poorly functioning erosion-control measures	Minor impacts on livelihood restoration and/or access to community natural resources	Poorly organized or sporadic health & safety induction and training
Failure to follow exclusion criteria or doing work in no-go areas	Minor impacts on cultural sites/areas	Multiple "slip and trip" hazards throughout the site
Any grievance related to noise, dust or other similar issue.	Minor social conflict related to or affecting the Project	Lack of Health & Safety plan and/or training for staff
	Some problems with consultation/outreach about the Project	
	Delays by GRM in handling/addressing grievances	

Table 6: Serious Incidents

Environmental	Social	OHS
Large-volume hydrocarbon or chemical spills, or other hazardous substances impacting the environment	Widespread crop damage or livestock deaths	Injury/ies requiring off-site medical attention
Over-exploitation of local natural resources	Cases of mistreatment of communities potentially, including vulnerable groups, by Project workers or security forces, including incidents such as sexual harassment	Instances of serious communicable diseases among workforce
Large-volume or long-term sediment, pesticide, or herbicide runoff into waterways	Significant impacts to protected physical cultural resources	Consistent lack of health & safety plans and training at work site
Medium to large-scale deforestation	Works have commenced without compensation and resettlement being completed	Chronic non-use of PPE at Project work site
Lack of implementation of agreed environmental restoration program	Significant and repeated community impacts from Project vehicles and construction activities	Repeated non-compliance or failure to remedy non-compliance
	Lack of clarity about consultations with Indigenous Peoples and broad community support for the Project	
	GRM not functioning	
	Inadequate consultation and engagement of stakeholders in the Project leading to significant conflict and/or delays	
	Non-violent community protests against the Project, or mild community unrest	

Table 7: Severe Incidents

Environmental	Social	OHS
Significant hydrocarbon or chemical spills, or release of other hazardous substances into the environment, causing widespread impacts, and/or requiring large-scale remediation	Forced evictions or resettlement of communities without due process or compensation	Any fatality or permanent disability
Poaching or hunting and trafficking of threatened or endangered species	Abuses of community members (including vulnerable groups e.g., women, children, youth, elderly, disabled/sick, LGBT) by site security forces or other Project workers, including but not limited to GBV	Outbreak of life-threatening communicable disease
Sediment, pesticide, or herbicide runoff causing permanent damage to waterways	Significant damage to nationally protected areas or to UNESCO World Heritage sites	Criminal and political attacks at worksite
Destruction of internationally recognized critical habitat	Human trafficking and child labour	Forced labour by Project's Works Contractor
Major river contamination causing decimation of fish population or other aquatic	Violent community protests against the Project	Works Contractor is unresponsive regarding on-going worksite risks of bodily injury

Environmental	Social	OHS
	Significant impacts on Indigenous Peoples' land/natural resources and/or culture and there is no evidence of consultation, broad community support, mitigation of harm and/or culturally appropriate benefit-sharing	Persistent non-compliance and/or inability or unwillingness to remedy non-compliance that could result in bodily injury or harm Murders, kidnappings, manslaughter and assaults, while criminal matters and not safeguards incidents per se, have occurred in World Bank Projects and should be treated as severe incidents. These incidents would be referred to local authorities with notification to World Bank Security

10 ENVIRONMENTAL AND SOCIAL MANAGEMENT PROCESS

This section brings together procedures described in the prior sections along with the overarching assessment and management of environmental and social risk and impact, which is overseen by SANParks and ECPTA.

A key principle of good environmental and social management is the incorporation of the risk mitigation principles in the activity design – i.e., anticipate and avoid, minimise or reduce, mitigation, and management of residual impact (see Figure 2 in introduction). Early discussion of ESMF principles in sub-component planning, including planning that takes place in communities, should take place as part of prioritisation of activities. The following key principles guides the environmental and social approach of Project:

- Ensure strong community engagement throughout the Project cycle, including awareness of the environmental and social management and access to grievance procedure.
- Once activities are identified and approved for funding, the detailed design must apply the impact mitigation hierarchy to continue to anticipate and avoid, minimise or reduce, and finally mitigate and manage residual impact of any adverse environmental and social impacts.
- Ensure that no ineligible activities are part of Project investments.
- Actively manage any residual social and environmental risk and impact throughout the implementation in accordance with the ESMP or ESIA (as applicable).
- Integrate ESMP or ESIA (as applicable) in all procurement procedures related of contractors. Embed key environmental and social requirements on contracts.

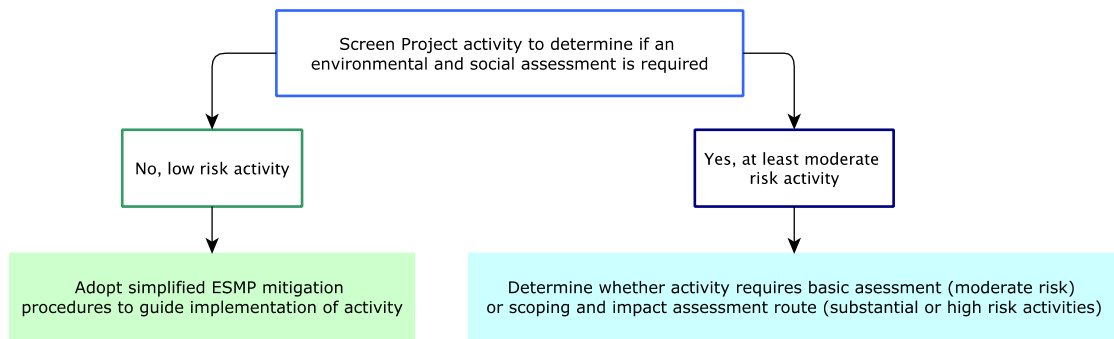
10.1.1 Project Screening

Screening of activities will commence right at the inception phase as soon as the specific sub-component details are known including nature and scope, proposed location and area among other parameters. Screening is expected to happen concurrently with other specific feasibility studies in order to identify any potential impacts that may be avoided or minimised before further assessments are conducted to ensure that the environmental and social design is optimal.

The Project's assigned EAP, whether existing staff or an expert procured for the specific activity, will conduct the screening of activities to determine the scope of impact of proportional environmental and social risk mitigation measures to engage. Activities that are ineligible should not be endorsed by the EAP, but where such investments are initially proposed for Project investments, as part of the scoping, the EAP will reject the proposal or require appropriate redesign to reconsider the activity under the Project.

Once the eligibility of a proposed activity is established, the EAP will establish the basic details related to environmental and social impact and determine the risk classification through the environmental and social scoping using the forms set out in Annex 1.

Figure 4: Screening and risk assessment



10.1.2 Risk Classification

Based on the screening of impact, the following risk categorisation will be used to guide next steps:

