

Khizi 3 Wind Farm Project
Khizi Region
Azerbaijan



ESIA: Volume 3 –
Framework for
Environmental & Social
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LIST OF ABBREVIATIONS

ABBREVIATION	MEANING
CESMP	Construction Environmental and Social Management Plan
CoESMP	Commissioning Environmental and Social Management Plan
EBRD	European Bank for Reconstruction and Development
EPAP	Equator Principles Action Plan
EPC	Procurement and Construction
ESAP	Environmental & Social Action Plan
ESIA	Environmental & Social Impact Assessment
ESMP	Environmental & Social Management Plan
ESMS	Environmental and Social Management System
GBVH	Gender Based Violence and Harassment
HSSE	Health, Safety Security and Environment
JICA	Japan International Cooperation Agency
LAP	Land Acquisition Plan
LARP	Land Acquisition and Resettlement Plan
LRP	Livelihood Restoration Plan
MENR	Ministry of Ecology and Natural Resources
OESMP	Operation Environmental and Social Management Plan
OFID	OPEC Fund for International Development
RP	Resettlement Plan
SEP	Stakeholder Engagement Plan
SH	Sexual Harassment
5 Capitals	5 Capitals Environmental & Management Consultancy

1 INTRODUCTION

This document presents the Framework for Environmental & Social Management based on the ESIA for the 240 MW Khizi 3 Wind Farm Project ("the Project").

This framework has been informed by the outcomes of the ESIA and has been developed to establish structures for the management of Environmental and Social risks, impacts, opportunities and compliance associated with both the construction, commissioning and operational phases of the Project. The Framework is intended to outline systematic structures and management programmes that will comprise the respective construction, commissioning and operational phase Environmental and Social Management Systems (ESMS).

In order to implement the mitigation and management measures established in the ESIA (Volume 2), specific management programmes will be developed to incorporate these mechanisms, as well as the requirements of the local regulator, Ministry of Ecology and Natural Resources (MENR) and the Project Lenders. Such documented information will be in the form of Project-specific Construction Environmental and Social Management Plan (CESMP) and Operation Environmental and Social Management Plan (OESMP) (and complimentary plans/procedures); to be developed prior to the commencement of construction, commissioning and operations respectively.

This framework has also been prepared to ensure alignment with applicable elements of the established ACWA Power Project Company E&S Policy template and related ESMS Implementation Manual, which is intended to ensure a consistent and structured E&S project management in line with ACWA Power Corporate Environmental, Social and Sustainability Policies, which are cascaded down to all projects.

2 REQUIREMENTS FOR PROJECT E&S MANAGEMENT

The following applicable requirements relate to the need for the Project to implement formal or structured Environmental & Social Management Systems (ESMS), or related policies, management programmes and or other E&S management processes.

These requirements are applicable during all stages of project implementation, following planning and initial permitting (i.e. construction, commissioning, operations, closure and decommissioning and closure).

2.1 National Level

The regulatory body within the Cabinet of Azerbaijan responsible for the regulation of the activities within the country that relate to ecology, environmental protection and use of natural resources is the Ministry of Ecology and Natural Resources of the Republic of Azerbaijan (MENR).

The legal, economic and social framework for environmental protection in Azerbaijan is governed by the Environmental Protection Law of 1999 (No. 678-IQ) and its amending Laws (Law No. 1032-IVQD, 932-IVQD, 590-VQD and 553-IVQD).

A new Law on Environmental Impact Assessment was introduced in Azerbaijan on 14th July 2018, which sets out the mandatory EIA requirements within Azerbaijan. The purpose of this Law is to give effect to Article 54.2 of the Law on the Protection of the Environment in Azerbaijan, establishing the legal, economic and organisational framework for assessment of impacts on natural environment and human health associated with economic activities proposed by public and private developers.

Based on the EIA Law requirements, an environmental management and Monitoring Plan (EMMP) should be prepared for the Project as part of the EIA study.

2.2 Lenders Requirements

It is understood that ACWA Power are potentially seeking project finance from the following lenders:

- European Bank for Reconstruction and Development (EBRD);
- Asian Development Bank (ADB); and
- OPEC Fund for International Development (OFID).

2.2.1 EBRD

EBRD has an internal Environmental and Social Policy (2019) and a set of specific Performance Requirement (PRs) covering key environmental and social components for consideration, assessment and management in their investments. These reflect EBRD's commitments to promote EU environmental standards as well as the European Principles for the Environment in their investments.

Performance Requirement 1 (PR1) on Assessment and Management of Environmental and Social Impacts and Issues, sets the requirements for clients to establish and maintain an Environmental and Social Management System (ESMS) '*appropriate to the nature and scale of the project and commensurate with the level of its environmental and social impacts and issues in line with GIP. The objective of such a management system is to integrate the implementation of environmental and social requirements into a streamlined and coordinated process and to embed it in the main operational activities of the client assessment of impacts and issues.*

In addition, projects are required to establish an overarching policy that defines the project's environmental and social objectives. Also, an ESMP will be developed based on the outcome of the ESIA and stakeholder engagement process.

2.2.2 ADB

ADB Safeguard Requirements 1: Environment outlines the requirements that clients are required to meet when delivering environmental safeguards for projects supported by ADB. Under this Safeguard, projects are required to develop an Environmental Management Plan (EMP) and will include the 'proposed mitigation measures, environmental monitoring and reporting requirements, emergency response procedures, related institutional or organizational arrangements, capacity development and training measures, implementation schedule, cost estimates, and performance indicators'.

2.2.3 OFID

The OPEC Fund for International Development (OFID) is a multi-lateral development finance institution dedicated to delivering socio-economic impact to low- and middle-income countries. Founded in 1976 by the member states of the Organization of the Petroleum Exporting Countries (OPEC), the OPEC Fund is a separate institution with a distinct mandate, focused purely on international development.

The OPEC Fund's main consideration is the social, economic, and environmental viability of a development project or program and its contribution to the sustainable development objectives in the partner country. The OPEC Fund also evaluates projects and programs based on commercial, technical and financial viability, as well as by doing social and environmental due diligence.

2.2.4 WBG/IFC

Note: IFC is not involved in financing of this Project, however ACWA Power internal policy is to comply with the IFC Performance Standards and applicable WBG EHS Guidelines. As such, these requirements are stated in the ESIA.

In accordance with IFC PS1, the project will, 'establish and maintain an ESMS appropriate to the nature and scale of the project. The ESMS will incorporate the following elements: (i) policy; (ii) identification of risks and impacts; (iii) management programs; (iv) organizational capacity and competency; (v) emergency preparedness

3 ENVIRONMENTAL & SOCIAL MANAGEMENT SYSTEM (ESMS)

The Project ESMS will provide a systematic structure and approach to enable the effective implementation and management of environmental & social risks, impacts, opportunities and related compliance.

Effective management of environmental & social issues will include the following fundamental components as part of the robust ESMS:

- Project specific policies related to the environmental and social considerations (including labour, HR and external stakeholders & affected communities).
- Project-based E&S Objectives, Targets & Monitoring and Management Programmes (including details of project-specific methods and procedures).
- Applicable environmental & social legal requirements and other compliance obligations (such as those required by lenders);
- Environmental & Social aspects and potential impacts, as early as possible for construction, commissioning and operation phase planning, including the incorporation of environmental and social considerations into staffing requirements, process plans, programming, work orders, required authorisations, and site layout;
- Environmental & Social professionals, who have the experience, competence, and training necessary to assess and manage environmental impacts and risks, and carry out specialised environmental & social management functions including the preparation of Project or activity specific plans and procedures that incorporate the technical requirements presented in this document;
- Prioritisation of management programmes/ strategies with the objective of achieving an overall reduction of risk to human wellbeing and the environment, focusing on the prevention of irreversible and / or significant impacts;
- Favouring strategies (where possible) that eliminate the cause of the impact at its source, for example, by selecting less hazardous materials or processes that avoid the need for environmental controls;
- When impact avoidance is not feasible, incorporating controls to reduce or minimise the possibility and/or magnitude of undesired consequences, for example, with the application of pollution controls to reduce the levels of emitted contaminants;
- Preparing workers, informing and co-operating with nearby communities and relevant stakeholders to respond to emergencies, accidents, including providing technical and financial resources to effectively and safely control such events, and restoring workplace and community environments;

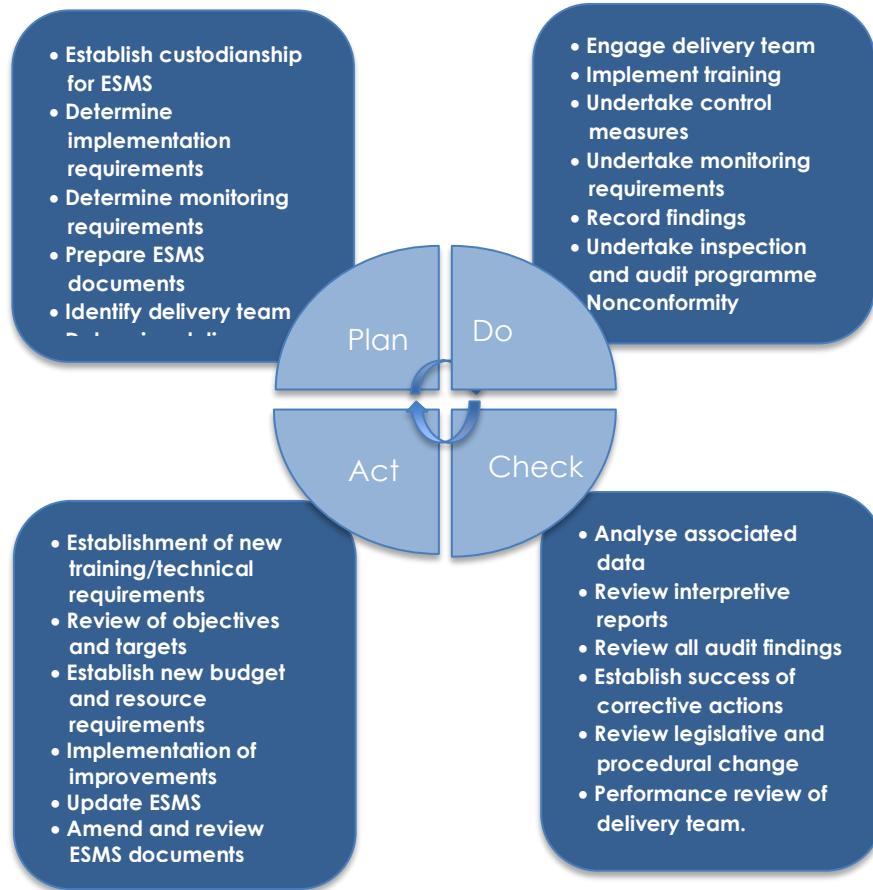
- Improving environmental performance (i.e. for continual improvement) through a combination of ongoing monitoring of facility performance and effective accountability; and
- Monitoring and reporting including both in-house and third-party independent audits for the Regulators and Lenders, as applicable.

