

SOLOMON ISLANDS GOVERNMENT  
Ministry of Mines, Energy and Rural Electrification



Solomon Islands Sustainable Mining Development  
Technical Assistance Project, World Bank: P173018

Overarching Project Terms of Reference

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## Table of Contents

List of Tables .....	5
List of Figures .....	5
List of Abbreviations and Acronyms .....	6
1. Introduction .....	7
1.1 Purpose and Scope of the Overarching Project Terms of Reference .....	7
2. Project Description.....	8
2.1 Project Summary.....	8
2.2 Project Subcomponents.....	8
2.3 Summary of Key Project Activities .....	12
2.4 Indicative Work Program .....	18
3. Policy, Legal and Regulatory Framework .....	22
3.1 Country Context.....	22
3.1.1 Environment Act (1998) and Regulations (2008).....	22
3.1.2 Mines and Minerals Act (1990) and Amendments .....	23
3.1.3 Mines and Minerals Regulations (1996) and Amendments.....	23
3.1.4 National Minerals Policy (2017).....	23
3.1.5 National Mining Bill (Draft) .....	24
3.1.6 Other Relevant Regulations, Policies, and Plans.....	24
3.1.7 Relevant International and Regional Agreements.....	26
3.2 World Bank Environmental and Social Standards.....	26
4. Overview of Previous Engagements in the Solomon Islands Mining Sector .....	31
4.1 The World Bank.....	31
4.2 Department of Foreign Affairs and Trade.....	31
4.3 Commonwealth Secretariat .....	32
4.4 Pacific Community .....	32
4.5 Secretariat for the Pacific Regional Environment Programme .....	32
4.6 The Nature Conservancy.....	33
4.7 The Landowners Advocacy and Legal Support Unit.....	33
5. Solomon Islands Mining Sector Environmental and Social Risks and Impacts .....	33
5.1 Overview .....	33
5.2 Air Quality Impacts.....	34
5.3 Land Impacts .....	35

5.4	Freshwater Quality.....	36
5.5	Coastal and Marine Water Quality .....	36
5.6	Waste Management .....	37
5.7	Biodiversity Impacts.....	37
5.8	Social Impacts .....	38
5.9	Occupational and Community Health and Safety.....	38
5.10	Cultural Heritage Impacts .....	39
5.11	Land Tenure and Livelihood Impacts .....	39
5.12	Gender Impacts.....	40
5.13	Unrehabilitated Mining Sites .....	41
5.14	Conclusions and Recommendations.....	41
6	Project Environmental and Social Risk Assessment.....	46
6.1	Environmental Risk .....	46
6.2	Social Risk.....	46
6.3	Preliminary Risk Analysis.....	47
6.4	Cumulative Impacts .....	54
7	Procedures to Address Environmental and Social Issues .....	55
7.1	Overview of Screening Process.....	55
7.2	Screening of Project Activities .....	55
7.3	Negative list .....	61
8	Accountabilities for Environmental and Social Risk Management .....	62
8.1	MMERE.....	62
8.1.1	Project Management Unit.....	62
8.2	Consultants .....	64
8.3	World Bank Environmental and Social Team.....	65
8.4	Capacity Building and Implementation Support.....	65
9	Consultations and Disclosure .....	66
10	Annexes.....	68
	Annex A. Activity Level Terms of Reference Template .....	69
	Annex B. Activity Types 1, 2 & 3 – Generic Environmental and Social Risk Management Clauses .....	71
	Annex C. Activity Type 1 - Activity Level Environmental and Social Risk Screening .....	73
	Annex D. Activity Type 4 – Generic Environmental and Social Risk Management Clauses.....	76

## List of Tables

Table 1 - Components and Key Activities Cost Estimates .....	12
Table 2 - Summary of Proposed Project Activities.....	16
Table 3 – Indicative Work Program.....	19
Table 4 – ESS Standards Relevant to the Project .....	27
Table 5 – Overarching Environmental and Social Issues and Project Activities That Address Them .....	42
Table 6 – Assessment of Key E&S Benefits, Risks and Impacts, and Proposed Controls.....	48
Table 7 – Ineligible Activity List.....	61

## List of Figures

Figure 1 - Severe erosion caused by the Gold Ridge mine, Guadalcanal.....	35
Figure 2 - Bintan Mining Solomon Island, Bauxite Strip mining, Rennell .....	35
Figure 3 –Activity Screening Steps .....	56
Figure 4 –Technical Activity Screening Process .....	60

## List of Abbreviations and Acronyms

<b>DFAT</b>	Department of Foreign Affairs and Trade (Australia)
<b>ECD</b>	Environment and Conservation Division
<b>EGPS</b>	Extractives Global Programmatic Support
<b>EIA</b>	Environmental Impact Assessment
<b>EITI</b>	Extractive Industry Transparency Initiative
<b>ESIA</b>	Environmental and Social Impact Assessment
<b>ESCP</b>	Environmental and Social Commitment Plan
<b>ESF</b>	World Bank Environmental and Social Framework
<b>ESHS</b>	Environmental, Social and Health and Safety
<b>E&amp;S</b>	Environmental and Social
<b>ESS</b>	Environmental and Social Standard (of the World Bank ESF)
<b>EU</b>	European Union
<b>FPIC</b>	Free, Prior And Informed Consent
<b>GIIP</b>	Good International Industry Practice
<b>GM</b>	Grievance Mechanism
<b>IPF</b>	Investment Project Financing
<b>KPI</b>	Key Performance Indicator
<b>LMP</b>	Labor Management Procedure
<b>MECCDM</b>	Ministry of Environment, Climate Change, Disaster Management, and Meteorology
<b>MMERE</b>	Ministry of Mines, Energy and Rural Electrification
<b>NMP</b>	National Minerals Policy
<b>PDO</b>	Project Development Objectives
<b>PER</b>	Public Environmental Report
<b>PMU</b>	Project Management Unit
<b>POM</b>	Project Operational Manual
<b>PSC</b>	Project Steering Committee
<b>SESA</b>	Strategic Environmental and Social Assessment
<b>SEP</b>	Stakeholder Engagement Plan
<b>SIG</b>	Solomon Islands Government
<b>SIMGov</b>	Solomon Islands Mining Governance Project
<b>SPC</b>	The Pacific Community
<b>SPREP</b>	Secretariat of the Pacific Regional Environment Programme
<b>TNC</b>	The Nature Conservancy
<b>ToR</b>	Terms of Reference
<b>TWG</b>	Technical Working Group
<b>WB</b>	World Bank

## 1. Introduction

The World Bank has provided support to Solomon Islands Government (SIG) to strengthen mining governance since 2010 through the use of six small grants. The grants have supported engagement through forums and workshops and ultimately the completion of the National Minerals Policy in late 2016 and review of the Mining Act 1990. In October 2019, SIG requested further support to sustain the preparation of mining legislation and include mining sector technical assistance in its concessional borrowing program in the IDA19 cycle. The Solomon Islands Sustainable Mining Development Technical Assistance Project (the Project) was developed to support SIG to strengthen capacity of regulatory institutions to implement revised mining and related laws consistently, transparently and effectively.

The Project includes many technical assistance activities such as legal reviews, advisory services, capacity building and training activities. The Project's environmental and social risks and impacts will primarily be managed through this overarching Project Terms of Reference (ToR) for the Project's technical assistance activities (overarching Project ToR).

### 1.1 Purpose and Scope of the Overarching Project Terms of Reference

This overarching Project ToR sets out the procedures for environmental and social protection that the SIG will employ for the Project's technical assistance activities. The overarching Project ToR will assess the technical assistance activities environmental and social (E&S) risks and impacts, define the subsequent screening of technical assistance activities for potential E&S risks, and prescribe the inclusion of provisions to ensure that technical assistance activities are completed in compliance with the objectives of the World Bank Environmental and Social Framework (ESF).

The overarching Project ToR outlines the project, its components, and summarizes the key technical assistance activity types to be assessed. It provides background information on the relevant Solomon Islands policy, legal and regulatory framework, previous engagements in the mining sector, the mining sectors environmental and social risks and impacts, and the project activities that are designed to address them. It assesses the potential downstream environmental and social impacts of project activities and describes the proposed controls. The screening process and the activity level environmental and social risk management controls that will be put in place are defined. Annexes include an activity level terms of reference template (Annex A), activity level environmental and social risk management clauses to be included in the activity level ToR's (Annexes B and D), and an activity level environmental and social risk screening process (Annex C) to be used by the SIG during project implementation to ensure that that potential downstream environmental and social risks and impacts that may be generated as a result of project technical assistance activities are identified, and appropriate environmental and social risk management controls are in place.

The scope of the overarching Project ToR includes all technical assistance activities included in the Project, including policy, plan and legislation reviews, technical studies, and capacity building and training activities. The overarching Project ToR does not apply to installation of equipment, such as servers funded by the project. It also does not apply to any technical designs that will result in the installation of physical infrastructure to be funded by the project, such as the design, installation and management of a core shed which will require a separate ESMP to manage risks.

The overarching Project ToR is supported by the Project's other environmental and social risk management documents: Stakeholder Engagement Plan (SEP); Labor Management Procedures (LMP); Project Operational Manual (POM); and an Environmental and Social Commitment Plan (ESCP).

## 2 Project Description

### 2.1 Project Summary

Management of mineral resources is guided by the National Minerals Policy, which aims to strengthen governance, make decisions more transparently and inclusively, offer greater investment certainty and create a system that better protects community interests. To support the implementation of this Policy, the Project will build capacity of the SIG to achieve sustainable mining investment and benefit flows through; i) completing the design of a regulatory framework in line with the National Minerals Policy following enactment of a new Mining Act (currently in draft form as the National Mining Bill), ii) building capacity of government regulatory institutions to fulfill their functions effectively, and iii) supporting MMERE to overcome near term operational challenges.

The Project Development Objective (PDO) is to strengthen the capacity of regulatory institutions to implement revised mining and related laws consistently, transparently and effectively.

### 2.2 Project Subcomponents

The Project is designed as a six-year, US\$5 million Investment Project Financing (IPF) operation and is organized in three components.

The proposed project components and sub-components are:

**Component 1: Complete the Regulatory Framework.** This component will support MMERE to complete the design of the regulatory framework in line with the NMP, beginning with enactment of the Mining Act. The activities in this Component are organized in two sub-components:

**Sub-component 1.1: Policy, Plans and Legislation.** The Project will finance the following activities to support the preparation of policy, plans and legislation needed to implement the NMP with legal, policy and technical expertise and stakeholder consultations connected therewith:

- i. conduct a Strategic Environmental and Social Assessment (SESA) of mineral development in Solomon Islands ;
- ii. complete drafting of the Mining Bill, Mining Regulations and model form agreements to reflect the NMP, the SESA and appropriate internationally recognized technical, environmental (including on avoiding deforestation and river pollution and other impacts that affect communities' adaptive capacity climate) and social (including gender) management standards which license holders must comply with;
- iii. update the mines occupational health and safety legislation in line with internationally recognized standards;
- iv. prepare regulations, guidelines and protocols on matters beyond the scope of mining legislation to better harmonize mining-relevant regulation of land administration, environmental and social management, employment and community level development, to include gender considerations (especially minimum requirements for local employment incorporating gender and equity consideration) and impacts of mining on climate adaptation and mitigation (especially avoiding damage to forests and soil) ; and
- v. prepare regulations, guidelines and protocols on matters beyond the scope of mining legislation to better harmonize mining-relevant regulation of taxation and trade, to include (A) mineral royalties, taxes and fees; (B) mineral revenue collection; and (C) mineral revenue allocation among provinces and districts.

- vi. preparation of strategies, operational plans and budgets to guide implementation by MMERE of the NMP, SESA and related legislation.

**Sub-component 1.2: Institutional Structures and Functions.** The Project will finance the following activities to support the design of institutional structures and functions necessary to implement the NMP with legal, policy and technical expertise and stakeholder consultations connected therewith:

- i. develop written mandates of MMERE and other regulators to implement the NMP and mining and related legislation, and design appropriate key performance indicators and coordination mechanisms;
- ii. design specific administrative measures to address the effective delivery of key functions including those relating to: (A) core mining management functions (the Minerals Board, cadaster, mines inspection and geological survey); (B) landowner identification and access to land; (C) environmental and social impact assessment and related permitting; and (D) royalty, tax and customs collection and audit;
- iii. prepare staff development plans for MMERE and budgets consistent with its mandate and key performance indicators;
- iv. develop a strategy to: (A) increase the share of female staff and technical experts within MMERE; (B) encourage female university enrolments in engineering and technology; and (C) encourage mining companies to participate in the Waka Mere Commitment to Action.

**Component 2: Strengthen Capacity of Regulatory Institutions.** This component will support building capacity of government regulatory institutions to fulfill their functions consistently, transparently and effectively and support MMERE to overcome near term operational challenges. The activities in this Component are organized in five sub-components:

**Sub-component 2.1: Mineral Rights Management.** The Project will finance the following activities to support strengthening MMERE's capacity to carry out its mineral rights management duties:

- i. Licensing: The project will finance knowledge sharing, specialized training and the acquisition of software and other tools to build capacity of MMERE in the licensing of mineral exploration and mining operations. This will include, inter alia: (A) the design and installation of a computerized geo-referenced cadastral system for managing the application, award and registration of mineral rights based on the pre-feasibility assessment conducted under the SIMGov Project (DeVries); (B) the design of procedures and documentation to competitively tender mineral rights; (C) the design of criteria, procedures and documentation for conducting reviews of exploration, mining and mine closure plans submitted for approval by applicants; and (D) the design of criteria, procedures and documentation for conducting reviews of environmental and social impact assessments and management plans consistent with internationally recognized standards for environmental and social management including managing climate impacts such as deforestation.
- ii. Compliance: The project will finance knowledge sharing, specialized training and the acquisition of software and other tools to build capacity of MMERE to monitor and improve compliance with legislation and the conditions of licenses by license holders based on appropriate internationally recognized technical standards and approaches. This will include, inter alia: (A) the design of monitoring and reporting requirements to cover mineral resources and reserves, according to an internationally recognized classification system,

- exploration results, mining and mineral processing operations, including waste handling and the production, storage and disposal of minerals, reclamation of mined areas and other aspect of mining operations; (B) the design of procedures and documentation for conducting site inspection based on a diagnostic conducted under the SIMGov Project (Walker); and (C) the design of procedures and documentation for undertaking any other monitoring and compliance measures provided for in legislation, including reducing illegal mining and associated deforestation.
- iii. Community engagement: The project will finance knowledge sharing and specialized training to build capacity of MMERE to engage responsibly with mining affected communities, especially women, youths and other groups, whose access and voice can be enhanced. This will comprise: (A) establishing a community liaison function in MMERE staffed by at least equal numbers of male and female officers ; (B) preparing a MMERE Communications Strategy that embodies Citizen Engagement principles suited to the Solomon Islands context; (C) preparing a MMERE Gender and Social Inclusion Strategy which identifies barriers to women working in technical and other staff roles in the mining industry and lists actions the MMERE can take to promote greater participation of women in its own human resources, and through outreach more broadly; (D) conducting awareness raising (in collaboration with other relevant government agencies at central and provincial levels) of stakeholders, through workshops, specialized training, and outreach publications and events, of local community planning needs at national and sub-national government levels and opportunities to benefit from fiscal revenue and mining company procurement of jobs, goods and services; (E) conducting mapping of existing GBV-related services in mining affected areas, delivering regular awareness raising sessions on GBV, consequences, and available services in mining-affected areas, and training staff on GBV and responding to any disclosures of violence; and (F) developing an MMERE annual work plan and budget based on the aforementioned activities.

**Sub-component 2.2: Mineral Revenue Management.** The Project will support strengthening SIG's capacity, across several relevant government agencies, to carry out its mineral revenue management duties with a focus on the following areas:

- i. Revenue Administration through capacity building in administering royalty, tax, value-added tax and customs, including physical and financial audit and effectively administer negotiations-based tax concessions.
- ii. Sub-national Revenue Management (administration of revenue allocations from mining revenues) through an assessment of needs and identification of suitable capacity building activities and funding sources.
- iii. Extractives Industry Transparency Initiative (EITI) through capacity building in re-launching and implementing EITI and related outreach publications and events.

**Sub-component 2.3: Geo-data Management.** The Project will support strengthening MMERE's capacity to carry out its geo-data management duties consistently, transparently and effectively, with a focus on the following areas:

- i. Data Management System including: (A) capacity building in managing geodata; (B) study into the design, installation and management of a modern geodata repository; and (C) support for

the design, installation and management of a core shed to improve core storage and management.

- ii. GeoData Acquisition through a study to develop a strategy for acquiring and adding value to geophysical and geochemical data, identifying mapping hardware and software and geochemical laboratory and other equipment needs and assessing the financing needed for this. The study will include an assessment of opportunities to leverage geophysical and geochemical data to address identification of areas vulnerable to climate-risks such as erosion, flooding and coastal inundation and thus contribute to enhancing climate resilience.

**Sub-component 2.4: Operational support.** The Project will support MMERE to overcome near term operational challenges by engaging a resident adviser in the first two Project years to provide: (i) immediate operational support to MMERE to evaluate and approve mining related investments, compliance monitoring, including mine site inspections; (ii) help coordinate project financed advisory work flows; (iii) support coordination between MMERE and other government agencies and (iv) offer staff development through training & mentoring.

**Sub-component 2.5: Independent Advisory Institution:** Strengthen community empowerment by establishing an independent advisory institution drawing on a pre-feasibility study conducted under the SIMGov Project (Grice). This institution would be mandated to offer landowners, communities, women, youths and groups exposed to increased climate impacts, access to information and advice on the exercise of their rights under relevant legislation, as well as any obligations connected therewith, and raise awareness of mining sector impacts and benefits generally and the roles of mining companies and regulatory bodies in particular. The financial and governance arrangements for setting up the advisory institution will need to be developed to supplement the work by Grice and then approved. The project will finance:

- i. consultation to this end;
- ii. a gender and social inclusion analysis;
- iii. a strategy setting out how the institution can best operate in a way that includes women in its management and delivery of services and provide tailored services to women, youth and other groups;
- iv. collecting data to track the representation of women on relevant boards and committees (those arising from the exercise of rights conferred by mining and other legislation, such as in negotiating surface access and community development); and
- v. promote better understanding of environmental and climate risks and adaptation measures through regular community training programs conducted, to help build capacity of mining affected communities in adapting and coping with climate issues.

**Component 3: Project Management.** This Component will fund:

- a. the operational and technical assistance needed by MMERE as the Implementing Agency to manage the project during implementation; a PMU will be established to exercise project management responsibilities on MMERE's behalf. Its scope would include conduct of financial management, procurement and contract management, monitoring and evaluation of project performance, coordination among government entities and guidance necessary to adhere to the ESCP. The PMU will need to have expertise to assume all fiduciary responsibilities, fulfill ESCP requirements and provide input to TORs, IT and equipment specifications, management of

consultant delivered workflows, and reporting requirements. PMU arrangements are detailed in Part III, Section A;

- b. selected equipment costs and office refurbishment at MMERE: (A) acquisition and installation of critical equipment including servers to support the IT functions of the MMERE office in Honiara and network equipment and software to connect the Honiara office to provincial offices and other government offices; (B) up to two vehicles at Honiara; and (C) equipping and fitting out a project management office at the MMERE Honiara office; and
- c. workshop expenses to be incurred across all components of the Project.

**Table 1 - Components and Key Activities Cost Estimates**

<b>Project Component and Key Activities</b>	<b>Budget (US\$ millions)</b>
Component 1: Complete the Regulatory Framework.	\$1.10
Component 2: Strengthen Capacity of Regulatory Institutions.	\$2.80
Component 3: Project Management	\$1.10
<b>Total</b>	<b>\$5.00</b>

### 2.3 Summary of Key Project Activities

Project activities will primarily be legal and policy work to support the implementation of the NMP, work to strengthen institutional structures, capacity building and training activities, and technical studies. These activities will require the hiring and management of multiple consultants.