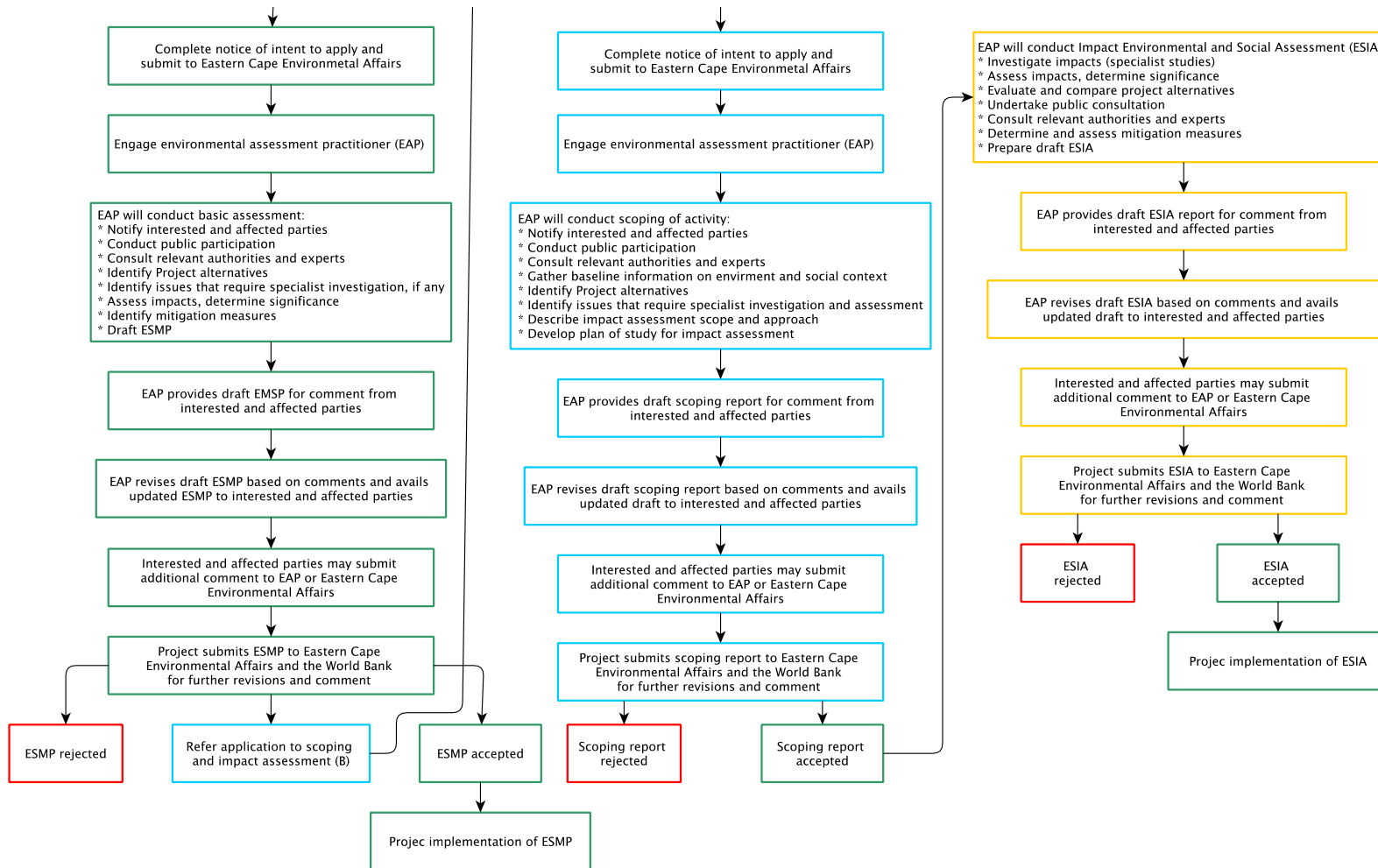
- Low risk activities can be managed through application of the standard procedures for all activities outlined in the ESMF. Low risk activities do not require assessment under South African legislation.
- Moderate risk activities require development of an ESMP, under South African legislation, a Basic Assessment. All activities that appear in Listing Notice 1 (GN No. R. 386 of 21 April 2006) require a Basic Assessment.
- Substantial or high-risk activities require further scoping and development of an ESIA. All activities that appear in Listing Notice 2 (GN No. R. 387 of 21 April 2006) will be considered substantial or high-risk activities.

Risk classification is outlined in the table below, but is also guided by South African legislation as noted in the above.

Table 8: Risk Classification

Risk	Definition	Description
Low	The impact has low significant risk to the people and the environment either short term or long term	Negligible or very little adverse impacts on communities, individuals, and/or environment.
Moderate	The impact is short term and cause limited risk to the people and the environment	Limited impacts in terms of magnitude (e.g. small affected area, low number of people affected) and duration (short) that may be easily avoided, managed, mitigated with best practice techniques.
Substantial	Impacts give rise to substantial concern, may cause long term social and environmental problems	Adverse impacts on people and/or environment of significant magnitude, spatial extent and duration, (but still mostly temporary, reversible).
High	Impact is long term, large scale, irreversible, diverse and unprecedented	Highly significant adverse impacts on human populations and/or environment. Adverse impacts high in magnitude and/or spatial extent (e.g. large geographic area, large number of people, transboundary impacts, cumulative impacts) and duration (e.g. long-term, permanent and/or irreversible); areas impacted include areas of high value and sensitivity (e.g. valuable ecosystems, critical habitats); adverse impacts to rights, lands, resources and territories of indigenous peoples; involve significant displacement (economic and/or physical).

Figure 4: World Bank and South Africa Assessment Process Aligned



10.1.3 Environmental and Social Assessment

The requirement to obtain environmental authorization for certain development proposals or projects is legislated in NEMA. The EIA Regulations make provision for two types or levels of assessment, namely Basic Assessment and Scoping and EIA. These requirements have been aligned with the World Bank requirements and illustrated in Figure 4. Accordingly, all activities which are rated moderate, substantial or high risk will require application to Eastern Cape Environmental Affairs as well as review by the World Bank. The level of assessment which must be carried out will be proportional to the risk and impacts identified.

Where an activity is rated moderate or higher risk, the assessment process, whether it is a Basic Assessment/ESMP or Scoping and ESIA will be done through preparation of a notification form (in the case of Basic Assessment) or an application form (in the case of scoping and ESIA) for submission to the Eastern Cape Environmental Affairs activity investment.

In terms of Section 22(b) of the EIA Regulations, environmental authorization may be refused after consideration if:

- The proposed activity is in conflict with a prohibition contained in legislation; or
- The ESMP or ESIA does not substantially comply with the content requirements of the Regulations, and the applicant is unwilling or unable to ensure compliance with these requirements within the prescribed timeframe.

10.1.4 Stakeholder Engagement

Any activity with moderate or higher risk must involve interested and affected parties in the review of the draft ESMP or ESIA. Minimum requirements for public participation are prescribed by Regulations 39 to 44 in the EIA Regulations and Section 24 (4) (a) (v) of the National Environmental Management Act, 1998 (Act 107 of 1998) and additional stakeholder engagement is reflected in the Project's SEP.

The draft and final ESMP or ESIA must be made available to potential or registered interested and affected parties¹² including government departments that administer laws relating to the environment. Subsequent to comment, the ESMP or ESIA will then be revised to include all responses to the comments received during the commenting period. Minimum requirements for public participation are prescribed by Regulations 39 to 44 in the EIA Regulations and Section 24 (4) (a) (v) of the National Environmental Management Act, 1998 (Act 107 of 1998). Revised ESMP or ESIA report will include all responses to what was presented in the previous report.

Prior to commencement of activity implementation, it is also required that no objection is obtained by the World Bank and that the relevant documents have been disclosed appropriately.

10.1.5 Implementation of Impact and Risk Management

The cost of implementing ESIA or ESMP measures must be integral to the activity cost. Where activities include engagement of contractors, the relevant ESIA or ESMP measures must be incorporated in procurement procedures for bids to reflect cost of environmental and social requirements, including labour management measures related

¹² To register, the person must either be an organ of state, request to be placed on the register by the EAP, or submit comments, or attend a meeting with the EAP and applicant.

to COVID-19 and related reporting. The EAP will therefore work closely with the Procurement Manager to ensure compliance (for ECTPA the Supply Chain Manager oversees procurement for the Project, for SANParks the procurement officer is the Supply Chain Management Practitioner – Frontier Region).

10.1.6 Monitoring and Reporting

The aim of monitoring is to measure the success rate of the project, determine whether interventions have resulted in dealing with negative impacts, whether further interventions are needed, or monitoring is to be extended in some areas. Monitoring indicators will be dependent on specific activity context.

The PA will regularly provide oversight on environmental and social performance required in the sub-component activities, including as relevant, responsibilities of contractors, to ensure that environmental and social management is duly applied, in addition to other responsibilities. An inspection form will be drawn up based on the site-specific implementation requirements and reported upon using the following, or similar format.

Project Activity				PA
Construction stage				Inspection time
Inspection date				Weather
Inspected by				
Inspection items	Implemented			Remarks¹³
	Yes	No	N/A	
(Prefill table with required actions, i.e., environmental management training)				

The environmental officer will produce a monthly, quarterly and final report to SANParks/ECPTA for each activity. The Project will submit biannual progress reports of the environmental and social due diligence as part of regular progress reports to the World Bank, which reflect the status of environmental and social risk management.

¹³ Specify location, good practices, problem observed, possible cause of non-compliance and/ or proposed corrective actions)

The National Department of Environment, Forestry and Fisheries (DEFF)¹⁴ or provincial environmental affairs of the Eastern Cape may, as required by the NEMA, also undertake environmental and social monitoring based on the environmental and social management plans submitted as part of the licensed ESIA reports. Environmental authorisation, whether it is a Basic Assessment or Scoping and ESIA will be issued by the National Department of Environment, Forestry and Fisheries.

According to the PAs, respective OHS policy the following is recorded:

- Total number of the health and safety incidents.
- Risk assessments: risks identified and attended to.
- Number of Lost time injuries (LTIs)
- Number of medical treatment cases/ fatalities
- Number of Property damages recorded
- Disabling Injury Frequency Rate (DIFR) and Disabling Injury Severity Rate (DISR).
- Number of inspections completed, deviations noted and correction measures.

¹⁴ DEFF involvement is required for listed activities in National Parks or World Heritage Sites, which includes AENP.

