



ANNEX NO. 2

THE MOLDOVA ROAD PROJECT V

(DTM 45094)

THE TECHNICAL DESIGN STAGE

THE DRAFT REPORT

**The Project's
Consultation and Participation Plan (CPP)
specific for reconstruction of the express road M1**

Lot no.2 (km 9+208 – km 38+800)

REQUIREMENTS

 Ministry of Infrastructure and Regional Development	THE MOLDOVA ROAD PROJECT V The Project's specific Consultation and Participation Procedure reconstruction of the express road M1 Lot no.2 (km 9+208 – km 38+800) THE TECHNICAL DESIGN STAGE – REQUIREMENTS	 S.A. ADMINISTRATIA NATIONALA A DRUMURILOR
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1 SCOPE

The purpose of this document is to establish the procedure for consultation and participation of the workforce and the community in the implementation of the Moldova Road Project V. This procedure is to establish a SIMC Regulation and a complaint mechanism to be used by the affected communities during the construction stage.

This procedure is applied by the Social Impact Monitoring Committee (hereinafter SIMC) in order to (i) collect and monitor the resolution of complaints received from the community affected by the Project and (ii) prevent a negative social and environmental impact following the construction works.

The Committee (SIMC) has the role of supporting the local community in the process of submitting complaints, proposals or other measures that will reduce the social and environmental impact of the implementation process of the Moldova Road Project V.

2 NORMATIVE REFERENCES

The following documents shall be applied for implementation of this document:

- The approved Technical Design for rehabilitation process of the express road M1
- The Project's Environmental and Social Management System
- The Project's specific ESMP for rehabilitation process of the express way M1 Lot no.1
- The Project's specific Labour Management Procedure
- The Project's specific Code of Conduct
- The Project's specific Complaint Mechanism
- The Project's ESAP
- Applicable EBRD's PR no.1 and PR no.2, PR no.3, PR no.4, PR no. 5, PR no.8, PR no.10
- The Planning Town Urbanism Certificate¹ for Design no. 1 of February 14th 2025 issued by the Hincesti District Council
- The Planning Town Urbanism Certificate² for Design no. 1 of August 13th 2024 issued by the Nisporeni District Council
- The Environmental Permit³ no. 24 of August 12th 2025 issued by the Environmental Agency for the Moldova Road Project V

3 TERMS, DEFINITIONS AND ACRONYMS

3.1 Terms and definitions

The terms used hereinafter have the same meaning attributed to them in normative references. For

¹ Source: <https://hincesti.md/category/subdiviziunile/sectia-constructii-gospodarie-comunala-si-drumuri/>

² Source: <https://hincesti.md/category/subdiviziunile/sectia-constructii-gospodarie-comunala-si-drumuri/>

³ Source: <https://www.andsa.md/acorduri-de-mediul/>

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a better understanding of the present document and training of personnel, the following terms and definitions set forth in the above-mentioned standards are rendered to be more valuable:

Audit: is a systematic, independent and documented process to obtain Evidences of Audit and assess them objectively in order to determine the extent to which the audit criteria are complied with.

Community workers: people employed or engaged in providing community labour.

Continuous Improvement: repeated activity to increase the ability to comply with requirements.

Corrective Action: action taken to eliminate the cause of a Non-conformity detected or any other unwanted situation.

Direct workers: people employed or engaged directly by the Contractor to work specifically in relation to the project.

Discrimination in employment: is defined as any distinction, exclusion, or preference with respect to recruitment, hiring, firing, working conditions, or terms of employment made on the basis of personal characteristics unrelated to inherent job requirements that nullifies or impairs equality of opportunity or treatment in employment or occupation.

Document: information and its supporting medium. The medium can be paper, magnetic, electronic or optical computer disc, photograph or master sample, or a combination thereof.

Exploitation of persons – the abuse of persons for profit: a) forcing individuals to perform work or provide services through the use of force, threats or other coercive methods, in violation of legal provisions regarding working conditions, wages, health and safety; (b) keeping persons in slavery or applying practices similar to slavery, or resorting to other procedures for the deprivation of liberty; c) Commercial or non-commercial sexual exploitation; (d) forcing someone to donate organs, tissues, or other parts of the human body; I the use of women as surrogate mothers or for reproductive purposes; (f) abusing the rights of children for the purpose of illegal adoption; (g) Use in armed conflicts or illegal military formations; (h) Use in criminal activities; (i) forced begging; (j) selling them to another person; k) forcing them to carry out activities that violate fundamental human rights and freedoms.