Component 1 includes assistance with legislation reviews and staff development plans. Delivery will involve procurement of policy and legal advisers across a range of domains and the completion of workshops, consultations, and reviews. The proposed approaches for the activities proposed under Component 1 are detailed below. However, the specifics of the legal and / or policy instruments to be developed or amended will be addressed (i) at the time of developing TORs for individual assignments, which would be led by the client, with the Bank providing non-objection; and (ii) in the assignments themselves, for which suitable expertise would be hired to undertake diagnostic work and facilitate client identification of reforms, plans and budgets.

- **Sub-component 1.1(i) - Conduct a Strategic Environmental and Social Assessment (SESA) of mineral development in Solomon Islands.** An institution-centered, policy orientated SESA of mineral development in Solomon Islands will be prepared immediately upon Project effectiveness, alongside support to complete the Mining Bill. The SESA will assess the environmental and social risks and impacts of the mining sector, elaborating on the NMP in areas covered by cross-cutting environmental and social jurisdiction and identify legislative harmonisation needs and capacity building needs across relevant agencies. It will contain an action plan listing reforms which a set of institutions are responsible for implementing and the associated costs. The SESA by reviewing and expanding the NMP on environmental and social matters will then inform Component 1.1(iv). ToRs for the firm engaged to provide this support will require as a minimum (a) any consultation to be inclusive and (b) any advice to be consistent with the World Bank Environmental and Social Framework (ESF).
- **Sub-component 1.1(ii) Complete drafting of the Mining Bill, Mining Regulations and model form agreements.** In relation to the Mining Act and Regulations under it, the Project will finance support to complete the Mining Bill for enactment by parliament and Regulations under it for

issuance by the Minister. A covenant in the Legal Agreement already addresses the standard which the Mining Bill enacted should meet.

- **Sub-component 1.1(iii) Updating the mines occupational health and safety legislation.** The Project will finance the preparation of new mines occupation health and safety legislation to replace the outdated one used today. ToRs of consultants engaged to provide this support will require as a minimum (a) any consultation to be inclusive and (b) any advice to be consistent with the ESF and good international industry practice (GIIP) such as the World Bank Group EHS Guidelines.
- **Sub-component 1.1(iv) - Harmonization between mining and other regulations, guidelines and protocols to properly implement mining-relevant environmental, climate risk and natural resource management.** The Project will finance studies of, and consultation on other legislation, especially in the areas of land administration, environmental and social management, employment and community level development to include gender considerations and impacts of mining on climate adaptation and mitigation, which would need to be harmonized to assure a higher standard of mining sector management, whereupon the Project would finance the preparation of suitable amendments to the said legislation. Beyond the actual legislation there will be a need to plan and execute regulatory functions on a coordinated basis across SIG. For example, effective environmental monitoring and compliance is likely to require specific procedures for data sharing, monitoring, inspection and audit, and, possibly, cost sharing. The same is true for land rights management. ToRs of consultants engaged to provide this support will require as a minimum (a) any consultation to be inclusive and (b) any advice to be consistent with the ESF.
- **Sub-component 1.1(v) harmonization between mining and fiscal and trade regulations, guidelines and protocols.** See above explanation regarding harmonization of the legislation. ToRs of consultants engaged to provide this support will require as a minimum (a) any consultation to be inclusive and (b) any advice to be consistent with the ESF.
- **Sub-component 1.1(vi) preparation of strategies, operational plans and budgets to guide implementation by MMERE of the NMP, SESA and related legislation.** The idea of this component is that MMERE, as the relevant sector regulator, will have written plans and budgets that explain how they will, together with other ministries, implement the NMP. This will translate policy and law into timebound plans for different departments of MMERE e.g. Mining Cadastre; Geological Survey; Mines Inspection; Community Liaison; Royalty Administration etc. This would offer public assurance that MMERE is committed, has a plan, and access to funds (including from the Project) for which it can then be held accountable. For example, this could take the form of a Five-Year Strategy coupled with Annual Work Plans and Budgets. Such plans would address how MMERE will allocate and use its budget to further implementation of the NMP. It could include commitments to organizational changes envisaged by the NMP (and the Project design) – examples include the “Community Liaison Office” and “Mineral Rights Cadastral Office”. The Project will finance advice to support preparation of strategies, operational plans and budgets. ToRs of consultants engaged to provide this support will require as a minimum (a) any consultation to be inclusive and (b) any advice to be consistent with to the ESF.
- **Sub-components 1.2 (i-iii).** In addition to the above Project activities, the Project will finance support to government authorities to first identify and then design a range of non-legislative instruments needed to support implementation of mining and related legislation, including

guidelines, administrative protocols, MOUs, mandates or charters, KPIs etc. and, further, inter-ministry bodies may need to be established to facilitate coordinated regulation. The details of Component 1.2(ii) still need to be worked out, especially since legislative reforms will first need to take place (with support from Component 1.1. ToRs of consultants engaged to provide this support will require as a minimum (a) any consultation to be inclusive and (b) any advice to be consistent with the ESF.

- **Sub-component 1.2 (iv).** In relation to gender action, the Project will finance support to prepare a strategy and minimum employment standards and strengthen MMERE capacity to appropriately respond to GBV in mining affected areas. ToRs of consultants engaged to provide this support will require as a minimum (a) any consultation to be inclusive and (b) any advice to be consistent with the ESF, in particular the objectives of ESS5.

Component 2 includes capacity building and training activities, the establishment of a new independent advisory institution, and specialised software and laboratory equipment to be funded by the Project. Delivery involves procurement of a resident regulatory operations adviser, acquiring critical equipment, and providing skills and capacity development.

- **Sub-components 2.1 (i-iii), 2.2 (i-iii), 2.3 (i-ii), 2.4.** The capacity building and training activities may include series' of workshops including PMU members, Ministry staff and local regulators to be led by an experienced international consultant(s). ToRs of consultants engaged to provide this support under these components will require as a minimum: (a) any consultation to be inclusive; (b) any advice to be consistent with the ESF; and (c) workshops and events must be COVID-19 safe.
- **Sub-component 2.1 (i.A) - Cadastral Software Firm.** MMERE previously conducted a study (DeVries, financed by SIMGov) on the set up of a modern digital cadastral platform for conducting licensing more transparently, fairly and efficiently. Such system would be designed based on the new mining legislation. However, in advance of new mining legislation being in place the ToR of the cadastral system vendor can require an initial phase of support to better manage the existing paper-based licensing system, where this is practical and worthwhile.
- **Sub-component 2.4 - Resident Adviser.** The project design includes financing of a resident adviser upon effectiveness to support the Director of Mines in an advisory capacity on, inter alia, management of mineral rights. The ToR of the resident adviser will require advice to conform with good mineral rights management principles and the ESF, to the extent possible under existing mining legislation.
- **Sub-component 2.5 - Independent Advisory Institution.** The ToR of the consultant engaged to support the Strategy for this new institution will require as a minimum (a) any consultation to be inclusive and (b) any advice to be consistent the ESF.

The project will fund the equipping and fitting out of a PMU office in the MMERE Honiara building and design, installation and management of a core shed which will be covered by environmental and social management plan/s (ESMP/s) to be prepared separately once the extent and nature of construction activities are identified and prior to these activities commencing. There will be no major physical infrastructure developments funded and the project will not have any direct physical impact on land acquisition, land use restrictions, or resettlement. However, the project activities may lead to downstream impacts from increased mining activities due to improved mining governance and capacity. The potential downstream risks and impacts are assessed further in Chapter 6 – Project Environmental

and Social Risk Assessment. It should also be noted that the project is designed to minimize or mitigate these downstream impacts. By achieving its PDO the project would result in mining sector governance better capable of minimizing or mitigating downstream impacts than without the project. More detail on the expected environmental and social outputs of the project activities is provided in Chapter 5.14.

Because there is still some flexibility in the project design, the technical advisory activities have been grouped into similar activity types which will be screened for their environmental and social risks. However, it should be noted that there may be overlap in the project activities. For example, policy, regulation, plan, and/or strategy review or update activities may also include capacity building and/or training. These types of overlaps will be identified during the screening process described in chapter 7. The types of project activities have been summarized into the general activity types shown in Table 2, which will be assessed and screened for their environmental and social risks.

**Table 2 - Summary of Proposed Project Activities**

Activity Type	Project Activity	Description
1	Policy, regulation, plan, and / or strategy review or updates (sub-component 1.1)	<p>These activities will include hiring of multiple policy and legal advisers to undertake reviews, updates, and completion of mining related policies, regulations, plans, and strategies.</p> <p>Specifically, this includes:</p> <ul style="list-style-type: none"> <li>• A Strategic Environmental and Social Assessment (SESA) of mineral development in Solomon Islands;</li> <li>• Complete drafting of the Mining Bill, Mining Regulations and model form agreements;</li> <li>• Update of the mines occupational health and safety legislation;</li> <li>• Harmonization between mining and other mining relevant regulations for land administration, environmental and social management, employment and community level development;</li> <li>• Harmonization between mining and taxation and trade regulations, guidelines and protocols; and</li> <li>• Preparation of strategies, operational plans and budgets to guide implementation by MMERE of the NMP, SESA and related legislation</li> </ul>
2	Strengthening institutional structures, functions and capacity (sub-components 1.2, 2.1, 2.3, 2.4, and 2.5)	<p>These activities will include hiring of multiple consultants to improve the institutional functions and structures of the MMERE and other regulators.</p> <p>Specifically, this includes:</p> <ul style="list-style-type: none"> <li>• Development of written mandates and design of appropriate KPIs and coordination mechanisms;</li> <li>• Design of specific administrative measures to address the effective delivery of key functions;</li> <li>• Preparation of staff development plans for MMERE and budgets consistent with its mandate KPIs;</li> <li>• Development of a strategy to increase the share of female staff and technical experts within MMERE;</li> <li>• Design and installation of a computerized geo-referenced cadastral system</li> <li>• Design of criteria, procedures and documentation for competitively tendering mineral rights, conducting exploration, mining and mine closure plans reviews, conducting environmental and social impact assessments reviews, undertaking monitoring and compliance measures, and conducting site inspections.</li> <li>• Design of monitoring and reporting requirements to cover mineral resources and reserves;</li> <li>• Establishing a community liaison function in MMERE;</li> <li>• Preparing a MMERE Communications Strategy;</li> <li>• Preparation of a MMERE Gender and Social Inclusion Strategy;</li> <li>• Developing an MMERE annual work plan and budget.</li> <li>• Provision of a mapping hardware and software;</li> <li>• Recruitment of a resident regulatory operations adviser; and</li> <li>• Establishment of the independent advisory institution.</li> </ul>

<p><b>3</b></p>	<p>Technical studies (sub-components 2.1 &amp; 2.3)</p>	<p>These activities will include hiring of multiple consultants to undertake technical studies.</p> <p>Specifically, this includes:</p> <ul style="list-style-type: none"> <li>• Conducting mapping of existing GBV-related services in mining affected areas;</li> <li>• Study on the design and installation of a computerized geo-referenced cadastral system for managing the application, award and registration of mineral rights;</li> <li>• Study on exploration obligations;</li> <li>• Study for mining obligations;</li> <li>• Study for mine closure obligations;</li> <li>• Study into the design, installation and management of a modern geodata repository; and</li> <li>• Study to develop a strategy for acquiring and adding value to geophysical and geochemical data.</li> </ul>
<p><b>4</b></p>	<p>Capacity building and training (sub-components 2.1, 2.2, &amp; 2.3, &amp; 2.4)</p>	<p>These activities will include hiring of multiple consultants to undertake capacity building and training activities with SIG, MMERE, and other stakeholders.</p> <p>Specifically, this includes:</p> <ul style="list-style-type: none"> <li>• Training on conducting mine E&amp;S impact and feasibility reviews;</li> <li>• Specialized training in use of Cadastral software;</li> <li>• Capacity building in licensing of mineral exploration and mining;</li> <li>• Capacity building for monitoring and enforcing compliance (particularly environmental compliance);</li> <li>• Capacity building in engaging responsibly with mining affected communities;</li> <li>• Training in conducting awareness raising of stakeholders;</li> <li>• Regular awareness raising sessions on GBV;</li> <li>• Training staff on GBV and responding to any disclosures of violence;</li> <li>• Capacity building in administering royalty, tax, value-added tax and customs;</li> <li>• Administration of revenue allocations from mining revenues;</li> <li>• Capacity building in EITI in re-launching and implementing EITI and related outreach publications and events;</li> <li>• Capacity building in managing geodata; and</li> <li>• Staff development through training &amp; mentoring by resident adviser.</li> </ul>

## 2.4 Indicative Work Program

The proposed work program for delivering these project activities is proposed to involve engaging 20 specialists and two firms for the technical advisory activities<sup>1</sup> at various times during project implementation. The proposed specialists, their main outputs, and planned start dates are detailed in Table 3. It should be noted that this is only an indicative overview of the work program and may be subject to change. The task of developing the delivery time line and the specifics of the instruments to be drafted will be addressed at the time of developing the ToRs for individual assignments which forms part of the Project oversight functions of the Project Steering Committee (PSC). Where an individual consultant with the required skills is not able to be found, an interdisciplinary team may need to be employed. The decision to employ an interdisciplinary team will be made by the PSC during implementation.

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<sup>1</sup> This does not include the Core Shed Construction firm, Office Refurbishment Contractor, or the five PMU staff.

**Table 3 – Indicative Work Program**

Project Sub - component	Title	Main Outputs	Planned Start Date
<b>Sub-component 1.1: Policy, Plans and Legislation</b>	SESA Firm	Undertake institution-centered, policy orientated SESA of mineral development in Solomon Islands (1.1. i)	To be confirmed
	Chief Mining Sector Management Advisor (resident)	1. Immediate operational support to MMERE to evaluate and approve mining related investments, compliance monitoring, including mine site inspections, support coordination among government agencies and offer staff development through training & mentoring (2.4). 2. Preparation of plans and strategies to guide sector management and implementation of the NMP. (1.1.vi) 3. Development of mandates of MMERE and other regulators to implement the NMP and design of appropriate key performance indicators and coordination mechanisms. (1.2.i) 4. Coordinate inputs from other specialists	September 2021
	Legal Adviser on Mining Regulation	Guidance on completion of mining bill, mining regulations and model form agreements, including Community Development Assistance agreements. (1.1.ii)	Date to be confirmed
	Mine Health and Safety Specialist	Update of the mine health and safety regulation (1.1.iii)	September 2021
	Environmental Regulation Specialist	Harmonization of regulations, guidelines and protocols to properly implement environmental management.(1.1.iv)	September 2021
	Fiscal and Trade Regulation Specialist	Harmonization of fiscal and trade regulations, guidelines and protocols to ensure alignment on royalties, taxes and fees; revenue collection and revenue allocation.(1.1.v)	September 2021
<b>Sub-component 1.2: Institutional Structures and Functions</b>	Governance Specialist	Design of specific administrative measures to address the effective delivery of key functions including those relating to core mining management functions (the Minerals Board, cadaster, mines inspection and geological survey); landowner identification and access to land; environmental and social impact assessment and related permitting; royalty, tax and customs collection and audit. (1.2.ii)	March 2022
	Human Resources Specialist	Preparation of staff development plans for MMERE and budgets consistent with its mandates and key performance indicators. (1.2.iii)	March 2022
	Gender Specialist	Development of a strategy to: (A) increase the share of female staff and technical experts within MMERE; (B) encourage female university enrolments in engineering and technology; and (C) encourage mining companies to participate in the Waka Mere Commitment to Action (1.2.iv); and strengthen MMERE capacity to appropriately respond to gender based-violence (GBV) in mining affected areas (2.1 (ii))	March 2022

Solomon Islands Sustainable Mining Development Technical Assistance Project (P173018)  
ESF Instrument – Overarching Project Terms of Reference | March 2021

<b>Sub-component 2.1: Mineral Rights Management - Licensing</b>	Mining Tender Specialist	Design of procedures for competitive tenders of mineral rights and training in review of tenders. (2.1.i.B)	Date to be confirmed.
	Mine Impact, Feasibility and Closure Trainer: (2.1.i.C&D)	1. Delivery of training for conducting mine E&S impact and feasibility reviews 2. TA for mine closure obligations including work plans and budgets, reporting, inspection and evaluation	September 2022
	Cadastral Software Firm: (2.1.i.A)	1. Provision of cadastral software, installation, support, and specialized training in its use. 2. Capacity building in licensing of mineral exploration and mining. 3. Technical assistance on application, award and registration of mineral rights using a computerized geo-referenced cadastral system based on pre-feasibility conducted under the SIMGov Project (DeVries).	September 2023
<b>Sub-component 2.1: Mineral Rights Management - Compliance</b>	Compliance Planning and Coordination Advisor	Capacity building in monitoring and enforcing compliance (particularly environmental compliance) based on a diagnostic conducted under the SIMGov Project (Walker);	March 2023
	Exploration Specialist	TA for exploration obligations including resource and reserves classification; exploration work plans and budgets, reporting, inspection and evaluation	March 2023
	Production Specialist	TA for mining obligations including production work plans and budgets, assaying, reporting, inspection and evaluation	March 2023
<b>Sub-component 2.1: Mineral Rights Management - Community Engagement</b>	Community Engagement Specialist: (2.1.iii)	1. Strengthening community liaison and outreach including defining a community liaison function in MMERE, communications strategy and building staff skills. 2. Development of a gender and social inclusion plan and related awareness raising and capacity building in mining affected communities	March 2022
<b>Sub-component 2.2: Mineral Revenue Management</b>	Revenue Administration Specialist	Revenue Administration through capacity building in administering royalty, tax, value-added tax and customs, including physical and financial audit and effectively administer negotiations based tax concessions (2.2.i)	June 2022
	Sub-national Planning Specialist	1. Raising awareness around local community planning needs at national and sub-national government levels to benefit from fiscal revenue and business opportunities and identifying initiatives and funding to support capacity building. (2.2.ii) 2. Sub-national Revenue Management (administration of revenue allocations from) through an assessment of needs and identification of suitable capacity building activities and funding sources	March 2022
	Transparency and Disclosure Specialist	Evaluate scope to strengthen transparency through Extractives Industry Transparency Initiative (EITI) re-launch (2.2.iii)	June 2022

Solomon Islands Sustainable Mining Development Technical Assistance Project (P173018)  
 ESF Instrument – Overarching Project Terms of Reference | March 2021

<b>Sub-component 2.3: Geo-data Management</b>	Geodata Management Specialist	Study into the design, installation and management of a modern geodata repository (2.3.i)	March 2024
	Geodata Needs Assessment Specialist	Study to develop a strategy for acquiring and adding value to geophysical and geochemical data, identifying mapping hardware and software and geochemical laboratory and other equipment needs and assessing the financing needed for this. (2.3.ii)	Sept 2022
<b>Sub-component 2.5: Independent Advisory Institution</b>	Strategy Adviser	Support the process of establishing the Institution and defining strategies to implement its goals	March 2022

## 3 Policy, Legal and Regulatory Framework

### 3.1 Country Context

#### 3.1.1 Environment Act (1998) and Regulations (2008)

The SIG has a well-established regulatory framework that provides measures to protect and preserve the environment, including from mining and mining related activities. The Environment Act 1998 (the Act) and Environment Regulations 2008 (the Regulations) make provision for the conservation and protection of the environment. The Act provides for an integrated system of development control, environmental assessment and pollution control including; prevention, control and monitoring of pollution including regulating discharge of pollutants to air, water or land and reducing risks to human health and prevention of degradation of the environment; regulating the transport, collection, treatment, storage and disposal of waste and promoting recycling, re-use and recovery of materials in an economically viable manner; and complying with, and giving effect to, regional and international conventions and obligations relating to the environment.

Part III (14a) of the Act describes the requirement for a strategic environmental assessment (SEA) to be carried out for all policies, plans and programmes that could potentially have significant impacts on the environment, climate or disaster vulnerability and which are prepared in the various fields, including mining, and prescribes that it shall form an integral part of the policy, plan or programme.

