



**Terms of Reference for the  
Environmental and Social Impact Assessment (ESIA) and  
Resettlement Action Plan (RAP) for the redevelopment of the  
transportation system around the Unbroken Facility in Lviv**

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## 1 PRESENTATION OF AFD GROUP

The Agence Française de Développement (AFD) group is a public institution that finances, supports and accelerates the transition to a more just and sustainable world. A French development aid and sustainable development investment platform, we build shared solutions with our partners, with and for the people in developing countries. AFD group includes also two subsidiaries: Proparco and Expertise France.

Our teams are involved in over 4,000 projects in France, in the overseas territories and in 115 other countries, for the common good of humanity – the climate, biodiversity, peace, gender equality, education and health. In this way, we are thus contributing to the commitment of France and of the French people to the Sustainable Development Goals. For a shared world.

Through grants, loans, guarantee funds or debt reduction and development contracts, AFD funds projects, programmes and studies and supports its partners in developing countries with their capacity building.

Full information on AFD, and in particular, its Code of Ethics, which the service provider is strongly encouraged to read, can be found at [www.afd.fr/en/ressources/afd-group-ethics-charter](http://www.afd.fr/en/ressources/afd-group-ethics-charter)

## 2 PRESENTATION OF THE CONTRACTING DEPARTMENTS

This contract will be issued by the “Urban development, planning and social housing” Division (VIL), located at the AFD headquarters.

The technical monitoring of this contract will be carried out by the “Mobility and transport” Division (MOB), located at the AFD headquarters.

For further questions and enquiries, applicants may write to:

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## 3 BACKGROUND INFORMATION

### 3.1 CURRENT SITUATION OF THE PUBLIC TRANSPORTATION SYSTEM IN LVIV

Lviv is an 800-year old city of around 720 000 inhabitants that now received more than 150 000 Internationally Displaced Persons (IDP) following Russia’s full scale invasion of Ukraine in 2022. Its historical centre is small with narrow streets while the more recent rest of the city has more modern vehicle friendly streets. The last ring, which has mostly been built after World War II, has wider public spaces and streets.

The city was witnessing significant demographic growth prior to the war and welcomed numerous IDPs since then. Regardless of the situation, its population is expected to grow due to its strategic location toward European neighbours.

The city has a long history of public transport since its first electric tram became operational at the end of the 19th century. The development of the system spread over time and increased its coverage of the metropolitan area. Today the public transport system has three modalities: tramways, trolleybuses and diesel buses.

The technical staff of Lviv municipality is now promoting international best practices in a context of limited financial resources. This limit does show in the current situation of the infrastructures that still need major rehabilitation or modernization and the rolling stock with too many obsolete vehicles.

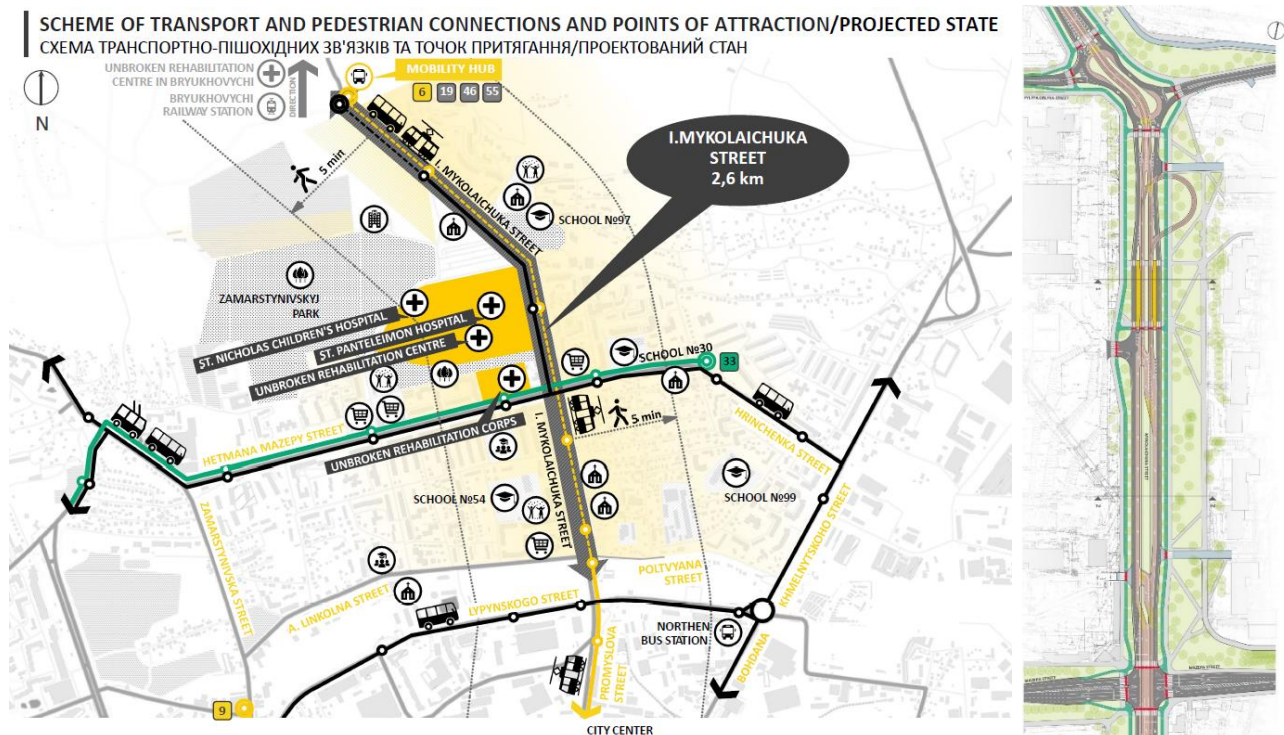
### 3.2 DESCRIPTION OF THE PROJECT

**The Project to be funded by AFD is the first phase of a five-phase Program** aiming at building an efficient public transportation system connecting the medical facility “Unbroken” and the surrounding neighbourhoods, located in the Shevchenkiv district. The Program will be rehabilitating the Ivan Mykolaychuka street, between Mazepa Street (where the tramline No°6 is ending) and Pylypa Orlyka street.

The existing street is a two lanes congested thoroughfare, which is planned at the end of the redevelopment scheme implementation, to be upgraded into a public transportation corridor including a reserved corridor for buses first and then a tramway line, motorised vehicles lanes, cycling paths, pedestrian sidewalks and landscaping.

The rehabilitation Program will implement the five rehabilitation phases successively according to the needs and availability of funds. Each phase will complete the previous one to, ultimately, enhance the global efficiency of the transportation system in this area.

As shown in diagrams below the redevelopment scheme aims at making full use of the wide right of way available to improve the urban landscape by redeveloping the entire street width “façade to facade”.



### 3.3 AFD FUNDING

On 12 December 2024, AFD officially approved a 5.0 M€ grant for the first phase of the redevelopment scheme of the Ivan Mykolaychuk street following the conceptual design developed by the Lviv city council.

This grant will be made available to the Municipality through the signature of a Financing Agreement (FA).

### 3.4 IMPLEMENTATION ARRANGEMENT

The Project will be implemented through an Implementing Agency (IA), Lvivavtodor, which a municipality-owned entity in charge of managing all street and road related operations and investments. Although this Project will be the first collaboration with AFD, it already has significant experience working with international donors and implemented projects using their respective procedures.

### 3.5 BACKGROUND INFORMATION RELATED TO ENVIRONMENTAL, SOCIAL AND RESETTLEMENT ASPECTS

Just before initiating the preparation of the present ToRs and as part of AFD's funding due diligence process, an Environmental and Social Due Diligence report (ESDD – AV Group Consulting, Dec. 2024) has been prepared.