EHS Committee: is any organization of workers for the purpose of furthering and defending the interests of workers with regard to working conditions and terms of employment.

Environment: surroundings relative to the facility, including the air, water, land, natural resources, flora, fauna, humans and the interrelation of all these elements.

Incident: an event that generated an accident or may potentially lead to an accident.

Indirect workers or contracted workers: people employed or engaged through third parties to perform work related to core functions of the project, regardless of location.

Non-conformity: non-compliance with a requirement.

NOTE: Prevention of pollution can include source reduction or elimination, process, product or service changes, efficient use of resources, material and energy substitution, reuse, recovery, recycling, reclamation and treatment.

Objective: refers to the general purpose, resulted from the policy, being pursued by the organization and quantified where possible.

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Other stakeholders are those not directly affected by the project but that have an interest in it. These could include national and local authorities, neighbouring projects, and/or nongovernmental organizations.

Parties Concerned: a party or group concerned or affected by the organization's performance.

Performance: represents the quantifiable results of the Management System, related to the organization's control over its aspects and dangers, based on the policy, objectives and purposes.

Personal Characteristic: such as gender, race, nationality, ethnic, social and indigenous origin, religion or belief, disabilities, age, or sexual orientation.

Policy: general intents and purposes of a certain organization related to ESHS, as they are officially expressed by the top management.

Primary supply workers: people employed or engaged by the Borrower's primary suppliers.

Procedure: specified way to carry out an activity or a process. Procedure can be documented or not.

Process: set of correlated or interrelated activities, which turns the input elements into output elements.

Record document: stating results achieved or providing evidence of activities performed.

Risk Assessment: process of general risk impact assessment and decision as to the level of risk tolerance.

Risk: combination of probability of appearance and consequences of a certain dangerous event.

Safety: lack of any unacceptable risk of injury.

Specific Objective: refers to detailed performance requirement, quantified when possible, applied to the organization as a whole or to its certain part, which results out of general environmental objectives and which must be established and fulfilled in order to achieve the latter objectives.

Stakeholders: are defined as persons, groups or communities external to the core operations of a project who may be affected by the project or have interest in it. This may include individuals, businesses, communities, local government authorities, local nongovernmental and other institutions, and other interested or affected parties.

Supply chain: refers to materials, components, goods or products for use in on-going operations.

Tolerable Risk: refers to the risk reduced to a "tolerable" level that can be endured by the organization, taking into account its own legal obligations and its own ESHS Policy.

Trafficking in Persons: is defined as the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power, or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Women and children are particularly vulnerable to trafficking practices.

Sexual harassment: Any unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature.

Sexual Exploitation and Abuse (SEA): (i) Sexual abuse: Any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes including but not limited to profiting monetarily socially or politically from the sexual exploitation of another (UN Glossary on SEA/SH, 2017.p.6). Sexual Abuse: actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions (UN Glossary on Sexual Exploitation and

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Abuse 2017, pg. 5).

Violence against women (VAW): Article 1 of the 1993 UN Declaration on the Elimination of Violence against Women defines violence against women as any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Gender-based violence (GBV) service provider: An organization offering specific services for GBV survivors, such as health services, psychosocial support, shelter, legal aid, safety/security services, etc.

Gender-based violence⁴ (GBV): Gender-based violence (GBV) is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (i.e., gender) differences between males and females. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty.

Commercial sexual exploitation: the use of a person through coercion in prostitution or in the pornography industry in exchange for financial means or other material benefits.

Non-commercial sexual exploitation: the use of a person through coercion, without material interest, expressed in marriage (including polygamous) or cohabitation.

Child: a person who has not reached the age of 18.

Confiscation of documents: the deprivation of any documents referred to in point 5 from a person who is the victim of exploitation.

Debt bondage: the deprivation of a person's liberty until they or a third party pays a legally or illegally established debt.

Slavery: is defined as the status or condition of a person over whom one or more rights derived from the right of ownership are exercised.

Practices similar to slavery: the state of a person who is held or placed in a situation where another person controls them or forces them, through deception, threats, violence or other coercive means, to perform certain services, including entering or remaining in a cohabitation or marriage relationship.