Initial implementation of the ESMS will focus on setting and reviewing requirements, determining custodianship within the project team, identifying budgets, establishing target ranges for performance and establishing appropriate data gathering techniques and controls.

Performance ranges will be refined on a regular basis as more data becomes available, in turn enabling more accurate strategy development and benchmarking. As such, the ESMS documents will be treated as living documents, to be updated within a continuous process of improvement.

An outline implementation process for ESMS is illustrated in the figure below.

Figure 3-1 Implementation Process



3.1 ESMS Scope

The Project will develop and implement ESMSs for the respective construction and operational phases. The scope will need to include:

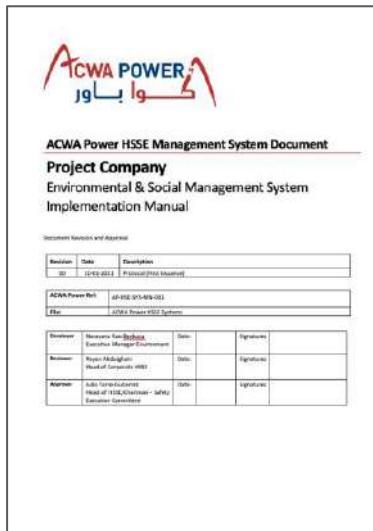
- Physical elements of the project to set the boundaries of the ESMS scope (i.e. this will include the projects physical footprint and applicable Associated Facilities);
- Project related activities being undertaken (and relevant to that phase of the project e.g. for construction, commissioning, operation, decommissioning and if necessary, post closure);
- Compliance with applicable national regulation, lender requirements and loan covenants (including from the ESAP);
- Detailed mitigation and management measures required following construction, commissioning and operational impacts identified from the ESIA;
- Roles and responsibilities for appropriate management organisational units;
- Key risks and management requirements related to primary supply chains (which can reasonably be managed); and;
- Requirements for monitoring and reporting, including measures for inspection, audit, review and preventative action.

3.2 Project Company E&S Management Structures

3.2.1 Project Company E&S Policy

ACWA Power has a template E&S Policy structure for Project Companies to ensure consistent policy development across its assets. Please refer to the 'E&S Policy' chapter below for further details.

3.2.2 Project Company: ESMS Implementation Manual



Besides the aforementioned E & S Policy template, the Project Company will align its E&S management with the 'Project Company - Environmental and Social Management System: Implementation Manual. This manual is a corporate document issued to all Project Companies.

The purpose of the document is to provide guidelines to ensure that key elements related to Environmental & Social management are implemented consistently by established ACWA Power Project Companies at the projects that are under ACWA Power ownership or partnership.

3.3 Development of Construction Phase ESMS

As the overall accountable party for E&S compliance and management, the Project Company will develop and implement the project specific E&S Policy. However, the main construction phase ESMS will be developed and implemented by the Engineering, Procurement and Construction (EPC) Contractor. This will be contractually captured in the EPC Contract.

The construction phase ESMS will align with the Project Company's E&S Policy requirements, this E&S Management Framework and the ACWA Power: Project Company's ESMS Implementation Manual.

The EPC Contractor's ESMS will ensure coverage of all potential environmental and social risks, impacts, opportunities and related compliance associated that fall under the scope of the Project's construction phase (including potential impacts related to sub-contractors and key E&S risks in supply chains that can be influenced). This will include commissioning activities and post-construction activities such as site demobilisation, restoration of land used during construction etc.

3.4 Development of Operational Phase ESMS

The operational phase ESMS will be developed and implemented by the O&M Company and will align with the E&S Policy established by the Project Company. This will be contractually captured on in the O&M Contract.

The O&M Company's ESMS will ensure coverage of all potential environmental and social risks, impacts, opportunities and related compliance associated that fall under the scope of the

Project's operational phase (including potential impacts related to sub-contractors and/or other suppliers that can be influenced).

4 E&S POLICY

The Project will need to develop clear statements that define policy, commitments and related objectives with regard to environmental and social issues/compliance and management which are project specific.

4.1 Project Company E&S Policy

ACWA Power has a template E&S Policy structure for Project Companies to ensure consistent policy development across its assets. It is designed to align with the overarching ACWA Power corporate level policies, whilst ensuring that national and lender requirements are captured.

The Project Company's E&S Policy will be prepared based on this template, which includes commitments to:

- Comply with relevant environmental & social legal, contractual, financing requirements and obligations. Including applicable international treaties and protocols, national legislation, permitting conditions and our lenders requirements.
- Implement a risk-based Environmental & Social Management System (ESMS) that aligns with good international practices and conforms with the IFC Performance Standards (as a minimum) the Equator Principles (if EPFI's are mandated) and other applicable lender requirements for ESMS.
- Implement measures to manage and reduce natural resource consumption, whilst implementing specified management measures to prevent pollution that are consistent with assessment documentation, permitting and lender conditions.
- Engage with employees and stakeholders on environmental & social issues and implement a robust Grievance Redress Mechanism process for project staff and third-party stakeholders.
- Uphold, respect, protect and fulfil human rights in accordance with the International Bill of Human Rights and any other instruments of international human rights such as those relating to the rights of women and children.
- Employ staff on the basis of equal opportunities and non-discrimination, whilst adhering to the ILO Conventions stated in IFC PS2 for worker management.
- Ensure staff receive environmental & social information, training and instructions on environmental & social leadership applicable to their activities and duties.
- Not accept or tolerate GBVH/SEA/SH in any form.
- Establish processes to identify, investigate and remedy instances of GBVH/SEA/SH. whilst encouraging reporting of such instances, providing support to those involved and ensuring their dignity, respect and confidentiality.

- Set indicators to promote and assure environmental & social performance of key supply chains and service providers.
- Implement systematic feedback systems to monitor, audit and report on environmental & social management and performance.
- Annually review this environmental & social policy statement and set performance and management targets to enable continual improvement within the ESMS to be achieved.

The policy will be signed by the top management of the project company, displayed on site and will be circulated to Project contractors for their compliance.

4.2 Contracted Parties: E&S Policies

The EPC Contractor and O&M Company will also develop E&S Policies that align with the Project Company's overarching project specific E&S policy.

Where an E&S Policy is not developed by the Project's contracted parties, the respective construction and operational phase ESMSs (developed by the contracted parties) will be spearheaded on the overarching E&S Policy of the Project Company.

5 IDENTIFICATION OF LEGAL AND COMPLIANCE OBLIGATIONS

5.1 Identification of Legal Requirements

During the development of the ESMS, the applicable environmental and social legal requirements will be identified and documented, including, but not limited to the following:

LAWS

- Presidential Decree Concerning the Enforcement of the "Environmental Protection" Law (14th July 2018);
- Law of the Republic of Azerbaijan "On Public Participation";
- Presidential Decree No. 796 on approval of the rules regarding negative impacts of noise pollution on the environment and well-being of the population.
- Law of the Azerbaijan Republic on Specially Protected Natural Territories and Objects No. 840-IQ;
- Law No. 109-IIQ on Protecting the Atmosphere;
- Law on Automobile Roads (Protection of the environment during the construction or reconstruction of roads, official approvals from MENR);
- SNIP 2.05.02-85 Building Code and Regulations for Automobile Roads, Environmental Protection (topsoil management, protection of local community, noise reduction, disposal of inert waste, etc);
- Ministerial Decree No. 266 on approval of the rules regarding protection, restoration and use of cultural heritage;
- Law No. 470-IG on protection of the monuments of history and culture;
- Law No. 840-IQ on protected areas;
- Law of the Republic of Azerbaijan on Specially Protected Natural Areas and Objects;
- Water Code (Protection of water resources);
- Sanitary-epidemiological services;
- Protection of Public Heritage;
 - Water Code of Azerbaijan Republic (approved by Law No. 418-IQ);
 - Presidential Decree regarding enactment of the Law of the Azerbaijan Republic on water economy of municipalities;
- Law on water economy of municipalities