Annex I: Environmental and Social Screening Checklist

Activity name:

Activity type:

Location:

Activity has been screening for ineligible activities (ref. ESMF):

- Yes
 No

Activity includes ineligible activities (ref. ESMF):

- Yes
 No

No.	Questions considered	Yes/ No	Characteristics of risk and impact?	Is the effect likely to be significant? Why?
1.0 Will the project involve any actions during construction, operation or decommissioning which would create changes in the locality as a result of the nature, scale, form or purpose of the new development?				
1.1	Permanent or temporary change in land use, land cover or topography including increases in intensity of land use?			
1.2	Clearance of existing land, vegetation and buildings?			
1.3	Creation of new land uses?			
1.4	Pre-construction investigations e.g. boreholes, soil testing?			
1.5	Temporary sites used for construction works or housing of construction workers?			
1.6	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations?			
1.7	Dredging?			
1.8	Facilities for storage of goods or materials?			
1.9	Facilities for treatment or disposal of solid wastes or liquid effluents?			
1.10	New road, altered routes, traffic during construction or operation?			
1.11	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?			
1.12	New or diverted transmission lines or pipelines?			
1.13	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?			
1.14	Stream crossings?			
1.15	Abstraction or transfers of water from ground or surface waters?			
1.16	Changes in water bodies or the land surface affecting drainage or run-off?			

No.	Questions considered	Yes/ No	Characteristics of risk and impact?	Is the effect likely to be significant? Why?
1.17	Long-term dismantling, decommissioning or restoration works?			
1.18	Ongoing activity during decommissioning which could have an impact on the environment?			
1.19	Influx of people to the area either temporarily or permanently?			
1.20	Introduction of alien species?			
1.21	Loss of native species or genetic diversity?			
1.22	Any other actions?			
2. Will the project use any natural resources, especially any resources which are non-renewable or in short supply?				
2.1	Land especially undeveloped or agricultural land?			
2.2	Water?			
2.3	Minerals?			
2.4	Aggregates?			
2.5	Forests and timber?			
2.6	Energy including electricity and fuels?			
2.7	Any other resources?			
3.0 Will the project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?				
3.1	Are there especially vulnerable groups of people who could be affected by the project e.g. hospital patients, the elderly?			
3.2	Will the project result in changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)?			
3.3	Will the project affect the welfare of people e.g. by changing living conditions?			
3.4	Any other causes?			
4.0 Will the Project produce solid wastes during construction or operation or decommissioning?				
4.1	Spoil or overburden?			
4.2	Municipal waste (household and or commercial wastes)?			
4.3	Hazardous or toxic wastes (including radioactive wastes)?			
4.4	Sewage sludge?			
4.5	Construction or demolition wastes?			
4.6	Redundant machinery or equipment?			
4.7	Contaminated soils or other material?			
4.8	Agricultural wastes?			
1.9	Any other solid wastes?			
5.0 Will the Project release pollutants or any hazardous, toxic or noxious substances to air?				
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources?			
5.2	Emissions from materials handling including storage or transport?			
5.3	Emissions from construction activities including plant and equipment?			
5.4	Dust or odours from handling of materials including construction materials, sewage and waste?			

No.	Questions considered	Yes/ No	Characteristics of risk and impact?	Is the effect likely to be significant? Why?
5.5	Emissions from any other sources?			
6.0 Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?				
6.1	From operation of equipment?			
6.2	From blasting or piling?			
6.3	From construction or operational traffic?			
6.4	From lighting or cooling systems?			
6.7	From any other sources?			
7.0 Will the Project lead to risks of contamination of land or water from releases of pollutants onto the ground or into sewers, surface waters, or groundwater?				
7.1	From handling, storage, use or spillage of hazardous or toxic materials?			
7.2	From discharge of sewage or other effluents (whether treated or untreated) to water or the land?			
7.3	By deposition of pollutants emitted to air, onto the land or into water?			
7.4	From any other sources?			
7.5	Is there a risk of long-term build-up of pollutants in the environment from these sources?			
8.0 Will there be any risk of accidents during construction or operation of the Project that could affect human health or the environment?				
8.1	From explosions, spillages, fires etc. from storage, handling, use or production of hazardous or toxic substances?			
8.2	From events beyond the limits of normal environmental protection e.g. failure of pollution controls systems?			
8.3	From any other causes?			
8.4	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslip, etc.)?			
9.0 Will the Project result in social changes, for example, in demography, traditional lifestyles, employment?				
9.1	Changes in population size, age, structure, social groups etc.?			
9.2	By resettlement of people or demolition of homes or communities or community facilities e.g. schools, hospitals, social facilities?			
9.3	Through in-migration of new residents or creation of new communities?			
9.4	By placing increased demands on local facilities or services e.g. housing, education, health?			
9.5	By creating jobs during project implementation or causing the loss of jobs with effects on unemployment and the economy?			
9.6	Increase the cases of GBV or SEA?			
9.7	Increase the risk of increasing COVID-19 infections?			
9.8	Any other causes?			
10.0 Are there any other factors, which should be considered such as consequential development which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality?				

No.	Questions considered	Yes/ No	Characteristics of risk and impact?	Is the effect likely to be significant? Why?
10.1	Will the project lead to pressure for consequential development which could have significant impact on the environment e.g. more housing, new roads, new supporting industries or utilities, etc.?			
10.2	Will the project lead to development of supporting facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: <ul style="list-style-type: none"> ▪ supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) ▪ housing development ▪ extractive industries ▪ supply industries other? 			
10.3	Is there a risk that persons under the age of 18 may provide labour towards the Project or associated facilities?			
10.4	Will the project lead to after-use of the site that could have an impact on the environment?			
10.5	Will the project set a precedent for later developments?			
10.6	Will the project have cumulative effects due to proximity to other existing or planned projects with similar effects?			

If you have answered Yes to any of the above and the effect is likely to be significant, please describe the measures that the project will take to avoid or mitigate environmental and social impacts

What measures will the project take to ensure that it is technically and financially sustainable?

Note: Attach photographs of the screened site

Annex 2: Standard Good Practice

The PAs adheres to a number of Standard Operating Procedures, including procedures related to vehicle conduct and uniform requirements. The standards in the following subsections reflect the procedures in place in the PAs and which will be adhered to under the Project implementation, proportional to the scale and types of civil works and constructions. The contractor will be required to develop a detailed site specific ESMP indicating how it intends mitigating its construction impacts in line with the PA Standard Operating Procedures.

Movement of Personnel and Equipment

All staff and equipment must remain within the demarcated work areas at all times. This should be monitored by the Contractor if appointed or by the Reserve Manger. Permission should be obtained from the Reserve Manager prior to movement of staff and/or equipment outside the boundaries of the agreed work areas.

Staff Management, Ablution and Eating Facilities

- External workers are to make use of the chemical toilets to be provided by the Contractor. Maintenance of the chemical toilets should be done on a regular basis to prevent any leakages. Under no circumstances may neighbouring open areas or the surrounding bush be used as a toilet facility.
- At least one chemical toilet must be made available for every 15 persons (gender segregation) at each working station or as stipulated in by appropriate legislation.
- To prevent toilets from blowing over, they must be properly secured, containing a function door and lock.
- No food may be left outside unattended and no foodstuff is to be left overnight. No food may be disposed of in the surrounding areas.
- Washing facilities shall be proved with flow reduction devices and adequate catchment to contain wash water. Only biodegradable soap shall be allowed (as provided by the Contractor).
- Water from wash basis shall be re-used wherever possible.
- No toilet shall be located in sensitive environments (i.e., in or near a watercourse).
- Fires of any sort (e.g. for cooking by workers or burning waste) are forbidden on site.

Access and Movement

- Access shall only be granted to the site during normal working hours (08:00-17:00) Mondays – Fridays, unless specified.
- All personnel shall be off site by gate closing time unless permission was granted by the Reserve Manager to stay on site and proved for as part of the contract.
- Work areas and access routes must be demarcated by snow netting on site posts or temporary fencing to minimise environmental impact.
- All vehicles must remain within demarcated access router and working areas on site.
- To ensure no disturbance to PA management activities, especially for compliance monitoring, all existing roads should not be blocked during the project.
- The proclaim speed limit of 40 km/h, unless otherwise specified in the PA must be strictly adhered to.

- The environmental officer should monitor the conduct of drivers and report any negative impact to the Contractor immediately.
- Upon the completion of the project, the Contractor (if appointed) or Reserve Manager must ensure that the access roads are returned to a state no worse than prior to commencement of works. A photographic records should be documented of the construction camp (if required), all access roads and proposed development sites.
- If two-way traffic movement is to take place, passing bays are to be used where specified by the environmental officer to prevent access/detours into the surrounding areas. The drivers delivering project materials to site are to be made aware of this. They may not drive off the road in order to allow another vehicle to pass.
- Continual use of dirt access roads by heavy machinery and increased transport loads means they will have to be carefully monitored and regularly graded as soon as potholes or rutting occurs.
- All Contractors, subcontractors and staff shall be identified by clothing with company logos and be in possession of valid South African identity documents.
- All drivers of vehicles must be in possession of a valid drivers licence while driving within the PA.
- Deliveries, removals etc. are to be completed during gate open times only.