State of vulnerability: a special state in which a person is willing to submit to abuse or exploitation, particularly due to: a) a precarious situation in terms of social survival; b) their age, pregnancy, illness, disability or physical or mental impairment; c) their precarious and illegal entry or stay in the country of transit or destination;

Victim of human trafficking: is a natural person who is found to be subject to trafficking in human beings.

3.2 Acronyms

CESMP	Contractor's Environmental and Social Management Plan
CL&OHSP	Contractor's Labor & Occupational Health and Safety Plan

⁴ Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: https://gbvguidelines.org/wp/wp-content/uploads/2015/09/2015-IASC-Gender-based-Violence-Guidelines_lo-res.pdf

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CoC	Code of Conduct
DD	Detail design
EA	Environmental Agency
EHS	Environmental and health and safety
EIA	Environmental impact assessment
ESP	Environmental and Social Policy
ESRs	Environmental and Social Requirements
GD	Government Decision
HR	Human Resources
KPIs	Key performance indicators
LPA	Local public authority
MMS	Meter Management System
MS	Method Statement
NAPH	National Agency for Public Health
NGOs	Non-Governmental Organisations
OHS	Occupational health and safety
PIU	Project Implementation Unit
PMU	Project Management Unit
PPE	Personal protective equipment
PTW	Permit-to-Work
SMR	Subcontractor management representative
SOPs	Safety Operational Procedures
SSA	State supervision agency
TLI	Territorial labour inspection
TMP	Traffic management plan
TS	Technical specification

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4 THE PROJECT CONTEXT

4.1 General data

On January 22nd 2024, the European Bank for Reconstruction and Development (EBRD)⁵ and the Government of the Republic of Moldova⁶ (the Borrower) signed the Loan Agreement for the Moldova Roads Rehabilitation Project V. The Borrower is the Republic of Moldova and is represented by the Ministry of Finance.

The facility will consist of a sovereign loan to the Borrower in the amount of up to EUR 150 million, tranché. The loan will finance the rehabilitation and widening of the M2 Chisinau ring road (section 2) and the purchase of specialized equipment and software for the Road Asset Management System (Tranche 1) and the rehabilitation of the M1 Chisinau to Leuseni road section (Tranche 2) (together the “Project”).

The Project is of a strategic priority for the Republic of Moldova and will support the Government's efforts to halt the deterioration of the road network and ensure key road links are maintained to acceptable standards to facilitate economic growth, regional integration and connectivity by strengthening core transport links with a focus on extended TEN-T network.

The Project is aligned with the European Union's Economic and Investment Plan for Neighbourhood East and its post-2020 Eastern Partnership Priorities, is included in the Eastern Partnership TEN-T Investment Action Plan, and is consistent with the Solidarity Lanes approach by focussing on core corridors to ensure transportation of goods between Ukraine and the European Union.

The Borrower shall carry out the Project in accordance with the Project Implementation Plan furnished by the Borrower to EBRD (subject to any modifications to which EBRD may agree in writing) and cause the financing specified in the Financing Plan to be applied exclusively to the Project. The proceeds of the Loan shall be applied exclusively to the components of the Project to be financed (or co-financed as the case may be) by EBRD in accordance with the Procurement Plan.

4.1.2 Project Development Objective

The Project will facilitate Moldova's economic development and its physical integration by improving transit connections and corridors between its cities and between Moldova and neighbouring countries, including Ukraine and Romania. The Project will also improve the road infrastructure between cities and on key corridors/regional connections through the rehabilitation of the M2 Chisinau ring road (section 2) and the M1 Chisinau to Leuseni road section, which are in poor condition.

⁵ Source: <https://www.ebrd.com/home/work-with-us/projects/psd/54423.html>

⁶ Source: <https://gov.md/index.php/en>

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4.1.3 Project Beneficiaries

The Project beneficiaries are:

- The Government of the Republic of Moldova⁷;
- The Ministry of Finance⁸;
- The Public Property Agency⁹;
- The Ministry of Infrastructure and Regional Development¹⁰;
- The Hincesti District¹¹ Council
- The Nisporeni District Council¹²
- The community from the Republic of Moldova;
- The community from Romania and Ukraine and other countries.