The Act makes it an offence to extract minerals and carry out mining without a development consent from the Environment and Conservation Division (ECD), which developers (including extractive industries) must obtain prior to commencement of any operations. It is also an offence to carry out mining operations in breach of a condition of a development consent. The Act also provides that a licence from the Director of Environment is required to operate ‘prescribed premises’. The Second Schedule of the Act lists prescribed developments for which consent from the ECD, accompanied by an environmental assessment reported as either a public environmental report (PER) or an environmental impact statement (EIS), is required. Mining including (a) prospecting, exploration, extraction of minerals (b) quarries and open pit mining (c) deep drilling geothermal, are listed in the schedule as prescribed developments. All prescribed developments require a “screening” or “scoping”, to see what form/level of environmental assessment is required. Most prescribed developments require a PER, while major projects such as mining projects, will need a more detailed appraisal which includes technical, economic, environmental and social investigations and consultations with stakeholders, presented in an EIS and submitted to the ECD for approval.

The Regulations extend the requirements of the PER/EIS to include; (a) social impact on the surrounding communities; (b) ensuring public participation; (c) spelling out employment opportunities for Solomon Islanders; (d) a demographic impact assessment; (e) health impact assessment; (f) gender impact assessment; (g) noise impact assessment; (h) state whether any of the above would have short or long-term harmful effects on the environment. The Director may have other requirements that need to be fulfilled and will notify the applicant of any additional requirements within 31 days.

The Project will finance the preparation of studies on the harmonization of regulations, guidelines and protocols to properly implement environmental management of mines. This will include undertaking studies of and consultation on, the Environment Act and the Regulations.

### 3.1.2 Mines and Minerals Act (1990) and Amendments

The objectives of the Mines and Minerals Act 1990 (Mines Act) and amendments are to provide for the development of mining in Solomon Islands by prescribing appropriate procedures for the granting of licences, permits or leases, and for the establishment of the Minerals Board to regulate and control mining. A Minister of Energy, Mines and Minerals is also established by the Act. The Mines Act inherited many of the features of prevailing legislation in the former colonial period and although it has been amended many times, such as the Mining and Minerals Amendment Act (2014), it has failed to keep up to date with advancements in the mining sector and is due to be replaced by the National Mining Bill, currently in draft form (Chapter 3.1.5).

### 3.1.3 Mines and Minerals Regulations (1996) and Amendments

These Regulations, made by the Minister of Energy, Mines and Minerals under section 80 of the Mines Act, implement provisions of the Act with respect to, among other things: (application for) mineral rights; consultation with landowners; fees; inspections; recording; and assignment transfer, encumbrance, relinquishment and surrender of a mineral right. They also provide for appeal with the Minister against decisions of the Director of Mines. Although these regulations represent a modern approach to exploration, permitting, licensing and the granting of mining leases they are being reviewed as part of the preparation of the Mining Bill and will undergo revision to assure they are fully aligned.

### 3.1.4 National Minerals Policy (2017)

The National Minerals Policy of 2017 (NMP) sets out a vision of mining contributing to Solomon Islands' sustainable development through improved management of the sector leading to investment by responsible mining companies and more equitable benefit flows.

The NMP contains the following statement in the Minister's foreword: *"The mineral resources of Solomon Islands will be developed for the benefit of all the people of our country in a way that causes minimal environmental impact and respects the different cultures, interests, and relationships that make up this diverse community, both now and for future generations."*

The NMP outlines in a comprehensive way the environmental and social risks and impacts associated with mining in the Solomon Islands, including deep sea mining, and informs the SIG's strategies and reform processes. Environmental and social considerations and mitigations form an integral part of the NMP. The elements of the NMP that capture environmental and social considerations, include the Policy's Objective 10 "To require that companies' liabilities to protect the environment and to close and rehabilitate mine sites are backed by suitable financial security so that this does not become a burden on public finances", Objective 23 "To protect the environment where possible and to manage and mitigate the environmental effects of mining", Objective 25 "To ensure a clear and coordinated pathway for obtaining environmental consents for exploration and mining activities", Objective 9 "To ensure that mining revenue is shared equitably between the National Government, Provincial Government, Landowners and Communities", Objective 16 "To create strong, constructive, and responsive engagements whereby all men, women and youth in affected communities are consulted at all steps of the mining process, informed about the decisions they make, are involved in the sector, and have equal access to mining generated benefits", Objective 17 "To ensure custom appropriate practices are used to identify all landowners potentially affected by mining related activities", Objective 18 "To ensure that land access rights are negotiated in a transparent and accountable way and, where customary landowners are fully informed and aware of their rights before consenting to grant land access rights",

and Objective 34 “To consult with communities and stakeholders on the appropriateness of deep-sea mining (DSM) for Solomon Islands”, amongst others.

Despite the Environment Act (1998) requirement, no SEA was undertaken for the National Minerals Policy as it was prepared in 2015 and 2016. Nor has a SEA been carried out during preparation of the National Mining Bill (Ch 3.1.5). It is proposed that the Project will finance an institution-centered, policy oriented rapid SESA of mineral development in Solomon Islands to assess the environmental and social risks and impacts of the mining sector, elaborating on the NMP in areas covered by cross-cutting environmental and social jurisdiction and identifying legislative harmonisation needs and capacity building needs across relevant agencies (sub-component 1.1.(i)). The SESA will take place immediately upon effectiveness, alongside support to complete the Mining Bill.

The Project will also finance studies and consultations to elaborate aspects of the NMP whose implementation would rely on instruments other than mining legislation, especially for cross-cutting topics. For example, on matters of central and provincial government coordination and funding, district and community level development planning and the promotion of local suppliers of goods and services to the mining industry (Component 1).

### 3.1.5 National Mining Bill (Draft)

Although amended from time to time, it became increasingly apparent that the Mines and Minerals Act 1990 was incompatible with the needs of the mining sector and the protection of the interests of a range of stakeholders. A review was launched in 2018 and steered by an Inter-Ministerial Taskforce chaired by the Permanent Secretary of the MMERE. This resulted in drafting instructions in mid-2018 which formed the basis of an initial Mining Bill prepared under guidance of the Office of the Attorney-General by the end of 2018. The Mining Bill has undergone further rounds of development after comments were received on drafts of the Mining Bill from several stakeholders, including industry and some NGOs. The Inter-Ministerial Taskforce aimed to have completed new drafting instructions in the first half of 2020 so that a revised version of the Mining Bill was prepared for Cabinet endorsement and tabling in parliament late in that year. This timetable was impacted by the COVID-19 related restrictions and wider impacts on government business, nevertheless, a further revised draft Mining Bill was undergoing review in SIG at the start of 2021 with a view to its finalization and adoption by the middle of 2021.

The main objective of the Mining Bill is to ensure that Solomon Islands mineral resources are properly regulated, managed and sustainably exploited. The Mining Bill will replace the Mines and Minerals Act 1990 and its amendments. The Mining Bill is the main legislative instrument through which the NMP, including its environmental and social objectives, will be implemented. The Mining Bill (in its current draft version) enshrines the principles of the NMP and is widely supported by internal and external stakeholders. The Project will finance support to complete the Mining Bill for enactment by parliament and Regulations under it for issuance by the Minister (sub- component 1.1.ii).

### 3.1.6 Other Relevant Regulations, Policies, and Plans

The Project will finance studies of and consultation on other relevant legislation relevant to the mining sector, which will need to be harmonized to assure a higher standard of mining sector management. These may include review of the following relevant regulations, policies and plans:

- **Constitution of Solomon Islands (1978).** The supreme law of Solomon Islands recognises customary laws as part of the modern law system. It implies all natural resources are vested in the interest of Solomon Islands and its people. Chapter XI, Section 111 sets out that Parliament will make provisions for conversion of customary land into perpetual estate, compulsory acquisition of land or right over or interest in land, and the criteria for assessment of compensation for compulsory acquisition.
- **The Land and Titles Act (1988 and amended in 1996).** The Lands and Titles Act is the legislation that consolidates the law relating to the tenure of land, registration of interests in land, and compulsory acquisition of land. It contains provisions regarding the tenure, acquisition and registration of land. This is the law that primarily regulates government and private owned land. The Act sets out some key terms which are relevant to any discussion on governance of land-owning groups. There are also some sections of this Act relevant to customary land.
- **Forest Resources and Timber Utilisation Act (FRTU).** The FRTU regulates forest resources, particularly facilitates timbers and natural forest.
- **Environmental Health Act (1980).** This Act's objective is to ensure the maintaining of environmental health. Its regulation prohibits people from causing nuisances including the prohibiting of discharging of noxious matter or waste from premises.
- **National Waste Management and Pollution Control Strategy 2017-2026.** The Solomon Islands National Waste Management and Pollution Control Strategy 2017-2026 is the country's roadmap for managing waste and controlling pollution in the natural environment for 10 years with the vision for 'clean, healthy and green happy isles'. The strategy addresses 5 main waste streams: Solid Waste, Liquid Waste, Hazardous and Chemical Waste, Healthcare Waste and Electronic Waste. The Strategy serves as a blueprint for waste management and pollution control that captures the national priorities and targets and identifies the relevant strategies to realize the priority targets in the next decade. It represents a major step forward for integration of waste issues and concerns into broader sustainable development policy. Objectives include to promote waste minimization in all aspects of development and to improve and upgrade existing management and disposal systems.
- **Protected Areas Act (2010) and Protected Area Regulation (2012).** The Act provided for the establishment of a protected area system and to conserve biological diversity. Industrial and commercial extraction of minerals is prohibited in any protected area declared under the Protected Areas Act 2010.
- **Resource Management Ordinances.** A number of Provinces passed Natural Resource Management Ordinances which allow Provinces to establish protected areas over land or sea through the Orders.
- **National Biodiversity Strategic Action Plan (2016-2020).** The revised and updated NBSAP (2016-2020) was developed with the provisions of the Convention of the Biological Diversity. The document constitutes the national policy instrument on biodiversity.
- **Wildlife Protection and Management Act (1998) & Wildlife Protection and Management Regulations (2008).** This Act provides for the regulating of endangered species and wild fauna and flora in compliance with the Solomon Island's obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora.
- **Safety at Work Act (1982).** The Safety and Work Act is an act to provide for the health, safety and welfare of persons at work and to protect persons against risks to health or safety arising

out of or in connection with the activities of persons at work. The Project will finance the preparation of new mines occupation health and safety legislation to replace this outdated one that is still used today (sub-component 1.1.iii).

- **Petroleum (Exploration) Act (1987).** This Act is in many ways similar to the Mines and Minerals Act. Its objects are to make provisions for the exploration of petroleum existing in its natural state in strata in Solomon Islands.
- **Continental Shelf Act (1970).** The objectives of this Act are to make provisions for the protection, exploration and exploitation of the Continental Shelf of Solomon Islands, the prevention of pollution in consequence of works in connection with the Continental Shelf.
- **Provincial Government Business Licenses.** In many cases, before a person can conduct a business within a province, they must obtain a business licence from the relevant Provincial Government. Carrying out mining without a business licence may be an offence.

### 3.1.7 Relevant International and Regional Agreements

- **Natural Resources & Environment of South Pacific Region (1986) (SPREP or Noumea Convention).** This Convention is the major multilateral umbrella agreement in the Pacific Region for the protection of natural resources and the environment. This Convention was ratified by the Solomon Islands in 1989.
- **Stockholm Convention on Persistent Organic Pollutants (POP Convention).** The Stockholm Convention on Persistent Organic Pollutants is an international environmental treaty, signed in 2001 and effective from May 2004, that aims to eliminate or restrict the production and use of persistent organic pollutants (POPs). This convention entered into force in the Solomon Islands in 2004.
- **Waigani Convention on Hazardous Waste.** The 1995 Waigani Convention is a treaty that bans the exporting of hazardous or radioactive waste to Pacific Islands Forum countries and prohibits Forum island countries from importing such waste. The convention has been ratified by the Solomon Islands.

## 3.2 World Bank Environmental and Social Standards

The Environmental and Social risk is classified as ‘Substantial’ for the Project. Nine out of the ten ESF standards are considered relevant. Only ESS9 - Financial Intermediaries is not considered relevant.

The relevant standards are shown in Table 4. However, it should be noted that this is largely due to the potential downstream impacts associated with future increased investment in the mining industry following the successful project interventions which are aimed at a more harmonized licensing process.

Detailed information on the Bank’s ESF are available at: <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework>.

**Table 4 – ESS Standards Relevant to the Project**

ESF Standard	Main Objective	Applicability	Explanation and Required Measures
<b>ESS1 Assessment and Management of Environmental and Social Risks and Impacts</b>	Sets out the Borrower’s responsibilities for assessing, managing and monitoring environmental and social risks and impacts associated with each stage of a project supported by the Bank through IPF, in order to achieve environmental and social outcomes consistent with the Environmental and Social Standards (ESSs).	Relevant	This Standard applies due to the potential downstream risks and impacts that may be associated with the increased presence of mining in the country due to the more stable legislative framework and better capacity to manage and monitor the sector activities. These risks will primarily be managed through the development of an overarching Project ToR. An institution-centered SESA will also be undertaken early during project implementation.
<b>ESS2 Labor and Working Conditions</b>	Recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Borrowers can promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions.	Relevant	The Project will work mainly with government civil servants, though a resident regulatory operations adviser to the Director of Mines will be appointed to support project implementation (direct worker) and international or local consultants and experts will also be engaged to provide advisory and technical assistance (contracted workers). The project will also have a number of policy and legal advisers appointed across a range of domains to conduct consultation and reviews. ESS2 related issues to be addressed better in the regulatory framework, required reforms and improved coordination between relevant agencies in the administration of the legislation and the associated capacity building needs across relevant agencies will be fully identified during the rapid institution-centered SESA. A labor management procedure (LMP) for the project has been prepared and includes a grievance mechanism (GM) for project workers.
<b>ESS3 Resource Efficiency and Pollution Prevention and Management</b>	Recognizes that economic activity and urbanization often generate pollution to air, water, and land, and consume finite resources that may threaten people, ecosystem services and the environment at the local, regional, and global levels. This ESS sets out the requirements to address resource efficiency and pollution prevention and management throughout the project life-cycle.	Relevant	This Standard applies due to the potential downstream risks and impacts that may be associated with the increased presence of mining in the country. In order to mitigate the potential ESS3 risks and impacts, the World Bank ESF standards will be incorporated into project design through their inclusion in Technical Assistance ToRs, in accordance with the overarching project ToR. Particular ESS3 related issues to be addressed better in the regulatory framework, required reforms and improved coordination between relevant agencies in the administration of the legislation and the associated capacity building needs across relevant agencies will be fully identified during the rapid institution-centered SESA. The

			project is designed to assist the SIG in mitigating the environmental and social risks associated with mining including those related to related to this standard.
<b>ESS4 Community Health and Safety</b>	Addresses the health, safety, and security risks and impacts on project-affected communities and the corresponding responsibility of Borrowers to avoid or minimize such risks and impacts, with particular attention to people who, because of their particular circumstances, may be vulnerable.	Relevant	There are no direct impacts but the Standard still applies due to the potential future downstream risks and impacts that may be associated with the increased presence of mining in the country. In order to mitigate the potential community health and safety risks and impacts the World Bank ESF standards will be incorporated into project design through inclusion in ToRs for the various TA activities. Particular ESS4 related issues to be addressed better in the regulatory framework, required reforms and improved coordination between relevant agencies in the administration of the legislation and the associated capacity building needs across relevant agencies will be fully identified during the rapid institution-centered SESA. The project is designed to assist the SIG in mitigating the environmental and social risks associated with mining including those related to related to this standard. Particularly with regards to mine closure requirements and the legacy issues including mine tailing dams.
<b>ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement</b>	Involuntary resettlement should be avoided. Where involuntary resettlement is unavoidable, it will be minimized and appropriate measures to mitigate adverse impacts on displaced persons (and on host communities receiving displaced persons) will be carefully planned and implemented.	Relevant	The Project does not include any activities which will result in land acquisition, restrictions on land use or involuntary resettlement and no land use instruments (RPF, RAP) will be prepared. However, a number of project components have the potential to cause downstream impacts to land rights and access including harmonization of environmental regulations; and update of licensing measures, use of geo-referenced cadastre system and mining exploration work. The ToR to support ‘harmonization of environmental regulations’ will include considerations and TA advice that are consistent with the objectives of ESS5. ESS5 related issues to be addressed better in the regulatory framework, required reforms and improved coordination between relevant agencies in the administration of the legislation and the associated capacity building needs across relevant agencies will be fully identified during the rapid institution-centered SESA. The project is designed to assist the SIG in mitigating the environmental and

			social risks associated with mining including those related to this standard.
<b>ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources</b>	Recognizes that protecting and conserving biodiversity and sustainably managing living natural resources are fundamental to sustainable development and it recognizes the importance of maintaining core ecological functions of habitats, including forests, and the biodiversity they support. ESS6 also addresses sustainable management of primary production and harvesting of living natural resources, and recognizes the need to consider the livelihood of project-affected parties, including Indigenous Peoples, whose access to, or use of, biodiversity or living natural resources may be affected by a project.	Relevant	The Standard applies solely due to the downstream risks and impacts that may be associated with the increased presence of mining in the country following the streamlining of the licensing process, which is one of the main objectives of the Project. Mining activities can impact terrestrial, freshwater and marine ecosystems primarily through the clearing of land (habitat reduction and increased erosion of topsoil that also results in sediment load entering watercourses and the marine environment), the contamination of watercourses through unregulated discharges and major spills of hazardous materials. In order to mitigate downstream biodiversity risks and impacts from mining investments as the result of funded TA activities not being consistent with the relevant ESF standards, they will be incorporated into project design through inclusion in activity level ToRs, in accordance with the overarching project ToR. ESS6 related issues to be addressed better in the regulatory framework, required reforms and improved coordination between relevant agencies in the administration of the legislation and the associated capacity building needs across relevant agencies will be fully identified during the rapid institution-centered SESA. The project is designed to assist the SIG in mitigating the environmental and social risks associated with mining including those related to this standard.
<b>ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities</b>	Ensures that the development process fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of Indigenous Peoples (IPs)/Sub-Saharan African Historically Underserved Traditional Local Communities. ESS7 is also meant to avoid adverse impacts of projects on Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, or when avoidance is not possible, to minimize, mitigate and/or compensate for such impacts.	Relevant	The majority of the population in Solomon Islands is considered to be indigenous. While the projects will have no direct impacts on IPs, there is potential for studies and legislative revisions to have implications in future. No separate instrument is proposed, but relevant elements of the policy will be integrated into the SEP and the overarching project ToR, and implemented throughout the life of the Project. ESS7 related issues to be addressed better in the regulatory framework, required reforms and improved coordination between relevant agencies in the administration of the legislation and the associated capacity building needs across relevant agencies will be fully identified during the rapid

			institution-centered SESA. The project is designed to assist the SIG in mitigating the environmental and social risks associated with mining including those related to this standard.
<b>ESS8 Cultural Heritage</b>	Recognizes that cultural heritage provides continuity in tangible and intangible forms between the past, present and future. ESS8 sets out measures designed to protect cultural heritage throughout the project life-cycle.	Relevant	While no direct impacts on cultural heritage are anticipated, there may be some implications for tangible and intangible cultural heritage from revisions to the regulatory framework. Overall, the impacts are expected to be minimal, but the World Bank will need to approve any ToRs and completed studies to ensure that the Project is consistent with the objectives of ESS8. Particular ESS8 related issues to be addressed better in the regulatory framework, required reforms and improved coordination between relevant agencies in the administration of the legislation and the associated capacity building needs across relevant agencies, if any, will be fully identified during the rapid institution-centered SESA. The project is designed to assist the SIG in mitigating the environmental and social risks associated with mining including those related to this standard.
<b>ESS10 Stakeholder Engagement and Information Disclosure</b>	Recognizes the importance of open and transparent engagement between the Borrower and project stakeholders as an essential element of good international practice. Effective stakeholder engagement can improve the environmental and social sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation.	Relevant	Project components include capacity building activities, which will require inputs and extensive consultations with various parties with various levels of technical expertise. The Project will appoint a number of technical advisors, policy and legal advisers across a range of domains. Citizen engagement will play an important part under each project activities as it will support provincial governments and guide the mining sector reforms on landowner and community rights. Consultations engagement and the inclusion of free prior and informed consent (FPIC) will be taken into account through the design of the regulatory framework. A SEP has been prepared. The SEP also includes a GM to allow affected parties to raise any concerns related to the project.