Fauna and Flora

- Care shall be taken to preserve all vegetation in the immediate area of temporary stockpiles and during site clearing.
- Construction and/or maintenance activities shall be confined to the demarcated areas to avoid accidental injury of animals.
- No animals, including mammals, birds, snakes and invertebrates may be harmed or killed.
- Trapping, poisoning and/or shooting animals is strictly forbidden.
- No domestic pets or livestock are permitted on site.
- Prevent animals from accidentally entering the construction area by putting in place adequate fencing.
- Reduce the speed on roads (max 40km/h, unless otherwise specified) to avoid injury to animals present in the vicinity.
- Trapping and poaching of animals are a criminal offence and is forbidden.
- Care should be taken when selecting areas for containment bomas and water holes, to not impact on any nesting or borrowing areas.
- No plants outside the demarcated work areas may be damaged.
- No firewood may be collected.
- Incidents related to the accidental harm, injury or death of any animal or damage of natural vegetation outside of the construction area (apart from the agreed upon areas) must be reported to the environmental officer.
- No natural features should be defaced, painted, damaged or marked, if these should occur (e.g. trees, rock formations, buildings) situated in or around the site the environmental officer must be informed at once.
- The areas of vegetation that are to be protected during construction/maintenance project must be demarcated and indicated on a site plan. A method statement is to be submitted to the environmental officer by the Contractors, detailing the method of fencing for protection of the conservation areas.

Soil

- Topsoil must be treated with care, must not be buried or in any other way be rendered unsuitable for further use (e.g. by mixing with spoil) and precautions must be taken to prevent unnecessary handling and compaction.
- No soil (for construction purposes) will be sourced from the watercourse.
- Stockpiles should ideally be located to create the least visual impact and must be maintained to avoid erosion of the material into the surrounding environment.
- Ideally, topsoil stockpiles are not to exceed 1.5 m in height.
- Any topsoil removed during the works must be backfilled or levelled on site; and ensure that the topsoil is replaced on the surface and not below the ground.
- Stockpiles and storage yards must be confined to the immediate area in which construction are to take place or should be located in already disturbed or where disturbance will be minimal.
- The location of spoil stockpile sites shall be agreed upon by the environmental officer prior to the onset of any operations that will generate spoils materials. No spoil material shall be dumped outside the PA. Excess clean soil material shall only be disposed of at designated areas as stipulated/allocated by the Reserve Manager to the contractor.
- Where at all possible, excavations must not stand open longer than two days, and should preferably be opened and closed on the same day. They should not be permitted to stand open longer than a week under any circumstances. Excavations must be clearly demarcate and/or cordon off to prevent animals and humans from accidentally falling into open excavations.
- Excess topsoil is to be spread evenly over the area in a manner that blends in with the natural topography.

Management and Storage of Materials (including equipment)

- Materials to be used during construction/demolition/maintenance shall only be stored at demarcated sites.
- Contractors will not be allowed to store new material outside demarcated areas (e.g., on the sides of the access road or among the natural vegetation or next to the existing access road).
- All vehicles and equipment must be maintained in a good condition in order to minimise the risk of leakage and possible contamination of the soil or storm water by fuels, oils and hydraulic fluids.
- Earthmoving equipment and vehicles should be inspected and services regularly to allow for timeous identification of fluid leaks.
- If relevant, a method statement should be provided for activities related to the scope of work:
 - Type and quantity of materials to be stored;
 - Whether any oil contaminated/containing equipment will be stored;
 - How (including what type of vehicles will be required) the materials will be delivered on site at the necessary storage area; and
 - Where there is any risk of spill or runoff of any materials or chemicals and how the risk/spill will be mitigated.

Management of Hazardous Material

- Concrete and cement preparation activities shall not be permitted in any sensitive environments and no mixing shall be allowed on bare soil/permeable ground surfaces.

- Mixing activities must take place on an impermeable surface and the mixing area should be bonded to contain any liquids to prevent contamination of soil and storm water.
- Used cement bags shall be collected and stored in containers to prevent wind-blown cement dust and water contamination.
- The re-use of discarded cement bags on site is forbidden.
- Water from concrete washing must either be re-used in concrete mixes or must be stored in drums, then removed from the site and disposed of at a licensed municipal dump site.

Waste Management

- A method statement to the approval of the environmental officer and/or Reserve Manager should be provided prior to commencement of the project.
- Ensure that all litter is collected daily from the work area and transported back to the main camp for proper disposal. All bins shall be emptied daily.
- All waste should be discarded at a registered waste management facility/landfill site particularly those waste or materials that could have an impact on surface or groundwater quality when coming into contact with water.
- Waste bins and skips must be used.
- Waste bins must contain tamper proof lids to prevent content from blowing away or accumulating rain water or being accessible to animals.
- Working sites and eating areas should be maintained in a clean, hygienic and orderly state.
- Separate bins should be provided for various materials to facilitate recycling. The bins should have liner bags for easy control and safe disposal of waste.
- The excavation and use of rubbish pits on site are forbidden.
- The burning of waste is forbidden.
- Contaminated soil (resulting from oil spills, etc.), unwanted cement bags and water used for washing concrete equipment are regarded as hazardous waste and should be disposed of at a permitted hazardous waste landfill site. Written proof of disposal at the permitted waste landfill site should be obtained and provided to the environmental officer.

Dust

- Precautions should be taken to the satisfaction of the environmental officer to limit the excessive dust emissions during construction activities.
- All dust control measures should be in accordance with the National Dust Control Regulations in terms of the NEMA: Air Quality Act (Act no. 39 of 2004).
- Dust from exposed soil surfaces shall be minimised at all times, only using water spray during very windy conditions.
- Reasonable measures must be undertaken to ensure that any exposed areas and material stockpiles are adequately protected against the wind.

Occupational Health and Safety

- The application of all OHS regulations must be adhered to at all times. This includes the use of adequate PPE, appropriate for the task to be undertaken, and include as a minimum safety shoes, gloves and eye protection. Any other PPE requirements will be determine based on the safety risks associated with the task to be undertaken.
- A health and safety plan needs to be submitted before commencement of construction activities on the project.
- Health and safety file needs to be on site and available at all times.

- All employees working on site should be inducted on health and safety before starting any work.
- PPE (safety vests and helmets) should also be provided for visitors.
- Hand out and use of safety and protective equipment must be recorded. Staff who fails to use PPE provided by site staff must not be allowed to work at the facility.
- Emergency procedures for fire, adverse conditions due to inclement weather, spillages, stoppage of operations due to refusal to work by employees, etc. must be included in the emergency procedures.

Watercourses

- All activities should be conducted at least 32m away from all watercourses unless directed to do so through the relevant permits.
- No vehicles allowed in watercourse areas.
- No destruction of watercourses is allowed unless permitted to do so by the relevant permit(s).
- The project area footprint should be maintained at a bare minimum to minimise the potential ecological impacts.
- No dumping of any excess building materials or other wastes or litter should be allowed within the watercourse.
- No soil (for any purposes) will be sourced from the watercourse.
- Earthmoving equipment and vehicles should be inspected and services regularly to allow for timeous identification of fluid leaks.
- Subsistence hunting or harvesting of fauna or flora within the watercourse is prohibited.
- Digging and construction of boreholes will be undertaken after appropriate clearances from authorities.

Soil Erosion

- Storm water management procedures to the satisfaction of the environmental officer should be put in place to control runoff and prevent erosion.
- Measures to the approval of the environmental officer shall be taken to prevent all areas susceptible to erosion. No erosion should be allowed to develop on a large scale before effecting repairs and all erosion damage shall be repaired as soon as possible.
- Note that specifics of erosion protection work will vary from situation to situation. Specifics should be cleared with the Reserve Manager and/or environmental officer and comply with the contract specifications.
- Where required, cut-off trenches can be installed to divert substantial run-off and prevent erosion.

Fire Management

- No fires are permitted in areas that are not dedicated for such purposes.
- All relevant fire-fighting equipment should be kept on site.
- Due to the threat of fire poses to the PA smoking will only be allowed in designated smoking area which are clearly demarcated and signposted with a facility for safe containment and disposal of cigarette butts.
- Firebreak should be maintained around offices (including temporary construction offices).
- All fire management should be done in compliance with the Fire Management Plan of the PA.

- Emergency contact details of the PA fire department should be clearly displayed on site.

Noise Control

- Noise levels must be kept within acceptable limits for a PA and must not be of such nature as to detract from the natural experience of visitors.
- The Contractors shall take into consideration that the project areas are located within a natural environment and that noise could be a major disturbance/ nuisance for the fauna and visitors.
- No music shall be allowed on site.
- Maintenance, construction and demolition activities shall be limited to normal working hours and not allowed during weekends.