4.1.4 Project components

The Project consists of the following Parts:

Part A:

- (9) Civil works: rehabilitation and widening of the M2 Chisinau ring road-section 2, comprising of approximately 7 km of road;
- (ii) Supervision of civil works for rehabilitation and construction of the above road section to be provided by the Supervision Consultant;
- (iii) Extension and upgrade, of the road asset management system; and
- (iv) Contingencies to finance any cost overruns in relation to Part A.

Part B:

- (9) Civil work: rehabilitation, of the M1 Chisinau to Leuseni road section, comprising of approximately 71 km of road;
- (ii) Supervision of civil works for rehabilitation and construction of the above road section to be provided by the Supervision Consultant; and
- (iii) Contingencies to finance any cost overruns in relation to Part B.

4.2 Needs and expectation of specific stakeholders

4.2.1 Needs and expectation of the Supervision Consultant

Needs and expectation of the Supervision Consultant (Engineer) is to be implemented the present document by promoting quality and safety, having minimal impact on workforce and community's health and safety by having in place approved documents specific for construction site, no complaints from the community and no incidents and accident on construction sites.

⁷ Source: <https://gov.md/ro/autoritati-administrative-centrale>

⁸ Source: <https://mf.gov.md/ro>

⁹ Source: <https://app.gov.md/>

¹⁰ Source: <https://midr.gov.md/portofoliu/transport>

¹¹ Source: <https://hincesti.md/>

¹² Source: <https://nisporeni.md/>

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The Engineer ensures that the Project's activities are carried out with due regard to appropriate approved the Project's specific ESMP, LMP, Code of Conduct, PCM and in accordance with safeguards requirements of the EBRD (ESAP) and applicable laws of the Republic of Moldova.

The Supervision Consultant (Engineer) ensures that the General Contractor developed a CESMP, COHSP, Code of Conduct, TMP, EPRP, Communication Plan, etc. that shall be provided to and signed by all workers (direct and contracted), as applicable to specific works carried out specific for reconstruction process of the express road M1, including appropriate training of the Contractor's ES Plans.

4.2.2 Needs and expectation of workforce

Needs and expectation of the direct and contracted workforce, community workers and primary supply workers implied in the project's process shall be promoted by the General Contractor through sound worker-management relationships and enhance the development benefits of the project by treating workers fairly and providing safe and healthy working conditions, in compliance with Republic of Moldova labour and social laws and EBRD's ESR no.2 Labour and Working Conditions.

The objective of needs and expectation of the workforce are:

- Respect and protect the fundamental principles and rights of all project workers;
- Ensure fair treatment, non-discrimination, non-harassment and equal opportunities for all project workers;
- Establish, maintain and improve a sound worker-management relationship, based on social dialogue;
- Ensure compliance with national labour and employment laws, social security laws and any collective agreements to which the client is a party;
- Protect all project workers, including vulnerable project workers who might be at higher risks of discrimination, harassment or exploitation, such as women and gender-diverse workers, young workers, workers with disabilities, migrant workers and refugees, self-employed and contracted workers, as well as workers in the project's core supply chain;
- Prevent the use of forced labour and child labour;
- Ensure that accessible and effective means to raise and address workplace concerns are available to all project workers.

The Contractor shall document needs and expectation of workforce, determine operational criterion for human resources and OHS processes and implement on construction site to be in compliance with applicable laws of the Republic of Moldova and EBRD's ES requirements.

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4.2.3 Needs and expectation of affected communities

Needs and expectation of the affected communities are to be addressed during the implementation process, the health, safety, and security risks and impacts on project-affected communities and the corresponding responsibility of Employer to avoid or minimize such risks and impacts, with particular attention to people who, because of their particular circumstances, may be vulnerable:

- To anticipate and avoid adverse impacts on the health and safety of project-affected communities during the construction stage from both routine and nonroutine circumstances.
- To promote quality and safety, and considerations relating to climate change, in the design and construction of infrastructure, including dams.
- To avoid or minimize community exposure to project-related traffic and road safety risks, diseases and hazardous materials.
- To have in place effective measures to address emergency events.
- To ensure that the safeguarding of personnel and property is carried out in a manner that avoids or minimizes risks to the project-affected communities.