The Ivan Mykolaychuk Street redevelopment Project has broad implications for the city and its residents. It is designed to increase local transport networks' capacity and efficiency and provide more accessible public transportation options, which will support the community's growing needs. The redevelopment will improve local infrastructure, create safer pedestrian and cycling routes, and establish accessibility measures, such as ramps and pathways that align with international standards for people with disabilities. Integrating these elements will not only modernise the area but also make it more inclusive and accessible for all users, enhancing the overall urban environment.

However the construction phase will likely lead to significant temporary environmental and social negative effects:

- a) Increase in noise, vibration, and dust levels in nearby areas, potentially affecting residents, schools, and hospitals. Without strict adherence to mitigation measures, this could cause temporary discomfort and health impacts for the surrounding community.
- b) Construction activities may create temporary disruptions to pedestrian and vehicular access, as well as increased traffic congestion. Safety risks could arise for pedestrians and drivers near construction zones, requiring effective management and clear signage to ensure public safety.
- c) The movement of heavy machinery and soil displacement during construction may lead to soil erosion and quality degradation. Improper waste management could affect site cleanliness and environmental quality, posing risks to both the ecosystem and community health if not managed effectively.

In order to mitigate those risks and potential impacts, it is required to prepare an **Environmental and Social Impact Assessment (ESIA)** aligned with the World Bank's Environmental and Social Framework. The ESIA report will also include a Stakeholder Engagement Plan (SEP) and an Environmental and Social Management Plan (ESMP).

Regarding resettlement, the ESDD has shown that the expansion of the Ivan Mykolaychuk Street and the implementation of the tramline will require the displacement of specific residential and business properties, potentially disrupting the lives and incomes of affected individuals and local businesses. The need for relocation and compensation could create temporary challenges for these individuals and require careful planning to minimize negative impacts. As a result, it is required to prepare a **Resettlement Action Plan (RAP)** aligned with the World Bank's Environmental and Social Framework, especially the Environmental and Social Standard No.5 (ESS 5). Compensation for temporary income loss, along with continuous consultation with affected parties, will ensure fair resettlement and reduce risks of social disruption.

To be noted also that, in relation with resettlement, the Lviv City Council has identified a list of 55 Persons affected by the Project (PAPs). Either physical or economic PAPs, they were in the process of being resettled when the ESDD was developed.

## 4 OBJECTIVES

The general objective of the consultancy is to ensure compliance with national environmental legislation, as well as with AFD's Environmental and Social Risk Management Policy in the context of the operation. Further, it serves to identify social and environmental impacts (positive and negative) and risks and to design respective measures to prevent, reduce, mitigate and/or offset/compensate (for) them.

The purpose of the assignment is to undertake 1) an **Environmental and Social Impact Assessment (ESIA)** and 2) a **Resettlement Action Plan (RAP)** related to the first phase of the redevelopment scheme of the Lypynski Mykolaichuka Street in Lviv, Ukraine.

### 4.1 CROSSCUTTING TASKS

Crosscutting tasks to be undertaken throughout the assignment will include (i) Engagement with stakeholders, (ii) Gender mainstreaming, (iii) Data management and (iv) Regular exchanges with AFD and the project management.

### 4.2 TASKS RELATED TO THE ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA)

Tasks related to the development of the ESIA will include:

- a) Holding a Kick-off meeting attended by the Consultant, a representative of the Lviv Municipality and the AFD Project team;
- b) Reviewing relevant existing Documentation, including the Environmental and Social Due Diligence (ESDD) prepared by AV Group in December 2024;

- c) Identifying the Study area, corresponding to the area of influence of the project;
- d) Undertaking a Scoping exercise in order to identify the main environmental and social challenges and develop detailed Terms of reference (ToRs) that might need to be submitted to the national environmental authorities for review and approval;
- e) Undertaking Site visits that could include: (i) comprehensive walk-over of the Study area, (ii) discussions with relevant Stakeholders and (iii) presentation of AFD's requirements related to E&S risks management to relevant local authorities;
- f) Developing and implementing a Stakeholder Engagement Plan (SEP) that will (i) identify all relevant stakeholders, (ii) encourage the organisation of consultation with stakeholders using town hall meetings, focus group discussions and individual interviews, (iii) encourage promoting constructive interaction amongst stakeholders to maximise project benefits, (iv) build capacity among stakeholders and (v) provide stakeholders with timely feedback on whether and how their inputs were incorporated into project decisions;
- g) In the ESIA report, presenting the Methodology used for developing the ESIA including difficulties encountered and the ESIA limitations;
- h) Undertaking the Assessment which will include: (i) Context and Project's background description, (ii) Project's alternatives and description, (iii) Legal and Institutional Framework, (iv) Assessment of the Baseline Environmental and Social Conditions, (v) Impact Assessment and (vi) Mitigation Measures description;
- i) Preparing an Environmental and Social Management Plan (ESMP) that will operationally translates the conclusions of the ESIA, specifying the practical arrangements for implementing and monitoring measures to mitigate or compensate the impacts. It will include (i) a detailed description of the Mitigation measures implementation, (ii) a Monitoring framework and (iii) Capacity development guidance;
- j) Preparing and undertaking meetings for **Public Consultation and Disclosure**.

#### 4.3 TASKS RELATED TO THE RESETTLEMENT ACTION PLAN (RAP)

Tasks related to the development of the RAP will include:

- a) Holding a kick-off meeting attended by the Consultant, a representative of the Lviv Municipality and the AFD Project team;
- b) Desktop reviews and Project planning related to: (i) existing relevant documentation, (ii) gap analysis between applicable national regulation and World Bank's standards, as well as (iii) assignment scope adjustments related to baseline data collection, sampling methodology, political and security context, negative impacts reduction and stakeholders implication;
- c) Site visits that could include: (i) discussions with potential PAPs, (ii) discussions with relevant Stakeholders, (iii) presentation of AFD's requirements related to Resettlement to relevant authorities, (iv) finding synergies with complementary development programmes
- d) Socio-economic assessment, Complementary Census and Assets Inventory for complementing the census and an asset inventory undertaken by local authorities and presented in the ESDD.
- e) RAP Preparation including: (i) Description of the Project, (ii) Presentation of Policy principles and Objectives related to resettlement, (iii) Development of a Gap analysis between national legislation and World Bank's ESF, (iv) Definition of Eligibility criteria, (v) Definition of methods of valuing affected land and other assets, (vi) Definition of an Entitlement matrix, (vii) Definition of options for relocation and/or livelihoods restoration, (viii) Definition of vulnerable groups and related specific assistance, (ix) Development of a meaningful stakeholder engagement and consultation Framework, (x) Definition of Organisational procedures for resettlement/livelihood restoration activities, (xi)



Description of the implementation process of the resettlement/livelihood restoration activities, (xii) Description of a detailed, independent grievance redress mechanisms, (xiii) Description of framework and arrangements for internal and external monitoring & evaluation and reporting, (xiv) Development of a Guidance on how to maximise the positive impacts of the Project, (xv) Development of a detailed budget inclusive of resettlement/livelihood restoration and associated compensation costs and (xvi) Development of a implementation timeline inclusive of a completion audit.

- f) RAP Workshops to ensure local authorities in charge of implementing and/or approving the RAP outcomes understand implications of the ESS 5, as well as RAP's conclusions and recommendations.
- g) RAP Focus Group Discussion inclusive of focused engagement and meaningful consultations targeted to specific PAPs to compensate the fact that in general public consultations are often mostly attended by government officials.

## 5 DETAILED DESCRIPTION OF THE SERVICE

### 5.1 TASK 1 - CROSSCUTTING TASKS

#### Subtask 1.1 **Engagement with stakeholders**

The Consultant shall engage constructive consultations with all stakeholders during all key ESIA and RAP milestones. Workshops and focus groups shall be undertaken (see sub-tasks 9.1 and 9.2 below) and the Consultant shall provide lists of met stakeholders.

For engaging with stakeholders, the Consultant will describe consultation and participation processes/methods for enabling all stakeholders to be informed about the Project's benefits and risks. Measures taken to ensure the representativeness of individuals involved in consultation processes will also be presented in his proposal.