## 4 Overview of Previous Engagements in the Solomon Islands Mining Sector

### 4.1 The World Bank

The World Bank supported SIG for several years to develop the NMP by assisting with access to expertise and helping to organize stakeholder consultation. After the NMP was approved, SIG requested further support to assist it in implementing the NMP. The World Bank responded by granting SIG US\$400,000 to implement the “Solomon Islands Mining Governance (SIMGov) Project”. The grant was provided from the Extractives Global Programmatic Support Multi Donor Trust Fund (EGPS). The grant was approved in February 2018 and closed at the end of June 2019.

Support provided to SIG to strengthen mining sector governance through several small grants 2010-2019:

- **State and Peacebuilding Fund July 2010** – RETF \$750,000 + BETF \$150,000 to July 2013 which supported the design and conduct of a Mines and Communities Forum in 2011 in partnership with Solomon Islands Development Trust and delivered a package of technical guidance on developing a mining sector policy and new legislation in 2012-13.
- **Global EITI MDTF January 2014** – RETF \$350,000 to December 2015 which supported SIGs implementation of EITI and allowed continued engagement on mining sector reform to take place. The Gold Ridge Mine closed in the second half of 2014 and in the following year the Solomon Islands lost global support for its continued membership of EITI.
- **National Mining Policy Workshop July 2014** – the workshop was organized with World Bank support to assess the draft Mining Policy financed under the SPF Grant and identified that further development of the mining policy was needed.
- **The National EITI and Mining Forum October 2015** – the Forum was designed and conducted with World Bank support and provided the foundation for the next grant-based engagement by the World Bank.
- **Mining Sector PASA (P157935) February 2016** – BETF \$324,000 from the Department of Foreign Affairs and Trade (DFAT) to December 2017 which funded (i) guidance on further development of mining policy which contributed to the National Mining Policy completed in late 2016 and endorsed by Cabinet in March 2017 and (ii) elaboration of the idea of a mineral advisory center (NRIAC).
- **SIMGov Mining Governance (P162737)** – RETF \$400,000 from the EGPS MDTF to June 2019 which funded (i) review of the Mining Act 1990, preparation of drafting instructions for a mining bill, and production of the first full draft Mining Bill (ii) evaluation of mineral rights management and scope for modern cadastral GIS-based system (DeVries Study) (iii) evaluation of mines inspection function and capacity building needs and (Walker Study) (iv) evaluation of community engagement function and capacity building needs, including the set-up of NRIAC (Grice Study).

### 4.2 Department of Foreign Affairs and Trade

DFAT is providing financial support to the Solomon Islands mining sector. Specifically, DFAT is financing a Mining Advisor who is supporting finalization of the National Mining Bill and potentially also working on standard agreements.

### 4.3 Commonwealth Secretariat

The Secretariat, has since the 1990s provided support to the Government of Solomon Islands on the launch and re-opening of the Gold Ridge Mine in Guadalcanal, Solomon Islands. They have provided technical assistance to Solomon Islands on a range of legal, economic, environmental and social issues associated with the reopening of the Gold Ridge Mine. This included the commissioning of an environmental and technical review of a proposal for the de-watering of a mine tailings dam, and a comprehensive review of the bankable feasibility study for the reopening of the mine which was submitted to the SIG<sup>2</sup>.

### 4.4 Pacific Community

The Deep Sea Minerals Project (DSM) is a collaboration between the Pacific Community (SPC) and the European Union (EU). Initiated in 2011, the €4.4 million (approx. USD\$5.2 million) DSM Project has 15 member Pacific Island Countries including the Solomon Islands. A primary objective of the project is to support informed and careful governance of any deep sea mining activities in accordance with international law, with particular attention to the protection of the marine environment and securing equitable financial arrangements for Pacific Island countries and their people. The Project is also working to encourage and support participatory decision-making in the governance and management of national deep sea minerals resources.

In 2016, two frameworks were released: the Regional Financial Framework for Deep Sea Minerals Exploration and Exploitation and the Regional Environmental Management Framework for Deep Sea Minerals Exploration and Exploitation. The Regional Financial Framework for Deep Sea Minerals Exploration and Exploitation is aimed at providing Pacific countries with a guide to the major issues to be addressed when setting up national financial frameworks. The Regional Environmental Management Framework for Deep Sea Minerals Exploration and Exploitation contains an overview of deep sea mineral deposit environments and potential environmental impacts of deep sea mining projects, as well as management and mitigation strategies, including an environmental impact assessment (EIA) report template. The environmental framework serves as a guide for Pacific countries, informing and supporting them to make sound decisions regarding their deep sea mineral resources and to take appropriate measures to reduce environmental risks, should they wish to engage in the mining industry<sup>3</sup>.

### 4.5 Secretariat for the Pacific Regional Environment Programme

In 2019, the Secretariat for the Pacific Regional Environment Programme (SPREP), through the Environmental Monitoring and Governance (EMG) Programme, carried out an EIA capacity building workshop for the staff of the MMERE. The Mines Act specifies a requirement to conduct an environmental assessment as part of the mining license approval process. The workshop was also attended by the staff of the ECD of the Ministry of Environment, Climate Change, Disaster Management, and Meteorology (MECCDM). The objective of the training was to raise the capacity of participants on the EIA process, but also for the MMERE and ECD to develop synergies for a robust assessment process

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<sup>2</sup> Commonwealth Secretariat, 2014. *Evaluation of Commonwealth Secretariat Support to Solomon Islands 2007/08-2012/13*

<sup>3</sup> <https://dsm.gsd.spc.int/index.php>. Accessed 30<sup>th</sup> September 2020

for mines in order to protect the natural environment, culture and prosperity of the Solomon Islands and its people<sup>4</sup>.

#### 4.6 The Nature Conservancy

The Nature Conservancy (TNC) worked with community groups in Isabel Province to hold workshops and provide information through a program called “What Is Mining?”. This program, a ‘train the trainer’ course, was designed to help Solomon Islanders understand the impact mining could have on their lives and their natural resources. TNC partnered with community-based women’s groups in particular to both ensure that women were a part of the conversation and to empower women to make their voices heard. In collaboration with the Isabel Mothers’ Union, and with technical support from The University of Queensland, they trained 40 community facilitators who are raising awareness about the importance of well-informed and inclusive decisions around big issues such as mining. To date, this work has reached over 12,000 people in remote communities, and their input is informing the national mining policy reform process<sup>5</sup>.

#### 4.7 The Landowners Advocacy and Legal Support Unit

The Solomon Islands Office of Public Solicitor through its Landowners Advocacy and Legal Support Unit (LALSU) is working to translate environmental legislations, including mining, into language that villagers can understand.

## 5 Solomon Islands Mining Sector Environmental and Social Risks and Impacts

### 5.1 Overview

Solomon Islands is highly prospective for a wide range of minerals, including base and precious metals. In 2018 the total area of active leases was 96 km<sup>2</sup> and there were 30 prospecting licences<sup>6</sup>. Its mineral resources are found both on land and in the offshore territory. The major mining products are gold and bauxite with investigations carried out in relation to other minerals, such as nickel on Isabel and Choiseul. Gold Ridge in Guadalcanal had a stop-start history and, for the last few years of its life, ran at a loss. The recent explosion of bauxite mining on Rennell has exposed the country to a new form of mining – highly mobile strip mining<sup>7</sup> which relies on low cost extraction methods targeting easily accessed near-surface pockets of bauxite.

While mining offers opportunities for economic development, without adequate management, it also poses direct and urgent threats to the environment, livelihoods, culture and social well-being. Primary responsibility for mitigating environmental risks of mining rests with the MECCDM. However, close

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<sup>4</sup> <https://www.sprep.org/news/eia-training-aims-at-building-capacity-of-the-ministry-of-mines-energy-and-rural-electrification-in-the-solomon-islands>. Accessed 28<sup>th</sup> September, 2019

<sup>5</sup> <https://blog.nationalgeographic.org/2016/09/15/mining-a-better-future-for-the-solomon-islands/>. Accessed 28<sup>th</sup> September, 2019

<sup>6</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

<sup>7</sup> MMERE, 2016. *National Minerals Policy*

cooperation between the MMERE and MECCDM (ECD) is essential to ensure that actual and potential environmental risks are identified and monitored<sup>8</sup>.

Different types of mining have different potential risks and impacts (e.g. open cut mining compared to underground). Increasing the quantity of minerals exported or the area of mining tenements is likely to be associated with increased environmental and social (E&S) impact. Mining also places pressure on the sustainability of natural resources through depletion of finite resources<sup>9</sup>. General mining risks and impacts include the following:

- Air quality impacts: discharge of dust and particulates from earth moving, rock crushing, and mine tailings.
- Land impacts: physical disturbance of landscapes, effects on downstream communities including embanking collapses, river meandering, sedimentation, erosion.
- Water quality impacts (freshwater and marine): contaminants (e.g. arsenic) in fresh water; sedimentation; marine pollution (through deposition of sediment/ contaminants at the river mouth).
- Waste management impacts: disposal of waste rock and tailings.
- Biodiversity impacts: deforestation and biodiversity loss.
- Social impacts: labor influx; civil unrest.
- Occupational and community health and safety impacts: work place accidents; increases in gender based violence.
- Cultural heritage impacts: destruction of cultural sites including tambu sites and graves.
- Land tenure and livelihood impacts: land tenure and related disputes, loss of livelihood.
- Gender impacts: women's traditional and rightful status as landowners disregarded; women excluded from decision-making around large economic projects.
- Unrehabilitated mining sites: erosion, sedimentation of waterways, establishment of invasive weeds.

## 5.2 Air Quality Impacts

Thousands of tons of rock are unearthed, moved, and crushed in mining operations which if not managed properly can increase the amount of dust and particulates in the air. In addition, mine tailings, which may contain finely ground and even toxic waste, can become airborne. These fine materials may become a health hazard, as well as increase sediments loads in local water bodies if not managed properly. Mining operations may also involve large machinery and vehicles, and emissions from these may also contribute to reduced air quality. In large parts of the Solomon Islands, outdoor air quality is considered to be good<sup>10</sup> and air quality considerations are included as part of the EIS process. Monitoring for inhalable particulate matter (PM10) conducted for a mining company EIS baseline studies on Choiseul and Isabel in 2011 and 2012 showed low concentrations for particulate matter. According to the SMM Solomon Ltd, EIS 2012, the baseline PM10 concentration are generally within the acceptable level of NEPM and WHO air quality standards which is 50 µg/m<sup>3</sup>. The two locations on Isabel and Choiseul are rural areas likely to be similar to other rural parts of Solomon Islands<sup>11</sup>.

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<sup>8</sup> MMERE, 2016. *National Minerals Policy*

<sup>9</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

<sup>10</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

<sup>11</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

### 5.3 Land Impacts

Mining, particularly on a large scale, can physically disturb landscapes, substantially changing the look and future viability of land. Erosion of exposed hillsides, mine dumps, tailings dams and resultant siltation of drainages, creeks and rivers can significantly impact the surrounding area and communities. In the Solomon Islands, mining operations, such as the Gold Ridge mine in Guadalcanal and bauxite strip mining on Rennell Island, have caused severe erosion (Figures 1 and 2).

Figure 1 - Severe erosion caused by the Gold Ridge mine, Guadalcanal<sup>12</sup>



Figure 2 - Bintan Mining Solomon Island, Bauxite Strip mining, Rennell<sup>13</sup>



Rennell Islands bauxite mining, which commenced in 2014, takes place in the island’s “pocket soils”: small, dispersed patches of fertile soils that constitute the island’s only arable land. As in several other countries in the region, these types of mining operations often rely on low cost extraction methods targeting easily accessed near-surface pockets of bauxite. Unfortunately, this is a segment of the mining industry open to companies with limited sophistication and regard for safe or environmentally sound

<sup>12</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*. (©Edward Danitofea, MECDM)

<sup>13</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*. (©Edward Danitofea, MECDM)

operating practices. Once the ore has been dug out, the water table rises, and areas that for centuries have served as the island’s subsistence food gardens are transformed into permanent holes of stagnant water. In this manner, bauxite mining poses a significant threat to livelihoods and food security<sup>14</sup>.

#### 5.4 Freshwater Quality

Major impacts to surface and groundwater can result from poorly managed mining operations. Mining operations and poorly managed waste products may degrade surface and groundwater quality as a result of the oxidation and dissolution of metal-bearing minerals<sup>15</sup>. Research was recently conducted on the freshwater catchments surrounding the Gold Ridge mine in Guadalcanal. The catchments surrounding the Gold Ridge mine in Guadalcanal have elevated levels of turbidity, metals and arsenic that are above safe guidelines. Furthermore, arsenic in the overfull Gold Ridge mine tailings dam also presents an ongoing threat to the environment<sup>16</sup>. The 2019 Solomon’s State of the Environment Report recommended that an ongoing monitoring programme for all Prescribed Developments in Gold Ridge mine catchment is implemented to ensure the ecosystem services of food and water for local communities continues to be safe and that any new development should have conditions imposed which ensure that any impacts on water quality are within acceptable levels.

#### 5.5 Coastal and Marine Water Quality

Mining operations in the Solomon Islands have led to significant negative impacts on marine water quality. In 2019, a major Bauxite spill occurred at Rennell Island, a coral atoll 2,000 miles that is home to a World Heritage site. The spill caused coastal water pollution when an estimated 5,000 tonnes of bauxite, the ore used in aluminium smelting, slipped into the water at Kangava Bay, Rennell Island, while it was being loaded on to a barge. Earlier that same year, a bulk carrier ran aground on a coral reef and leaked about 80 tonnes of heavy fuel oil<sup>17</sup>. The SIG is holding the parties responsible for the ship wreck responsible for the clean-up and restoration of the environment but the SIG was engaged with the investigation and assessment of the wreck. SIG coordinated the development of a response plan to address the wreckage, contain and minimize the oil leakage, remove the oil from the ocean surface with the ultimate objective to rehabilitate the environment and remove the ship wreck from the reef<sup>18</sup>.

An assessment of the Tetera bay coastal water quality was conducted by the University of Queensland to ascertain the level of impact to the marine environment from the Gold Ridge mining in Guadalcanal. For total metal concentration in the bay, most metals concentration were found to be low, except for copper and zinc. Arsenic concentration was low at most sampling areas except for the area near the Matepono River. The study also found that aluminium, arsenic, copper and nickel were present in relatively high concentrations in sediment. Arsenic concentrations are above the ANZECC safe water

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<sup>14</sup> Allen, M. G. 2018. *Resource Extraction and Contentious States. Mining and the Politics of Scale in the Pacific Islands*. University of the South Pacific Suva, Fiji

<sup>15</sup> Hudson, T.L, Fox, F.D., and Plumlee, G.S, 1999. *Metal Mining and the Environment*. p. 7,20-27,31-35,38-39. Published by the American Geosciences Institute Environmental Awareness Series.

<sup>16</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

<sup>17</sup> <https://www.theguardian.com/world/2019/jul/05/solomon-islands-bay-hit-by-oil-spill-suffers-second-contamination-crisis>. Accessed 28<sup>th</sup> September, 2020

<sup>18</sup> <https://www.solomonislandsembassy.com/news-and-media/government-works-to-prevent-major-environmental-and-human-disaster-in-rennell-island/> Accessed 13<sup>th</sup> October, 2020

guidelines. The high concentration of arsenic present was explained by recent deposition from the Matepono River mouth.<sup>19</sup>

A 2013 baseline study for Sumitomo Metal Mining Solomons Limited (SMM Solomons Limited, 2014) EIS also provides some information on Choiseul which is likely to be relevant for most of Solomon Island coastal water quality. The key conclusions of the 2013 baseline study are that there was a general pattern of lower water quality inshore compared to offshore areas, and nutrients and metals concentrations were observed to exceed the ANZECC guideline at some inshore sampling sites.

## 5.6 Waste Management

Mining processes produce an excess of waste materials such as waste rock and tailings. The materials that are left over after are a result of separating the valuable fraction from the uneconomic fraction of ore. If not properly managed, erosion of mineralized waste rock into surface drainages may lead to concentrations of metals in stream sediments<sup>20</sup>. Tailing storage areas and tailings dams may also become unstable. In the Solomon Islands, the Gold Ridge mine tailings and waste storage facility located in central Guadalcanal poses a threat to communities living downstream after it became unstable due to heavy rains<sup>21</sup>. Heavy rainfall has raised repeated concern that it would overflow or burst, exposing downstream communities to potential contamination and it has been declared by the SIG as a Disaster.

## 5.7 Biodiversity Impacts

Habitat alteration is one of the most significant potential threats to biodiversity associated with mining. Habitat alteration may occur during any stage of the mine cycle with the greatest potential for temporary or permanent alteration of terrestrial and aquatic habitats occurring during construction and operational activities. Additionally, exploration activities often require the development of access routes, transportation corridors, and temporary camps to house workers which may all result in varying degrees of land-clearing and population in-migration<sup>22</sup>.

In the Solomon Islands, some forest areas are currently being managed and protected by communities or tribal groups, but are not legally protected against mining developments. Solomon Islands have globally significant levels of biological endemism; 24 birds and 16 mammal species are on the IUCN Red List. Mining developments are a significant threat to biodiversity in the Solomon Islands due to habitat loss associated with land clearing<sup>23</sup>. This threat is heightened by the fact that there is currently no strategic protected area network across the Solomon Islands. A legislative mechanism for protected area declaration exists. The SIG passed the Protected Areas Act 2010 for the purposes of establishing, managing and promoting protected areas in the Solomon Islands. The Act addressed the lack of a national legal mechanism for protecting land areas from incompatible uses, such as mining and also met a key objective under 'Theme 3: Protected area system' of the Solomon Islands National Biodiversity Strategic Action Plan<sup>24</sup>.

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<sup>19</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

<sup>20</sup> Hudson, T.L, Fox, F.D., and Plumlee, G.S, 1999. *Metal Mining and the Environment*. p. 7,20-27,31-35,38-39. Published by the American Geosciences Institute Environmental Awareness Series.

<sup>21</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

<sup>22</sup> IFC, 2007. *Environmental, Health and Safety Guidelines for Mining*. World Bank Group

<sup>23</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

<sup>24</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

## 5.8 Social Impacts

The mining sector in Solomon Islands has been linked with historic unrest resulting in mine closure. Gold Ridge mine on Guadalcanal operated between 1998 and 2000. It was abandoned because of civil unrest (referred to as the Tensions) on the island Guadalcanal because of fighting that took place between different ethnic militant groups. The ethnic tensions escalated during this time because the people of Guadalcanal (the Guales) resented the influence of settlers from other islands and their occupation of undeveloped land in and around Honiara. Much of the population living in other provinces, in the outer islands were drawn to Honiara because of its economic opportunities.

The risks created by not obtaining proper community consent include frustrations and feelings of being exploited which are significant, as is seen at Gold Ridge mine which continues to be a major frustration for all stakeholders<sup>25</sup>. As per the regulations, stakeholders, including locally affected communities, are invited to provide feedback on draft mining EIAs, such as for prospective nickel mining projects in Isabel Province. However, an assessment of stakeholder input into the EIA process found that local participants have insufficient understanding of mining and its potential impacts, suggesting that public participation processes were inadequate. This suggests that important local experiential knowledge has not been factored into EIA reporting and decision-making, as local stakeholders were unable to meaningfully participate in the process. This also raises questions of the adequacy of Free, Prior and Informed Consent, which one company stated that it had acquired during its EIA process<sup>26</sup>.