- Law on Public Radiation Safety No 432-IQ (if any radiation source would be used for non-destructive test);
- Law of the Republic of Azerbaijan on Atmospheric Air Protection;
- On accession of the Republic of Azerbaijan to the United Nations Basel Convention on the Control of Transboundary Movements and Disposal of Hazardous Wastes;
- Law of the Republic of Azerbaijan on Fauna;
- Law of the Republic of Azerbaijan on Hydrometeorological Activity;
- Law of the Republic of Azerbaijan on Specially Protected Natural Areas and Objects;
- Law of the Republic of Azerbaijan on Industrial and Domestic Waste;
- About protection of greenery;
- Law of the Republic of Azerbaijan on Approval of the Land Code of the Republic of Azerbaijan;
- Law of the Republic of Azerbaijan on obtaining information on the environment;
- Law of the Republic of Azerbaijan an Addition to the Law of the Republic of Azerbaijan "On Specially Protected Natural Areas and Objects";
- Law of the Republic of Azerbaijan on accession to the Stockholm Convention on Persistent Organic Pollutants;
- Law of the Republic of Azerbaijan on Environmental Security;
- Law of the Republic of Azerbaijan on Environmental Protection;
- Law of the Republic of Azerbaijan on accession to the European Convention for the Protection of Wildlife and the Natural Environment of Europe <http://e-qanun.az/framework/2986>;
- Concerning the accession of the Republic of Azerbaijan to the UN Convention on Access to Information, Public Participation in Decision-Making and Open Conduct of Justice in Environmental Issues;
- Law of the Republic of Azerbaijan on Accession to the Kyoto Protocol to the United Nations Framework Convention on Climate Change.
 - Law of Azerbaijan Republic on Industrial and Domestic Waste No. 514-IQ of 1998;
 - Ministerial Decree on Approval of Rules for Hazardous Waste Permit No. 41 of 2003.;
 - Ministerial Decree on Responsibilities of Waste Collection, Waste Utilization And Waste Disposal of No. 185 of 2008.;
 - Ministerial Decree on Approval of Rules on Inventory of Wastes Arising from Production Process No. 13 of 2008.;
 - Ministerial Decree on Approval of Rules for Storage of Hazardous Wastes No. 228 of 2016; and

- Law of the Azerbaijan Republic on Water Supply and Wastewater No. 723-1Q of 1999.

DECREES

- Law on Mandatory Environmental Insurance No 271;
- Decree on additional measures in the field of protection of greenery and ensuring safety in landslide zones during construction activities;
- Decree of the President of the Republic of Azerbaijan on some decrees of the President of the Republic of Azerbaijan related to land;
- Decree of the President of the Republic of Azerbaijan on the application of the Law of the Republic of Azerbaijan "On Environmental Protection";
- Decree of the President of the Republic of Azerbaijan on ensuring the implementation of the Law of the Republic of Azerbaijan "On Specially Protected Natural Areas and Objects"; and
- Decree of the President of the Republic of Azerbaijan on the application of the Law of the Republic of Azerbaijan "On obtaining information on the environment".

LABOUR & EMPLOYMENT AND LAND ACQUISITION

- Constitution of the Republic of Azerbaijan;
- Labour Code of the Republic of Azerbaijan, February 1999.
- Relevant laws of the Republic of Azerbaijan;
- The normative and legal acts adopted by relevant Executive Authorities within the scope of their authority;
- International treaties signed or supported by the Republic of Azerbaijan with respect to Labour and socioeconomic issues.
- In accordance with Article 35 of the Constitution of the Republic of Azerbaijan, Labour is the basis of individual and public welfare. The Constitution stipulates that every person has the right to freely choose an activity, profession, occupation and place of work on the basis of his skills and abilities.
 - Law on "Land Lease" (11 December 1998, № 587-IQ);
 - Decree of the President on additional activities regarding to implementation of the Law on "Acquisition of Lands for State Needs" (15 February 2011);
 - Decree of the President on ensuring the execution of the law No. 506-3 QD dated 7 December 2007 on –Amendments and Additions to the Civil Code of the Azerbaijan Republic (26 December 2007);
 - Resolution of the Cabinet of Ministers on approving of guidelines for preparation of Resettlement Plan and Resettlement Guideline No. 45 dated 24 February 2012;

- Resolution of the Cabinet of Ministers on approving the guidelines for selection of a person or entity to prepare Resettlement Plan or Resettlement Guideline No. 55 (21 April 2011);
- Resolution of the Cabinet of Ministers No. 110 (28 June 1999);
- Resolution of the Cabinet of Ministers No. 42 On Some Normative and Legal Acts Relating to the Land Code (15 March 2000);
- Law of Azerbaijan Republic on Municipality Area and Lands (07 December 1999, No: 771-IQ); and
- Law on Management of Municipality Lands (29 June 2001, No: 160-IIQ).

The environmental conventions and protocols ratified by the Milli Majlis of the Republic of Azerbaijan are listed in the Table below (Environmental Conventions and Protocols ratified by the Milli Majlis of the Republic of Azerbaijan, 2020). The Project must comply with the environmental and social requirements of the below protocols and conventions.

The Project legal Register will be reviewed and updated annually to ensure that any new regulations or standards are incorporated into the CESMP/OESMP accordingly.

Table 5-1 Environmental & Human Right Treaties, Conventions and Protocols (Treaty Body Database, 2020).

NAME OF CONVENTION/ PROTOCOL	SIGNED/ RATIFIED
Environmental	
UNESCO Convention on Water Residents of International Significance, Mainly as Water Birds (Ramsar, February 2, 1971)	-
Convention on International Trade Wildlife and Wildlife Species Threatening Roots CITES	
Vienna Convention for the Protection of Ozone Layer	1985
European Convention on the Protection of the Archaeological Heritage	1992
Convention of the World Meteorological Organisation – Conclusion on International Civil Aviation Avimeteorological Supply Section 2 14.1	3 October 1993
Convention on the Protection of World Culture and Natural Heritage, November 16, 1972	6 December 1993
United Nations Convention for Combat Desertification	1994
Convention on Assessment of Environmental Effects in the Trans Border Context (Espo, February 25, 1991)	01.02.1999
European Convention on the Protection of Wildlife and Natural Environment of Europe (Bern, September 19, 1979)	01.02.1999
Convention on Assessment of Environmental Impact in the Border Context	01.02.1999
"Environmental issues related to data acquisition, Public Participation and Justice in Court Decision on Hold on" the UN Convention (Aarhus city, June 25, 1998)	09.11.1999
UN Framework Convention on Climate Change (Kyoto Protocol, 1992)	18.07.2000
Montreal Protocol on Ozone Destruction Materials (September 15-17, 1997)	18.07.2000

NAME OF CONVENTION/ PROTOCOL	SIGNED/ RATIFIED
Convention on Biological Diversity (June 5, 1992), Convention on Biological Diversity on Biotechnic 23 PROTOCOLES 23.0355A.	-
International Convention on Plant Protection (Rome, 1951)	14.03.2000
United Nations Convention on the Protection and Use of Border Water Flows and International Lakes, March 22, 1992 (Helsinki 22, 2009)	-
	-
United Nation on Control Over Border Transportation and Disposal of Dangerous Waste March 22, 1989 Basel Case (April 22, 1989)	-
Convention on Large Distance Air Transfer Border Pollution (Geneva, 13 November 1979)	09.04.2002
Stockholm Convention on Continuous Organic Polluters (May 22, 2001)	09.12.2003
Convention on the Border Effects of Industrial Accidents (Helsinki, March 17, 1992)	04.05.2004
Framework Convention on the Protection of the Caspian SEA Environment (Tehran, November 4, 2003)	04.04.2006
“European Landscape Convention (Florence, October 2000)	24.06.2011
Human Rights	
International Covenant on Civil and Political Rights	13 August 1992
Convention on the Rights of the Child	13 August 1992
International Covenant on Economic, Social and Cultural Rights	13 August 1992
Convention on the Elimination of All Forms of Discrimination against Women	10 July 1995
Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	16 August 1996
International Convention on the Elimination of All Forms of Racial Discrimination	16 August 1996
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	11 January 1999
Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty	22 January 1999
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	3 July 2002
Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography	3 July 2002
Convention for the Protection of All Persons from Enforced Disappearance	6 February 2007
Convention on the Rights of Persons with Disabilities	28 January 2009
Optional Protocol of the Convention against Torture	28 January 2009

5.2 Identification of ESIA Requirements

Volume 2 of the ESIA has developed Project and/or site-specific mitigation, management & monitoring measures that must be incorporated into the respective construction, commissioning and operational phase of the project.

Following approval of the ESIA by the regulatory authority and project lenders, these stated measures are conditions of the approval.

5.3 Identification of Requirements from the Statutory Authority

The environmental approval issued by MENR and Ministry of Culture and Tourism to the Project must be reviewed to ensure that all construction, commissioning and operational related conditions established are managed accordingly. Non-compliance with MENR and Ministry of Culture and Tourism permit and approval conditions may result in a breach of legislation and permitting requirements. The environmental approval shall be maintained as part of the ESMS.

5.4 Identification of Requirements from the Project Lenders

In response to the ESIA, the Financial Institutions providing finance to the project will establish an Action Plan that identifies Environmental and Social requirements for the project commensurate with or supplementary to the ESIA. This is commonly known as the Environmental & Social Action Plan (ESAP), or may also relate to an Equator Principles Action Plan (EPAP). Requirements of the action plan will be a covenant of the Project loan.

During the development of the ESMS', the lenders action plan for the Project must be reviewed to ensure that all related conditions are included for compliance management. It is highlighted that non-compliance with the lenders' requirements could impact financial disbursement and other factors.

6 IDENTIFICATION OF RISKS, IMPACTS & OPPORTUNITIES

One of the principal stages in the development of the Project's ESMS will be the development of a Project specific aspects/risks register linking to potential environmental or social impacts associated with the relevant activities being undertaken at that phase of the project.