In a complex and/or conflicting context such as in Ukraine, the Consultant must pay particular attention to:

- a) Difficulties related to participation to workshops and focus groups (access to workshop or focus group venues, availability of target actors, data collection, security risks for populations, presence of violent groups, others.). These difficulties will be taken into account and methodological solutions will be proposed for avoiding the assignment to further exacerbate tensions.
- b) The composition of the groups consulted so as not to exacerbate existing tensions between communities.
- c) To local populations that are not impacted. A consultation process with local populations not affected by displacement may be established to assess their acceptability of the Project and identify as early as possible any form of tension between communities.

#### Subtask 1.2 **Gender mainstreaming**

Consultant will include gender issues at all stages of the ESIA and RAP development and all data collected will be disaggregated by gender. For example, the socio-economic survey will need to integrate gender aspects and develop specific ways of addressing gender issues. All stakeholder consultations or engagement actions will need to include activities targeting women in particular.

#### Subtask 1.3 **Data management**

The Consultant will build a geo-referenced database containing all data from the census, socio-economic survey and asset inventory. All data collected by the Consultant shall be stored in a secure manner. It shall be ordered, stored and archived. As the Lviv municipality is the end user of the database, it must be involved in structuring the tool so that it is adapted to its needs, that it controls it and that it has the ability to improve and/or adapt it if necessary. The Consultant must ensure the confidentiality of data and guarantee the protection of personal data.

The database will use a clear numbering system based on unique identifiers to list each household or individual impacted (this will depend on the socio-economic unit selected by the Consultant). The data management system should allow for the mapping of displaced persons and the assets they will lose, and ensure that each parcel, structure, and associated affected person is referenced and recorded.

Each land plots and structures will be georeferenced. This numbering system will be common to the census, inventory of goods and socio-economic data. This database will be designed for being used to assess the losses suffered by the affected people, but also for monitoring and evaluation during the implementation of the RAP.

#### Subtask 1.4 **Regular exchanges with AFD and the project management**

Throughout the preparation of the ESIA and the RAP, the Consultant will have to regularly exchange with the project teams of AFD, the project owner, and any other institution involved in the implementation.

### 5.2 TASK 2 - KICK-OFF MEETING

The assignment will start with a kick-off meeting attended at least by the Consultant (at least the team leader), a representative of the Lviv Municipality and the AFD Project team.

During this meeting, the Consultant will present his approach and his assignment schedule, discuss about the documentation to be provided by Lviv Municipality and AFD (authorizations, handover of documents, contact with stakeholders) as well as the context of the public meetings and the deliverables.

The relevant external elements (security situation, project progress, technical consultant services progress) will be communicated to and discussed with the Consultant at this meeting.

The meeting key take offs and decisions will be listed in minutes prepared by the Consultant.

### 5.3 TASK 3 - DOCUMENTATION REVIEW, STUDY AREA, SCOPING, TERMS OF REFERENCE, MEETINGS

The Consultant will:

- a) Review the existing Documentation including the Environmental and Social Due Diligence (ESDD) prepared by AV Group in December 2024, and any other relevant existing materials that relate to the project including Feasibility Studies, other Project-related baseline information or data deemed necessary. At this stage, the Consultant will determine the extent of complementary data gathering that will be required to ensure the qualitative depth of this study and which steps will be required (site visits, interviews, literature review, surveys, etc.)
- b) Complete a Media search about the Project, Client, sector, country, etc. to determine the extent to which there has been relevant news coverage and, if so, whether there are issues or stakeholder groups that will require additional follow-up during the site visit and initial consultation. If no relevant issues are identified through this process, the Consultant will include a statement to this effect in its reports.
- c) Determine a Study area corresponding to the area of influence of the project, according to the relevant environmental or social aspects. For instance for surface water, the study area can include the upstream watershed and extend downstream. For other E&S aspects, the study area might be more restrictive, including only the right-of-way and the near surroundings of the Project.

#### Subtask 3.1 - **ESIA**

For the Environmental and Social Impact Assessment (ESIA), the Consultant will undertake a **Scoping exercise** in order to identify the main environmental and social challenges and risks to be taken into account (while screening out those considered as insignificant). This prioritization of issues / risks will be validated with AFD at the start of the assessment.

The **Scoping** exercise will also document any steps which have been taken to reduce negative impacts.

The Consultant will Develop detailed **Terms of Reference** (ToR) of the ESIA based on the results of the scoping exercise, including, if needed a surveying and sampling methodology to collect data related to, for



instance, surface and groundwater and soil quality, as well as noise, vibration and air quality. In addition, **Socio-economic data will be collected for both the ESIA and the Resettlement Action Plan (RAP).**

The detailed Terms of Reference (ToR) will present tools, approach and methodology – including professional standards, sampling and verification applications – to be used to collect and assess data.

If required by the national regulation, the detailed ToR of the ESIA will be submitted to the national environmental authorities for review and approval by the Project's owner with the support of the Consultant.

### Subtask 3.2 - **RAP**

For the Resettlement Action Plan (RAP), the Consultant will:

- a) Review the applicable law(s), methodologies and other provisions in order to clarify legal requirements under Ukrainian Law, and identify specific gaps with WB's covering issues including (but not limited to) eligibility, valuation, types of losses and compensation, applicable methodologies and provisions for compensation, engagement activities, laws and policies which may be relevant (such as those related to social assistance) grievance processes and timing of implementation in relation to project activities;
- b) Propose measures to close any such gaps;
- c) Determine the exact nature and scope, whenever feasible, of likely resettlement and economic displacement impacts, potentially by enhancing, confirming and validating the development of the baseline, census, asset inventory and socio-economic survey of all PAPs as outlined in the ESDD;
- d) Propose a sampling methodology and conduct relevant surveys on a fair sample of PAPs, many of whom are informal and mobile vendors to determine the scope and magnitude of likely physical and/or economic displacement effects, and list likely losses.
- e) Enhance the asset inventory and socio-economic surveys that were undertaken for the purposes of the ESDD, in order to establish more concrete information on loss of assets and analysis of issues including (but not limited to) incomes and expenditures, occupational and livelihood patterns, social and community organization(s), leadership patterns, cultural parameters, and specific needs of women, elderly, youth or other potentially vulnerable groups. A meaningful, strongly representative sampling should be achieved to be able to identify and address diversity of impacts and different type of PAPs.
- f) Present tools, approach and methodology – including professional standards, sampling and verification applications – to be used to collect and assess data in order to identify socio-economic and cultural impacts and to develop appropriate mitigation measures.
- g) Document any steps taken to reduce negative impacts of land acquisition (with respect to physical displacement and loss of access, as well as economic displacement and loss of livelihood), accounting for any potential disproportionate impacts to PAPs as a result of their gender, age, physical ability or socio-economic status; and
- h) Complete a media search about the Project, Client, sector, country, etc. to determine the extent to which there has been relevant news coverage and, if so, whether there are issues or stakeholder groups that will require additional follow-up during the site visit and initial consultation. If no relevant issues are identified through this process, the Consultant will include a statement to this effect in its report.

## 5.4 TASK 4 – SITE VISIT

Based on an assessment of the travel risks and restrictions, the Consultant, Lviv Municipality and AFD will jointly decide if site visits are feasible.

In either case, the Consultant, will endeavour to accomplish the following:

- a) Hold discussions with relevant stakeholders and local authorities, to elicit their views on the potential impacts and expected interventions of the Project;
- b) Consult with and advise the relevant agencies responsible for Environmental and Social risks management on the AFD's Environmental and Social Risk Management Policy, as well as World Bank (WB)'s Environmental and Social Standards (ESSs);
- c) As part of the meaningful and inclusive consultation planning process, consult with other local/regional stakeholders i.e. representatives of community based organizations (CBOs), relevant local authorities, business associations and professional organizations, in order to engage all key stakeholders (identified in the ESDD and any additional ones) for the ESIA development and the ESMP implementation; and,
- d) Identify potential opportunities for environmental and social benefits/additionality at the Project level (for example through synergies with complementary development programmes, policy dialogue etc.) in order to widen the Project's potential positive impacts.