Heritage

- If any human remains or archaeological remains (e.g. fossils, bones, artefacts etc.) are disturbed, exposed or uncovered during excavations, all work shall stop immediately. The environmental officer must be informed and must contract the South African Heritage Resources Agency or Eastern Cape Heritage Resources Agency for information on the appropriate course of action to be taken.
- The environmental officer shall inform the relevant agency and arrange for a palaeontologist/ archaeologist to inspect, and if necessary excavate, the material, subject to acquiring the requisite approval from the relevant Heritage Agency.
- Should any findings be made by the Heritage Agency, then no work shall recommence until written permission has been received from the environmental officer.
- Note that without a permit issued by the responsible Heritage Agency it is illegal to destroy, damage, excavate, alter, deface or otherwise disturb any archaeological site or archaeological material. The latter is a criminal offence under the National Heritage Resources Act.

Slope Protection

- Excavation, backfilling and trenching shall be shaped and trimmed to approximately the natural condition and contours as close as possible.
- Slopes that required protection shall be identified by the ecologist and the environmental officer during screening of the activity.
- All specifications regarding slope protection should be adhered to.

Visual

- Type of lights to be determined. Should any project activities take place where tourists can see the activities, then clear signboards must be erected to inform the tourists of the activity taking place. Contractor to erect boards as required.
- No painting or marking of natural features shall take place. Marking for surveying and other purposes shall only be done with pegs and beacons.
- Materials (including paint) should fit into the natural environment (neutral/natural colours).

Borrow Pits/Quarries

- No borrow pits or quarries are permitted inside the PAs.
- Registered quarries should be used for sourcing of materials for civil works.

- New quarries should not be excavated, without authorizations and approvals as required by national law; management of such quarries after completion of works should also follow appropriate regulations.
- Procurement of sand from illegal sand mining operations is not permitted.
- Transportation of materials from quarries to site must be managed.

Use of Herbicides and Pesticides

- Comply with Conservation of Agricultural Resources Act and OHS regulations.
- Written approval should be obtained by the environmental officer, Reserve Manager, Environmental Planner and Ecologist before the use of chemicals to control weeds and pests.
- A register shall be kept of all herbicides and pesticides that are administered. Should a specific chemical be used then it should be done by the approval from a qualified expert.

Existing Infrastructure

- If not involved in the project the integrity of existing infrastructure should be protected during the duration of the project.
- Damage to any infrastructure shall be rectified (to the satisfaction of the environmental officer and Reserve Manager) by the party responsible for the damage. Once the rehabilitation of the damage has been done written approval must be obtained from the Reserve Manager and/or environmental officer.

Site Clean-up and Rehabilitation

- Ensure that all temporary structures, materials and waste (including areas contaminated during the project, e.g. oil spillages on soil) should be removed from the PA.
- All disturbed areas should be fully rehabilitated.
- When landscaping and rehabilitating only indigenous plants from the area where the PA is located should be used.
- The final list of indigenous plants should be approved by the relevant Ecologist and Reserve Manager.
- Monitoring phase to be determined on a case-by-case basis.
- A final meeting should take place to determine the outputs of the project.

Annex 3: Generic Terms of Reference for Preparation of ESMP

1. Provide a full description of the nature of the project with respect to the name of the proponent, the spatial location of the potential site for the project, the estimated cost of the project, and size of land for the project site, including water reticulation, waste disposal and access roads.
2. Provide a site-specific map of the area (Scale 1:50,000) showing the proposed project site and existing establishments in the area and surrounding areas. A site plan for the project should also be provided. Include the reasons for selecting the proposed site, and any alternative sites considered.
3. Examine the existing conditions of the proposed site identifying and analysing:
 - Geological and soil conditions of the area;
 - The scope of vegetative resources of the area;
 - Existing land uses within the area and within adjacent villages;
 - Ecologically important or sensitive habitats and resources e.g. water resources, biodiversity elements; and
 - Suitability of the site for the proposed development.
4. Describe the major activities to be undertaken for the construction and operation of infrastructure services. This should include the size and type of infrastructure, the type of equipment to be used, the method and duration of construction, nature and quantity of wastes to be generated, the facilities for appropriate disposal and management of waste, number of people to be employed.
5. Provide an account of all statutory and regulatory licenses and approvals obtained for the project to ensure that they are in line with sound environmental management practices and compliance with all relevant existing legislation. Reference should be made, but not limited to the Environment Management Act and other relevant and other relevant legislation.
6. Predict the major short and long-term environmental impact of the project. Examine both the positive and negative impact as well as impact on the biophysical, social, economic and cultural components of the environment.
7. Propose an Environmental and Social Management Plan (ESMP) in tabular form by which all of the mitigation/enhancement measures prescribed will be carried out, specifying who will be responsible for implementing these measures and the schedule for implementation, cost of implementing the measures and the source of funding. An environmental monitoring plan should also be prepared including the indicators to be used for monitoring the impact and responsible persons and institutions that will conduct the monitoring.
8. Undertake public consultations to ensure that all interested and affected parties are involved in and incorporate their views into the ESMP. Evidence of consultation should be provided in the report. This activity should use the SEP prepared under the project.
9. Identify the institutional needs to implement the environmental and social assessment recommendations by reviewing the institutional mandates and

capability of implementing institutions at local/district and national levels and recommend steps to strengthen

10. Prepare an Environmental and Social Monitoring Plan; which will include monitoring measures for the Environmental and Social Monitoring Plan including the parameters to be measured, methods to be used, sampling locations, frequency of measurements, and definition of thresholds that will signal the need for corrective actions as well as deliver a monitoring and reporting procedure. The monitoring program would enable verification and would provide a basis for determination of any remedial measures or adjustments to management aspects if required. This should include a time frame and implementation mechanism, staffing requirements, training and cost outlays.

Annex 4: Template for Environmental & Social Management Plan

The ESMP should be formulated in such a way that it is easy to use. References within the plan should be clearly and readily identifiable. Also, the main text of the ESMP needs to be kept as clear and concise as possible, with detailed information relegated to annexes. The ESMP should identify linkages to other relevant plans relating to the Project, such as plans to deal with resettlement issues. The following aspects should typically be addressed within ESMPs.

Summary of impacts and risks: The predicted adverse environmental and social impacts and risks for which mitigation is required should be identified and briefly summarized.

Description of mitigation measures: The ESMP identifies feasible and cost-effective measures to reduce potentially significant adverse environmental and social impacts to acceptable levels. Each mitigation measure should be briefly described with reference to the impact to which it relates and the conditions under which it is required (for example, continuously or in the event of contingencies). These should be accompanied by, or referenced to, designs, equipment descriptions, and operating procedures which elaborate on the technical aspects of implementing the various measures. Where the mitigation measures may result in secondary impacts, their significance should be evaluated.

Description of monitoring program: Environmental performance monitoring should be designed to ensure that mitigation measures are implemented, have the intended result, and that remedial measures are undertaken if mitigation measures are inadequate. It should also assess compliance with national standards and World Bank requirements or guidelines.

The monitoring program should clearly indicate the linkages between impacts identified (where relevant in the associated ESIA), establishment of baselines for indicators to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and definition of thresholds that will signal the need for corrective actions, and so forth. Although not essential to have complete details of monitoring in the ESMP, it should describe the means by which final monitoring arrangements will be agreed.

Institutional arrangements: Responsibilities for mitigation and monitoring should be clearly defined. The ESMP should identify arrangements for coordination between the various actors responsible for mitigation.

Budget: Outline the estimated costs for implementation of the mitigation and monitoring measures.

The mitigation and monitoring should, at a minimum, include the measures set out in the tables below.

Mitigation

Project Activity	Potential Environmental and Social Impacts	Proposed Mitigation Measures (Incl. legislation & regulations)	Responsibilities	Cost Estimates	Comments (e.g. secondary impacts)
Pre-Construction Phase					

Construction Phase					
Operation and Maintenance Phase					

Monitoring

Proposed Mitigation Measure	Parameters to be monitored	Location	Measurements (incl. methods & equipment)	Frequency	Responsibilities (Incl. review and reporting)	Cost (equipment & Individuals)
Pre-Construction Phase						
Construction Phase						
Operation and Maintenance Phase						
Total Cost for all Phases						

Annex 5: Special Provisions During the COVID-19 Pandemic

COVID-19 is affecting preparation of the Project and may continue to influence implementation of activities as the disease is easily transmitted through breathing in droplets from persons with the illness. Many who are infected will show no obvious signs of disease, wherefore the Project must take all possible precautions through practical steps to minimise exposure. The Senior Reserve Manager and the Tourism Manager for AENP and ECPTA respectively oversees implementation of special COVID-19 measures with core responsibilities for implementation delegated to senior management and staff. Standard Operating Procedures have been developed for the PAs to ensure minimal risk of exposure to staff and guests.

Given the higher risk of COVID-19 infection to persons with underlying health issues or persons aged 60 or over, the Project will ensure that all personnel who have higher risk factors and given special protections during the pandemic. This must include accommodations to work from home for an extended period of time where feasible.