4.3 The scope of the Project's specific Consultation and Participation Plan

The purpose of this document is to implement the requirements of the Consultation and Participation process on construction sites. This is to protect the health and safety of workers on construction sites and the community. The document provides reasonable requirements and precautions to be implemented on construction sites by the General Contractor, specifically for the protection of the direct and subcontracted workforce, and by the employer for the protection of the community during the construction process. The Supervision Consultant (Engineer) will support the management of social risks.

The Supervision Consultant (Engineer) must ensure that the contractor hired experienced, competent and trained workers (direct or contracted) who have the technical capability to manage specific tasks on construction sites and comply with social and health and safety requirements. The Engineer must ensure that before starting construction activities on sites, the contractor develops its own Consultation and Participation Plan and submits it to the Engineer for approval.

For operational phase, the Beneficiary shall comply with mitigation measures established in the present plan and with applicable Republic of Moldova social and OHS laws, establish roles and responsibilities for labor and OHS Plan implementation.

4.4 The Project's Environmental and Social Management System

The present plan is part of the Project's ESMS and shall be implemented on construction site by the General Contractor for protection of the all workforce and by the Employer with the support of the Supervision Consultant (Engineer) based on requirements of the present document, which stipulates operation criterion for controlling risks (environment and social, labour and working

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conditions, health and safety, and security).

The requirements of the present document shall be part of tender documents and before starting the construction activities on site, the Contractor shall develop its own Contractor's environmental and social documents which includes the following plans (CESMP, COHSP, CcoC, CTMP, CHRP, etc.) and shall be approved by the Supervision Consultant (Engineer).

For the operational stage specifically, the Beneficiary shall integrate the present document into its Environmental and Social Management System, establishing measures to control risks with designated roles and responsibilities, documented procedures, plans and records, monitoring and measurement plans and records, and so on.

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5 LEADERSHIP

5.1 Leadership and commitment

The Employer is committed to respect to the requirements established in the present document and control ES risks during the construction process by:

- taking overall responsibility and accountability for the prevention of work-related injury and ill health, as well as the provision of safe and healthy workplaces and activities;
- ensuring that the Environmental and Social Management Policy and specific Objectives are established and are compatible with the context of the Project;
- ensuring the integration of the ES requirements into the construction specific documents;
- ensuring that the resources needed to construction and operate, performance evaluation and improvement are available;
- communicating the importance of effective ES Policy and of conforming to requirements of the Project's specific ES Plans;
- ensuring that the Project's specific ES Plans achieves its intended outcomes;
- directing and supporting persons to contribute to the effectiveness of the ESMS;
- ensuring and promoting continual improvement;
- supporting other relevant management roles to demonstrate their leadership as it applies to their areas of responsibility;
- developing, leading and promoting a culture in the construction site that supports the intended outcomes of the Project's specific ES Plans;
- protecting workers and community from reprisals when reporting incidents, hazards, risks and opportunities;
- ensuring the Contractor establishes and implements a process for consultation and participation of workers;
- supporting the establishment and functioning of health and safety committees for workforce and community.

5.2 The Environmental and Social Management Policy

The ES Management Policy represents the Employer's commitment to implement the Project's specific ES requirements and ensures that sufficient resources shall be provided by the Contractor and Employer for controlling identified ES risks at the construction and operational stages. For identified social risks, the Employer shall ensure that the Contractor and the Employer implement diligently the present plan in order to comply with EBRD's ESR no. 1 Assessment and management of ES risks and impacts, PR no.2 Labour and Working Conditions, PR no. 4 Health, Safety and Security and observe applicable labour and OHS laws of the Republic of Moldova.

Through the ES Management Policy, the Employer ensures that it:

- Respect and protect the fundamental principles and rights of all project workers;
- Ensure fair treatment, non-discrimination, non-harassment and equal opportunities for all