## 5.5 TASK 5 – STAKEHOLDER ENGAGEMENT PLAN

In collaboration with the Project Owner, the Consultant will develop and implement a **Stakeholder Engagement Plan (SEP)**.

Stakeholder engagement will be described in dedicated sections of the ESIA and the RAP while the SEP will be a standalone document.

The SEP will ensure that the following core elements are covered:

- a) Identify and assess stakeholders involvements during the project design, listing all relevant stakeholders and analysing each of them according to their potential interest in, and influence on, the project, as well as the project's potential impact (positive and negative) on them;
- b) Actively obtain input from a broad spectrum of stakeholders at local, regional, national, and international levels, as necessary, with particular emphasis on Persons Affected by the Project (PAPs) and local communities, through meaningful consultation;
- c) Provide stakeholders with adequate, clear, timely and consistent information regarding the Project and Project activities, including impacts and opportunities that may arise and proposed management measures/solutions, as well as the manner in which they can participate in this process;
- d) Through a two-way dialogue, stay abreast of interests, concerns, needs and E&S perspectives of all stakeholders, in particular those of the PAPs and the local communities, giving them sufficient opportunity to understand the activities, raise issues and participate in relevant project decisions;
- e) Form partnerships to promote constructive interaction amongst stakeholders, and maximise the Project's benefits such as employment and procurement opportunities through effective engagement with local communities;
- f) Build capacity among stakeholders to enhance their ability to interpret the information, as well as to contribute their issues of concern and suggestions for enhanced benefits; and
- g) Provide stakeholders with timely feedback on whether and how their inputs were incorporated into project decisions particularly relating to management measures and strategies for enhancing benefits and including the effective and timely management of any grievances related to the project.

The Consultant will record the agenda and minutes of meetings, attendance lists, press releases, observations, and the manner in which the client has taken those observations into account. These various elements, summarized in the main body of the ESIA, will be recorded and attached in the appendices of the ESIA.

In order to ensure that the expectations of men, women and vulnerable groups are taken into account, the methodology for consulting PAPs must:

- a) Identify the constraints limiting the participation of the different categories of people affected by the project, distinguishing the constraints from men and women;
- b) Define the consultation methods adapted to these different constraints;
- c) Ensure and document the participation of women in public consultation and decision-making processes;
- d) Document the expectations of the different categories of people affected by the project, distinguishing those of men and those of women.

## 5.6 TASK 6 – ESIA DEVELOPMENT

### Subtask 6.1 - **Methodology**

In a dedicated section, the Consultant will specify the methods used and the difficulties encountered in the ESIA conception process. The reasons and limits of the made methodological choices will be explained.

For the collection of baseline data, the source and date of the data will be specified (bibliography, databases, field surveys, etc.) for each of the aspect studied. If standardized methods are used, they will be precisely described, in particular the standards applied, the locations of sampling, etc. The name and the quality of the experts requested will be specified, as well as the names of the approved laboratories if necessary.

The socio-economic data collected should, as far as possible, be gender-differentiated. The socio-economic data collected must be annexed to the reports produced in the form of a table and in electronic format in Excel format or equivalent.

For the identification and qualification of impacts, the choice of method (say expert, qualitative assessment, forecast by analogy, modelling, etc.) will be justified and explained, as well as the limits and difficulties encountered.

The methodology chapter of the ESIA will provide the names, first names and qualifications of the persons in charge of the environmental and social assessment, and will specify who carried out field works.

### Subtask 6.2 - **Assessment**

On the basis of documentation, meetings, site visits and surveys' results and conclusions, the Consultant will proceed with the Assessment per se in order to:

- a) Identify the main impacts of the project on the environment and communities during pre-construction, construction and operation phases. A crosscutting gender approach will be used in the development of the ESIA as the socio-economic data collected and the related assessments will be gender-disaggregated;
- b) Discard project alternatives whose negative impacts are not acceptable, and optimize the project design to avoid or reduce the main impacts;
- c) Define mitigation measures, as well as the conditions for their implementation and monitoring;
- d) Propose measures to maximize the positive effects of the project.

The assessment will include:

- a) **Context and Background description:** The Consultant will describe the context and background in which the Project will be developed. It will refer to any preceding projects and government initiatives, or broader policy reforms in the context of which the project was planned. It will provide information regarding the country context, recent social, economic or other developments that are relevant for the consultant's understanding.

Most projects would benefit from some insight of how the relevant sector has developed in the past years, general trends, and how the Project owners has built a relationship with the implementing partner (and any specific responsible parties that may execute project activities).

- b) **Project's alternatives presentation:** The Consultant will undertake an analysis of the considered alternatives, including justification and environmental and social foundations of the project location.

The Consultant will consider all types of alternatives related to overall approach and project design, including the “no action” alternative.

As for the Project site locations, whenever feasible, preference should be given to projects, or project components, that are sited on lands already converted (e.g. not on natural habitats). Among other factors, potential climate change risks need to be considered in project siting decisions.

- c) **Project’s description:** The Consultant will provide a summary of the Project’s objectives, features, location and status, including an up-to-date description and delineation of the proposed project and its key components, and provides information on its geographical, environmental and socio-economic and temporal context. It should include information on whether and how the project is part of a wider development programme.

Based on the screening and the initial scoping process, the Consultant will provide information on potentially significant social and environmental issues, risks and impacts that may have been identified, including all risks and health and safety aspects.

The Project’s description will also include:

- Description of the Project location and sensitive environmental and social features. It includes a map of sufficient detail, showing the project site and the area that may be affected by the project’s direct, indirect, and cumulative impacts. (i.e. area of influence).
- Components and sub-components, which consider the main elements or units, support facilities, equipment or technologies to be used, raw materials, labor (construction, operation and maintenance stages), and work schedule. This includes any offsite activities that may be required (e.g., dedicated pipelines, access roads, power supply, water supply, housing, and raw material and product storage facilities), as well as the project’s primary supply chain.
- How the principles of green building could be incorporated in the Project (such as energy efficiency and the use of renewable resources, the environmental impact of the works, resource conservation, internal air quality, and community aspects, such as access to public transportation).

- d) **Legislative and Institutional Framework:** The Consultant will describe the legislative and institutional framework that applies to the project, both on the environmental and social aspects (including Health & Safety and Gender):

- Description of the regulations, system and requirements for environmental licensing and land ownership, and other authorizations necessary for the implementation of the project components and works; identification of the need to complement the rules governing project implementation;
- Legal texts related to women rights and gender equality or on the contrary those (if any) restricting the rights of women in connection with the Project;
- Ratified applicable international obligations and agreements (e.g. Multilateral Environmental Agreements) that must be complied with,
- Policies and standards of the World Bank.

Regarding the environmental and social standards applicable to projects funded by AFD, the Consultant will refer in particular to the following documents:

- AFD’s Environmental and Social Risk Management Policy for AFD-funded Operations;
- "World Bank Environmental and Social Framework". The Consultant will refer to Environmental and Social Standard (ESS) N° 1, paragraphs 23 to 35, as well as Annex 1 chapter D, which describes the standard content of an ESIA;

- Technical reference documents for good practices of the World Bank group: Environmental, Health and Safety guidelines: "The World Bank Group Environmental, Health and Safety Guidelines";
- AFD sectoral intervention framework and toolkits for gender, in particular:
  - <https://www.afd.fr/fr/cadre-intervention-genre-reduction-inegalites>;
  - <https://www.afd.fr/fr/boite-outils-genre-diligences-environnementales-et-sociales>.

For each document listed above, the Consultant will specify what is applicable for the Project.

The Consultant will undertake a gap analysis between the applicable national regulations and the World Bank's ESF and will propose actions aimed at bridging these gaps. The description of the institutional context should identify the institutions in charge of implementing environmental and social regulations, including the institutions and bodies responsible for women's rights. This description should also identify the procedures and actors involved in obtaining the environmental and social approvals necessary for the implementation of the different phases of the Project.