Recognising that the COVID-19 pandemic may not remain of concern during the full period of the implementation of the Project, risks mitigation associated with the pandemic is required as additional measures until such time that the pandemic provisions is suspended by the South African government.

The following sections build on key activities planned, but site-specific risk mitigation measures may be further detailed in ESMPs and ESIA. These provisions build on good practice provided by WHO and the World Bank but may be subject to updates.

PA management will stay informed and follow the guidance from the WHO and the South African National Department of Health. During the pandemic, that means that project workers should work from home if possible and be provided with the appropriate technology to carry out their tasks. Safe methods of interactions should be encouraged, for example, phone meetings instead of in person meetings or distancing guidelines and limited numbers of persons permitted in any setting.

Communication

The Project will work to reduce the risk of COVID-19 as well as reduce potential stigma and discrimination by providing clear communication on measures put in place by the Project, as well as enhancing public information related to the COVID-19 pandemic to key stakeholders. These communication principles apply to Project engagement with project workers, contractors, sub-contractors and relevant Project communities or other key stakeholders whom PAs regularly engages with. The primary means of communication will be through online meeting platforms. The main principle is to communicate critical risk, precautions and accurate information to all Project stakeholders and to counter any misinformation. The Project will:

- Provide clear and unequivocal messages focusing on (a) critical risk reducing behaviour (b) what to do if persons suspect they have COVID-19 and (c) the measures that are put in place by the Project and why. This will include, as relevant to the stakeholders:
 - Status of the impact of COVID-19 on Project activities.
 - Overview of Project operations during the pandemic and measures for these to operation safely (e.g. adjustments made to stakeholder engagement, see following section).
 - Provisions for project workers to work from home.

- Safety measures required in the workplace (hygiene, social distancing, screening etc.).
- Workers' rights, sick leave and pay.
- Reporting requirements for anyone who falls ill, mandatory 14-day quarantine.
- Perceptions, rumours and feedback from community and workers should be monitored and responded ^{[[L]]}_{SEP} to through trusted communication channels, especially to address social stigma and misinformation.

Stakeholder Engagement

During the COVID-19 pandemic many of the stakeholder engagement activities planned for, as a critical part of the Project design, cannot proceed as anticipated wherefore there PAs will need to adjust the approach. The Project will, during the pandemic:

- Avoid large public gatherings, including public hearings, workshops and community meetings.
- If smaller meetings can safely be carried out and are permitted by authorities, the Project can conduct consultations in small-group sessions, such as focus group meetings.
- Where stakeholder cannot safely meet, consider how to enable critical meetings through online meeting platforms (Google Meet, Microsoft Teams, WhatsApp, Zoom, Skype etc.).
- Enable diversification of the PAs means of communication and rely more on social media and online communication tools.
- Develop and distribute messages through posters and leaflets.
- For broader messages, use traditional channels of communications (TV, newspaper, radio, dedicated phone-lines, and mail).
- Ensure that regardless of measures used to continue stakeholder engagement to advance Project activities that stakeholders and communities know how to provide feedback and suggestions to the PAs.
- Reschedule and delay any critical meetings that cannot reasonably be conducted in the COVID-19 pandemic.

Contractor Provisions

For any infrastructure project, for the duration of the pandemic, the PAs will require tender proposals to include a COVID-19 Response Plan as part of submission to reflect management and costing of special measures required to address constraints during the pandemic related to administration, contracting, materials and equipment procurement, site access, community health and projects team health. This Response Plan is to form an integrated part of the submitted proposal and should include:

- Proposed prevention procedures covering basic hygiene, cleaning and disinfection, Personal Protective Equipment (PPE), supplier management, and visitor management.
- Policies and procedures on how to determine and manage suspected and identified cases.
- Working condition policies (including distancing, number of persons permitted in one place).
- Stakeholder engagement procedures for any required engagement with community members. ^{[[L]]}_{SEP}

Any contractor engaged by the Project for the duration of the pandemic, must have a COVID-19 Protection Plan in place which will be overseen by the contractor's OHS officer(s). The COVID-19 Protection Plan shall be protective of the contractor's workers,

PA officials who come on site, and the neighbouring general public who is impacted as a result of this project. There will be a weekly cost for the implementation of the COVID-19 Site Protection Plan which will be due the Contractor while this Plan is in force and effect. The Protection Plan should include:

- Daily safety briefings.
- Regular temperature checks of workers (before entering Project sites).
- Measures to enable, promote and enforce frequent hand washing and respiratory hygiene, including discourage touching eyes, nose, and mouth. Ensure that hand sanitizer or soap is available at all times at ablution facilities and other critical areas (e.g. entry, lunch site). This includes the record keeping for all measures.
- Social distancing guidelines and reduction of number of persons permitted in one place (limiting size of work teams, number of workers on site at any time, work rotations, adapting work procedures, break sites etc.).
- Training and communication measures e.g. use of posters from WHO, regular updates provided by OHS personnel.
- Plans to ensure the workplace is clean and hygienic, and regularly disinfect surfaces and objects.
- Measures to immediately remove a worker who becomes ill at the worksite.
- Obtaining locally relevant information for medical services for reference should someone fall ill, including where testing for COVID-19 is available.
- Provisions to require that workers who have been exposed or infected remain in quarantine for at least 14 days.
- Provisions to employees to stay at home when sick and to seek medical advice if they have a fever, cough and/or difficulty ^[11]_[SEP]breathing. Communication of suspected cases to National Health Authority.
- Communication of precautions to the surrounding communities and the potential implications (clear, regular and fact based information provided in a manner accessible).

If work needs to be suspended and workers are retrenched temporarily or permanently, the contractor is required to follow good practice as set out by International Finance Corporation:¹⁵

- Consult with workers, as well as worker representatives prior to putting plan into effect.
- Consider potential alternatives to suspension or retrenchment.
- Reduce the number of jobs that may be lost and seek to mitigate the impact on individuals, groups, and communities (e.g. implement lump sum, part time payment, provision services during suspension of work).
- Where every worker is not affected, ensure that the workers affected are selected in a fair and transparent manner. Discrimination against particular workers will not be tolerated by the Project and may lead to suspension of future work.
- Communicate access to the worker grievance mechanism provided by the contractor and the PAs as well as procedure for hearing and addressing issues.

Establish communication channels with workers who are temporarily retrenched or suspended and enable plans for regular updates on status.

¹⁵ IFC *Good Practice Note on Managing Retrenchment* applied to COVID-19 context by KfW, *Corona virus disease (COVID-19) Info-Sheet on Preventing and Managing related Environmental, Social, Health and Safety (ESHS) Risks*, April 2020.

Annex 6: Project Related Incident Reporting Form

This form is to be used for reporting all incidents, including near misses.

INCIDENT REPORT SUMMARY	Reference #:
Month:	Year:
Incident type:	
Date and time of incident:	
Location of incident:	
Description of the incident (include situation leading up to the incident):	
Individuals involved (include contact details):	
Assessed consequences to the company and to community members (include a description of injuries or damage sustained, if applicable):	
Management actions:	
Prepared by:	Approved by:
Date:	Date:

Annex 7: Security Risk Assessment and Protocol

This annex provides the basic assessment of the security context in the PAs as a background for the Security Protocol section in the ESMF, which sets out the procedures for the security measures in the two PAs.

The objective of this risk assessment is to identify and evaluate the key risks that may induce a security response from PAs, the associated impact on PAs and surrounding communities and inform the security arrangements accordingly to ensure that measures are proportional, and are performed in accordance with national law and World Bank guidance.

Underlying the assessment are the existing security procedures for the two PAs which will remain in place during the Project, including the existing reporting protocols. The procedures for escalation of security intervention, including the procedures for detainment and use of firearms, is consistent with existing national law, World Bank guidance and international human rights. Project funds will be provided to ensure that all staff, including the additional staff hired through the Project, will be provided with annual training in human rights procedures.

The contextual circumstances for the operation of the PAs suggest latent risks due to the high levels of unemployment and poverty in surrounding communities, as well as unsettled land claims, in particular in the case of AENP. However, these contextual issues are part of on-going efforts to engage with communities through shared management, People & Parks (see stakeholder engagement section as well as SEP) and participation in the biodiversity economy which is a national priority and support through parallel investments, such as the GEF 7 Project. In addition, the poaching of rhino in the two PAs is not assessed to be carried out by communities, rather communities surrounding the PAs form an important part of the protection. Rather, organised groups and syndicates with international linkages carry out rhino poaching. The potential for community unrest or discord is therefore not considered to have any significant impact.

While the likelihood of poaching is high and associated severity is significant, based on prior years records, the number of incidents is not currently significant. Security responses in the past four years were limited and focused on deterrence, including upgrades to existing fences and presence of PA officials/patrols. Over the past four years, 18 rhinos were poached in GFRNR, and a total of 30 poachers have been apprehended. However, only in one instance in 2017 did PA officials use force, and one suspected poacher was injured. There have been no major security incidents in AENP related to poaching in the past five years and no related arrests.