Once environmental & social aspects and associated risks have been identified and documented (i.e. specifically in accordance with the required construction methods statements or operational activities), associated controls should be developed that are commensurate to the level of anticipated severity, likelihood and any statutory or lender requirements. The identification of risks and impacts is expected to be primarily aligned with the items identified in the ESIA, but may include additional items relates to specific working methods.

When identifying the aspects/risks and associated environmental or social impacts the following will be taken into account:

- Risks, impacts and opportunities linked to the Project activities;
- Change, including planned or new development and or new/modified activities;
- Abnormal conditions and reasonably foreseeable emergency situations;
- Project timescales and potential impacts associated with seasonality;
- Stakeholder perception;
- Compliance obligations;
- Risks inherent in the supply chain in addition to those on-site; and
- Linkages with the Project's Health and Safety Management System.

The identification of aspects/risks and impacts should be documented, linked to associated proposed controls and updated as and when Project or environmental & social circumstances change.

7 E&S MANAGEMENT PLANS & PROCEDURES

Once environmental & social aspects and associated risks have been identified and documented, associated controls will be developed that are commensurate to the level of anticipated severity, likelihood and any statutory or lender requirements. The identification of risks and impacts is expected to be primarily aligned with the items identified in the EIA/ESIA but may differ depending on specific working methods of the EPC Contactor / O&M Company.

7.1 Contractual Obligations

Project primary suppliers to provide contractual obligation to provide safe and healthy working conditions for workers and comply with national human rights and labour laws, including prohibition of child and forced labour.

7.2 E&S Management Plans (CESMP and OESMP)

The key E&S management plans will be the CESMP and OESMP; respective to construction and operations.

The CEMSP and OESMP will comprise a stand-alone document structured to detail how environmental and social risks, impacts, opportunities and compliance will be managed and monitored. This shall be the top-level management plan document prepared by the EPC Contractor and O&M Company respectively.

The typical content of a CESMP/OESMP has been outlined below. This is not mandatory to be structured in this manner, but it is expected that the headings and sub-headings as a minimum are captured within the respective CESMP/OESMPs.

- INTRODUCTION
 - Background of Environmental Permitting
 - Objectives of the CESMP/OESMP
 - Scope of the CESMP/OESMP
 - Limitations
 - Structure of the CESMP/OESMP
- PROJECT DESCRIPTION
 - Project Rationale and Background
 - Project Location
 - Land Use and Potential Sensitive Receptors
 - o Land Ownership
 - o Land Use

- Sensitive Receptors
- Overview of Project Components
- Overview of Associated Facilities
- Overview of Construction/Operational Works and Workforce Requirements
- Overview of Construction/Operational Facilities
- Project Schedule (for CESMP)
- REGULATORY FRAMEWORK
- Overview of Regulatory Framework and Compliance Obligations
 - o Regional and International Treaties and Conventions (the host country is a signatory of)
 - o Federal Legislation
 - o Lenders Requirements
 - o Environmental Standards
- ENVIRONMENTAL AND SOCIAL MANAGEMENT
- Summary of Environmental and Social Management System (ESMS)
- Reference to E&S Policies
 - o Applicable EPC/O&M Corporate Level E&S Policies
 - o Project Company E&S Policy Level
- Statement of other supporting/complementary Plans and Procedures
- Organisational Structure
 - o Host country regulator
 - o Lenders
 - o Project Company
 - o EPC Contractor/O&M Company
 - o Sub-contractors
- HSE Roles and Responsibilities
- Environmental Awareness and Training
 - o Environmental & Social Induction Training
 - o Toolbox Talk Environmental & Social Training Sessions
 - o CESMP/OESMP Training
- Competency Needs and Records
- Internal and External Communications
 - o Internal Communication
 - o External Communication
 - o Liaison with Regulator
- Inspections and Audits
 - o Daily and Weekly Inspections
 - o Internal Audits
 - o Annual Internal Audits
 - o External Audits
- Non-conformity, Corrections and Corrective Action

- Non-Conformity, Investigation and Response
- Incident Definition, Reporting, Investigation and Response
- Corrections and Corrective Actions
- Control of Records
- MITIGATION, MANAGEMENT AND MONITORING
- Terrestrial Ecology
- Air Quality
- Noise & Vibration
- Soil, Geology, Groundwater and Surface Water
- Traffic & Transportation
- Infrastructure & Utilities
- Archaeological and Cultural Heritage
- Landscape and Visual Amenity
- Shadow Flicker
- Socio-Economic
- Solid Waste & Wastewater Management
- Livelihood Restoration Plan
- Community Health, Safety & Security
- Labour & Working Conditions
- Human Rights Impact Assessment
- Climate Affairs
- MONITORING PROGRAMME SUMMARY
- EMERGENCY PREPAREDNESS AND RESPONSE OVERVIEW
- APPENDICES

7.3 Supporting/Complimentary Plans & Procedures

In alignment with the expected Project impacts (based on ESIA Volume 2), the following table provides a list of plans and procedures that are expected as a minimum to be linked to the CESMP and/or OESMP. This includes some key requirements for inclusion to each plan.

Table 7-1 ESMP Supplementary Management Plans and Procedures

PLAN / PROCEDURE	PROJECT PHASE	PURPOSE AND KEY REQUIREMENTS
Waste Management Plan	Construction, Commissioning & Operation	To identify site specific requirements for waste and wastewater treatment, containment of wastes (segregation, storage area specifications and locations), collection methodologies & transport (identification of licensed contractors and the process to engage), treatment/disposal (identification of licensed treatment and disposal sites), record keeping and reporting requirements related to waste and wastewater. To include

PLAN / PROCEDURE	PROJECT PHASE	PURPOSE AND KEY REQUIREMENTS
		measures to limit instances of contamination to soils and groundwater.
Occupational Health & Safety Management Plan	Construction, Commissioning & Operation	<p>Identify the required controls for worker health and safety during the construction, commissioning and operational phases. As a minimum, this plan shall include:</p> <ul style="list-style-type: none"> Means of identifying and minimising, so far as reasonably practicable, the causes of potential hazards to workers. Provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances. <small>[SEP]</small> Provision of appropriate equipment to minimise risks, and requiring and enforcing its use. <small>[SEP]</small> Training of workers, and provision of appropriate incentives for them to use and comply with health and safety procedures and protective equipment. <small>[SEP]</small> Documentation and reporting of occupational accidents, diseases and incidents. <small>[SEP]</small> Emergency prevention, preparedness and response arrangements.
Erosion and Sediment Control Plan	Construction & Commissioning	EPC will provide an Erosion and Sediment Control Plan to establish the management control to prevent sediment runoff and flooding prior to clearance of site.
Emergency Preparedness and Response Plan & Spill Response and Contingency	Construction, Commissioning & Operation	<p>To identify the contingencies put in place for a variety of potential emergency situations relevant to the construction, commissioning & operational phases. The plans should outline the response mechanisms, roles and responsibilities, training requirements, internal communication, equipment and relevant engagement with external stakeholders.</p> <p>Requirements for on-site equipment shall be established based upon the potential emergency risks, including training provisions for site personnel in regard to such equipment. This plan is to include spill response and contingency in the event of accidental leaks and spills.</p>
Environmental and Social Monitoring Plan	Construction, Commissioning & Operation	<p>Monitoring is required to demonstrate compliance with national environmental standards and lender requirements. The monitoring plan is to specify monitoring requirements for all ESIA parameters (as specified in ESIA Volume 2 – as a minimum). The plan will therefore need to include:</p> <ul style="list-style-type: none"> What parameters need to be monitored and measured and at what locations. The methods for monitoring measurement, analysis and evaluation to ensure valid results. The criteria against which compliance and performance should be measured. When and at what frequency monitoring needs to be performed. <p>How the results from monitoring and measurement should be analysed and evaluated (independent or internal).</p>

PLAN / PROCEDURE	PROJECT PHASE	PURPOSE AND KEY REQUIREMENTS
Biodiversity Action Plan / Species Action Plan	Construction, Operation, & Decommissioning	<p>BAP to include: Preparation of Biodiversity Action Plan, inclusive of:</p> <ul style="list-style-type: none"> Species Action Plans, individualized approaches for species of concern i.e. Steppe Eagle, Goitered Gazelle, etc Flora Conservation Action Plan Reptile Relocation Plan Breeding Birds Protection Plan <p>The requirements of the plans shall include details on the methodology and monitoring to be followed for all related mitigation measures. These plans will be prepared to clearly outline requirements that will be in place for construction, operation and decommissioning works, to protect species of conservation concern. The plans will include:</p> <ul style="list-style-type: none"> Overview of the species of concern List of protocols and procedures to be taken related to biodiversity protection Establishment of No-Go Zones Trainings for Staff to increase awareness of prohibited actions related to biodiversity Monitoring Program <p>Reporting Requirements</p>
Restoration Action Plan	Post-construction	<p>The purpose of the plan is to provide the methodology for post-construction restoration of laydown and other areas for re-wilding and restoration of native habitat types.</p> <p>The requirements will include the areas to be restored as well as the required monitoring post-restoration, to be integrated into the Operations BMEP.</p>
Compensation Offset Plan	Post-construction	<p>The purpose of the plan is to outline in detail the compensation offsets against all identified impacts of high significance, which may include research funding, habitat restoration, powerline adaptation, and other measures as per ESIA.</p>
Collision Risk Management Plan	Pre-operation and Operation	<p>Adaptive mitigation measures for turbine collisions. This will include seasonal observer-led shut down and radar-based shutdown programs.</p> <p>This plan will outline the Cut-in Curtailment Programme for bats. Three years of monitoring to be done to capture data on acoustic activity, mortalities and provide adaptive management cut-in curtailment measures as needed.</p>
Post-construction Fatality Monitoring (PCFM)	Operation	<p>Three years of monitoring to be done to capture data on mortalities and provide adaptive management if needed.</p> <p>This plan will outline the on-going monitoring and management plan for bird mortality along the WTGs and overhead transmission lines. It will include as a minimum:</p> <ul style="list-style-type: none"> Methodology for monitoring bird mortality along OHTL corridor; Thresholds for sightings/mortality counts that will trigger adaptive management and/or compensatory measures Monitoring program Reporting requirements.