## 5.9 Occupational and Community Health and Safety

Occupational health and safety issues occur during all phases of the mine cycle and include: general workplace health and safety; hazardous substances; use of explosives; electrical safety and isolation; physical hazards; fitness for work; travel and remote site health; thermal stress; and noise and vibration. Community health and safety issues that may be associated with mining activities include transport safety along access corridors, transport and handling of dangerous goods, impacts to water quality and quantity, inadvertent development of new vector breeding sites, and potential for transmission of communicable diseases, e.g., respiratory and sexually transmitted infections resulting from the influx of project labor, and increases in gender based violence<sup>27</sup>. Violence and criminal activity in or near a mine can also have a direct impact on the health and safety of workers<sup>28</sup>. There is also the risk of tailings dams collapsing and seriously impacting downstream communities.

Every mineral rights holder is required to notify the Director of Mines in writing as reasonably as possible, in the event of any emergency, major accident or death or injury to persons. However, in general, the Solomon Islands has a poor record in health and safety compliance. Those standards that have been in place at mines have been principally as a result of the company self-regulating, not because of any national standard or compliance requirement<sup>29</sup>. The rise in small-scale mining, quarrying,

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<sup>25</sup> Baines, G. 2016. *Solomon Islands is Unprepared to Manage a Minerals-Based Economy*. ANU SSGM Discussion Paper 2015/6

<sup>26</sup> Ash, J. 2019. *Perspectives on Environmental and Social Impact Assessment practice in Solomon Islands*. The University of Queensland.

<sup>27</sup> IFC, 2007. *Environmental, Health and Safety Guidelines for Mining*. World Bank Group

<sup>28</sup> MMERE, 2016. *National Minerals Policy*

<sup>29</sup> MMERE, 2016. *National Minerals Policy*

and other activities have also thrown light on the particular risks that exist from these types of mining, often more significant than large mines because of the low ability or incentive for these smaller companies to meet stringent requirements<sup>30</sup>.

### 5.10 Cultural Heritage Impacts

Because mining operations can impact a large area, there is the potential to disturb existing cultural heritage sites including graves and tambu (taboo, restricted) sites. If a proposed mineral project will take place on reserved or protected land including a burial or tambu site, it is prohibited under s. 4 of the Mines and Minerals Act 1990. However, desecration of graves has been observed during mining operations<sup>31</sup>. Mining activities have also destroyed many traditional tambu sites<sup>32</sup>.

### 5.11 Land Tenure and Livelihood Impacts

About 87% of the land in Solomon Islands are under customary land tenure with rights and ownership outside of governmental and legal systems. This pattern of land relations, including customary land tenure has central importance for the use of land resources under both subsistence and the cash economic model. Landowner consent is required to be obtained for reconnaissance and prospecting permits. However, land issues continue to be a prominent in considerations of conflict, both at local and national levels. Because of continued strong links between people and their lands, issues of land use, migration and resettlement remain potent determinants of stability and conflict<sup>33</sup>.

The issue of customary ownership of land underpins decisions on use of land, including foreign investment such as mining<sup>34</sup>. The arrangements for acquiring mineral rights and gaining access to land under the Mines and Minerals Act 1990 have tended to create factions within landowners, promoting the rights of a few. In Solomon Islands, it is important to understand the land ownership structure as some islands follow a matrilineal system (land is passed down from mother to daughter) of land ownership versus a patrilineal system (father to son inheritance). Land issues can also cause divides within communities and families. This is evidenced by a number of land related mining disputes recently in the courts. In early 2016, there were nine court cases pending in relation to the registration of customary land for the purposes of bauxite mining in west Rennell<sup>35</sup>. Limited involvement of persons and communities affected by mining is a risk to social cohesion. It can cause jealousy and anger at a community level, particularly where one party perceives another to be taking a benefit more appropriately afforded to a wider representative group<sup>36</sup>.

Local land-owners and land-owner organizations can obtain economic benefits from mining company land access agreements that are significant in terms of the local economy<sup>37</sup>. In Solomon Islands, in 2018

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<sup>30</sup> MMERE, 2016. *National Minerals Policy*

<sup>31</sup> ECD staff member, *personal communication*, 18 September, 2020

<sup>32</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

<sup>33</sup> Roughan, P and Wara, S. 2010. *Solomon Islands Country Report for the 5-Year Review of the Mauritius Strategy for Further Implementation of the Barbados Programme of Action for Sustainable Development of SIDS (MSI+5)*

<sup>34</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

<sup>35</sup> Allen, M. G. 2018. *Resource Extraction and Contentious States. Mining and the Politics of Scale in the Pacific Islands*. University of the South Pacific Suva, Fiji

<sup>36</sup> MMERE, 2016. *National Minerals Policy*

<sup>37</sup> DeVries, 2019. *Solomon Islands Cadastral Consultant*

the total area of active mining leases was >131 km<sup>2</sup> and in 2019 there were 30 prospecting licence tenements covering 5,848.8 km<sup>2</sup><sup>38</sup>. The current practice of companies leading the landowner identification process has raised a number of significant problems. Allegations of companies paying inducements to landowners and ‘cherry picking’ landowners sympathetic to their cause is an issue<sup>39</sup>.

## 5.12 Gender Impacts

In the Solomon Islands, women are frequently excluded from economic benefits arising from mining, yet are vulnerable to its negative consequences. Findings of a Rapid Assessment Survey on community experiences with current prospecting and mining activities in two of Solomon Islands’ matrilineal provincial communities found that women’s traditional and rightful status as landowners were disregarded and they were not fully consulted nor invited during negotiation processes. There was also a knowledge gap between men and women in terms of processes involved in the mining sector and women were generally left uninformed of decisions ‘made on their behalf’ by tribal leaders with middle men of mining companies<sup>40</sup>.

Solomon Islands customary land ownership varies from matrilineal to patrilineal from province to province. Studies suggest that increased commercialization has undermined women’s customary decision-making authority, particularly in areas of matrilineal land-holding. Women tend to be excluded from decision-making around large economic projects or the use of land for development purposes. Due to cultural norms of men as spokespeople and the registration of land in a limited number of trustees, women are rarely in a position to influence land ownership and use and are generally excluded from public discussions regarding land and governance, even in matrilineal communities<sup>41</sup>. In matrilineal societies men are put upfront to negotiate on large mining prospecting operations, often misrepresenting women’s interests. In addition, women tend to be excluded from decision-making around large economic projects or the use of land<sup>42</sup>. However, the reduced availability of land and/or environmental damage adversely affects women, who form the bulk of the agricultural labour force and local sellers of agricultural products.

In the mining sector similar significant gender gaps exist. The Systematic Country Diagnostic (SCD) notes "protecting the interests of women during the potential expansion of Solomon Islands' mining sector will be vital if negative gender outcomes and associated social costs observed in logging are to be mitigated . Women, in general, face elevated risks from mining and lesser benefits than men. Risks include sexual exploitation by mining staff, who “buy” wives from male and female family members, and increased alcohol consumption and violence from partners, due to changes in men’s purchasing power. Globally the mining industry, despite traditions of women being involved in artisanal mining in many areas, is a male-dominated field, with a “hypermasculine” working environment that interacts with the broader setting in ways that can entrench gender inequality. Data from the Solomon Islands Household Income and Expenditure Survey (HIES) (2013) shows that out of approximately 1500 people employed in mining and quarrying, only about 300 (14 percent) were female<sup>43</sup>. Further data from the HIES (2013) indicates

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<sup>38</sup> SPREP, 2019. *Solomon Islands State of the Environment Report*

<sup>39</sup> MMERE, 2016. *National Minerals Policy*

<sup>40</sup> World Bank, 2018. *Solomon Islands Country Gender Action Plan (CGAP) 2017 -2023*

<sup>41</sup> DFAT, 2016

<sup>42</sup> World Bank, 2018. *Solomon Islands Country Gender Action Plan (CGAP) 2017 -2023*

<sup>43</sup> Laplonge, D. 2014. *So, You Think You’re Tough: Getting Serious about Gender in Mining*. Perth: Factive

that women represent only ten percent of science and engineering professionals and associate professionals in the Solomon Islands. Within MMERE’s Mines Division, women represent only 20% percent of all staff. Record keeping was incomplete but in terms of community-level decision-making, few women took part in community stakeholder engagement meetings held by MMERE in 2019 in Guadalcanal, Isabel, Rennell and Choiseul Provinces and it was noted that women generally did not interact in discussions. This is consistent with gender norms in which women are unlikely to speak in community meetings, and require gender segregated forums for input into decision making processes and proactive strategies (such as quotas) to increase representation of women leaders on decision-making bodies, which in turn increases likelihood of these women taking on leadership roles within the bodies . Mining and logging activities have also been shown to exacerbate the risks of sexual exploitation and violence, including intimate-partner violence, in affected communities.

### 5.13 Unrehabilitated Mining Sites

Mine site rehabilitation, as a part of environmental remediation, is the process of returning the land in a given area to some degree of its former state. Specific rehabilitation processes are very much dependent on the mine site and the ecological, social and geological conditions but can include: contouring of steep slopes; replanting; removing and flattening of waste dumps; leaving tailings dams to evaporate or covering them with soil and rock; and removal of plant and infrastructure. If mine sites are left unrehabilitated when mining operations are complete, the change in topography and stripping of vegetation can lead to significant soil erosion, not only washing precious nutrients away and clogging up waterways with run-off, but also creating unsightly and unusable heaps of dirt. It can also allow for the establishment of invasive weeds. The Director of Mines has the power to order a company to restore the surface of the land where it has been disturbed by prospecting or mining activities. Despite this, mining in the Solomon Islands has left a legacy of unrehabilitated mine sites, such as those from bauxite mining on Rennell, which has come under heavy criticism from the local community.

### 5.14 Conclusions and Recommendations

Chapter 5 demonstrates that there are several key overarching environmental and social issues from mining operations in the Solomon Islands to be addressed. It is noted that the Project’s overall intent is to prevent and mitigate against these overarching environmental and social issues and many of the Project activities directly address them. The project is expected to generate positive environmental outcomes through the modernization of mining regulatory and licensing procedures in first instance, especially with respect to community consent in allowing mining to proceed and securing a range of benefits, whilst also improving the mine health and safety legislation, harmonizing environmental regulation, improving the environmental approvals process and better compliance with mine closure requirements.

Table 5 summarizes the main overarching environmental and social issues and identifies and summarizes the main Project activities that have been developed to address them. During Project implementation, the preparation of individual ToRs for the technical advisory activities must pay special attention to these overarching issues to ensure that they are adequately considered and mitigated for in the outputs of the technical advisory work. These outputs should provide recommendations on realistic and economically effective measures aimed at reducing, alleviating, or avoiding negative impacts. Such outputs, where relevant, must also include a gap analysis against current relevant legislations/regulations and practices and recommend gap filling measures.

**Table 5 – Overarching Environmental and Social Issues and Project Activities That Address Them**

Overarching Environmental and Social Issue	Key Project Activities that Addresses Overarching Issue	Summary of Expected Environmental and Social Outputs
<p>Severe erosion, land degradation, and air/land/freshwater/marine pollution caused by mining activities; particularly bauxite strip mining.</p>	<ul style="list-style-type: none"> <li>▪ Sub-component 1.1 (i) conduct a Strategic Environmental and Social Assessment (SESA) of mineral development in Solomon Islands</li> <li>▪ Sub-component 1.1 (ii) complete drafting of the Mining Bill, Mining Regulations and model form agreements to reflect the NMP, the SESA and appropriate internationally recognized technical, environmental (including on avoiding deforestation and river pollution and other impacts that affect communities’ adaptive capacity climate).</li> <li>▪ Sub-component 1.1 (iv) prepare regulations, guidelines and protocols in matters beyond the scope of mining legislation to better harmonize mining-relevant regulation of land administration, environmental and social management, employment and community level development, to include impacts of mining on climate adaptation and mitigation (especially avoiding damage to forests and soil).</li> <li>▪ Sub-component 1.2 (ii) design of specific administrative measures to address the effective delivery of key functions including those relating to environmental and social impact assessment and related permitting.</li> <li>▪ Sub-component 2.1 i (D) design of criteria (including climate-related), procedures and documentation for conducting reviews of environmental and social impact assessments and management plans, including impacts on community adaptive capacity such as deforestation.</li> <li>▪ Sub-component 2.1 ii (A) the design of monitoring and reporting requirements to cover mineral resources and reserves, according to an internationally recognized classification system, exploration results, mining and mineral processing operations, including waste handling and the production, storage and disposal of minerals, reclamation of mined areas and other aspect of mining operations.</li> <li>▪ Sub-component 2.4: engaging a resident to provide: (i) immediate operational support to MMERE to evaluate and approve mining related investments, compliance monitoring, including mine site inspections.</li> </ul>	<ul style="list-style-type: none"> <li>• An institution-centered rapid SESA of mineral development in Solomon Islands will assess the environmental and social risks and impacts of the mining sector, elaborating on the NMP in areas covered by cross-cutting environmental and social jurisdiction and identifying legislative harmonisation needs and capacity building needs across relevant agencies.</li> <li>• Project activities under Component 1 will also support reforming the mining regulatory framework to consider and implement international best practices, including environmental standards to avoid deforestation, river pollution, damage to soil etc.</li> <li>• Harmonization between the mining legislation and other relevant legislation, especially concerning fiscal, environmental and land management is crucial to assure a favorable investment climate for mining and for the achievement of a positive contribution by mining to sustainability and inclusion.</li> <li>• Component 2 of the Project will strengthen capacity to regulate mining activities including monitoring of, and improving compliance with, environmental obligations. Greater regulatory effectiveness should improve the quality of entities licensed to conduct mineral exploration and mining. It should also reduce the occurrence of illegal mining activities in forested areas.</li> <li>• Capacity will be built to protect the environment and mitigate adverse environmental impacts through the mining and environmental permitting process and compliance measures.</li> </ul>

<p>Some forest areas are not legally protected against mining developments.</p>	<ul style="list-style-type: none"> <li>▪ Sub-component 1.1 (iv) prepare regulations, guidelines and protocols on matters beyond the scope of mining legislation to better harmonize mining-relevant regulation of land administration, environmental and social management, employment and community level development, to include impacts of mining on climate adaptation and mitigation (especially avoiding damage to forests and soil)</li> <li>▪ Sub-component 2.1 ii (C) the design of procedures and documentation for undertaking any other monitoring and compliance measures provided for in legislation, including reducing illegal mining and associated deforestation.</li> </ul>	<ul style="list-style-type: none"> <li>• See point 3. above regarding harmonization of the mining legislation and other relevant legislation, especially concerning environmental and land management.</li> <li>• Improved procedures for monitoring and compliance of mining activities to avoid impacts of deforestation.</li> </ul>
<p>Mining operations have a poor record in health and safety compliance, especially small-scale mining, quarrying and other activities.</p>	<ul style="list-style-type: none"> <li>▪ Sub-component 1.1 (iii) updating of the mines occupational health and safety legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• Modernization of the mines occupational health and safety to reflect international health and safety best practice and be consistent with the objectives and policies of the NMP.</li> </ul>
<p>Destruction of graves, tambu and other tangible and intangible cultural heritage by mining operations.</p>	<ul style="list-style-type: none"> <li>▪ Sub-component 2.1 iii: Community engagement. Capacity building on knowledge sharing and specialized training to build capacity of MMERE to engage responsibly with mining affected communities.</li> <li>▪ Sub-component 2.4: engaging a resident adviser to provide: (i) immediate operational support to MMERE to evaluate and approve mining related investments, compliance monitoring, including mine site inspections.</li> </ul>	<ul style="list-style-type: none"> <li>• In line with the NMP, the project will support an improvement in overall governance of the mining sector, including compliance monitoring and capacity to engage with communities. This should lead to the reduced incidence of damage to graves, tambu and other tangible and intangible cultural heritage.</li> <li>• Capacity will be built to protect the environment and mitigate adverse environmental impacts through the mining and environmental permitting process and compliance measures.</li> </ul>
<p>Consultation undertaken with affected communities is often ineffective.</p>	<ul style="list-style-type: none"> <li>▪ Sub-component 2.1 iii: Capacity building on knowledge sharing and specialized training to build capacity of MMERE to engage responsibly with mining affected communities, especially women, youths and other groups, whose access and voice can be enhanced.</li> <li>▪ Sub-component 2.5: Independent Advisory Institution: Strengthen community empowerment by establishing an independent advisory institution.</li> </ul>	<ul style="list-style-type: none"> <li>• The Project will finance preparation of a Communications Strategy for MMERE which will include community engagement and awareness raising among the broader population and among mining impacted communities.</li> <li>• The establishment of a community liaison unit in MMERE with an annual work plan and budget will increase the capacity of MMERE to communicate clearly, consistently and in a timely manner with</li> </ul>

		<p>stakeholders, including landowners, communities, women and other groups about mineral exploration and mining developments.</p>
<p>Mining benefits are often unevenly distributed.</p>	<ul style="list-style-type: none"> <li>▪ Sub-component 1.1 (i) conduct a Strategic Environmental and Social Assessment (SESA) of mineral development in Solomon Islands</li> <li>▪ Sub-component 1.2 (ii) design of specific administrative measures to address the effective delivery of key functions including those relating to landowner identification and access to land.</li> <li>▪ Sub-component 2.1 i (a) design and installation of a computerized geo-referenced cadastral system for managing the application, award and registration of mineral rights.</li> <li>▪ Sub-component 2.5: Independent Advisory Institution: Strengthen community empowerment by establishing an independent advisory institution.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The institution-focused SESA will include an assessment of the land negotiation and permitting process for mining investments.</li> <li>▪ In line with the NMP, the project will support an improvement in overall governance of the mining sector, including investment by more responsible miners, greater regulatory effectiveness and strengthened community engagement, especially in matters of land tenure, access to land and the exercise of landowner and community rights.</li> <li>▪ The new cadastral system will increase transparency of minerals rights awards and registration.</li> <li>▪ This institution would be mandated to offer landowners, communities, women, youths and other groups access to information and advice on the exercise of their rights under relevant legislation.</li> </ul>
<p>Gender impacts: women’s traditional and rightful status as landowners often disregarded; women excluded from decision making and/or misrepresented by men; GBV impacts.</p>	<ul style="list-style-type: none"> <li>▪ Sub-component 1.1 (i) conduct a Strategic Environmental and Social Assessment (SESA) of mineral development in Solomon Islands</li> <li>▪ Sub-component 1.2 (iv) development of a strategy to (A) increase the share of female staff and technical experts within MMERE; (B) encourage female university enrolments in engineering and technology; and (C) encourage mining companies to participate in the Waka Mere Commitment to Action.</li> <li>▪ Sub-component 2.1 iii: Community engagement through knowledge sharing and specialized training to build capacity of MMERE to engage responsibly with mining affected communities, especially women, youths and other groups, whose access and voice can be enhanced.</li> <li>▪ Sub-component 2.1 iii: (E) conducting mapping of existing GBV-related services in mining affected areas, delivering regular awareness raising sessions on GBV, consequences, and available services in mining-affected areas, and training staff on GBV and responding to any disclosures of violence;</li> </ul>	<ul style="list-style-type: none"> <li>• The institution-focused SESA will include an assessment of the land negotiation and permitting process for mining investments, taking into account the FPIC requirement under ESS7.</li> <li>• The project will support the adoption of non-discrimination, domestic violence and sexual harassment policies in companies participating in Waka Mere reflect significant steps towards improved gender equality in private sector workplaces , which the project aims to introduce to the mining sector as well.</li> <li>• The project will provide support for enhanced community engagement in the management of the mining sector and strengthening avenues for women and other groups to have voice and exercise their rights including establishing a community liaison function in MMERE staffed by at least equal</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Sub-component 2.5: Independent Advisory Institution: Strengthen community empowerment by establishing an independent advisory institution.</li> </ul>	<p>numbers of male and female officers, preparing a MMERE Gender and Social Inclusion Strategy which identifies barriers to women working in technical and other staff roles in the mining industry, and lists actions the MMERE can take to promote greater participation of women in its own human resources, and through outreach more broadly;</p> <ul style="list-style-type: none"> <li>• The project will address GBV risks by strengthening MMERE capacity to appropriately respond to gender based-violence (GBV) in mining affected areas. This will be done by mapping existing GBV-related services in mining affected areas; conducting regular awareness raising sessions on GBV, consequences, and available services in mining-affected areas, and training staff on GBV and responding to any disclosures of violence.</li> <li>• The Independent Advisory institution would be mandated to provide women access to information and advice on the exercise of their rights under relevant legislation. A detailed gender and social inclusion analysis will be developed and will focus on alleviating risks to women and other groups and identify specific actions to be taken within the project, including to increase representation of women in negotiations and decisions around land usage, impacting on livelihoods, nutrition through access to food gardens and water supply.</li> </ul>
<p>Legacy issues related to unrehabilitated mine sites.</p>	<ul style="list-style-type: none"> <li>▪ Sub-component 2.1 i (C) the design of criteria, procedures and documentation for conducting reviews of exploration, mining and mine closure plans submitted for approval by applicants.</li> </ul>	<ul style="list-style-type: none"> <li>• The Project will support strengthening of mining, environmental and related legislation in line with the NMP to attract investment by better resourced and more responsible mining companies and to increase the capacity and effectiveness of regulatory institutions. This includes a heavy emphasis on improved mine safety and closure regulation and on building capacity to monitor and inspect mines, as well as assure that adequate financial provision is made to address mine closure and site rehabilitation liabilities.</li> </ul>

## 6 Project Environmental and Social Risk Assessment

The project is expected, overall to generate positive environmental outcomes through modernization of mining regulatory and licensing procedures in the first instance, especially with respect to community consent in allowing mining to proceed and securing a range of benefits, whilst also undertaking a policy focused SESA, improving the mine health and safety legislation, harmonizing environmental regulation, improving the environmental approvals process, and improving compliance with mine closure requirements.