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- project workers;
- Establish, maintain and improve a sound worker-management relationship, based on social dialogue;
 - Ensure compliance with national labour and employment laws, social security laws and any collective agreements to which the client is a party;
 - Protect all project workers, including vulnerable project workers who might be at higher risk of discrimination, harassment or exploitation, such as women and gender-diverse workers, young workers, workers with disabilities, migrant workers and refugees, self-employed and contracted workers, as well as workers in the project's core supply chain
 - Prevent the use of forced labour and child labour;
 - Ensure that accessible and effective means to raise and address workplace concerns are available to all project workers;
 - Protect and promote the health, safety and security of projects workers by ensuring safe, healthy and secure working environments and implementing a management system appropriate and proportionate to the risks associated with the Project;
 - Identify, assess and manage health, safety and security risks to project-affected communities and consumers during the project lifecycle from the routine and non-routine activities and to incorporate health and safety at the earlier opportunity into the project design;
 - Outline a systematic approach to stakeholder engagement that will help Employer build and maintain a constructive relationship with their stakeholders;
 - Provide a means for effective and inclusive engagement with project stakeholders throughout the project cycle;
 - Ensure that appropriate ES information is disclosed and meaningful consultation is held with the project's stakeholders and, where appropriate, that feedback provided through the consultation is taken into consideration;
 - Ensure that grievances from community stakeholders are responded to and managed appropriately;
 - Ensure that community and stakeholder engagement is conducted in a manner that protects the privacy and safety of stakeholders and is free from retaliation.

The documented ES Management Policy is annually analysed and revised by the Employer for its continual adequacy in compliance with the Project's objectives and legal requirements.

5.3 Organizational roles, responsibilities and authorities

5.3.1 The Employer and Project Implementation Unit

The Project Implementation Unit has been created within the SA National Road Administration (NRA)¹³ and has the task to ensure the efficient implementation of the Moldova Road Project V

¹³ Source: <https://www.andsa.md/en/>

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by the project administration, monitoring and coordination together with hired Technical Consultants in accordance with the Loan Agreement and ESAP¹⁴.

The Employer JSC NRA operates in accordance with the legislation in force of the Republic of Moldova and requirements established in ESAP, approved Project Operational Manual, procedures and standards of the EBRD and other international financing organizations.

The PIU and Employer commits to comply with relevant EBRD Performance Requirements and applicable technical and ES laws of the Republic of Moldova and implement the project Environmental and Social Management Policy and strategic Objective.

The PIU and Employer will promote the following principles:

- sound worker-management relationships and enhance the development benefits by treating safe and healthy working condition,
- use efficient and effective resources, pollution prevention and GHG emission avoidance, minimize the generation of wastes, etc.;
- protect community and ensure health and safety for affected communities and peoples;
- protect biodiversity and cultural and natural protected heritage;
- engage communities in the construction process and ensure the environmental and social sustainability and acceptance by the community.

5.3.2 The General Contractor

The General Contractor, engaged by the Employer during construction phase, shall take the responsibility for physical implementation of mitigation measures provided in the present document, as well as for obtaining all construction activities related permits and agreements in accordance with contractual documents and applicable social legislation of the Republic of Moldova.

Additionally, the General Contractor shall consult workforce and provide timely access to clear, understandable and relevant information about the Project's ES Management System and specific ES Plans (ESMP, LMP, CoC, GCM, etc.) and involve workforce in the participation process for (i) establishing a ES Committee and the mechanism, (ii) inform about ES risks and opportunities, (iii) inform about the mitigation measures for controlling ES risks, (iv) competence requirements and training needs for controlling risks, (v) communication needs, (vi) operation g criterion, (vii) incidents investigation, non-conformities and corrective actions, and (viii) continual improvement.

5.3.3 Roles, responsibilities and authority of the Supervision Consultant

The Supervision Consultant, engaged by the Employer, shall ensure that the construction activities on construction site is carried out in line with the technical, environmental and social requirements

¹⁴ Source: <https://www.andsa.md/>

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included in contractual documents.

The main objective of the assignment for the Supervision Consultant (Engineer) is to assist the Employer in the administration and supervision of the construction works for rehabilitation of the express national road M1 Lot no.2 from the Hincesti and Nisporeni Districts with due diligence, to carry out the duties assigned to him in the Contract and provide other services.

The Supervision Consultant, hired by the Employer to oversee the daily implementation of civil construction works, will be responsible for ensuring that the construction works and measures are implemented in a timely, proper and reliable manner, as set out in the Project's specific ES Plans (ESMP, LMP, CoC, PCM, TMP, EPRP, SEP, etc.). The Supervision Consultant will diligently implement the Project's specific ES Plans and monitor the grievance mechanism, managing the feedback and response procedure for complaints from affected people and community. Additionally, the Supervision Consultant shall manage the Social Impact Monitoring Committee established in the affected communities having the scope to communicate directly with people and administration of LPAs, organise meetings with the community and affected people, analyse and discuss any identified non-conformities, and establish corrective actions.