PLAN / PROCEDURE	PROJECT PHASE	PURPOSE AND KEY REQUIREMENTS
Environmental & Social Training Plan	Construction, Commissioning & Operation	To identify specific staff members for training and the type (i.e. classroom, practical, toolbox talks) how/when this is to be delivered, the frequency of training and whether follow up training provisions are required. The training should be linked to the specific content of the listed plans and procedures, or key risk activities that may be identified from on-site method statements.
Shipment Plan	Construction	A Shipment Plan will be conducted before shipping the Project related components. The plan must consider the number, types and schedule of shipments to ensure they are spread over the course work days which also take into account peak and non-peak operating hours of the Port
Overall Traffic Management Plan	Construction	An overall Traffic Management Plan and coordination between all projects (Area 1, Khizi 3 and OHTL) will be undertaken to avoid pressure and traffic congestion on common roads as part of the transportation route. This will be undertaken in coordination with the relevant authorities
Traffic Management Plan	Construction, Commissioning & Operation	The plan will identify any specific requirements for heavy, or oversize loads, including timings of deliveries, specific routes (to minimise disruption), engagement mechanisms with external transport authorities (as per the SEP, e.g. local government). To include measures to minimise congestion, fuel use and risks to the public and site staff. Deliveries will be guided by a Traffic Management Plan.
Human Resources Policy (and related Procedures)	Construction, Commissioning & Operation	<p>Human resource policies and procedures will be adapted appropriate to the size of the workforce required for operation and maintenance requirements. Policies and procedures must be prepared to demonstrate consistency with the requirements of national legislation and lenders requirements. Procedure to ensure that all workers are above the minimum legal age of employment at the time of hiring. This will include the verification of official personal registration documents i.e., national ID, passport etc.</p> <p>HR policy and procedures will be adapted appropriately to the size of the workforce required for the Project. Policies and procedures must be prepared to demonstrate consistency with the requirements of national legislation and IFC PS 2 2 and include a code of conduct on GBVH/SEA/SH and workers interaction with local communities. Provisions regarding protection of migrant workers' rights to be included in HR Policy and related procedures.</p> <p>Human right's policy in line with the UN Guiding Principles on Business and Human Rights.</p>
GBVH Policy	Construction, Commissioning & Operation	A Project specific GBVH Policy detailing the list of unacceptable behaviour among workers, provisions for reporting, sanctions for perpetrators and available resources & support systems for the victims will be prepared and implemented in accordance with lenders and Azerbaijan requirements including ACWA Power's Environmental & Social Management System Implementation Manual.

PLAN / PROCEDURE	PROJECT PHASE	PURPOSE AND KEY REQUIREMENTS
Human Right Policy	Construction, Commissioning & Operation	A Project specific Human Right Policy in accordance with lenders and Azerbaijan requirements.
Grievance Mechanism	Construction, Commissioning & Operation	<p>To be included within or be linked to the SEP.</p> <p>To identify the procedure for external parties and all site staff to be able to raise issues, concerns and opportunities for improvement for any aspect of their employment on the project including issues relating to GBV/H and sexual exploitation.</p> <p>The mechanism shall be easily accessible (including for any vulnerable groups), non-discriminatory and provide a transparent process to raise concerns or complaints, which may be issued in an anonymous nature. The mechanism shall specify the roles and responsibilities of internal staff with regard to the grievance mechanism and the procedure for responding to received grievances, including the timeline for response, engagement mechanisms and record keeping.</p>
Security Plan	Construction & Operation	The Security Plan should be based on a security risk assessment of the reasonably foreseeable security risks (linked with security risks in the Emergency Preparedness and Response Plan), and tailored with the necessary management provisions, staffing requirements, equipment, training and defined processes to implement effective mitigation to manage or prevent these risks. The security plan should ensure applicable alignment to the necessary codes of conduct required by law enforcement under the United Nations principles for Law Enforcement Officers.
Workers Accommodation Plan	Construction	The EPC Contractor subcontractors will need to develop labour accommodation plans in line with IFC & EBRD Worker Accommodation: Processes and Standards (2009) which will include mechanism for inspections and corrective actions. This will ensure the wellbeing of the staff associated with the project, and to plan for necessary provisions relative to the requirement of the required workforce.
Stakeholder Engagement Plan (SEP)	Construction, Commissioning & Operation	<p>To identify project stakeholders, identify communication protocols for engagement with stakeholders.</p> <p>To identify frequency or event-based communication with stakeholders (i.e. for emergencies and specific grievances).</p> <p>To detail the grievance mechanism, or provide a reference to a separate grievance mechanism for external parties.</p>
Influx Management Plan	Construction	The EPC Contractor will develop a Worker Influx Management Plan to provide a clear set of actions that will be undertaken for the management and mitigation, monitoring and evaluation of impacts related to worker influx in the Project area.
Cultural Management Plan	Construction and Operation	The plan to include the mitigation measures based on this ESIA in order to reduce and mitigate any adverse impacts on the cultural heritage, along with the implementation schedule and required budget.

PLAN / PROCEDURE	PROJECT PHASE	PURPOSE AND KEY REQUIREMENTS
Chance Find Procedure	Construction	To identify the process for identifying and responding to a potential find of archaeology in the construction working area. It will include the process for halting works in that area, sectioning off potential artefact and external communication with relevant regional authorities as consistent with SEP.
Water Management Plan	Construction and Operation	<p>A Water Management Plan should be implemented to include the following:</p> <ul style="list-style-type: none"> • Installing smart water management systems (faucets with sensors, water meters, leakage detection systems etc.); • Monitoring water consumption; • Conducting regular maintenance of faucets, plumbing, water tanks etc; and • Raising awareness on water conservation among workers.
SEA & SH Prevention and Response Action Plan	Construction and Operation	The plan to include necessary protocols and mechanisms to address the risks of SEA/SH and how to address any allegations that may arise in accordance with the World Bank Good Practice Note on Addressing SEA/SH in Investment Project Financing involving Major Civil Works.
Working Conditions and Terms of Employment Procedure	Construction, and Operation	<p>The EPC Contractor and O&M Company will provide a plan detailing how working conditions and terms of employment are compliant with national labour, social security and occupational health and safety laws.</p> <p>The EPC Contractor and O&M Company shall ensure that the following documents are prepared prior to the employment of workers.</p> <ul style="list-style-type: none"> • Employment agreements and recruitment policies; • Considerations for employment of local females including considerations of methods to reduce barriers to working (e.g. transportation to site, provision of female facilities etc.). Also, to provide training and upskilling for women and provide employment opportunities; and • Equal opportunities and non-discrimination policy (incorporating maternity policies and policies associated with GBVH). <p>Child and forced labour policies / procedures (covering recruitment fees and arrangements, as well as document (e.g. passport) retention).</p>
Retrenchment Plan	Construction, and Operation	If collective dismissals are expected, the applicable Project party will develop a plan to mitigate the adverse impacts of retrenchment, in line with national law and good industry practice and based on the principles of non-discrimination and consultation. Without prejudice to more stringent provisions in national law, such consultation will involve reasonable notice of employment changes to the workers' representatives and, where appropriate, relevant public authorities so that the retrenchment plan may be examined jointly in order to mitigate adverse

PLAN / PROCEDURE	PROJECT PHASE	PURPOSE AND KEY REQUIREMENTS
		effects of job losses on the workers concerned. The outcome of the consultations will be reflected in the final Retrenchment Plan.
Livelihood Restoration Framework	Construction, Commissioning & Operation	Pending outcome of consultations and herders survey.
Community Action Plan	Construction & Operation	This plan shall define the site action to support community stakeholders in planning, responding and recovering from the COVID-19 outbreak especially when outbreaks are potentially linked to the Project workers.
De-commissioning Plan	De-commissioning	Decommissioning Plan will be developed 12 months prior to decommissioning, and this will include detailed methods for material re-use, recycling and disposal of wastes.
Environmental and Social Monitoring Plan	Construction, Commissioning & Operation	<p>Monitoring is required to demonstrate compliance with national environmental standards and lender requirements. The monitoring plan is to specify monitoring requirements for all ESIA parameters (as specified in ESIA Volume 2 – as a minimum). The plan will therefore need to include:</p> <ul style="list-style-type: none"> • What parameters need to be monitored and measured and at what locations. • The methods for monitoring measurement, analysis and evaluation to ensure valid results. • The criteria against which compliance and performance should be measured. • When and at what frequency monitoring needs to be performed. <p>How the results from monitoring and measurement should be analysed and evaluated (independent or internal).</p>
Supply Chain Management Plan (based on outcome of risk assessment)	Before the start of Construction	<p>Project Company will develop and implement a Supply Chain Management Plan (SCMP) and will cover the following:</p> <ul style="list-style-type: none"> • A responsible sourcing policy; a supplier selection criteria and procedure • Procedure to ensure traceability and requirements for relevant certifications from wind turbine suppliers • A register of primary main suppliers • Procedure to ensure core suppliers adopt self-declarations and codes of conduct regarding prohibition of any forms of forced and child labour in their operations prior to any engagement with them. • Dis-engagement clauses to be added to the agreements with suppliers in case of material non-compliance with key provisions listed in the responsible supplier policy. • Monitoring procedure to ensure ongoing compliance with Project requirements, including definition of the frequency of monitoring and issues to be monitored, focusing on age of workers and presence of forced labour etc. <p>The SCMP to align with ACWA Power corporate policy and system on Supply Chain.</p>

PLAN / PROCEDURE	PROJECT PHASE	PURPOSE AND KEY REQUIREMENTS
E&S Supplier and Vendor Management Plan (based on outcome of risk assessment)	Before the start of construction	ACWA Power/ Project Company will develop an E&S Supplier and Vendor Management Plan for suppliers and contractually require the EPC Contractors to undertake supplier/vendor E&S risk assessment for their suppliers and review potential supplier/vendor labour issues and risks.
Biodiversity Monitoring & Evaluation Programme (BMEP)	Pre-construction, Construction, Commissioning & Operation	A stand-alone Biodiversity Monitoring & Evaluation Programme (BMEP) will capture the monitoring and adaptive evaluation requirements related to biodiversity management targets.