While the project will not involve any activities promoting and engaging in mining directly, it is likely to shape environmental and social (E&S) outcomes of future mining activities arising from the advice provided. Most of the proposed TA activities do not have direct adverse environmental or social impacts in themselves. Nevertheless, the outcomes of TA support may have significant E&S implications going forward, entailing risks and potentially inducing adverse environmental and social impacts. Downstream impacts include the potential E&S risks relating to increased mining activity due to the more stable legislative framework and better capacity to manage and monitor the sector activities. While these risks are manageable, they are cross cutting and include long term and/or cumulative environmental damage, impacts on terrestrial, freshwater and marine ecosystems primarily through the clearing of land, land and resource-based conflicts, impacts of unmanaged artisanal mining, occupational and community health and safety impacts, community health and safety impacts including contamination of water sources, dust, noise and increased traffic on roads, livelihood impacts, issues around social inclusion and benefit sharing, gender impacts e.g. GBV, and legacy pollution issues from unrehabilitated mine sites.

### 6.1 Environmental Risk

The environmental risk for the project is assessed to be Substantial. Mining has to date been associated with unmet expectations in the Solomon Islands, whether in the case of Gold Ridge, in which resentment was closely tied to the Tensions in the early 2000s, or more recent experiences with unrehabilitated mining sites and coastal pollution from bauxite mining incidents on Rennell as described in Chapter 5. The legacy of mining in the country along with weak and inconsistent management of the mining sector and low levels of regulatory capacity at central and provincial levels means that the project has the potential to have significant, long-term and cumulative adverse downstream impacts if not implemented well, albeit indirectly, for example, in the event the SIG were not to adopt or implement the proposed improvements to the environmental, social and health and safety provisions for the mining sector. Increased mining exploration, for example due to information provided in the study for exploration, could lead to adverse downstream social and environmental impacts if not managed properly. However, as detailed in Chapter 5.14 the intent of many of the project activities are to prevent and mitigate against these potential downstream impacts.

### 6.2 Social Risk

The social risk is assessed as Substantial as the mining sector in Solomon Islands has been linked with historic unrest resulting in mine closure, such as at the Gold Ridge Mine. The social unrest in the mining sector has had adverse impacts to local communities and inequitable benefits to customary communities. While no land will be directly impacted by Project activities, the Project may result in changes to land access processes for mining which may have implications for landowners in future. There may also be potential impacts associated with the proposed changes to the cadastral system for mineral deposits, which will require careful consultation with stakeholders and potentially affected land

owners in accordance with the SEP. In strengthening the capacity of government regulatory institutions, the project is likely to improve impacts on decision making, regulation and the capacity to engage responsibly with mining affected communities as detailed in Chapter 5.14.

Nevertheless, the project is not expected to result in any direct social impacts, and overall the project is likely to deliver improved capacity to manage mining activities and therefore improve outcomes from mining development. Benefits are likely to be realized from improved revenue administration though impacts associated with inequitable distribution need to be carefully considered and communicated to stakeholders. The potential introduction of the EITI standard is also likely to bring benefits through increased transparency and strengthened governance. The regulatory and institutional support to be provided by the project, may not address the social risks and may not adequately engage local stakeholders, a harmonisation of legislation would be important and therefore require that the technical assistance provided is coordinated with other relevant Ministries, such as the Ministry of Lands, Housing and Survey.

### 6.3 Preliminary Risk Analysis

The following table provides a preliminary analysis of the type of TA activities identified (grouped by activity type), potential benefits, potential social and environmental impacts that may result, key mitigation methods for residual impacts, and the E&S risk management controls required.

**Table 6 – Assessment of Key E&S Benefits, Risks and Impacts, and Proposed Controls**

Activity Type	Potential Benefits	Potential Risks / Impacts	Key Mitigation Methods	E&S Risk Management Controls	
<b>ACTIVITY TYPE 1. Policy, regulation, plan, and/or strategy review or updates (sub-component 1.1)</b>	Improved capacity to manage mining activities and therefore improved outcomes from mining development, and decreased pollution and adverse health impacts caused by mining.	Downstream E&S impacts associated with increased mining activity due to the more stable legislative framework e.g. land degradation and erosion, pollution to air, water and land; vegetation clearing where forests are not protected; civil unrest due to uneven distribution of benefits and/or ineffective community consultation; worker and/or community health and safety impacts; destruction of graves and tambu sites; women’s rights are disregarded and/or women are excluded or misrepresented; GBV; and unrehabilitated mine sites.	The NMP outlines the environmental and social risks and impacts associated with mining in the Solomon Islands and informs the SIG’s strategies and reform processes.  MMERE shall develop the consultant/s ToR using the Activity Level ToR Template in Annex A.  MMERE shall include the generic environmental and social risk management clauses (E&S clauses) from Annex B and, where relevant, develop additional E&S clauses for inclusion in the consultant/s ToR to ensure the services to be rendered are consistent with the objectives of the relevant World Bank ESF standards (ESS1-10).  MMERE shall include the PMU ESF and Stakeholder Engagement Officer on the activity planning team to ensure E&S objectives are integrated into the process from the start. As part of the planning process, the PMU ESF and Stakeholder Engagement Officer shall screen the activity for potential E&S risks and impacts as described in Annex C.	ToR developed using Activity Level ToR Template (Annex A)  Implementation of SESA recommendations  E&S clauses included in the ToR (Annex B)  Activity level E&S risk screening (Annex C)	
	Improved decision making, regulation and the capacity to engage responsibly with mining affected communities.				
	Improved mine workers health and safety through update of mine occupational health and safety regulations (sub-component 1.1 (iii)).				
	Improved environmental management of mines due to harmonization of regulations, guidelines and protocols to properly implement environmental and climate risk management (sub-component 1.1 (iv)).	Longer term issues such as pressures on finite mining resources, unfair outcomes, inequitable benefits or loss of livelihoods or subsistence opportunities for vulnerable people/communities if there is no integrated or strategic environmental, social, and/or socio-economic impact assessment.			PMU ESF and Stakeholder Engagement Officer included on the activity planning team.
	Improved mine site restoration through improved revenue management e.g. better collection of revenue, fees and			The PMU ESF and Stakeholder Engagement Officer will review the draft deliverables to check for compliance with WB ESF standards and Solomon Islands law.	SEP  GM

	<p>revenue allocation (sub-component 1.1 (v)).</p>	<p>Lack of citizen / stakeholder engagement leading to lack of harmonization of inter-sectoral policies or processes, or ill-informed policy that doesn't meet the needs of mining industries or communities.</p> <p>Workshops, outreach events, and consultations have the potential to contribute to COVID-19 virus transmission, should it enter the country.</p>	<p>MMERE shall coordinate with other relevant Ministries, such as the ECD, Ministry of Lands, Housing and Survey etc.                  MMERE shall include the requirement for meaningful stakeholder / citizen engagement (particularly with vulnerable groups) into the consultant/s ToR. The PMU ESF and Stakeholder Engagement Officer will review engagement activities for compliance with the World Bank ESS10.</p> <p>MMERE will promote transparency through stakeholder / citizen participation and public information disclosure consistent with the Project SEP. Risks and benefits carefully considered and communicated to stakeholders.</p> <p>Project GM will be available to enable stakeholders / citizens to raise project related concerns and grievances.</p> <p>Workshops and events must be COVID-19 safe. All attendees must register their attendance, follow hand hygiene, physical distancing and mask wearing precautions. Events must allow for adequate physical distancing (at least 1 meter between attendees). This requirement will be included in the consultant's contract.</p>	
<p><b>ACTIVITY TYPE 2. Strengthening institutional structures, functions and capacity (sub-components 1.2, 2.1, 2.3, 2.4 and 2.5)</b></p>	<p>Improved capacity to manage mining activities and therefore improved outcomes from mining development, and decreased pollution and adverse health impacts caused by mining.</p>	<p>Downstream E&amp;S impacts associated with increased mining activity due to the more stable legislative framework e.g. land degradation and erosion, pollution to air, water and land; vegetation clearing where forests are not protected; civil unrest due to</p>	<p>MMERE shall develop the consultant/s ToR using the Activity Level ToR Template in Annex A.</p> <p>MMERE shall include the generic E&amp;S clauses from Annex B and, where relevant, develop additional E&amp;S clauses for inclusion in the consultant/s ToR to ensure the services to be rendered are consistent with the objectives of</p>	<p>ToR developed using Activity Level ToR Template (Annex A)</p> <p>E&amp;S clauses included in the ToR (Annex B)</p>

	<p>Increased transparency and strengthened governance.</p> <p>Improvements to the environmental approvals process and improved capacity to enforce compliance and mine closure requirements</p> <p>Improved community liaison and outreach.</p>	<p>uneven distribution of benefits and/or ineffective community consultation; worker and/or community health and safety impacts; destruction of graves and tambu sites; women’s rights are disregarded and/or women are excluded or misrepresented; GBV; and unrehabilitated mine sites.</p> <p>Social conflict and disputes over land and mineral rights due to increased accuracy of property boundaries and mineral rights allocation from the new cadastral software (sub-component 2.1(i)).</p> <p>Lack of stakeholder engagement leading to lack of harmonization of inter-sectoral policies or processes that doesn’t meet the needs of mining industries or communities.</p> <p>Workshops, outreach events and consultations have the potential to contribute to COVID-19 virus transmission, should it enter the country.</p>	<p>the relevant World Bank ESF standards (ESS1-10).</p> <p>MMERE shall include the PMU ESF and Stakeholder Engagement Officer on the planning team to ensure E&amp;S objectives are integrated into the process from the start.</p> <p>The PMU ESF and Stakeholder Engagement Officer will review the draft outputs to check for compliance with WB ESF standards and Solomon Islands law.</p> <p>MMERE shall include the requirement for meaningful stakeholder / citizen engagement (particularly with vulnerable groups) into the consultant/s ToR. The PMU ESF and Stakeholder Engagement Officer will review engagement activities for compliance with the World Bank ESS10.</p> <p>MMERE will promote transparency through stakeholder / citizen participation and public information disclosure consistent with the Project SEP. Risks and benefits carefully considered and communicated to stakeholders.</p> <p>Project GM will be available to enable stakeholders / citizens to raise project related concerns and grievances.</p> <p>Workshops and events must be COVID-19 safe. All attendees must register their attendance, follow hand hygiene, physical distancing and mask wearing precautions. Events must allow for adequate physical distancing (at least 1 meter between attendees). This requirement will be included in the consultant’s contract.</p>	<p>PMU ESF and Stakeholder Engagement Officer included on the activity planning team.</p> <p>SEP</p> <p>GM</p>
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<p><b>ACTIVITY TYPE 3.                  Technical studies                  (sub-components 2.1                  &amp; 2.3)</b></p>	<p>Improved mining practices arising from the advice provided that reduces E&amp;S risks.</p> <p>Increased transparency of minerals rights awards and registration (sub-component 2.1 (i)).</p> <p>Improved mine closure procedures that reduces environmental and social risks (sub-component 2.1 (i)).</p> <p>Modernization of geodata management that increase transparency and reduces environmental and social risks (sub-component 2.3 (i)).</p>	<p>Downstream E&amp;S impacts associated with increased mining activity due to the more stable legislative framework e.g. land degradation and erosion, pollution to air, water and land; vegetation clearing where forests are not protected; civil unrest due to uneven distribution of benefits and/or ineffective community consultation; worker and/or community health and safety impacts; destruction of graves and tambu sites; women’s rights are disregarded and/or women are excluded or misrepresented; GBV; and unrehabilitated mine sites.</p> <p>Increased mining exploration due to information provided in study for exploration obligations (sub-component 2.1 (i)(C)) that leads to adverse social and environmental impacts, if not managed properly.</p> <p>Lack of citizen / stakeholder engagement leading to ill-informed procedures that don’t meet the needs of mining industries or communities.</p>	<p>MMERE shall develop the consultant/s ToR using the Activity Level ToR Template in Annex A.</p> <p>MMERE shall include the generic E&amp;S clauses in Annex B and, where relevant, develop additional E&amp;S clauses for inclusion in the consultant/s ToR to ensure the services to be rendered are consistent with the objectives of the relevant World Bank ESF standards (ESS1-10).</p> <p>MMERE shall include the PMU ESF and Stakeholder Engagement Officer on the planning team to ensure E&amp;S objectives are integrated into the process from the start.</p> <p>The PMU ESF and Stakeholder Engagement Officer will review the draft studies to check for compliance with WB ESF standards and Solomon Islands law.</p> <p>MMERE shall coordinate with other relevant Ministries, such as the ECD, Ministry of Lands, Housing and Survey etc.</p> <p>MMERE shall include the requirement for meaningful stakeholder / citizen engagement (particularly with vulnerable groups) into the consultant/s ToR. The PMU ESF and Stakeholder Engagement Officer will review engagement activities for compliance with the World Bank ESS10.</p> <p>MMERE will promote transparency through stakeholder / citizen participation and public information disclosure consistent with the</p>	<p>ToRs developed using Activity Level ToR Template (Annex A)</p> <p>Cumulative impact assessments for mining operations (at project level)</p> <p>E&amp;S clauses included in the ToR (Annex B)</p> <p>PMU ESF and Stakeholder Engagement Officer included on the activity planning team.</p> <p>SEP</p> <p>GM</p>
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		Workshops, outreach events and consultations have the potential to contribute to COVID-19 virus transmission, should it enter the country.	<p>Project SEP. Risks and benefits carefully considered and communicated to stakeholders.</p> <p>Project GM will be available to enable stakeholders / citizens to raise project related concerns and grievances.</p> <p>Workshops and events must be COVID-19 safe. All attendees must register their attendance, follow hand hygiene, physical distancing and mask wearing precautions. Events must allow for adequate physical distancing (at least 1 meter between attendees). This requirement will be included in the consultant’s contract.</p>	
<p><b>ACTIVITY TYPE 4. Capacity building and training (sub-components 2.1, 2.2, 2.3 &amp; 2.4)</b></p>	<p>Improved capacity to manage and monitor mining activities and therefore improved outcomes from mining development, and decreased pollution and adverse health impacts caused by mining.</p> <p>Improved capacity to engage responsibly with mining affected communities, especially women and vulnerable groups (sub-component 2.1 (iii)).</p> <p>Improvements to community health and safety outcomes of future mining investments.</p>	<p>Downstream E&amp;S impacts associated with increased mining activity due to the more stable legislative framework e.g. land degradation and erosion, pollution to air, water and land; vegetation clearing where forests are not protected; civil unrest due to uneven distribution of benefits and/or ineffective community consultation; worker and/or community health and safety impacts; destruction of graves and tambu sites; women’s rights are disregarded and/or women are excluded or misrepresented; GBV; and unrehabilitated mine sites.</p> <p>Outcomes that are contrary to staff well-being and/or activities have adverse</p>	<p>MMERE shall develop the consultant/s ToR using the Activity Level ToR Template in Annex A.</p> <p>MMERE shall include the generic Activity Type 4 – E&amp;S clauses from Annex D and, where relevant, develop additional E&amp;S clauses for inclusion, in the consultant/s ToR to ensure the services to be rendered are consistent with the objectives of the relevant World Bank ESF standards (ESS1-10).</p> <p>MMERE shall include the PMU ESF and Stakeholder Engagement Officer on the planning team to ensure E&amp;S objectives are integrated into the process from the start. The PMU ESF and Stakeholder Engagement Officer will review the capacity building / training plan(s) to check for compliance with WB ESF standards and Solomon Islands law.</p> <p>Consultant’s shall incorporate both E&amp;S, and health and safety best practices into training and capacity building programs. This requirement will be included in their contract/s.</p>	<p>ToR developed using Activity Level ToR Template (Annex A)</p> <p>Include Activity Type 4 E&amp;S clauses in the ToR (Annex D)</p> <p>PMU ESF and Stakeholder Engagement Officer included on the planning team</p> <p>LMP</p> <p>SEP</p> <p>GM</p>

		<p>downstream environmental or social impacts.</p> <p>Negative reaction to perceived unfairness of staff access to training.</p> <p>Training workshops and outreach events have the potential to contribute to COVID-19 virus transmission, should it enter the country.</p>	<p>Training and capacity building programs must be gender equitable, use appropriate cultural norms, and involve stakeholder engagement principles / are consistent with the LMP and SEP.</p> <p>Capacity building and training objectives will be clearly communicated consistent with SEP, to address any perception of inequitable access to training. Project GM will be available to address concerns regarding distribution of project benefits.</p> <p>Workshops and events must be COVID-19 safe. All attendees must register their attendance, follow hand hygiene, physical distancing and mask wearing precautions. Events must allow for adequate physical distancing (at least 1 meter between attendees). This requirement will be included in the consultant’s contract.</p>	
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## 6.4 Cumulative Impacts

Cumulative impacts are changes in the environment resulting from the combined, incremental effects of human development activities, environmental change processes and/or physical events. While they may be insignificant by themselves, cumulative impacts accumulate over time and can pose a serious threat to the environment.

Mining activities have the potential to generate pollution to land, air, and water, impact biodiversity through land clearance, and also consume finite resources as detailed in Chapter 5. Often when there is more than one mining operation located within a catchment area, these impacts will become cumulative over time (e.g. two or more mines discharging contaminated water to the same river system). Other activities in the same catchment, such as logging and large scale clearing for agriculture (oil palm), could also cause cumulative impacts.

In order to mitigate the potential cumulative impacts of increased mining activity, the Project includes components that will harmonize environmental regulations, improve the environmental approvals process and better enforce compliance and mine closure requirements, enabling and building the capacity of the ECD and MMERE to collaborate in ensuring that mining companies include cumulative mining-related impacts in E&S assessments and management plans. The Project will also finance an institution-centered, Policy focused SESA of mineral development in Solomon Islands early during project implementation (sub-component 1.1(ii)) that will assess the environmental and social risks and impacts of the mining sector, elaborating on the NMP in areas covered by cross-cutting environmental and social jurisdiction and identifying legislative harmonisation needs and capacity building needs across the relevant agencies.

The Project's overall intent is to prevent and mitigate against potential downstream impacts. However, the Project does have the potential to have significant, long-term and cumulative adverse downstream impacts if not implemented well, albeit indirectly. The NMP outlines the E&S risks and impacts associated with mining in the Solomon Islands and informs the SIG's strategies and reform processes. The NMP informed the Project's design, and therefore it acts as an overarching control and link between various TAs to prevent and mitigate against the potential downstream impacts.