The Employer shall oversee the environmental and social aspects of all activities for rehabilitation process of the sector of road from the Hincesti and Nisporeni Districts (Lot no.2) in order to ensure that established mitigation measures are designed and implemented properly to prevent and minimize likely adverse environmental and social impacts.

The Supervision Consultant shall also ensure that all necessary agreements and permits are obtained by appropriate contractor from relevant state and local authorities before the construction works are start. The Employer may request to check if such permits are issued and valid as well as if the Project's ESMP mitigation and monitoring aspects are implemented on the ground during the rehabilitation process of the road sector from the Hincesti and Nisporeni Districts (Lot no.2) according to applicable the Republic of Moldova environmental and social legislation.

5.3.4 Workforce responsibilities (direct and contracted)

The roles and responsibilities of direct and contracted workers include:

- Taking reasonable care of themselves and their fellow workers,
- Refraining from misusing equipment provided for their occupational health and safety,
- Co-operating/communicating with their supervision specialists/ESHS by following safe systems of work;
- Reporting accidents & unsafe situations to their supervisor or other nominated member of management;
- Participate and take an active part in any consultation exercise set up by the Engineer;
- Submit suggestions, proposal for improvements and complaints using the grievance mechanism from construction site.

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5.4 Consultation and participation process

5.4.1 The Contractor Consultation and Participation Process

5.4.1.1 The Consultation of the Contractor workforce (Committee)

The workforce consultation represents the key factors of success for implementation by the General Contractor and the Employer ensure that identified ES risks and impacts at the design phase are communicated to the workforce at the construction and operational stages.

The workforce consultation process¹⁵ implies a two-way communication involving dialogue (kick off meeting, toolbox-talk, EHSS meetings, EHSS committees, etc.) and exchanges (leaflets, notices published on the informational panels, risks assessment sheets, etc.) during LMP implementation. Consultation process involves the timely provision of the information necessary for workers to give informed feedback to be considered by Contractor before making a decision. Participation process enables workers to contribute to decision-making processes on LMP performance measures, proposed changes and continual improvement of the labour process.

Feedback from the consultation process or the complaints mechanism (CM) on the LMP implementation is dependent upon worker participation. The Contractor shall ensure workers at all levels are encouraged to report hazardous and other situations, so that preventive measures can be put in place and corrective action taken.

The reception of suggestions, grievances, complaints, proposals for improvements, suggestions received from workforce shall be a free or anonymous format and the consultation process will be more effective if workers do not fear the threat of dismissal, disciplinary action or other such reprisals when making them.

The General Contractor shall consult their workers, these include, but are not limited to:

- Gender based violence and sexual harassment;
- Trafficking on persons;
- Sexual transmitted diseases;
- HIV-AIDS;
- Accommodation and hygiene;
- Behaviour on construction site;
- Use of alcohol and drugs on construction site;
- Emergency arrangements and procedures;
- Welfare issues for men, women, persons with disabilities, pregnant women, etc.;
- Requirements and penalties for broken the social requirements;

¹⁵ Source: GD no. 95/2009 Organization activities for the protection of workers at the workplace and prevention of professional risks - https://www.legis.md/cautare/getResults?doc_id=123544&lang=ro#

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- Introduction of policies e.g. no smoking, drug/substance abuse and use, alcohol use and abuse.

5.4.1.2 Participation of the General Contractor's workers

The General Contractor shall consult its personnel in labour and social aspects and other aspects and ensure participation of workforce in the decision-making process based on identified social risks specific for construction and operational stages in order to facilitate the workforce participation in the labour and social management on construction and operational sites.

The General Contractor shall provide a grievance mechanism for workers to raise workplace concerns in order to ensure a feed-back from workforce. The General Contractor shall inform workers of the complaint mechanism (CM) at the time of recruitment and makes it easily accessible to them. The mechanism (CM) involves an appropriate level of management and address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned, without any retribution. The complaint mechanism shall allow for anonymous complaints to be raised and addressed. The mechanism does not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements. The Complaint Form is presented in Annex 2.

The purpose of the workforce participation is to meet and discuss safe working conditions and procedures and other documentations specific for LMP/CoC implementation by the General Contractor and Employer.