The Consultant will also identify institutions responsible for the execution and environmental and social management of the Project, at the respective levels of government; roles and functions of each of the institutions, identifying the needs for institutional strengthening.

- e) **Baseline assessment:** Based on the findings of the scoping phase, the Consultant will collect, collate and present baseline information on the natural (biological and physical) and human environments (social, cultural and economic) of the study area. These baseline descriptions/surveys are to be undertaken by qualified experts. The baseline description shall be derived from both secondary sources and fieldwork to collect primary data where required and should be inclusive of, but not be limited to:

- *Physical environment:* topography, land use, geology, land contamination, climate, meteorology, natural risks, surface and underground water (hydrology, water quality), marine and coastal waters, air quality, ambient noise levels;
- *Biological environment* (terrestrial, aquatic): ecological analysis of the whole site (fauna, flora, rare or endangered species, habitats mapping, ecological performance of the site), landscape analysis, ecosystem services / culturally, socially and economically important natural resources;
- *Human environment:* The data collected will be gender-differentiated to identify the place and role of men and women. In particular, the number of households affected by the project and headed by women will be indicated.
  - *Socio-economic environment* : history of occupation of the site, demography, living conditions of the populations (including health and safety), households organization (distribution of labour and tasks, share of responsibilities, distribution of income) and number of households headed by women, solidarity, kinship and social networks, religions and beliefs, relationships between men and women in terms of access, use and control of resources and services, participation in decision-making;
  - *Community organizations and institutions:* social organizations, village and traditional organizations, decision-making processes (formal and informal) and political institutions including the level of women's participation;
  - *Economic activities:* identification of the main activities in the study area, agriculture / livestock, industry, services, local businesses, informal trade, supply and marketing circuits, village production systems, handicrafts, hunting, fishing, use of natural resources, including the level of participation and organization of women;
  - *Basic infrastructure and services* (public or community services): drinking water, electricity, education, health, waste collection, used and rainwater, transport and travel, current conditions of access to the site, etc. specifying the place, role and level of participation / access of women;

- *System of access to land*: land tenure and concrete methods of access to land, including customary, especially for women;
- *Cultural heritage*: historical, cultural, role of men and women in heritage management (sacred sites / places, tombs, places of worship);
- *Leisure and living environment*: including public parks and gardens, children playgrounds, urban alignment trees and plantation;
- *Legacy or present pollution sources likely to impact health*: noise (noise sources, noise contributions, noise levels), air pollution (sources, parameters concerned), water and soil pollution (origin, history), waste (type, risks), others;
- *Industrial risks and easements*;
- *Local development aid structures* (government programs, associations, NGOs, etc.).

**f) Impacts assessment:** the Consultant will adhere to the ARC sequence (Avoid, Reduce, Compensate). The impossibility of avoiding certain impacts will be justified before proposing to reduce them. Compensatory measures will be put forward for residual impacts.

The ESIA will comply with World Bank's ESF and will at least cover the following standards (or demonstrate their non-applicability): (i) ESS 2 - Labor and working conditions, (ii) ESS 3 - Efficient use of resources, prevention and management pollution, (iii) ESS 4 - Community health and safety, (iv) ESS 5 - Land acquisition, land use restrictions and involuntary resettlement, (v) ESS 6 - Biodiversity conservation and sustainable management of living natural resources, (vi) ESS 7 Indigenous peoples / Historically disadvantaged traditional local communities in sub-Saharan Africa, (vii) ESS 8 - Cultural Heritage and (viii) ESS 10 - Stakeholder Engagement and Information Disclosure.

The Consultant will (whenever applicable to the Project):

- Propose a methodology/grading system for impacts to record severity in a matrix (long vs. short-term, reversible vs. irreversible etc.).
- Identify, analyse and rate the environmental and social impacts and risks of the Project during the different phases of the project cycle (pre-construction, construction, operation, etc.). The description of the impacts and risks will state whether they are: positive/negative - direct/indirect - temporary/permanent - avoidable/inevitable - reversible/irreversible, etc.
- The impact assessment will particularly focus on:
  - *Impacts on communities*: providing, whenever possible, the number of households or persons affected and whether they are from a marginalised ethnic group, vulnerable persons;
  - *Gender specificity of the various impacts*, so that mitigation measures will also aim at reducing inequalities between men and women, or at least avoiding creating or increasing discrimination between men and women;
  - *Negative impacts and risks during the construction phase*, identifying impacts and risks specifically for both workers and members of the community;
  - Impacts related to *Associated facilities* which are (according to WB's ESF): 'facilities or activities that are not funded as part of the project and, in the judgment of AFD, are: (i) directly and significantly related to the project; and (ii) carried out, or planned to be carried out, contemporaneously with the project; and (iii) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist'.
- Define the Environmental viability of the Project, by weighing the damages against the environmental and social benefits; evaluation of the effectiveness of the measures to control negative impacts; verification of compliance with environmental criteria and standards; and measures to prevent and mitigate environmental and social risks;

- Identify areas potentially impacted by cumulative impacts from the incremental adverse impacts of the project when added to other past, existing, planned or reasonably predictable future projects and developments. Assessing potential cumulative impacts enlarges the scale and timeframe for assessing combined effects of multiple activities and impacts;
- Identify areas potentially affected by impacts from unplanned but predictable developments (indirect and induced impacts) caused by the project that may occur later or at a different location (e.g. facilitation of settlements or illegal logging in intact forest areas through expansion of adjacent agricultural activities);
- Identify and assess transboundary impacts, such as pollution of international waterways or transboundary river basins, airsheds and ecosystems; migration of populations; international relations;
- Identify and assess global environmental and social impacts, e.g. Project's vulnerability to climate change, greenhouse gas emissions, ozone depletion, loss of biodiversity and desertification, loss of cultural diversity and heritage.

The Consultant will take into consideration the temporal scope of potential impacts:

- Future anticipated or projected short-term impacts, e.g. increases in consumption, waste, pollution, capacity needs, and health problems resulting from the proposed project;
- Future anticipated or projected long-term impacts, e.g. indirect or secondary effects of induced unplanned development and changes in socio-economic conditions;
- Present or baseline pollution of the proposed project site or facilities, e.g. soil and ground water pollution originating from past disposal of or contamination with hazardous substances or wastes.

The organizational/management scope of potential impacts will include the Project's owner as well as:

- Third-party organizations, e.g. government's entities, contractors and operator (including associated facility);
- Primary suppliers (wherever resources utilized by the Project is ecologically sensitive, or where child labor, forced labor and/or unsafe working conditions might have been involved).

- g) **Mitigation Measures definition:** For each risks and negative impacts described above, the Consultant will propose measures for either the Project Owner or the Contractor(s) to implement, including Improvement of positive impacts, Avoidance and Reduction of negative impacts, Compensation for residual impacts.

The environmental and social impact mitigation actions, in accordance with the following, listed in descending order of preference (i.e. the mitigation hierarchy):

- Avoid, prevent or eliminate environmental and social risks and adverse impacts, wherever technically and financially feasible; for proposed projects involving existing facilities, remediation may need to be undertaken instead of, or in addition to, mitigation;
- Where it is not technically or financially feasible to avoid, prevent or eliminate risks and impacts, identify measures and actions to minimize and mitigate impacts so that the project operates in compliance with applicable international, national and local environmental and social laws and regulations and UNDP requirements, or achieves acceptable levels of impacts otherwise defined and agreed;
- Where it is not technically or financially feasible to minimize and mitigate risks and impacts, identify measures to offset them by enhancing the proposed project's positive environmental and social impacts;



- Where avoidance, mitigation and offset measures are not technically or financially feasible, identify compensatory measures to balance the residual adverse impacts.