7.3.1 Other Recommended Plans and Procedures

Besides the required ESIA plans and procedures stated above, the following plans and procedures are also recommended for development and implementation as part of the ESMS.

Table 7-2 Recommended Plans and Procedures

PLAN / PROCEDURE	PROJECT PHASE	PURPOSE AND KEY REQUIREMENTS
Hazardous Material Storage Plan	Construction, Commissioning & Operation	Should identify locations for hazardous material storage, storage requirements (specifications of bunds and buildings/warehouses to ensure environmental and H&S protection, segregation requirements etc.) and handling procedures to minimise environmental risk. The plan shall outline record keeping as per chain of custodians, requirements for MSDS and roles & responsibilities. Staff involved in chemical management, procurement or overseeing on-site deliveries shall be specified in the plan and provided with training for the provisions of this plan (all training to be linked to the training plan).
Human Rights Policy	Construction, Commissioning & Operation	<p>The statement policy will:</p> <ul style="list-style-type: none"> • Be approved at the most senior level of the company; • Informed by relevant internal and external expertise; • Stipulate the EPC's & O&M's human rights expectations of personnel, local communities, sub-contractors and other suppliers directly linked to the construction and operational phase of the project; • Be publicly available and communicated internally and to the relevant stakeholders; <p>Be reflected in the other policies and procedures to embed it throughout their construction and operational phase activities.</p>
Pollution Prevention and Response Plan	Construction, Commissioning & Operation	<p>Identify site specific requirements for the prevention of pollution and how to manage pollution incidents. To include the identification of high-risk areas on a plan and the location of spill kits (and contents of spill kits).</p> <p>To identify required contact details in the event of an incident and contractors that are available on a quick</p>

PLAN / PROCEDURE	PROJECT PHASE	PURPOSE AND KEY REQUIREMENTS
		response contract to assist with clean up. Where necessary this should link with the SEP for any external communications. To identify staff that require training in regard to the plan. The plan should include provisions for recording of any incidents in a separate register, to ensure close out and implementation of corrective and preventative actions.
Site Inspection & Audit Plan & Procedure	Construction & Operation	<p>To specify the timing and frequency of inspections (e.g. daily, weekly walkovers) and audits (including internal & external independent audits for the lenders as appropriate).</p> <p>To detail the methodology of such inspections and audits to ensure Environmental and Social Issues required in Azerbaijan and required by project lenders are adequately covered.</p> <p>For internal audits, the procedure should identify the audit scope (site, laydown areas, accommodation areas, subcontractor areas etc.), audit criteria (e.g. CESMP, OESMP, ESMS), selection process for audit evidence, reporting format and auditor competence requirements.</p> <p>The Procedure should specify definitions of non-conformance, observations and best practices, as well as detailing the mechanisms for issuance and follow up of Non-Conformance reports, including time periods for action and the implementation of corrective and/or preventative measures.</p> <p>The process to engage with the external independent lenders' auditors should also be listed and linked with the SEP as appropriate.</p>
Material handling and Storage Procedure	Construction, Commissioning & Operation	Should identify locations for material storage, storage requirements and handling procedures to minimise environmental and H&S risks. As appropriate this plan should be linked to or inclusive of the Hazardous Material Storage Plan and H&S Plan. Specific method statements regarding the handling of materials shall be detailed, as well as training requirements for staff involved in such activities.
Fuel & Chemical Unloading Procedure	Construction, Commissioning & Operation	To identify locations for fuel and chemical unloading, associated training requirements and associated pollution attenuation/spill response equipment that are to be in place regarding any unloading of fuel to larger tanks or chemicals to storage areas on-site. This should be linked or inclusive to the pollution prevention plan.
Human Resources Policy (and related Procedures)	Construction, Commissioning & Operation	Human resource policies and procedures will be adapted appropriate to the size of the workforce required for operation and maintenance requirements. Policies and procedures must be prepared to demonstrate consistency with the requirements of national legislation and lenders requirements.

8 MONITORING

Environmental Monitoring is required during both construction, commissioning and operation to evaluate whether the project is in compliance with the applicable national regulations/standards and applicable lender requirements.

8.1 Monitoring Requirements from the ESIA

The specific Environmental & Social Monitoring Plan to be developed for construction, commissioning and operation shall include measures recommended in parameter specific chapters of ESIA Volume 2 and supplemented by detailing:

- What parameters need to be monitored and measured and at what locations;
- The methods for monitoring measurement, analysis and evaluation to ensure valid results including sampling, transit and detection limits using approved laboratories;
- The criteria against which compliance and performance should be measured;
- When and at what frequency monitoring needs to be performed; and
- How the results from monitoring and measurement should be analysed and evaluated (independent or internal).

The outcomes of the monitoring regime should ensure:

- The timing of monitoring and measurement is coordinated with the need for analysis and evaluation of results;
- The results of monitoring and measurement are reliable, reproducible and traceable; and
- Analysis and evaluation are reliable and reproducible and enable the project to report trends.

8.2 Monitoring Data

Monitoring results will be compared against relevant standards, permit requirements, required thresholds, received complaints, audit findings, CESMP and OESMP requirements. The Environmental and Social Management team for the EPC Contractor or O&M Company will need to define appropriate action to follow in the instance that any exceedances in monitoring limits are confirmed or adverse impacts identified, including:

- Communication protocol in the event that an exceedance is identified;
- Internal review process of recently performed maintenance and inspection;
- Review of previous monitoring data to identify any potential associated variations or trends in results;
- Recommendations for quarantine of equipment or change in work practices; and
- Review of monitoring frequency to ensure the issue does not re-occur.

The repetition of measurements is an essential part of monitoring as it detects changes over time and should alert to potentially positive or negative effects of an activity. Adverse effects

should trigger a review of mitigation measures and determination of the likely source of the impact. Should no effect be detected it may demonstrate a lack of effect, success of mitigation measures or the requirement to continue monitoring over a longer period of time.

Data from the monitoring for comparison against baseline and all previous monitoring efforts to identify trends in condition and make inferences on the success of implemented mitigation measures.

9 ORGANISATIONAL CAPACITY

9.1 Roles and Responsibilities

The ESMS' will require competent personnel to ensure effective implementation in practice.

9.1.1 Project Company (Accountable Party)

The Project Company will designate a staff member who will have overall accountability for environmental and social management, compliance and implementation of related Project Company policies.

The Project Company will coordinate with the local authorities to facilitate herders' access to alternative areas for grazing in the vicinity of the Project site in parallel with construction activities. The Project Company will ensure a fund is created to support and compensate the herders who informally use the Project area and are impacted by the Project development given they can validate their use of the Project site.

This is required at the Project Company level, as the project company is the ultimate permit holder and recipient of project finance.

9.1.2 EPC Contractor / O&M Company (Responsible Party)

It is expected that the Project Company will contractually delineate responsibility for environmental & social management and compliance to the EPC Contractor/O&M Company for the respective project phases.

It is therefore expected that the EPC Contractor and O&M Company will specify certain roles and responsibilities for ESMS implementation to Project staff, as recommended below. Also, EPC and O&M to ensure the PC E&S Policy, environmental and social requirements and EBRD PR requirements are adopted by subcontractors, third party and suppliers and its included/referenced as part of the contractual agreements.

9.1.2.1 Management Team

In order to effectively implement the Project ESMS, the Management Team will need to:

- Fully support the implementation of the PC E&S Policy and the internally developed ESMS;
- Ensure that the PC E&S Policy is included/referenced as part of sub-contractor agreements;
- Promote a positive environmental & social culture and good practices by personal example and leadership;

- Review and approve EPC Contractor / O&M Company environmental and social management budgets, resourcing and staffing;
- Ensure resources (human and financial) are allocated appropriately in practice to manage the ESMS;
- Conduct regular site tours that include a specific focus on E&S elements;
- Promote discussion of E&S management at team meetings; and
- Monitor and report on environmental management and performance.

9.1.2.2 Responsibility for Environmental & Social Management

The EPC Contractor and O&M Company will need to delegate responsibility for implementation of the ESMS and wider environmental and social management and compliance to a full-time member(s) of staff at the Project site.

The staff may be the HSE Manager or the Environmental and Safety Manager, a member of the HSSE Team or a specific Environmental & Safety Officer. Regardless of the 'title' of this role, this person will be the primary project contact beneath the Project Company to implement the ESMS and will report to management, who will further report to the Project Company.