There is an underlying assumption that rhino poaching has decreased as the number of rhinos in the PAs have dwindled over the past 10 years, i.e., poachers turn to PAs with larger populations. However, with expected increased rhino population the poaching pressure may increase over the life of the Project wherefore preventive measures and surveillance will be increased. The general security risk is not expected to substantially increase, but as the rhino population increases there is a moderate risk that incidents of poaching may increase and as these incidents increase, the improved security measures and ability to locate poachers may lead to increased confrontation.

Table 8 below provides an overview of the various risks related to security are, including the more rare, but severe incidents that may occur related to rhino poaching as well as poaching incidents that could risk the life of PA officials.

Table 9: Potential Risks to a Project That May Require a Security Response

More Common Risks	More Serious Risks	Rare, Severe Risks
Trespassing (PA visitors, community members)	Fencing vandalism	Poaching of rhino
Poaching of invasive plants	Poaching of game	Assault on PA officials
Poaching of problem animals (e.g., warthog)	Poaching of protected fauna	

The risk overview table below is developed considering the potential severity of impact based on a scale with 1 as low impact and 5 as high impact. Furthermore, the likelihood of impact is assessed for the five-year period of the Project with 1 as low probability and 5 as near certain impact. However, it must be noted the frequency of the severe security risks, as outlined in Table 2 above, are expected to be rare, i.e. once or twice annually.

Table 10: Risk Assessment Overview

Security risk	Likelihood	Security response	Impact on PA	Severity	Impact on community	Severity	Mitigation
Rhino poaching	5	The Project design includes substantive preventive measures as well as investments in increase surveillance and security. With increased attention to surveillance in the two PAs, it is likely that more direct engagement with poachers will take place.	The loss of rhino population is a loss of attractiveness for the main income through tourism to the respective PA, but an overall loss of global biodiversity with the potential risk of losing a species. Furthermore, poaching of rhinos is a high value operation and poses a risk to human safety of life of rangers.	5	Rhino poaching is typically organised crime, which does not involve surrounding community members. However, the potential loss of an important species and related tourism income will impact community livelihoods.	2	Clear guidelines for engagement with suspected poachers, procedural rights for anyone apprehended by security, guidelines and training in use of force, including firearms.
Poaching, other animals	5	Other animals threatened, poached, trapped by community members for example Guinea fowl	The impact is dependent on the species, for some problem animals the PAs are seeking to engage the community and for the community to benefit from animal control. The community	3	Where communities depend on wildlife for basic sustenance the impact could be severe. In the case of the PAs there is minimal reliance on	3	Community sharing measures related to surplus animals to provide protein for local consumption. Community engagement in PA

			poaching and trapping is currently a minor issue in the two PAs.		animals in the PAs.		management, including People & Parks programme.
Poaching, flora	3	The PAs are fully fenced, and exploitation of flora is not permitted or easily feasible. Non-critical native plants are used by communities outside the PA boundaries.	At any scale destruction of flora could undermine the PAs. Threat to flora is primarily from outside contractors and will be managed through the ESMF provisions.	2	Communities are not relying on PA flora for sustenance.	2	Benefit sharing of revenues, job creation and entrepreneurship linked to the tourism economy.
Trespassing	5	Project will invest in improved fencing and access control in general, rangers will confront trespassers. Trespassers risk personal safety.	Trespassing without destructive behaviour does not impact the PA operations adversely, but diverts attention from core operational focus when rangers have to apprehend wayward persons.	1	Injuries from interaction with dangerous animals.	2	Clear signage and fencing is in place in both PAs. This will be retained and fencing improved through Project investments. There is no blockage of existing community access, current barriers have been in place for a long period of time.
Gender based violence	3	Project investments, including increased personnel with firearm access generates potential increase in gender base violence.	While increased GBV may not impact PA operations, it would undermine equality provisions in labour standards and risk the public's trust.	2	Where GBV is perpetrated and directly associated with PAs it will undermine relationships with communities.	4	Firearms are subject to stringent storage and use protective measures. All PA officers will receive human rights training annually through project funds.
Community unrest	1	Prevent access to PAs for staff and visitors, unsafe conditions for working in the area. However, protests are more common in urban centres and not in the	Temporary inability to operate PAs effectively, receive visitors safety. Reputational risks with long-term consequences.	3	Community income is closely associated with the wellbeing of the PAs and the surrounding private reserves.	3	People & Parks programme, ongoing benefit sharing.

		rural setting of the PAs.				
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The mitigating measures reflected in Table 3 above are detailed in the ESMF in various sections. The security response protocols specifically are detailed in the ESMF's section 6. The community risk associated with security measures is considered to be low as the potential security interventions are likely to take place inside the PAs and it is not anticipated that poachers will be community members.

Security Protocol

The Project funds counter-poaching efforts in both PAs, which will enhance security interventions. The Project funds will include recruitment of additional staff, equipment and training. While these measures are preventive, the Project investment in the rhino population and security enhancement may also lead to increased interaction with poachers.

The security procedures provided in this section reflect the existing protocols in the two PAs, which are consistent with national legislation, World Bank guidance and international human right norms. However, the containment and counter-poaching sub-component ensures funding for annual human rights training which will ensure that all PA staff have the necessary knowledge and mandate to enforce the law.

The prior section indicates that the threat to the PAs rhino population is significant. However, based on the need to escalate security response in previous four years of operation as well as the actual rhino poaching incident decline, the expected need for escalation is low. The focus of PA officials is expected to be primarily through passive security deterrents as well as through active engagement with surrounding communities as part of good stewardship and a preventive measure. Potential security measures are outline in Table 3 below.

Table 11: Potential Responses by Security Personnel in PAs

Passive Deterrents	
Access control	Fences, gates, signage and surveillance systems to prevent illegal access to or passage through PAs.
Visual presence	PA officials are stationed at access points to process entry and exits, as well as on patrols throughout the PAs to serve as a visible deterrent.
Observe and report	PA officials observe, report, and record activity.
Active Deterrents	
Verbal instructions, warning, refusal of passage/entry	PA officials will issue verbal warnings to people who attempt or threaten to attempt to circumvent physical security measures. The warnings may include notice that additional security is being called.
Detention	PA officials may detain people discovered to have trespassed or suspected of poaching for only as long as it takes for police to arrive and assume responsibility.
Escalation	
Lethal force (to protect life)	PA officials, with authorisation to carry firearms, may use lethal force defensively to protect against an immediate threat to human life, subject to existing use-of-force protocols (see Firearms Control section and Standard Operating Procedures for PAs).

In accordance with national legislation, PA officials may **NOT** engage in any of the following:

- **Intimidate or harass.** PA officials may not use their position or weapons as a tool for intimidating or harassing community members, especially where no immediate risk or threat is present.
- **Inappropriate detention.** PA officials may not detain people either for no legitimate reason, or for longer or in conditions other than what is acceptable.
- **Inappropriate use of force.** PA officials may not use nonlethal force offensively, or outside of acceptable use-of-force protocols, or for illegitimate reasons (such as for purposes of criminal activity, etc.).
- **Assault or torture.** PA officials may not assault people, or physically/psychologically harm a detainee.
- **Inappropriate use of lethal force.** PA officials may not use lethal force offensively, or outside of acceptable use-of-force protocols, or for illegitimate reasons.

These principles are reflected in current Standard Operating Procedures for the two PAs. The following subsections summarise key procedures, but the PAs have procedures in place for all aspects of security and enforcement, including: i) Tracking & Detection Dog Management, Pocket Book Management, Management of Gunshots Detected, Spoor & Track Management, Contact & Arrest Procedures, Rhino Carcass Management, Tactical Information Collection, Extended Clandestine Patrols, Crime Scene Management and Rhino Poaching In Progress/Rhino Poaching Attempt.

Arrest Procedure

While arrests are not common there is an established procedure to ensure due process and any PA official who may engage in arrest are required to receive training in the protocols. The most senior official present must conduct the arrest and identify him/herself, read the detained person his/her rights and the reason for the arrest. The detained person must be taken to SAPS as soon as possible. The PA officials are permitted to take headshots of the arrested person and should obtain photographic evidence of any articles of clothing, weapons, equipment or tools that the detailed person has on them.

The following information must be provided to a person in a language that he/she understands, upon his/her arrest:¹⁶

"I am a (Ranger/Environmental Management Inspector with). I am arresting you for (State reasons for the arrest, i.e. what law has been contravened.).

You have the right to consult with a legal practitioner of your choice or, should you prefer, to apply to be provided with the services of a legal practitioner by the State.

You have the right to remain silent. Anything you say may be used as evidence in a court of law.

You have the right to apply to be released on bail."

The detained person has the right to remain silent, right against self-incrimination and the right to be represented by an attorney.