Measures will be clearly broken down by phases:

- *Pre-construction* (design) phase: measures related to the Project's design for avoiding and reducing impacts and risks;
- *Construction* phase: measures and precautions to be taken on construction sites to mitigate risks faced by workers and community members including monitoring measures;
- *Operation* phase: in relation with permanent infrastructures, provisions for sustainable design, operation and maintenance.

During all phases, mitigations measures could also include capacity building measures for supporting all entities involved in the design, construction and operation of the Project.

To be noted that for developing measures related to the construction phase (and for developing the ESMP (see below)), the Consultant will refer to the Environment, Social, Health and Safety specifications found online in the AFD 'Standard procurement document - Bidding Documents for Procurement of Works'.

The Consultant will ensure that the environmental and social measures:

- are validated by the Project Owner;
- have been integrated into the project design by the technical team after one or more joint working meetings to ensure that these measures are understood and integrated. This will be explicitly specified in the report, and the minutes of the meetings will be attached to the ESIA for confirmation.

## 5.7 TASK 7 – ESMP DEVELOPMENT

The **Environmental and Social Management Plan** (ESMP) will make operational the measures described in task 6 above, and will consist of a set of mitigation and monitoring measures, including policies, procedures and practices – as well as the actions needed to implement these measures – to achieve the desired social and environmental sustainability outcomes.

The ESMP will define desired social and environmental management outcomes and specify social and environmental indicators, targets, or acceptance (threshold) criteria to track ESMP implementation and effectiveness. It will also provide estimates of the human and financial resources required for implementation and monitoring and identify organizational structure and processes for implementation.

Recognizing the dynamic nature of the project development and implementation process, the implementation of an ESMP will be responsive to changes in project circumstances, unforeseen events, and the results of monitoring (adaptive management).

The ESMP will include:

- Measures to mitigate negative impacts during design, construction and operation phases, as well as evaluation of their effectiveness. Mitigation measures must be identified for each impact/risk that was identified during the ESIA process;
- Description of the monitoring procedures during construction and operation phases, identifying the parameters to be measured, the places of measurement, the methods used and the periods/frequencies in which the measurements will be made, the costs, and the institutions responsible;
- Identification of a set of sensible, readily measurable quantitative and qualitative indicators of the mitigation measures proposed for the main impacts and risks that accompany the implementation of the project;

- Content of Contingency and Emergency Response Plan, such as for accidents, fires, floods, earthquakes, others;
- Annual or semi-annual report template to support the Project's owner in the development of the reporting to AFD.

#### Subtask 7.1 – **Mitigation measures implementation**

Using a table format, in relation with social and environmental impact **mitigation**, the ESMP will describe, for each mitigation measure: (i) the type of impact and social and environmental parameter(s) to which it relates, (ii) the location and frequency, (iii) timing or conditions under which the measure is required (e.g., continuously or in the event of contingencies) and (iv) provide technical details on the mitigation technology, process, equipment, design and operating procedures, as appropriate.

Potential social and environmental impacts of these measures will be estimated. **Linkages with other mitigation plans (e.g., Resettlement Action Plan (RAP)) required for the proposed project will be identified.**

#### Subtask 7.2 – **Mitigation measures monitoring**

As for environmental and social risks **monitoring**, the ESMP will detail the monitoring to be conducted during project implementation to:

- Provide information about actual versus predicted social and environmental impacts;
- Measure the effectiveness and evaluate the success of mitigation, remediation and enhancement measures;
- Evaluate compliance with applicable international, national, and local policies laws, regulations, UNDP SES, other relevant performance standards, policies and procedures;
- Allow corrective action to be taken when needed.

Specifically, the ESMP will detail:

- Mitigation measures to be monitored;
- Parameters to be measured;
- Sampling and analytical or other monitoring methods to be used, including staff, procedures and detection limits (where appropriate);
- Sampling or monitoring locations;
- Frequency or timing of measurements;
- Thresholds that will signal the need for corrective actions.
- Responsibilities for monitoring and reporting during the life cycle of the project.

In addition to recording information to track performance and establishing relevant operational controls, the monitoring plan will require the use of dynamic mechanisms, such as inspections and audits, where relevant, to verify compliance and progress toward the desired outcomes. Monitoring activities should involve direct participation of affected stakeholders, where possible. Stakeholder complaints or grievances are to be tracked and monitored as well as any corrective actions.

Monitoring and reporting should include data disaggregated by categories of potential beneficiary and/or affected groups and include specific gender indicators. The monitoring plan should require the retaining of qualified and experienced external experts to verify monitoring information.

Evaluation, reporting and management of monitoring measures will also be specified in the ESMP. This will include required documentation and reporting of monitoring results and provisions for adjusting and amending the ESMP (e.g. incorporating corrective actions) in accordance with monitoring experience and feedback (see also stakeholder engagement section below). A monitoring plan, detailing responsibilities for its implementation and required site-visits will need to be developed as part of the ESMP.

Periodic reports, to be provided to AFD, will describe progress with implementation of the ESMP and related action plans. Those reports as well as any material changes or additions to the mitigation measures or actions plans will be available to affected communities. Among other subjects, those reports will provide information

on issues that the consultation process or grievance process has identified as a concern by members of the communities.

Reports will be provided on an annual or semi-annual basis as stated in the Credit Facility Agreement (CFA) between AFD and the Project's owner.

### Subtask 7.3 – **Capacity development**

The ESMP will assess and detail a plan to develop implementation capacity, where needed. This will involve a capacity assessment of the implementing partner itself and any affiliated organizations or institutions for implementing the ESMP. If not, a determination should be made as to whether it will be possible to develop the appropriate capacity and, if so, at what cost and in what timeframe.

The **capacity development** section of the ESMP will:

- Recommend management arrangements for the project, including structure, roles, responsibilities, and authorities;
- Designate specific personnel, including management representative(s), with well-defined and clearly communicated lines of responsibility and authority;
- Require sufficient oversight and human and financial resources be provided on an ongoing basis to achieve effective and continuous environmental and social management throughout the life of the proposed project.

If needed, the capacity development section of the ESMP will outline a plan for strengthening capacities of the staff of the Project's owner, its implementing partner(s), as well as contractor(s) with direct responsibility for activities relevant to the social and environmental sustainability of the Project so that they have the knowledge and skills necessary to perform their work, including current knowledge of the host country's regulatory requirements and the applicable requirements of AFD's environmental and social policies and procedures.

Capacity development will also address the methods required to perform the specific actions and measures of the ESMP in a competent and efficient manner. The capacity development plan will have the following components:

- Identification of capacity needs;
- Development of a capacity development plan to address defined needs;
- Monitoring and Evaluation of capacity development plan.

### Subtask 7.4 – **Public consultation and disclosure**

Both the ESIA and the ESMP will be developed in close consultation with the Project's stakeholders. There will be a **minimum of three public consultation meetings**. The first one for disclosing the ESIA Scoping report, the second one for disclosing the draft ESIA-ESMP report and the third one for disclosing the final ESIA-ESMP report.

As mentioned above, the ESIA will include a section that provides an overview of the project's Stakeholder Engagement Plan (SEP) (it might be necessary, at the time when the ESIA-ESMP is finalised to update the SEP with new stakeholder information from the ESIA-ESMP preparation process). The SEP (and the related section in the ESIA) should also include a description of effective processes for receiving and addressing stakeholder concerns and grievances regarding the project's social and environmental performance.

In relation with the Stakeholder engagement actions described in the SEP, the Consultant will develop a consultation and disclosure plan, providing information about:

- planned consultation events;
- information material that will be presented during Public consultations;
- how attendance will be recorded;
- measures for encouraging the participation of women and vulnerable persons.

After the consultation event(s), the Consultant will document and update the consultation section of the ESIA-ESMP report with:

- Description of the event and the atmosphere prevailing;

- Questions asked and answers were provided;
- Suggestions for Project improvement that were taken into consideration;
- Scanned attendance lists, as well as photos of the event(s).