A guide for the applicable Environmental & Social responsibilities of this role are listed below:

HSE / E&S MANAGER (OR COMMENSURATE POSITION)

- Fully support the implementation of the PC E&S Policy;
- Prepare, implement and manage the EPC Contractor / O&M Company project specific ESMS;
- Engage with the PC HSE Manager regularly in regard to E&S management;
- Oversee and ensure execution of the environmental and social management programmes by other project parties (such as sub-contractors and key suppliers);
- Review EPC Contractor/ O&M Company personnel, qualifications, competency and environmental performance;
- Monitor the Project to ensure environmental and social compliance (including for sub-contractors and supplier - as per the scope of the ESMS);
- Advise management on matters pertaining to the environmental and/or social elements;
- Investigate environmental and social issues, incidents and non-conformances, implement corrective actions and report those to the management/relevant authorities;
- Maintain applicable environmental and social records as required by the ESMS (e.g. incident registers, NCR reports, corrective action reports, grievance register etc.);

- Ensure monitoring programmes are implemented by qualified personnel and report the results to the Project management for review and as a basis for continuous improvement;
- Display and monitor site bulletin boards to ensure they remain 'live' and 'up-to-date' with relevant environmental & social information;
- Coordinate, plan, formulate and/or deliver environmental and social induction training to all project personnel (including subcontractors) as well as regular toolbox talk environmental training sessions;
- Organise programmes and activities to promote environmentally responsible conduct in the prevention of injury, ill health and environmental impact throughout the workforce;
- Stop any unsafe activity which is not compliant with environmental legislation or lender requirements, and correct such work practice and/or conditions before allowing work to resume/commence;
- Act as point of contact for any sub-contractor with regard to environmental issues;
- Ensure that each sub-contractor is aware, compliant and implementing the requirements of the ESMPs;
- Review subcontractor's personnel, qualifications, competency and environmental performance; and
- Undertake regular internal ESMS audits to assess compliance and implement corrective & preventative actions – audits are to include all sub-contractors at the project.

HSE ENGINEER OR E&S ENGINEER

- Fully support the implementation of the PC E&S Policy;
- Implement and assist management of the EPC Contractor / O&M Company project specific ESMS;
- Work with and engage with the EPC/O&M HSE/E&S Manager regularly in regard to E&S management;
- Actively ensure that environmental and social management programmes by other project parties are being undertaken as per project requirements (such as sub-contractors and key suppliers);
- Monitor the Project to ensure environmental and social compliance (including for sub-contractors and supplier - as per the scope of the ESMS);
- Advise HSE/E&S Manager on matters pertaining to the environmental and/or social elements;
- Actively investigate environmental and social issues, incidents and non-conformances, implement corrective actions;

- Maintain applicable environmental and social records as required by the ESMS (e.g. incident registers, NCR reports, corrective action reports, grievance register etc.);
- Ensure monitoring programmes are undertaken and reported;
- Prepare and monitor site bulletin boards to ensure they remain 'live' and 'up-to-date' with relevant environmental & social information;
- Alongside the HSE/E&S Manager, coordinate, plan, formulate and/or deliver environmental and social induction training to all project personnel (including sub-contractors) as well as regular toolbox talk environmental training sessions;
- Undertake programmes and activities to promote environmentally responsible conduct in the prevention of injury, ill health and environmental impact throughout the workforce;
- Stop any unsafe activity which is not compliant with environmental legislation or lender requirements, and correct such work practice and/or conditions before allowing work to resume/commence;
- Alongside the HSE/E&S Manager, act as point of contact for any sub-contractor with regard to environmental issues;
- Monitor on a daily basis that sub-contractor is aware, compliant and implementing the requirements of the ESMPs;
- Alongside the HSE/E&S Manager, review subcontractor's personnel, qualifications, competency and environmental performance; and
- Alongside the HSE/E&S Manager, undertake regular internal ESMS audits to assess compliance and implement corrective & preventative actions – audits are to include all sub-contractors at the project.

Further to the above, during construction, a full-time Ecologist must be employed with the sole responsibility of managing biodiversity-related management and monitoring plans.

9.2 Environmental & Social Awareness and Training

E&S implementation will not be effective unless the project workforce are aware of their specific responsibilities with regard to environmental protection and social safeguarding. It is therefore necessary for the EPC Contractor/O&M Company to ensure that the workforce are trained appropriately according to the relevant elements of the project ESMS.

Tailored training requirements relevant to elements of works will need to be developed and defined as part of the ESMS in a Training Programme/Matrix (e.g. personnel associated with waste management should require training on relevant components of the waste management plan).

9.2.1 Type of Training Sessions

The EPC Contractor/O&M Company (and as applicable the Sub-contractors) will deliver applicable elements of E&S training within:

- Induction Training
- To the entire workforce, to include key environmental and social components linked to the E&S Policy and developed ESMS; that are applicable to all employees.
- Tool-Box Talks
- Environmental & Social tool-box talk training sessions on regular basis to remind workers of E&S considerations when undertaking normal day-to-day activities; and
- Specific training sessions on ESMS and E&S Management Plans
- To ensure staff are competent to implement the ESMS, or undertake activities that may have inherent E&S risks or potential impacts to receptors. All staff with specific responsibilities and with authority to implement mitigation measures and monitoring/audit commitments should be trained in regard to such plans/procedures.

9.2.2 Planning of Training

In order to record identified training needs, the EPC Contractor/O&M company will develop and maintain a project environmental training matrix (falling under wider HSE training) to identify the training type and frequency required for each staff role.

A training plan/programme will also be prepared to set out the frequency of training requirements.

All training material will be prepared in advance and documented. It will be prepared in English language and applicable local languages or those languages that apply to the engaged workforce. Where necessary translators may be required for specific sessions.

9.2.3 Content of Training Sessions

INDUCTION TRAINING

During project inductions, all project workforce and visitors will receive an element of Environmental and Social induction classroom training, which as a minimum will include an overview of:

- PC E&S Policy;
- Contact details for the EPC Contractor/O&M Company E&S Manager and E&S Engineer;

- Main topics of E&S risk/impact (which will include critical habitat/sensitive species, archaeological buffer zones, waste, hazardous materials, receptors or communities and vulnerable groups including herders);
- Main topics of E&S risk/impact (which may include waste, hazardous materials, protected ecological areas/sensitive species/ archaeological finds, nearby receptors or communities and vulnerable groups);
- Environmental incident response and internal reporting requirements including who shall be contacted in the instance of an incident; and
- Duty of care, highlighting that all staff have a responsibility to carry out their duties in accordance with the PC E&S Policy and related ESMS and to report any and all environmental incidents.

The induction shall make it clear that interference with any wildlife or archaeological remains shall be strictly prohibited. The training session will also highlight the importance of maintaining environmental & social awareness; the seriousness of environmental & social requirements and that compliance is a condition of employment.

TOOLBOX TALK ENVIRONMENTAL & SOCIAL TRAINING SESSIONS

This will be varied depending on the risks, impacts, opportunities and compliance related to specific activities by construction/operational teams, but may include the following (provided as examples):

- Air quality emissions and control measures for vehicles, plant and equipment drivers/operators;
- Dust control and dust mitigation techniques for heavy vehicles' drivers and dust generating equipment operators;
- Erosion and sediment control for operators of earth moving equipment;
- Hazardous materials handling including handling, transportation and storage of hazardous materials as well as maintenance and refuelling of vehicles and machinery;
- Spill prevention and response for personnel involved in the storage of fuel and other hazardous materials;
- Ecologically significant fauna and mitigation measures for all construction personnel;
- Noise control and mitigation measures for vehicles, plant and equipment drivers/operators;
- Traffic control and mitigation techniques for vehicle drivers (e.g. cars, buses, heavy goods vehicles, etc.);
- Waste management and chemicals and hazardous materials management, including transportation and disposal for all construction personnel; and
- Emergency management and incident response for all construction personnel.

SPECIFIC TRAINING SESSIONS ON ESMS AND E&S MANAGEMENT PLANS

Training sessions on the ESMS or specific activities or plans/procedures will need to be tailored and delivered to staff based on their specific content and key considerations:

- Awareness training on traffic safety;
- Emergency Preparedness and Response Plan;
- Grievances;
- All ecological plans and procedures;
- Archaeological Chance Find Procedure;
- Cultural Management Plan;
- SEA & SH Prevention & Response Action Plan; and
- Gender Based Violence & Harassment Policy.
- Code of Conduct; and
- Procedures for shutting down wind turbines before O&M personnel access the site during icing conditions.

9.2.4 Training Records

Further to the training being undertaken the environmental training records will identify as a minimum:

- Description and purpose of training;
- Date and location;
- Trainer and attendees (with attendance signatures); and
- Photos or other documents as attachments to evidence the training.

A consolidated record of training undertaken by all workers will be maintained and will be comparable against the training matrix.

10 AUDIT PROGRAMME

Auditing is an integral requirement of any management system and should be considered as a continual process to ensure the successful implementation of the ESMS.

10.1 Internal Audits

The ESMS will establish, implement and maintain an internal audit programme that identifies the frequency, methods, responsibilities, planning requirements and reporting of audits and inspections.

When establishing an audit and inspection programme, the organisation should consider the potential frequency and significance of environmental and social risks relative to the construction and operational phase and adjust the audit scope and frequency accordingly.

When developing and undertaking audits the following will need to be established:

- Define scope, audit criteria and the objectives of each audit;
- Select audit staff competent in the audit process and subject matter; and
- Ensure that audit results are reported to relevant senior management.
- The audits will be undertaken on a quarterly basis during the construction/commissioning phase and annually during the operational phase.