## 7 Procedures to Address Environmental and Social Issues

### 7.1 Overview of Screening Process

This chapter details the screening of project activities, such as technical studies and advisory services, for potential E&S risks. The screening process will be used to identify the E&S risk management controls that need to be prepared or followed. The purpose of the screening is to: (i) determine the activities that may have potential negative downstream E&S risks and impacts (as per the preliminary risk analysis in Chapter 6); (ii) identify the appropriate controls for activities with potential adverse risks or impacts; (iii) incorporate E&S risk management measures into implementation of the activity; (iv) review and approve any outcomes and outputs; and (v) monitor the activities and undertake E&S due diligence.

The activities identified as requiring E&S risk management during implementation of the Project include: policy, plans, and strategy reviews and updates; strengthening of institutional structures, functions and capacity; capacity building and training activities; and technical studies.

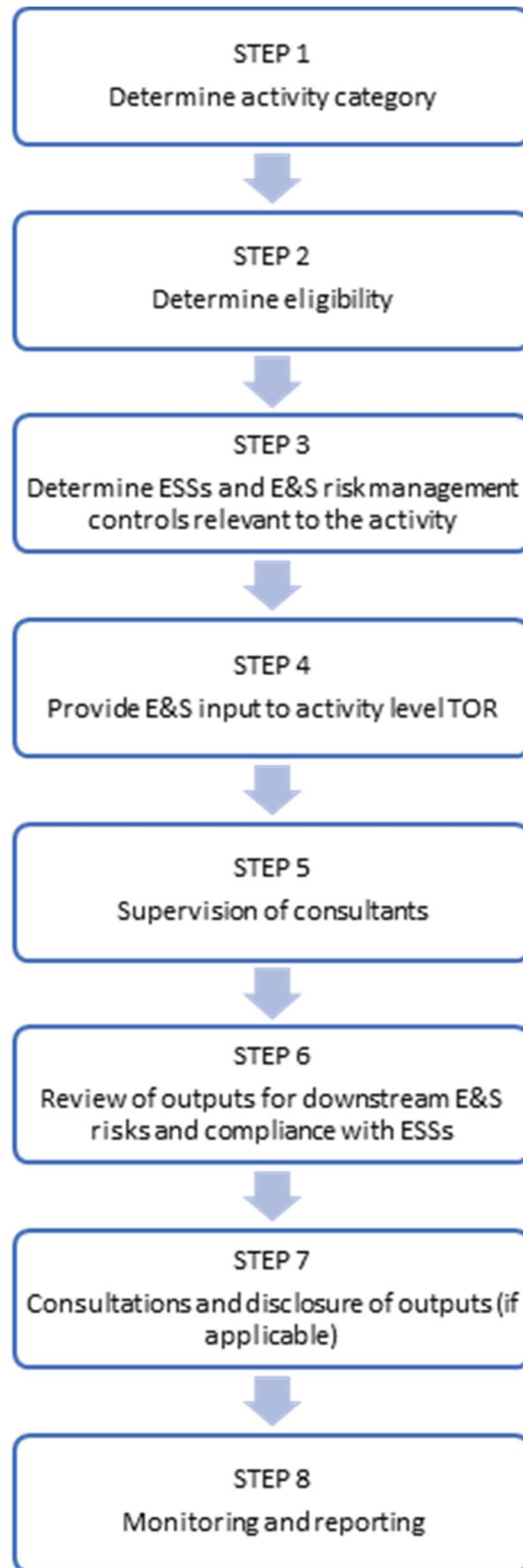
The ESF and Stakeholder Engagement Officer, to be employed in the MMERE PMU, will undertake the screening, preparation and disclosure of activity-specific controls, and consultation and information dissemination activities with relevant stakeholders (where appropriate). The World Bank will review and provide 'no-objection' on all individual ToRs and outputs. Responsibilities for implementing these procedures are outlined in further detail in Chapter 8. The screening process should be reviewed after six months of project implementation by the PMU ESF and Stakeholder Engagement Officer to ensure that the process is appropriate.

### 7.2 Screening of Project Activities

The following section provides the steps that will be undertaken in the assessment of project activities. The screening of activities will take place as the activities are defined by the Technical Working Group of the Project Steering Committee.

The screening process will follow the key steps in Figure 3:

Figure 3 –Activity Screening Steps



### **Step 1: Determine Activity Category**

The first step of the screening is to determine what type of activity is being proposed and determine the immediate next step. To determine the project activity category, refer to Figure 4 – Technical Activity Screening Process. It should be noted that there may be overlap in the project activities. For example, policy, plan, and/or strategy review or update activities (Type 1 activities) may also include capacity building or training (Type 4 activities). This overlap will be determined by following the screening process in Figure 4.

### **Step 2: Determine Eligibility**

Note that for the overarching Project ToR to apply, the activity being proposed must be a technical assistance activity type as categorized in

**Table 2** of the Overarching Project ToR. The equipping and fitting out of a PMU office and the design, installation and management of a core shed are not covered by this overarching Project ToR and will require ESMP/s to be prepared separately once the extent and nature of construction activities are identified and prior to these activities commencing.

If the activity is a technical assistance activity listed in Table 2, that has been pre-screened as part of Chapter 6 and the relevant ESSs and E&S risk management controls already identified, proceed to Step 3 – Determine Environmental and Social (E&S) Risk Management Controls.

If the activity is a technical assistance activity as categorized in Table 2, that has not been pre-screened as part of Chapter 6, and the relevant ESSs and E&S risk management controls have not yet been identified, the next step is to check Table 7 – Ineligible Activity List (end of Chapter 7) to determine the activities eligibility for project funding. The ESF and Stakeholder Engagement Officer will determine if the activity meets the definition of a ‘High’ Risk as listed in Table 7, in consultation with the World Bank. If the activity is listed in the negative list, then it is not eligible for Project funding. If the activity is a technical assistance activity that is determined to be eligible for project funding (i.e. not listed in Table 7), proceed to Step 3 – Determine relevant ESSs and E&S Risk Management Controls.

### **Step 3: Determine ESSs and E&S Risk Management Controls Relevant to the Activity**

The third step is to determine the relevant ESSs and what specific E&S risk management controls are required. The activity screening process (Figure 4 – Technical Activity Screening Process) will assist in determining the specific E&S risk management controls that need to be prepared / in place. For all activity types, the ESF and Stakeholder Engagement officer should be included as part of the planning team and input into the design as part of the PMU input into project planning and review conducted by the PSC.

### **Step 4: Provide E&S input to activity level ToR**

The next step is to provide inputs to the preparation of the consultant/s ToR using the Activity Level ToR Template (Annex A) and Activity E&S Risk Management Clauses (Annexes B and/or D). This process will include ensuring consistency with the Project E&S risk management documents<sup>44</sup>, discussion with the project team, development and inclusion of any specific E&S clauses, E&S outputs, and submission of the draft activity level ToR to the World Bank for review and ‘no objection’. Any adjustments to the activity design and activity level ToR can be refined through this process.

### **Step 5: Supervision of Consultant/s**

Supervision will be needed to ensure that the E&S risk management requirements of the consultant/s ToR are met. This may include requiring the consultant to submit short progress reports and partial deliverables for E&S risk screening.

### **Step 6: Review of Outputs for Downstream E&S risks and Compliance with ESSs**

The next step is to review the outcomes, outputs, and recommendations for potential downstream E&S risks and impacts, paying special attention to the overarching issues identified in Chapter 5.14, and for compliance with WB ESSs. The outcomes, outputs, and recommendations should also be assessed against Table 7 – Ineligible Activity List (end of Chapter 7) to check that the recommendations are not considered

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<sup>44</sup> SEP, LMP, POM, ESCP

‘High’ risk. Any recommendations determined to be ‘High’ risk will not be eligible for financing. All completed studies must also be submitted to the WB for review and ‘no objection’. The intention of this is to ensure that the technical assistance outputs include mitigation measures for the potential E&S risks arising from the provided advice/regulation/institutional change, etc.

#### **Step 7: Consultation and Disclosure of Outputs (if applicable)**

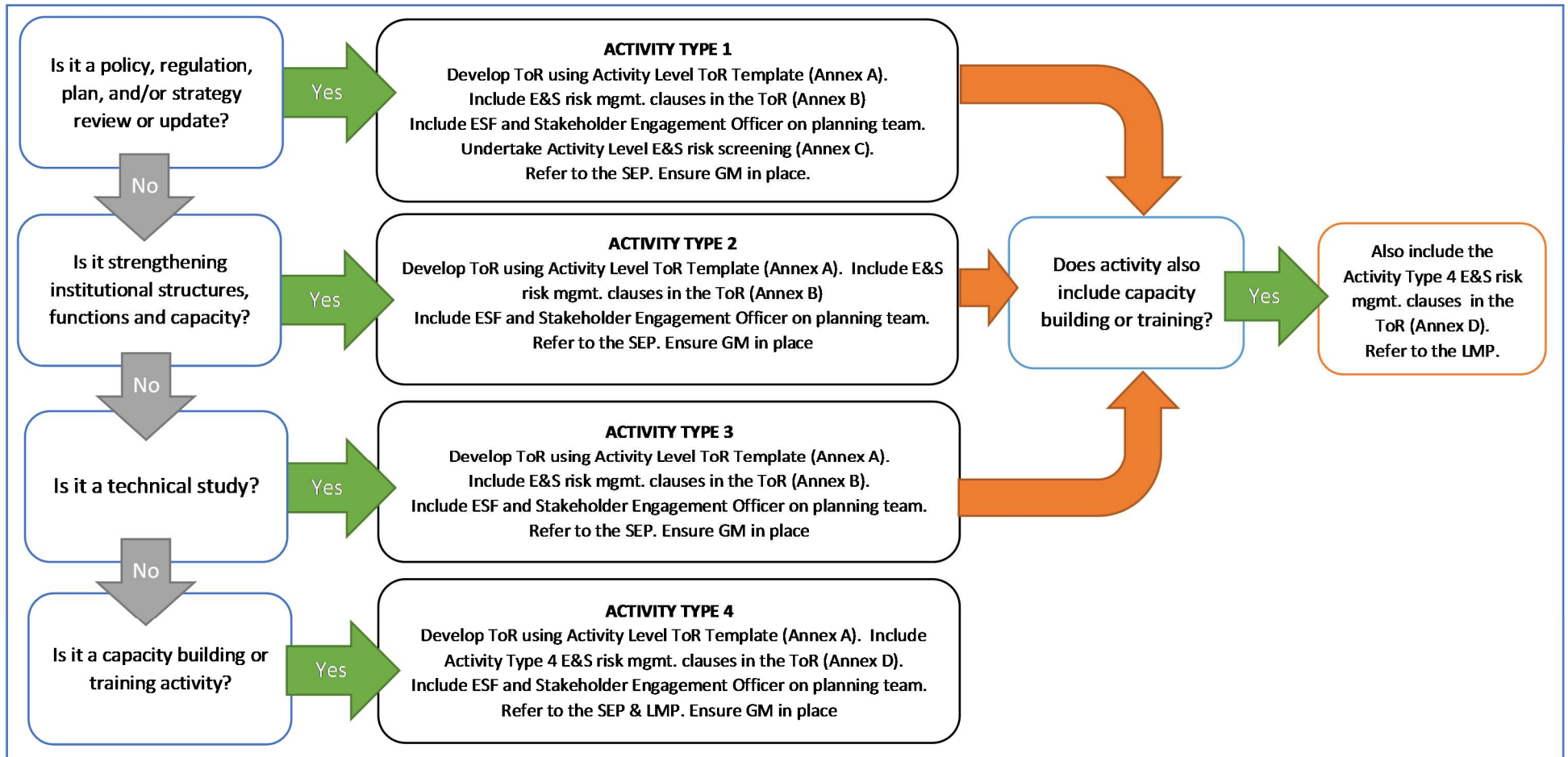
If required, the next step is to consult with stakeholders and publicly disclose documents in accordance with the SEP.

#### **Step 8: Monitoring and Reporting**

Monitoring is required to gather information to determine the effectiveness of implemented E&S risk management controls and to ensure compliance with the approved activity level ToR/s, World Bank ESF and the Project E&S risk management documents. Monitoring methods must provide assurance that E&S risk management measures are undertaken effectively.

Six-monthly reports will need to be prepared and provided to the WB. The semi-annual E&S monitoring reports to the Bank will include: (i) the outcomes of any activity screenings; (ii) the status of the implementation of E&S risk management controls; (iii) stakeholder engagement and consultation activities; (iv) grievances log; and (v) any incidents/accidents with adverse impacts and the actions taken to address it and prevent reoccurrence.

Figure 4 –Technical Activity Screening Process



### 7.3 Negative list

**Table 7 – Ineligible Activity List**

The following type of activities shall not be eligible for financing under the Project:

- Technical assistance activities that include recommendations of any type classifiable as “High” risk pursuant to the World Bank’s Environment and Social Standard 1 (ESS1) of the Environment and Social Framework (ESF). The following are illustrative examples of “High” risk activities:
  - Technical assistance activities that include recommendations that may cause long term, permanent and/or irreversible (e.g. loss of major natural habitat) adverse impacts;
  - Technical assistance activities that include recommendations that have high probability of causing serious adverse effects to human health and/or the environment;
  - Technical assistance activities that include recommendations that may have significant adverse social impacts and may give rise to significant social conflict;
  - Technical assistance activities that include recommendations that may affect lands or rights of indigenous people or other vulnerable minorities;
  - Technical assistance activities that include recommendations that may involve permanent resettlement or land acquisition or any involuntary taking of land (even temporary) or adverse impacts on cultural heritage;
  - Technical assistance activities that include recommendations that are considered by the World Bank (a) to have potential to cause any loss or degradation of critical natural habitats whether directly or indirectly or those that could adversely affect forest and forest health; (b) that could affect sites with archaeological, paleontological, historical, religious, or unique natural values; and (c) that will result in adverse impacts on relocation of households, loss of assets or access to assets that leads to loss of income sources or other means of livelihoods, and interference with households’ use of land and livelihoods; and
  - Technical assistance activities that include recommendations that include the use of goods and equipment as considered by the World Bank to meet the following conditions: (a) lands abandoned due to social tension/conflict, or the ownership of the land is disputed or cannot be ascertained; (b) to demolish or remove assets, unless the ownership of the assets can be ascertained, and the owners are consulted; (c) involving forced/conscripted labor, child labor (under the age of 18), or other harmful or exploitative forms of labor; (d) activities that would affect indigenous peoples, unless due consultation and broad support has been documented and confirmed prior to the commencement of the activities; and/or other paramilitary purposes.

## 8 Accountabilities for Environmental and Social Risk Management

### 8.1 MMERE

The MMERE is responsible for the implementation of the project, including overall coordination, results monitoring and communicating with the World Bank on the implementation of the project. Although many of the technical assistance activities will be outsourced to individual consultants or firms, the MMERE will still have the overall responsibility for ensuring that E&S issues are adequately addressed within the Project.

Due to the limited experience of MMERE with World Bank funded operations, MMERE will establish a Project Management Unit (PMU) for the proposed Project that will exercise project management responsibilities on MMERE's behalf during project implementation.

MMERE will also establish a Project Steering Committee (PSC) chaired by the Permanent Secretary who will act as Project Director. The PSC will hold responsibility for reviewing Project implementation, including annual budgets and procurement plans. The PSC are responsible through the Technical Working Group (TWG) (a sub-committee of the PSC) to prepare Project TORs which they submit to the PMU for screening and action.

#### 8.1.1 Project Management Unit

To manage the day-to-day implementation of the Project, a PMU office will be established under the Project in the MMERE within three (3) months of project effectiveness. The PMU will be responsible for the implementation of the Project as well as other services and support to the Ministry. Its scope will include financial management, environmental and social risk management, procurement, monitoring and evaluation, training and capacity building, as well as coordination among government entities. The PMU will contract the consultants and monitor their compliance with their contractual commitments. The PMU will comprise a full time Project Manager, a Procurement Officer, Finance Officer, M&E Officer, a Gender and Social Inclusion Officer and an ESF and Stakeholder Engagement Officer. The Project Manager will report directly to the Project Director.

A full-time ESF and Stakeholder Engagement Officer will be recruited into the PMU to ensure project activities are implemented in compliance with the objectives of the ESF and its standards, the Project's E&S risk management documents<sup>45</sup>, and Solomon Islands law.

#### ESF and Stakeholder Engagement Officer

The ESF and Stakeholder Engagement Officer, to be recruited into the PMU and reporting to the Project Manager, will function as a core member of the PMU under MMERE. The ESF and Stakeholder Engagement Officer will ensure that environmental, social, and health and safety risks are managed in accordance with the requirements of the World Bank's ESF, the Project's E&S risk management documents, and Solomon Islands law.

Specifically, the ESF and Stakeholder Engagement Officer will:

#### **Project Establishment**

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<sup>45</sup> SEP, LMP, POM, ESCP

- Support the establishment of the Project during its initial stages specifically with respect to project E&S risk management and the establishment of policies, procedures, manuals, and systems.
- Identify appropriate software to support E&S risk management activities including the design of a custom project database.

### **Planning and Management**

- Contribute to the development of the Project's annual planning processes.
- Ensure the development, monitoring, review, and update of the Projects E&S risk management documents for project activities, including developing activity level E&S risk management documents such as ESMP/s for the core shed and PMU office refurbishment.
- Contribute to development of the Project communications strategy.

### **Project E&S Risk Management**

- Screen the TA activities for E&S risks, paying special attention to the overarching issues identified in Chapter 5.14, and identify the E&S risk management controls to be implemented in accordance with this overarching project ToR.
- Input into the design of the TA activities as part of the PMU input into project planning and review conducted by the PSC, to ensure E&S objectives are integrated into the process from the start.
- Input into the scope of work for design and supervision of the core shed and office refurbishment.
- Provide E&S inputs to the consultant/s ToRs, as part of the PMU input into preparation of TORs by the PSC and in accordance with this overarching project ToR, including any specific E&S outputs or clauses to be included.
- Manage the oversight of the consultant/s E&S compliance.
- Review draft and final outputs and studies, and capacity building and training plans for potential E&S risk and impacts, paying special attention to the overarching issues identified in Chapter 5.14, and to check for compliance with WB ESF standards and Solomon Islands law.
- Ensure that all draft activity level ToRs and completed outputs and studies submitted by the PMU to the Bank for review and 'no objection' have been screened for E&S compliance.
- Oversee the implementation of the Project's SEP.
- Assist with the disclosure of prepared outputs and studies per the SEP.
- Support the PMU with all consultation and information dissemination activities organized with relevant stakeholders, including with relevant Ministries such as the ECD, Ministry of Lands and Housing and Survey etc.

### **E&S Reporting**

- Develop and maintain an E&S Risk Management Reporting System for monitoring all E&S activities (including handling of grievances), evaluation, tracking and reporting progress.
- Provide E&S information and data as requested by the PMU Project Manager for management and review purposes.
- Contribute to the delivery of quarterly monitoring and evaluation reports by the PMU.
- Contribute to the preparation of the six-monthly Progress Reports by the PMU on the environmental, social, health and safety performance of the Project, for submission to the World Bank and the Project Steering Committee.

- Provide details on project E&S risk management for the MMERE Annual Report.

### **Leading and Supporting**

- Lead the management of all project E&S risk management activities by the PMU in compliance with World Bank ESF standards and Solomon Islands law.
- Maintain E&S records electronically and in hard copy.
- Lead the implementation of the communications strategy across all project activities.
- Manage project grievances including maintaining the grievance database to track the progress of formal grievances for the duration of projects.
- Assist the Monitoring and Evaluation Specialist with gathering data with respect to E&S performance indicators.

### **Organizing**

- Ensure PMU staff and any MMERE staff assigned to manage the project receive appropriate E&S and communications training.
- Manage internal and external communications with respect to project E&S risk management.
- Support the PMU Project Manager with internal and external communications with respect to the Project.

### **Advice**

- Provide strategic and operational level E&S risk management and communications advice to the PMU.