Also, as part of the organisation process of those public meetings, the Consultant will:

- Support the Project's owner in conducting the consultations/stakeholder engagement process.
- Coordinate with the institution in charge of implementing the operation and with corresponding local institutions for identifying the most appropriate consultation mechanism, taking into account national regulations, the local context and existing social habits.
- Use those consultations as opportunities for dialogues that will help to improve the design, promote a better understanding of the operation and increase the chances of success and sustainability of the Project.
- Ensure that consultations are encouraging the participation of women, as well as vulnerable persons;
- Ensure that consultations are also complying with applicable national rules and regulations related to the consultation process.

Also, to be noted that if the ESMP review and evaluation is resulting in material changes in, or additions to, the mitigation, monitoring or capacity development measures or actions described in the ESMP on issues of concern to the stakeholders, the updated measures or actions will also be developed in close consultation with stakeholders and disclosed.

## 5.8 TASK 8 – SOCIO-ECONOMIC ASSESSMENT, COMPLEMENTARY CENSUS AND ASSET INVENTORIES

Given the travel risks and restrictions, the Consultant, Lviv Municipality and AFD will jointly decide if undertaking a socio-economic assessments and a complementary census and an asset inventory are feasible.

The Environmental and Social Due Diligence report (ESDD – AV Group Consulting, Dec. 2024) had included or was based on a preexisting census and an asset inventory undertaken by local authorities.

**Socio-economic data will be collected for both the RAP and the Environmental and Social Impact Assessment (ESIA).**

All data collected should be stored in a georeferenced database (see section 2.1.3 above). The socio-economic studies and the complimentary census and assets inventory will have to be undertaken in coordination with the affected populations. In this context, the Consultant shall refer to the requirements of sections 2.1.1 and 2.1.2 above. In addition, the Consultant must also justify the choice of the socio-economic unit (individual, household for example) selected to carry out the socio-economic assessment as well as the complimentary census and asset inventory. A clear lexicon should be used to distinguish between “displaced/affected persons” and “displaced/affected households”.

### Subtask 8.1 – Complementary census

In the light of available data (ESDD – AV Group Consulting, Dec. 2024), with the support of the Lviv municipality and any other relevant authorities, the Consultant will conduct a complementary census of persons displaced by the project. The census should provide a list and location of all displaced persons, regardless of their legal status (owner, land entitlement holder, refugees, tenant with or without title, economic activities, others) and whether they are permanently resident in the area concerned at the time of the census (seasonal resource farmers, for example) or not. The census should serve the following key objectives:

- Identification of characteristics of displaced households;
- Gathering information on vulnerable groups, households and individuals;
- Identification of infrastructure, services or public or collective goods likely to be affected; and,
- Establishing a basis for (i) the scope and the budget of the resettlement programme and (ii) the monitoring and the evaluation of the RAP.

The Consultant will describe both how the census was conducted, and how the cut-off date was determined and how affected persons will be informed.

### Subtask 8.2 – **Socio-economic assessment**

The Consultant will conduct a socio-economic assessment of the population affected by the Project, justifying the methodology followed. This methodology will have to adapt to the nature and constraints of the Project. The Consultant will also justify the selection of the socio-economic unit (households or individuals for example).

The socio-economic assessment will be developed with a gender approach, meaning that it shall identify gender dynamics from a social, economic and political point of view (division of labor, access to and control of resources, decision-making power, etc.).

In the case in which the Consultant decides to undertake the socio-economic assessment through a sample of the potentially impacted population, the Consultant will have to justify the size of the sample in relation to the population and specify the margin of error, the level of trust and ensure that the PAPs sample is representative.

The socio-economic assessment shall:

- Identify the essential characteristics of displaced households (age, size and organization of households, level of education, type of employment, production system and economic strategies, etc.), with particular attention to vulnerable persons (households headed by women or children, persons with disabilities, elderly, very poor, indigenous peoples, minorities, etc.);
- Describe land status (formal, informal legal or illegal, tenant or occupier without title, economic activities);
- For agricultural land, identify the type of property and crops impacted;
- Confirm whether there is a land market in the Project area and provide land prices estimates;
- Identify the types of income-generating activities (formal and informal) and estimate the income actually earned from these activities and the standard of living of PAPs;
- Characterize the health status of displaced populations;
- Describe the social interaction systems within displaced communities (social networks, social assistance, support schemes, etc.) and highlight the impacts of the Project on these interactions;
- Describe local associations specifying their role in the regulation of social affairs;
- Present public assets, social services and services implemented by the village communities affected by the Project;
- Identify livelihood restoration strategies that are realistic and relevant.

The socio-economic assessment should also include populations' preferences as to the nature of the compensation, that is to say a replacement property of equal or greater value, with security of enjoyment, equivalent or better characteristics, and site benefits, or financial compensation at replacement cost.

Given the security context currently prevailing in Ukraine, the socio-economic survey shall also:

- Define the complexity of the context and its implications for social, economic and political dynamics. Specifically, the Consultant will focus on (i) land tenures and access to land, (ii) gender dynamics and access to employment, (iii) past and current settlement dynamics;
- Assess the perceptions/interests/positions of different local populations (affected, host and others) and authorities in relation to population displacement;
- Assess the risks of corruption and their impact on the progress of the Project;
- Assess risks related to food security;
- Specify the elements of the context that contribute to the difficulty or impossibility of collecting certain socio-economic information.

### Subtask 8.3 – **Complementary Assets Inventory**

As indicated in the ESDD (AV Group Consulting, Dec. 2024), an asset inventory was undertaken by the local authorities for this Project.

The Consultant will review and complement if needed the existing assets inventory to ensure all assets including structures (permanent or temporary), lands, crops, natural resources and public infrastructure were

properly identified. The Consultant will ensure that each impacted asset has been properly qualified and quantified (detailed description of the property, GPS coordinates and photos taken).

In the context of economically non-viable lands as a result of project implementation, the Consultant shall determine a threshold (area from which land is no longer economically viable) based on World Bank standards and good practices. Land deemed economically unsustainable shall be included in the inventory.

For the land inventory, information on land tenure and land use will be collected for each parcel. For crop inventories, the Consultant will dissociate their nature (market gardening, annual, biannual, etc.) and their state of maturity.

The Consultant must describe the methodology used in the complementary assets inventory of (legal framework procedure, dedicated teams and equipment, proof of inventory passage, delimitation of rights-of-way, for example).

This complementary assets inventory will be the final asset inventory. It will be authoritative and serve as the basis for determining compensation.

## 5.9 TASK 9 – RAP DEVELOPMENT

### Subtask 9.1 – RAP preparation

The Consultant will, based on the tasks above, document the results of the desktop review, site visit, census, socio-economic assessment, assets inventory and consultations in the form of a Resettlement Action Plan (RAP).

The Plan should be agreed with AFD and prepared so that it can be publicly disclosed and used by affected people. The Consultant shall also prepare summary information files for tracking and verification and monitoring purposes in an excel format.

At a minimum, the RAP shall include:

- a) Description of the Project, including land expropriation, economic loss and likely categories/scope of impacts;
- b) Demonstration that resettlement/economic loss was unavoidable (if that is the case) and description of what was/will be done to minimise impacts;
- c) Policy principles and objectives governing land acquisition, potential resettlement, livelihood restoration, compensation and related social impacts;
- d) Legal framework comparing the national laws, customs and regulations and the requirements of AFD's Environmental and Social Risk Management Policy, World Bank (WB)'s Environmental and Social Standards (ESSs), as well as measures proposed to bridge any gaps between them (as per Task 1 above);
- e) Eligibility criteria for defining PAPs, and an analysis of the differential scope of impacts of the Project to them;
- f) Section Defining, enhancing and validating the process carried out for the assessment related to resettlement in the ESDD (AV Group Consulting, Dec. 2024);
- g) Description of methods of valuing affected land and other assets;
- h) Entitlement matrix, specifying the eligibility for, and standards of compensation and assistance to be provided to PAPs so as to replace all types of loss, as appropriate, and to restore their socio-economic status—this should take into account specific needs of all affected groups (including stationary and mobile vendors, tenants, formal and informal, etc.);
- i) Suggestions of appropriate, financially viable and sustainable options for relocation and/or livelihoods restoration within existing cultural, social, economic and legal parameters;

- j) Definition vulnerable persons/groups categories, taking into account definitions of both the national regulation and the World Bank's ESF. Specific resettlement assistance will be offered to vulnerable people and groups based on their vulnerability type and level;
- k) Framework for meaningful stakeholder engagement and consultation with project affected men and women in all relevant aspects of project design and implementation, particularly all resettlement and/or livelihood restoration processes, in line with WB's ESS 10 on Information Disclosure and Stakeholder Engagement.