The audits will be undertaken on a quarterly basis during the construction/commissioning phase and annually during the operational phase.

10.2 ACWA Power Corporate Audits

It is expected that the ACWA Power corporate HSSE team will audit the Project's management system on an annual basis as a minimum.

10.3 Lenders Monitoring and Reporting

Monitoring requirements will be established with the lenders and monitoring reports will be provided and reported to the lenders. These reports are likely to be based upon site visits to evaluate the implementation of both the ESAP (a covenant to the loan), and the suitability & effectiveness of the established ESMS in practice. This is typically undertaken quarterly during the construction phase, but will be stated in the ESAP.

11 NON-CONFORMITY AND CORRECTIVE ACTION

All non-conformances identified during audits, inspections and monitoring activities will be recorded and followed up as non-conformity. Clear processes for actions are stated in the Project Company ESMS Implementation Manual and will be followed.

Non-conformances are instances where Project compliance obligations (such as a legal requirement, or ESMS requirement) are not being fulfilled, or cannot be evidenced. Examples of non-conformity include, but are not limited to:

- Breach of an environmental standard;
- Commencement of works without an approved risk assessment and method statement that covers environmental issues identified herein;
- No review of risk assessment and method statements following any significant changes in requirements that could adversely impact the environment;
- Appointment of a waste transport/disposal service provider that is not appropriately licensed;
- Failure to comply with waste storage/disposal requirements as identified by risk assessment and/or method statement;
- Failure to comply with chemical storage and/or handling requirements;
- Un-containable or uncontrollable spills of fuels or chemicals;
- Undertaken works outside the scope defined within the risk assessment and method statement; and
- Discharge of untreated, contaminated waste water to the environment.

Each non-conformance and near miss will be recorded utilising a developed reporting process. All non-conformances and near misses shall include the following information:

- Location and description of the non-conformance and the criteria/requirement that has been breached;
- The proposed corrective action including who holds responsibility for undertaking this action;
- The proposed preventative action (root cause analysis) to ensure against reoccurrence of the non - compliance;
- Any required monitoring and follow up; and
- Key performance indicators and a deadline for the successful completion of the corrective and preventive action.

11.1 Corrective Action

Any situation or condition that is non-conforming or otherwise poses an imminent risk to the environment, or social welfare should be immediately resolved.

It is expected that a corrective action plan will be developed to respond to individual NCRs. The corrective action plan shall include determination of root cause, proposed actions, timelines, required resources and any changes needed to ESMS documentation. The corrective action plan should be approved by a responsible person for managing the ESMS.

Records of implemented corrective actions shall also be maintained.

If a situation or condition cannot be corrected immediately, temporary measures such as necessary for the protection of the environment will be implemented.

12 EMERGENCY PREPAREDNESS AND RESPONSE

The likelihood of an E&S incident can be minimised by effective risk management planning and development of applicable response plans as part of an ESMS.

All risk assessments and method statements will need to include consideration of the potential for environmental incidents. Suitable incident response equipment, should be maintained at appropriate locations on site and Project staff be suitably trained to use such equipment and respond to such emergencies. The Project will prepare and implement an Emergency Preparedness and Response Plan to include requirements for co-ordination with the applicable external agencies (i.e. emergency services), impacted stakeholders and statutory authorities in the instance that a pollution incident occurs. The plan will identify procedures for reasonably foreseeable emergency situations. As per the ACWA Power Project Company ESMS Implementation Manual, this is required to include drills at the Project site and any relevant training to specifically involved personnel. When establishing the Emergency Preparedness and Response Plan, the following should be considered:

- The most appropriate method for responding to an emergency situation;
- Internal and external communication process;
- The action required to prevent or mitigate environmental impacts;
- Mitigation and response actions to be taken for different types of emergency situations;
- The need for post-emergency evaluation to determine and implement corrective and preventative actions;
- Periodic testing of planned emergency response actions;
- Training of emergency response;
- A list of key personnel and aid agencies, including contact details (such as fire department, spillage clean-up services);
- Evacuations routes and assembly points; and
- The possibility of the need for mutual assistance from neighbouring organisations/projects.

12.1 Incidents

Incident investigation and analysis will need to be undertaken in co-ordination with the provision of Element 10 established in the ACWA Power HSSE Management System Framework. In summary, this requires clear processes for incident reporting, response, investigation, analysis, follow up and documentation.

13 STAKEHOLDER ENGAGEMENT

The project has developed a SEP, which will be implemented during both construction, commissioning and operations. This will also need to be updated and made applicable prior to the operational phase. The SEP includes a suitable grievance mechanism to allow local community complaints to be raised in a clear process.

Note: All processes relating to Stakeholder Engagement should refer to the Project Specific Stakeholder Engagement Plan (SEP).

Stakeholder engagement can be described as a systematic effort to understand and involve stakeholders and their concerns in the Project activities and decision-making processes. Stakeholders are defined as any group or individual who can affect, or can be affected by, the Project.

The main objectives for stakeholder engagement are:

- To inform the relevant stakeholders about the Project;
- To capture views and concerns of the relevant stakeholders with regard to the project;
- To enhance ownership of the project within the host community; and
- To provide a basis for stakeholder participation in impact identification and mitigation.

For Projects that have environmental and social impacts, consultation is not a single conversation but a series of opportunities to create understanding about the Project among those that are likely to be affected or might have an interest in it, and to learn how these stakeholders view the project and its related risks, impacts, opportunities, and mitigation measures. Listening to stakeholder concerns and feedback can be a valuable source of information to help identify environmental and social risks (real and perceived) and improve project management.

13.1 Grievance Mechanism

13.1.1 Worker Grievances

The SEP includes a grievance procedure for workers to raise workplace concerns. The procedure includes an appropriate level of management and address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned, without any retribution. The mechanism allows for anonymous complaints to be raised and addressed.

The grievance mechanism must not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements.

All staff will need to be informed of the grievance procedure during their induction to the project and the procedure will be made readily available and easily accessible.

13.1.2 Third-Party Grievances

The SEP also includes a procedure for third-party grievances that establishes methods to receive and register communications from third-party stakeholders (Project Affected Persons and Interest based stakeholders). This includes:

- A method to screen and assess the issues raised and determine how to address them;
- A method to provide, track, and document responses, if any; and
- A method to adjust the ESMS management program, as appropriate, in response to external grievances.

The grievance procedure shall be reviewed and updated (as applicable) to ensure it remains scaled to the risks and adverse impacts of the project and include consideration of any affected stakeholders.

It must seek to resolve concerns promptly, using an understandable and transparent consultative process that is culturally appropriate and readily accessible, and at no cost and without retribution to the party that originated the issue or concern. The mechanism should not impede access to judicial or administrative remedies.

13.2 Project Public Information Centre

A Public Information Centre (PIC) has been established on 15th June 2021 by ACWA Power at Sitalchay Village to provide information on the Project to the members of the community, receive grievances and facilitate local recruitment for the Project. The main functions of the PIC can be summarised as follows:

- Inform local community of the project status and any new developments;
- Disseminate project related announcements by placing posters within the community;
- Receive and process public grievances;
 - Register grievances and send it to project management
 - Track the grievances until it is closed
 - Keep the log of grievances
- Facilitate the local recruitment for the project;

- Place Job Announcements;
- Organise job interviews by engaging project company/contractors' representatives
- Document and keep record of interview results;
- Organise public meetings by engaging local authorities and project management;
- Generate project proposals from communities for financing by the Project Developer; and
- Document and keep the records of all communication with community.

14 COMMUNICATION

The ESMS will establish, implement and maintain processes needed for internal and external communication relevant to environmental and social performance of the Project.

Lines of communication relevant to the construction phase will be clearly defined within the CESMP whilst lines of communication relevant to the operational phase will be clearly defined within the OESMP.

Associated processes will establish:

- What will be communicated
- When it will be communicated
- With whom to communicate
- How to communicate

When establishing communication processes relevant to the ESMS, particular note will be made to

- Compliance obligations, including any reporting requirements to the statutory environmental authority
- Reporting requirements required by the Project lenders.

15 DATA MANAGEMENT AND RECORD KEEPING

The implementation of the ESMS will generate data, that will be required to be managed. The appropriate management of records is a requirement of any successful ESMS and can be used to track progress, review effectiveness and demonstrate compliance.

The ESMS relevant to both the construction, commissioning and operational phases should include the collation of the records including (but not limited to) the following:

- Environmental and Social induction and training records;
- Relevant records of competence/qualifications;
- Accident Investigation Reports;
- Grievance register;
- Internal Audits reports (including close - out);
- Non-Conformance Reports;
- Incident Reports;
- Environmental & Social Inspection & Audit Reports (including corrective action reports);
- Environmental & Social Monitoring Results;
- Waste Manifest Forms and Chain of Custodies;
- Environmental & Social Risk Assessments and Method statements;
- Equipment & Social Inspections/Certifications;
- Independent Audit Reports for Lenders (including corrective action reports); and
- Emergency events.

Such records will need to be included on the ESMS register and updated as applicable.

16 REVIEW

The Project ESMS will be a 'living' document and will need to be reviewed and updated in relation to changes in project circumstances, activities, environmental sensitivities and future requirements defined by respective regulatory authorities and Project Lenders.

The ESMS will be regularly reviewed according to any changes in construction, commissioning or operational activities, new (applicable) regulation and in response to results from monitoring, audits and inspection.

Reviews will be undertaken at a frequency to ensure adequacy of the ESMS and to ensure that all potentially significant adverse impacts are identified and that associated control measures are appropriate to the Project.