### **Performance Appraisal and Staff Supervision**

- Support the performance management of MMERE staff with respect to E&S matters.
- Ensure project staff are kept up to date with respect to E&S matters.

### **Technical**

- Maintain the necessary level of his/her technical and operational skills to fulfil the duties outlined.

### **Other Duties**

- Participate in semi-annual Project Supervision missions by the World Bank, representing MMERE on environmental, safety and social aspects.
- Perform other relevant and related duties reasonably requested by the Project Manager.

## **8.2 Consultants**

The PMU shall contract multiple legal and policy advisors and consultants to support the Projects technical assistance activities. All activities undertaken by consultants are expected to comply with the World Bank ESF and its standards, the Project's E&S risk management documents, and Solomon Islands law as will be specified in the Activity level ToRs which will be used to contract the consultants. In the case of sub-contracting, consultants will be required to have equivalent arrangements with their sub-contractor/s.

Consultants will be expected to disseminate and create awareness with their staff (in the case of firms) of their commitments to E&S risk management, and to undertake any staff training necessary for their effective implementation. Where consultants do not have existing environmental staff, the ESF and Stakeholder Engagement Officer within the PMU, supported by the World Bank E&S team, will make arrangements for adequate capacity building.

Consultants shall submit all draft outputs, such as studies and plans, to the PMU ESF and Stakeholder Engagement Officer for review of E&S risks and compliance by the ESF and Stakeholder Engagement Officer.

### 8.3 World Bank Environmental and Social Team

The World Bank's E&S team will provide regular E&S risk management compliance support, remote and during missions, and to build capacity for E&S risk management implementation and stakeholder engagement. As international travel may be slow to resume due to the COVID-19 pandemic, supervision and missions may continue to be conducted remotely for some time.

World Bank will provide 'no objection' to all ToRs for consultants, PMU staff, as well as technical studies and will review outcomes and reports to ensure compliance with the objectives of the relevant ESF standards and the Project's E&S risk management documents<sup>46</sup>.

### 8.4 Capacity Building and Implementation Support

MMERE has limited experience with World Bank funded operations meaning that it is expected that enhanced oversight and support from the WB E&S team will be required. This will include the completion of a capacity assessment that will identify where training and further capacity building is needed.

The incoming ESF and Stakeholder Engagement Officer may have a differing level of familiarity with the WB ESS's and Procedures and may need ongoing support, training, and technical assistance to implement the Project E&S documents and provide E&S input into activity level ToRs during project implementation. It is expected that enhanced oversight from the WB E&S team will be required and a capacity assessment will identify where training and further capacity building will be needed.

Implementation support will include: (a) capacity building for PMU staff e.g. deep dives on relevant ESSs and their requirements, internal and external training, mentoring, etc.; (b) an implementation support mission every six months, once international travel has resumed to Solomon Islands; (c) monitoring and reporting by the implementation team on implementation progress and achievement of results; (d) annual internal and external financial audits and FM reporting; and (e) periodic procurement post review.

In the event of the inability of relevant staff to travel to the Solomon Islands to undertake implementation support, the use of audio/video conferencing, as has been the case during Project preparation, will continue in order to ensure "just in time" support to the PMU. The WB will also maintain a close dialogue with the incoming PMU ESF and Stakeholder Engagement Officer and ensure implementation support for E&S risk management and stakeholder engagement when needed. Further capacity assessments during project implementation will identify where training and further capacity building will be needed.

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<sup>46</sup> SEP, LMP, POM, ESCP

## 9 Consultations and Disclosure

Stakeholder consultations on the Overarching Project ToR by MMERE are in progress. Some consultations with Government Ministries have been conducted through telephone calls, given the constraints with COVID-19 travel restrictions and limited funding available for consultations due to pandemic-related ministerial budget cuts. The Ministry of Mines, Energy and Rural Electrification’s Mines Division conducted local level stakeholder’s engagement in Guadalcanal, Isabel, Renbel and Choiseul provinces on the National Mineral Policy which was endorsed by the Cabinet. The consultations occurred in May 2019. The purpose of the public consultations was to provide information about the National Minerals Policy, Mining Bill and Solomon Islands Minerals Advisory CENTRE. A Questions and Answers sessions was contacted during the consultation to enable MMERE to improve the National Minerals Policy, Mining Bill and Solomon Islands Minerals Advisory Centre (SIMAC). The final Overarching Project ToR will be disclosed by MMERE on their website prior to project appraisal.

The MMERE website has been set up to provide extensive information to users. Consultations materials developed and will be on the website. However, with the issues on internet access, there might be very limited access by the provincial audiences. Information however, can be posted on the Ministry notice board and Solomon Island Government (SIG) portal (<https://solomons.gov.sb>).

The SEP will continue to use a variety of engagement techniques to build relationships with stakeholders, consult and gather information from them, as well as disseminate project information when fund available and government restrictions related to the pandemic lessen.

**Table 2: List of Stakeholders to be consulted in May 2021**

<b>Organizations</b>	<b>Persons to be consulted</b>	<b>Positions</b>
Customs and Excise Division	Jim Sutton	Comptroller
Customs and Excise Division	John P Langi	
Customs and Excise Division	Sarah Wickham	
Ministry of Environment Climate Change Disaster Management and Meteorology (MECCDMM)	Melchior Mataki	Permanent Secretary
MECCDMM	Joe Horokou	Director
Foreign Investment, Ministry of Commerce, Industry, Labour and Immigration	Lynnette DaWheya	Director
Inland Revenue Division	Geroge Tapo	Commissioner
Labour Division	Josiah Manehia	Commissioner
Labour Division	Damisulia O`ota	
Ministry of Lands, Housing and Survey	Allen McNeil	Commissioner
Mines Division - Ministry of Mines, Energy & Rural Electrification (MMERE)	Nicholas Biliki	Director
Petroleum, MMERE	David Natogga	Director
Energy, MMERE	John Korinhona	Director

Geology, MMERE	Douglas Billy	Director
Water Resources, MMERE	Charlie Bepapa	Director
Trade Disputes		
Attorney General`s Chambers	John Muria	Attorney General`
Economic Reform Unit	Rictor Luaboe	
Ministry of Finance and Treasury	Mckinnie Dentana	Permanent Secretary
Ministry of Infrastructure Development	Mike Qaqara	Director
Extractive Industries Transparency Initiative (EITI)	Vincent Obimae	Head of Solomon Islands EITI National Secretariat
Ministry of national Planning and Development Coordination	Suzanne Sulu	Permanent Secretary
Immigration Division	Mason Fugui	Director
Immigration Division	Chris Akosawa	Deputy Director
Guadalcanal Province	Timothy Ngele	Provincial Secretary
Isabel Province	John Mark Lokumana	Provincial Secretary
Choiseul Province	Jeffrey Pakipota	Provincial Secretary
Renbel Province	Metcalf	Provincial Secretary
Central Bank of Solomon Islands	Dr Luke Forau	Governor
The Nature Conservancy	Willie Atu	
The Nature Conservancy	Madlyn Ero	
Solomon Islands Resources Company Ltd		
Solomon Islands Mining Company Ltd		
Gold Ridge Mining Ltd		
Landowners and affected parties of Kolosori mining-Ysabel		
Rep of the proposed and the current mining – Rennel		

So far three staff from the Mines Division (Director, Principal Tenement officer and Principal Economic Geologist) that team up to work on the consultation plan and part of the SEP individual consultations.

## 10 Annexes

## Annex A. Activity Level Terms of Reference Template

The Project includes several technical assistance activities such as legal and policy work to support the implementation of the NMP, work to strengthen institutional structures, capacity building and training activities, and technical studies.

The following activity level Terms of Reference (ToR) template shall be used during Project implementation by the TWG and submitted to the PMU for screening and action when hiring consultant/s to complete TA activities to avoid, minimize or manage any potential downstream E&S risks that could occur as a result of the consultant/s recommendations or outputs.

The activity level ToR template includes instructions on the sections that need to be completed during activity preparation, and where the information may be obtained from (if applicable).

Generic E&S risk management clauses to be included in the consultant/s ToR are in Annexes B (Activity Types 1, 2 & 3) and/or Annex D (Activity Type 4). These clauses ensure any potential downstream E&S risks and impacts are identified and managed during project implementation. These generic clauses may need to be articulated in more detail in the consultant/s ToRs. The PMU ESF and Stakeholder Engagement Officer shall provide E&S inputs to the consultant/s ToR, including any required E&S outputs and any specific E&S clauses to be included, paying special attention to the proposed approaches detailed in Chapter 2.3 and the overarching issues identified in Chapter 5.14 of the overarching Project TOR.

The template and the generic E&S clauses in Annex B and D can be adjusted to include sections and specific clauses relevant to the proposed activity as necessary. However, all TA activity types will require the activities to take into account the requirements of the applicable ESF standards and any consultation/s to be inclusive, as a minimum.

The draft activity level ToR should be submitted to the World Bank for review and ‘no objection’.

In the case of any subcontracting, the individual / firm awarded this contract is required to have equivalent arrangements with any hired subcontractors.

The PMU ESF and Stakeholder Engagement Officer must review the draft outputs of the TAs to ensure consistency with the [World Bank ESF](#) and its standards, the Project E&S risk management documents<sup>47</sup> and Solomon Islands law. The draft outputs must also be submitted to the World Bank for review and ‘no objection’.

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<sup>47</sup> SEP, LMP, POM, ESCP

## Solomon Islands Sustainable Mining Development Technical Assistance Project (P173018)

### Terms of Reference for *[Insert the specialist/firm that the individual ToR applies to]*

Duration: *[Insert the expected duration of the contract i.e. the number of days over a time period]*

Expected Start Date: *[Insert the expected start of the contract: day/month/year]*

#### Scope of Services

*[Insert the agreed scope of work or actions to be undertaken]*

#### Background Information

*[Insert the relevant background information from the Overarching Project Terms of Reference, PAD, and/or other project documents as relevant]*

#### Key Objectives/Tasks

*[Insert the key objectives of the consultancy and the key tasks to be completed including any required stakeholder consultations]*

#### Key Deliverables/Outputs

*[Insert the key deliverables/outputs of the consultancy e.g. draft and final reports/plans, expected E&S outputs, and the expected delivery dates]*

#### Level of Effort Required

*[Insert the expected effort required for the key tasks i.e. number of hours, days, weeks as applicable]*

#### Contract Clauses

*[Insert the standard contract clauses relevant to this ToR]*

#### Environmental and Social Risk Management Specific Clauses

*[For Activity Types 1, 2, and 3 - include the generic E&S risk management clauses from Annex B]*

*[For Activity Type 4 - capacity building / training activities or activities that also including capacity building / training - include the generic E&S risk management clauses from Annex D]*

*[Include other specific E&S clauses as appropriate]*

#### Data, Services, Personnel, And Facilities To Be Provided By The Client

*[Insert the data, services, personnel, and facilities to be provided by the MMERE]*

#### Qualifications of the Consultant/s

*[Insert the essential and desirable qualifications, skills, knowledge and experience of the consultant/s]*

**Annex B. Activity Types 1, 2 & 3 – Generic Environmental and Social Risk Management Clauses**  
For Activity Type 1 - policy, regulation, plan, and/or strategy review or updates, Type 2 - strengthening institutional structures, functions and capacity and Type 3 - technical studies, the consultants ToR developed using the Activity Level Terms of Reference in Annex A must include or elaborate the following E&S risk management clauses:

1. Outcomes and outputs, such as policy, studies, recommendations and advice, must be consistent with the World Bank ESF and its standards, the project E&S risk management documents (SEP, LMP, POM, ESCP), IFC [Environmental, Health, and Safety Guidelines for mining](#), Solomon Islands law and good mineral rights management principles,
2. Outputs must include an analysis of the compatibility of current relevant legislations/regulations and practices to identify gaps to be addressed and recommend gap filling measures (if relevant).
3. Recommendations must consider downstream impacts on community and worker health and safety and avoid recommendations that would negatively impact safe working conditions and/or community health and safety.
4. Recommendations must consider the downstream impacts on resource use efficiency and refer to relevant good international industry practice (GIIP), including the mitigation hierarchy, for pollution control.
5. Recommendations must consider the downstream impacts on land acquisition and access and livelihoods and where necessary, include a requirement for minimizing or avoiding involuntary land acquisition, involuntary resettlement or involuntary restriction of access to assets.
6. Recommendations must consider whether vulnerable and traditionally disadvantaged groups (as identified in the Project SEP) will be disproportionately impacted.
7. Recommendations must consider the downstream impacts on land clearance, natural habitats such as forests, and reduction in biodiversity.
8. Recommendations must avoid any negative downstream impacts of activities on critical natural habitats.
9. Recommendations must avoid direct or indirect impacts on both tangible and intangible cultural heritage, including burial sites, tambu areas etc.
10. If applicable, the consultant/s must undertake due diligence on any good, hardware, or software procured to ensure that it causes no adverse environmental, social or health and safety impacts.
11. The consultant/s must carry out a stakeholder gap analysis to identify any relevant stakeholders that might not have been identified during the development of the Project SEP.
12. The consultant/s must consult with and engage relevant stakeholders, and the public where necessary, throughout the activity to gather and share information in accordance with the Project SEP.
13. Consultations must be inclusive and those with barriers to participation given extra support. These include vulnerable groups, in particular women, youth, people with disabilities and ethnic minorities, as detailed in the Project SEP
14. Free, prior and informed consultation (FPIC) of potentially affected people, stakeholders, traditionally disadvantaged and vulnerable groups is required in all community consultations and engagements. FPIC shall be adequately delivered, gender and youth inclusive, and well documented and in compliance with the Project SEP.
15. The consultant/s will submit any relevant outputs (studies etc.) to the PMU ESF and Stakeholder Engagement Officer to review for compliance with the World Bank ESF and its standards, the

project E&S risk management documents (SEP, LMP, POM, ESCP), IFC Environmental, Health, and Safety Guidelines for mining, and Solomon Islands law.

16. The consultant/s, with the assistance of the PMU ESF and Stakeholder Engagement Officer, will disclose the outputs and studies developed which [the Project Director] determines are disclosable.
17. Workshops and outreach events must be COVID-19 safe. Events organized under this contract must avoid large group gatherings (20 people or fewer) and allow for adequate physical distancing (at least 1 metre of separation between participants). The consultant shall register the attendance of all attendees for contact tracing purposes and require attendees to follow standard precautions such as hand hygiene, physical distancing, and mask wearing. Ensure to liaise with Ministry of Health and Medical Services -COVID 19 oversight focal contact prior to workshops and trainings.

## Annex C. Activity Type 1 - Activity Level Environmental and Social Risk Screening

Where the technical assistance activity provides advice on the development of a policy, regulation, plan, and / or strategy, it could have significant downstream E&S impacts. Therefore, it is important that the planning process includes adequate assessment of E&S implications. During the preparation of Type 1 activities as defined in the Overarching Project ToR, the ESF and Stakeholder Engagement Officer shall undertake an analysis of the potential E&S issues related to the proposed activity (activity level E&S risk screening). Technical studies supporting policies, plans and programs are ideally suited to apply environmental and social analysis such as this.

The activity level E&S risk screening will examine the potential E&S risks and impacts of the proposed activity, consistent with the [World Bank ESF](#). The screening will include consideration of the full range of E&S risks and impacts incorporated in the relevant ESF standards. The screening should also involve stakeholder participation of a type appropriate to the nature and scale of the proposed activity. The outcomes of the screening can be used to guide the development of the individual ToRs and the inclusion of specific E&S clauses or elaboration of those included in Annex B and guide the E&S outputs required.

The relevant risks that need to be assessed are not simply the direct impacts resulting from the TA activities themselves (which would in most cases be minimal) but also the potential E&S implications that may arise when and if the activity leads to future investments in mining.

### Activities to be screened

Type 1 activities will include hiring of multiple policy and legal advisers to undertake reviews, updates, and completion of mining related policies, regulations, plans, and strategies. Specifically, this includes the following sub-component 1.1 activities such as:

- A SESA of mineral development in Solomon Islands;
- Complete drafting of the Mining Bill, Mining Regulations and model form agreements;
- Update of the mines occupational health and safety legislation;
- Harmonization between mining and other mining relevant regulations for land administration, environmental and social management, employment and community level development; and
- Harmonization between mining and taxation and trade regulations, guidelines and protocols.
- Preparation of strategies, operational plans and budgets to guide implementation by MMERE of the NMP, SESA and related legislation.

### Structure of the screening

Specifically the activity level E&S risk screening should:

- Analyse all the potential positive and negative E&S risks and impacts likely to be observed as a consequence of the implementation of the activity. The screening shall identify and distinguish between any direct (for TAs these should be minimal) and indirect (downstream) impacts;
- Describe how the potential risks and impacts will be avoided / managed during implementation;
- Detail how the proposed activity will incorporate E&S objectives into the proposed policy or program formulation.

### **Activity level E&S risk screening template**

A template for an activity level E&S risk screening against the relevant ESF standards is provided in Figure 1. This can be used by the PMU ESF and Stakeholder Engagement Officer to guide the activity level E&S screening.

Note that for some activities screened, not all the ESF standards will be applicable. The activity may also not have any direct impacts, only indirect or downstream impacts.

**Figure 1 – Template for activity level E&S risk screening against the relevant ESF Standards**

Relevant ESF Standard	Potential risks & impacts (positive and negative)	How the potential risks & impacts will be avoided / managed	How the proposed activity will incorporate environmental and social objectives
<b>ESS1 Assessment and Management of Environmental and Social Risks and Impacts</b>	e.g. will the activity shape environmental and social outcomes of future mining activities?		
<b>ESS2 Labor and Working Conditions</b>	e.g. will the activity have any implications for mining occupational health and safety?		
<b>ESS3 Resource Efficiency and Pollution Prevention and Management</b>	e.g. will the activity have any implications for how mines manage pollution?		
<b>ESS4 Community Health and Safety</b>	e.g. will the activity have any implications for mining communities health and safety?		
<b>ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement</b>	e.g. will the activity influence how mineral rights are allocated?		
<b>ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources</b>	e.g. will the activity have any implications for land clearance or habitat alteration?		
<b>ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities</b>	e.g. will the activity have any implications for benefit sharing?		
<b>ESS8 Cultural Heritage</b>	e.g. will the activity have any implications for tangible or intangible cultural resources?		
<b>ESS10 Stakeholder Engagement and Information Disclosure</b>	Are there stakeholders / communities that may have an interest in the activity?	Maximize stakeholder engagement through enhanced consultation, participation and accountability (refer to the SEP)	

#### Annex D. Activity Type 4 – Generic Environmental and Social Risk Management Clauses

For Activity Type 4 - capacity building / training activities or activities also including capacity building and training activities, the consultants ToR developed using the Activity Level Terms of Reference in Annex A must include the following E&S risk management clauses:

1. The capacity building / training plan(s) and any training materials developed, shall incorporate both E&S, and health and safety best practices into training and capacity building programs consistent with the ESF and its standards, the Project E&S risk management documents (SEP, LMP, POM, ESCP), and Solomon Islands law.
2. Training and capacity building programs must be gender equitable, inclusive, use appropriate cultural norms, and involve stakeholder engagement principles that are consistent with the Project LMP and SEP.
3. The PMU ESF and Stakeholder Engagement Officer must review the capacity building / training plan(s) and any training materials developed to check for compliance with the World Bank ESF and its standards, the Project E&S risk management documents (SEP, LMP, POM, ESCP), and Solomon Islands law.
4. Workshops and events must be COVID-19 safe. Events organized under this contract must avoid large group gatherings (20 people or fewer) and allow for adequate physical distancing (at least 1 metre of separation between participants). The consultant shall register the attendance of all attendees for contact tracing purposes and require attendees to follow standard precautions such as hand hygiene, physical distancing, and mask wearing. Ensure to liaise with Ministry of Health and Medical Services -COVID 19 oversight focal contact prior to workshops and trainings<sup>48</sup>.

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<sup>48</sup> Note that this clause need only be included if it is not already included in the activity level TOR from the Annex B clauses.