¹⁶ These procedures reflect the existing arrest procedures in place. The existing procedures include translation into local languages.

Upon the arrest, PA officials may search and seize all articles found in the detained persons possession and may search the location of arrest for any additional articles associated with the suspected offense.

Procedures instruct rangers to note that violation of any right in the Bill of Rights may lead to an acquittal. Furthermore, the ranger must record that the persons arrested have had their rights, as outline above, read to them.

Rangers carry handcuffs that may be used to secure the arrested person if needed. Where the arrested person requires medical attention, the ranger is required to ensure that this is provided. Furthermore, rangers are instructed to respect every person's dignity.

PA officials may only use force in a proportional manner. This includes:

- Non-deadly force may be used to overcome resistance or to prevent escape during an arrest.
- Where use of force is engaged, the arresting official should be able to demonstrate that the suspect was aware of the on-going attempt to detain him/her.
- Deadly force shall only be used in defence of own life or that of another person.

Firearms Control

PAs must retain accreditation in terms of section 95(a)(vi) of the Firearms Control Act which guides the legal requirements. All officials required to carry a firearm as part of their work positions must undertake competency training at an accredited institution and then seek competency certification through the South African Police Service (SAPS). PAs also require that all staff equipped with firearms receive training in legal execution of their powers and duties related to carrying and potentially using the firearm. Under the Project this training will be carried out annually. PAs have appointed Firearms Control Officer who is registered with SAPS. The Control Officer will issue firearms to workstations to the respective PA Manager who issues firearms to PA officers. However, the PA Manager will not issue access to firearms or ammunition to any official who fails to comply with these requirements. A registry is maintained by both the Control Officer and the PA Managers and must be kept in a place of safety.

Issued firearms will be immediately confiscated under the following circumstances, where an officer:

- Threaten to commit suicide.
- Threaten to shoot family members, colleagues or other persons.
- Is emotionally unstable.
- Is under the influence of intoxicating liquor or drugs.
- Suffer from a stress related illness.
- Handles a firearm irresponsibly or contrary to PA Firearm Policy and Procedures.

Officers issued with firearms must carry a card, which states the type, calibre, serial number and personal details, including a photo and ID number. The card is valid for one year. Shooting practice is required annually but may be organised with more frequency. Record of practice is kept in the workstation training register. A maximum of 200 rounds of ammunition must be kept per firearm at any given time.

Storage of firearms and ammunition is set out in the SABS 953-1 and 953-2 Standard. The PA Policy specifies storage conditions, mounting and availability of cleaning kit. In

the designated storage location, the PA must keep an up to date register of all firearms and ammunition as well as a copy of the Firearms Control Act. Spare keys to safe and vaults are kept in the Finance Directorate-Head Office. Movement of keys must be declared in a key register. Spare keys may only be obtained where there is a SAPS case number related to missing keys and authority from a Supervisor to obtain keys.

Firearms and ammunition must be under direct control at all times and never be left unattended at any time, including in a vehicle. When firearms are under personal control:

- Handguns must be carried without any round in the chamber and in a suitable holster unless a threat is encountered.
- Shoulder firearms must be shouldered with shoulder straps and carried up at all times, unless a threat is encountered.

All firearm movement is subject to approved daily movement register. Registration is made at the time of movement. During transportation firearms must be packed separately from ammunition. On public roads will be carried in a suitable carrying device.

Use of firearms is a serious matter wherefore all carrying officers must adhere to the following:

- Never use a firearm if the objective has already been achieved.
- Firearms must be pointed in a safe direction at all times unless the intention is for the firearm to be used in a manner intended.
- Accidental discharge of firearms will not be tolerated; extreme caution will be exercised at all times.
- Firearms are never to be pointed at anyone, be they loaded or unloaded, unless it is the intention to use the firearm.
- Following any usage of a firearm for any purpose whatsoever the appropriate reporting mechanism set out below are to be implemented:
 - Incidents involving the usage of firearms such as the pointing of firearms at suspects, destroying feral animals, culling etc. are to be recorded and reported. These incident reports are to form part of the daily occurrence register whether a round has been discharged or not.
 - Ammunition Use Registers are to be completed daily or as and when ammunition is expended and must be available for submission to the Regional Manager/Firearms Control Officer.
 - The destruction of feral animals in PAs is acknowledged to be necessary in some instances; alternative methods should also be explored where possible before destroying feral animals.

The SAPS Designated Firearms Officer is entitled to inspect the safekeeping and regulatory procedures of any workstation at any time.

Annex 8: Chance Find Procedures

If excavations associated with the Project leads to discovery of archaeological sites, historical sites, remains and objects, including graveyards and/or individual graves during excavation or construction, the PAs or appointed activity implementer shall:

- (a) Stop the construction activities in the area of the chance find.
- (b) Delineate the discovered site or area.
- (c) Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be present until the responsible authorities take over.
- (d) The HRAs shall be responsible for significant movable and immovable cultural, ancient, and natural property and their conservation.
- (e) The SAHRA or NWPHRA will out a preliminary evaluation of the findings to be performed and will also be in charge of protecting and preserving the site before deciding on the proper procedures to be carried out. The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage, including the aesthetic, historic, scientific or research, social and economic values.
- (f) Ensure that decisions on how to handle the findings. This could include changes in the layout (such as when the finding is an irremovable remain of cultural or archaeological importance) conservation, preservation, restoration and salvage.
- (g) Construction work will resume only after clearance and authorization is given concerning the safeguard of the heritage.

These procedures must be referred to as standard provisions in construction contracts, Safeguards Procedures for Inclusion in the Technical Specifications for Contracts. During project supervision, the supervisor shall monitor the above statute relating to the treatment of any chance find encountered are observed.

Relevant findings will be recorded in the Construction Monitoring Report and Implementation Completion Reports will assess the overall effectiveness of the project's cultural property mitigation, management, and activities, as appropriate.

Annex 9: Code of Conduct for Contractor's Personnel

[Adopted from World Bank Standard Procurement Document with minor modifications]

Code of Conduct for Contractor's Personnel

We are the Contractor, [enter name of Contractor]. We have signed a contract with [enter name of Employer] for [enter description of the Works]. These Works will be carried out at [enter the Site and other locations where the Works will be carried out]. Our contract requires us to implement measures to address environmental and social risks related to the Works, including the risks of sexual exploitation, sexual abuse and sexual harassment.

Note to the Bidder:

The minimum content of the Code of Conduct form as set out by the Employer shall not be substantially modified. However, the Bidder may add requirements as appropriate, including to take into account Contract-specific issues/risks.

The Bidder shall initial and submit the Code of Conduct form as part of its bid.

This Code of Conduct is part of our measures to deal with environmental and social risks related to the Works. It applies to all our staff, labourers and other employees at the Works Site or other places where the Works are being carried out. It also applies to the personnel of each subcontractor and any other personnel assisting us in the execution of the Works. All such persons are referred to as "**Contractor's Personnel**" and are subject to this Code of Conduct.

This Code of Conduct identifies the behaviour that we require from all Contractor's Personnel.

Our workplace is an environment where unsafe, offensive, abusive or violent behaviour will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

Required Conduct

Contractor's Personnel shall:

1. Carry out his/her duties competently and diligently;
2. Comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
3. Maintain a safe working environment including by:
 - a. Ensuring that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
 - b. Wearing required personal protective equipment;
 - c. Using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d. Following applicable emergency operating procedures.

4. Report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
5. Treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
6. Not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature with other Contractor's or Employer's Personnel;
7. Not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another;
8. Not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
9. Not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
10. Complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
11. Report violations of this Code of Conduct; and
12. Not retaliate against any person who reports violations of this Code of Conduct, whether to the Employer, or us or who makes use of the grievance mechanism for Contractor's Personnel or the project's Grievance Redress Mechanism.

Raising Concerns

If any person observes behaviour that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly. This can be done in either of the following ways:

1. Contact for AENP is the Human Capital Practitioner at the Addo Main Camp.
2. Contact for Great Fish River Nature Reserve is the Senior Reserve Manager
3. Report the incident via phone or in person

The Project will require the name of the complainant in order to provide follow up and resolutions. The Project will assure that the person's identity will be kept confidential. However, anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. We take seriously all reports of possible misconduct and will investigate and take appropriate action.

There will be no retaliation against any person who raises a concern in good faith about any behaviour prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

Consequences of Violating the Code of Conduct

Any violation of this Code of Conduct by Contractor's Personnel may result in serious consequences, up to and including termination and possible referral to legal authorities.

For Contractor's Personnel:

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [*enter name of Contractor's contact person(s) with relevant experience*] requesting an explanation.

Name of Contractor's Personnel: [insert name]

Signature: _____

Date (day month year): _____

Countersignature of authorized representative of the Contractor:

Signature: _____

Date (day month year): _____