Details of the consultation programme should be clearly outlined. Stakeholder engagement and consultation described in the RAP shall be in line with what has been developed in the Stakeholder Engagement Plan (SEP) developed as part of the Environmental and Social Impact Assessment (ESIA) of the Project;

- l) Organisational procedures with respect to institutional responsibilities for the delivery of entitlements, including a description of delegated roles/powers for resettlement/livelihood restoration activities, as well as recommendations for institutional capacity-strengthening for the entity responsible for resettlement/livelihood restoration implementation, if appropriate;
- m) Description of the implementation process, linking resettlement implementation to civil works, as appropriate;
- n) Description of a detailed, independent Grievance Redress Mechanisms (GRM) to be managed by the Client and other entities (e.g. mediation), including the step-by-step process for registering and addressing grievances to be included in the Stakeholder Engagement Plan (SEP);
- o) Description of framework and arrangements for internal and external monitoring & evaluation and reporting, including proposed indicators and reporting timeframe;
- p) Guidance on how to maximise the positive impacts of the Project to local men and women, such as local employment opportunities, as well as project specific social aspects that may need to be addressed at design stage; and
- q) A detailed budget inclusive of resettlement/livelihood restoration and associated compensation costs, and implementation timeline inclusive of a completion audit.

#### **Subtask 9.2 – RAP workshops**

To enhance the knowledge of the Client on the details of the RAP, ESS 5 requirements, which may be additional to the national ones, and to ensure that the Client has adequate capacity to implement the RAP, the Consultant will team up with a local consultant in order to:

- Prepare workshop content (up to 2 workshops) in English and/or in Ukrainian;
- Translate content to Ukrainian whenever needed;
- Ensure the local consultant is familiar with the content and can confidently deliver and present the Ukrainian version to the Client under the supervision of the Consultant;
- Summarise lessons learnt and propose any further actions to address knowledge gaps.

#### **Subtask 9.3 – RAP Focus group Discussions**

As public consultations are often mostly attended by government officials, the Project would benefit from focused engagement and meaningful consultations targeted to specific PAPs e.g. tenants of shops, formal and informal vendors, and others who will potentially be impacted by resettlement and economic displacement. To facilitate these meetings, the Consultant, in partnership with the local consultant, will:

- Prepare content (questions, topics, themes, etc.) that would steer the discussions towards specific objectives;
- Translate content to Ukrainian whenever needed;
- Ensure the local Consultant is familiar with the content and can organize and facilitate the meetings;



- Summarize key findings and use them to inform, where feasible, the RAP compensation and entitlement procedures and allowances.

## 6 OTHER ASPECTS RELATED TO THE ASSIGNMENT

### 6.1 IMPLEMENTATION ARRANGEMENTS

AFD will provide the Consultant with access to, or copies of all, relevant available information in English and Ukrainian. The Consultant will make a detailed review of this information and provide all documentation expected as deliverables in both English and Ukrainian. The Consultant will bear the cost of any necessary translations, including the potential costs of translation during the meetings with the different stakeholders.

### 6.2 ESTIMATED TIME SCHEDULE FOR THE SERVICE

It is estimated that the consultant will have 5 months to carry all tasks after the signing of the contract. All task can be conducted in parallel provided that they are consistent with each other.

### 6.3 EXPECTED DELIVERABLES

The Consultant will thus submit to AFD the following deliverables in English and Ukrainian:

- **Deliverable 1:** The minutes of the Kick-off meeting - within 1 week after the Kick-off meeting is held;
- **Deliverable 1:** A draft SEP (50 pages max. excluding appendices) - within 4 weeks from the Assignment Start Date;
- **Deliverable 3:** A draft ESIA-ESMP report (150 pages max. excluding appendices) - within 12 weeks from the Assignment Start Date that will be also disclosed to Stakeholders and to the Public;
- **Deliverable 4:** A draft RAP (100 pages max. excluding appendices), including the results of the Socio-economic assessment, complementary census and asset inventories that is to be discussed with Lviv Municipality and AFD - within 12 weeks from the Assignment Start Date;
- **Deliverable 5:** Two RAP workshops' minutes of meeting (to be appended to the final RAP report): one knowledge and capacity building workshops on ESS 5 requirements and international best practice vis-à-vis local requirements and RAP implementation; and one workshop to discuss the draft RAP, implementation details, roles and responsibilities, etc.;
- **Deliverable 6:** Three RAP focus group minutes of meetings with PAPs (to be appended to the RAP report) (categories to be decided in discussions with AFD and Lviv Municipality).
- **Deliverable 7:** A final SEP (50 pages max. excluding appendices), a final ESIA-ESMP report (150 pages max. excluding appendices) and a final RAP (100 pages max. excluding appendices) that have been approved by Lviv Municipality and AFD - **within 18 weeks from the Assignment Start Date**. All those documents will be also disclosed to Stakeholders and to the Public;
- **Deliverable 8:** Three public meetings' minutes (to be appended to the ESIA report) to disclose the ESIA scoping report, the draft ESIA-ESMP report and the final ESIA-ESMP report.

### 6.4 QUALIFICATION, COMPETENCE AND EXPERIENCE

The service should be undertaken by Ukrainian consultants or an International consultants that demonstrate having all necessary qualifications, skills, knowledge and experience to perform the assignment, including:

- Solid experience in preparing ESIAs, ESMPs, RAPs and SEPs;
- Demonstrated working knowledge of the World Bank's Environmental and Social Standards;

- Good knowledge of the context prevailing in Ukraine, with several references in the country or the sub-region;
- Excellent command of Ukrainian (oral and written).

The Consultant team will be led by an **International Environmental specialist**, or an **International, Social, Resettlement specialist** with at least **10 years of experience** in the preparation and implementation of ESIA's, ESMPs, RAPs and SEPs. The Consultant will also demonstrate experience in conducting of socio-economic studies in urban or transportation projects, in a similar context and financed by International Financial Institutions (IFIs) such as the World Bank.

He will be supported by other specialists as deemed needed:

- Local Environmental specialist or a Social and Resettlement specialist (depending on the profile of the team lead);
- Expert in Occupational Health and Safety, with at least 10 years of experience;
- Expert in Public consultation and participatory approach with at least 10 years of experience with IFIs standards; GIS Expert with at least 10 years of experience;
- Local investigators and Community liaison officers.

## 7 CONSULTANT PROPOSAL

The Consultant's technical proposal must include:

- A general statement of capabilities (maximum 3 pages), outlining the following:
- Experience on similar assignments, namely in developing ESIA's, ESMPs, RAPs and SEPs in compliance with AFD and/or International standards, as well as stakeholder engagement;
- Experience in the host country/AFD and/or World Bank's countries of operations;
- Legal expertise and gap analysis experience highly desirable;
- The proposed team, with CVs (2 pages maximum per individual) presenting experience in the sector, experience in the geographical area of the project and relevant experience;
- Roles and responsibilities of the team members;
- A methodological statement (10 pages maximum) presenting how the Consultant proposes to undertake the work;
- Quality assurance and control procedures;
- Reporting methodology, reporting forms and a draft report scope;
- Implementation timeline for the assigned work in written and graphical form (e.g. a table, Gantt chart);
- Financial proposal, in Euros, identifying day rates and total days for the assignment, as well as all out of pocket expenses.