The General Contractor is responsible for establishing Labour & OHS Committees¹⁶ and the scope of the Committees are to set guidelines for organizing the committee, the structure of the committee, meeting frequency, and the roles and responsibilities of committee members.

The consultation and participation process within the Committees should include the following topics: (i) The Employer LMP Policy, (ii) Identified labour and OHS risks, (iii) injury incidents, (iv) equipment failures, (v) near misses incidents, (vi) damages, (vii) inspections, due diligence and audit results, (viii) maintenance and modification, (ix) procedural changes, (x) environmental incidents, (xi) social aspects (complaints, grievances, proposals, etc.), (xii) management of change, etc.

The following channels through which workforce can address or submit complaints/suggestions/proposal for improvement regarding the smooth implementation of the LMP:

¹⁶ Source: https://www.legis.md/cautare/getResults?doc_id=123544&lang=ro#

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Table 5-1: Grievance redress mechanism for social, labour and OHS process

Employer NRA	MoIRD
mun. Chișinău, str. Bucurei, 12° MD 2004 E-mail: cancelaria@andsa.md E-mail: serviciu@andsa.md Tel. (Green Line): (+373) 78 337 744 Press Relation: (+373)60 477 004 Web: https://www.andsa.md/petitii-online/	Mun. Chișinău, MD-2012 Piața Marii Adunări Naționale 1 Email: secretariat@midr.gov.md Anticorruption Line: +373 (022) 250 535 Green Line: (022) 250 500 Anticorruption Line of the Ministry: +373 78 777 975 Web: https://midr.gov.md/petitii

If the complainants will use the other existing the Employer channel for complaint¹⁷ these complaints will be directed to the Employer & PIU.

5.4.2 The Community's Consultation and Participation Process

5.4.2.1 Establish the Social Impact Monitoring Committee

The Social Impact Monitoring Committee will be constituted in 2 levels (i) in the affected localities by the rehabilitation process of the express road M1 and (ii) District level the authorities responsible for issuance of the Urbanism Certificate for Design and finally the Construction Authorization:

Level 1 – Local Level I, within the localities where construction works will be carried out, made up of representatives of the LPA and the community, the associative sector in the locality, etc.

The communities affected by the Project will be represented by the mayor of the locality and the cadastral engineer (responsible) of the locality. Women will necessarily be included in the composition of the CMIS (we recommend that at least 30% of the members of the Committee be female).

Level 2 – District Level II, designated by decision of the Chairman of the District Council from the officials of the district administrative apparatus, district NGOs, etc.

The decision to select the members of the SIMC at the district level is up to the Chairman of the District Council. The members will be appointed from among officials with job duties tangent to the project works, such as specialists in the field of construction, environmental protection, public order.

The Chairman of the SIMC is elected from among the members of the SIMC and is responsible for drawing up the agenda of the SIMC meeting with the support of the Supervision Consultant. The SIMC secretary is also elected from among the members of the SIMC and will be responsible for drawing up the minutes of the meetings.

The General Contractor will participate as a guest in the SIMC meetings and will receive the

¹⁷ <https://www.andsa.md/contacte/>

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minutes of the working meeting in which real terms for solving the non-conformities identified in the site will be established and will undertake to remedy all non-conformities within the shortest possible time. At the request of the SIMC, the representatives of the Employer may be invited to the meeting.

In order to function effectively, SIMCs (Level I and Level II) will have five (5) members. However, the SIMC will justifiably decide whether it wishes to have more members in its composition. The quorum will be respected if a simple majority of the members of the SIMC participate in the meeting. If one of the members of the SIMC is unable to attend a meeting, he or she shall provide the Chair of the SIMC with prior notice within a reasonable period of time so that the meeting may be adjourned, if necessary.

The SIMC members will be excluded if they are absent from five (5) consecutive meetings and if they are involved in political and electoral activities. If a representative can no longer be a member, the organisation he/she represents will be invited to appoint a new representative.

A member may resign from the CMIS at any time by submitting his resignation in writing. Once a member's resignation has been accepted, the organization he/she has represented will be invited to appoint a new representative. If the resigning person did not represent a local organisation, his/her place is taken by another person who meets the criteria and this is to be proposed by the working team.

5.4.2.2 SIMC Principles of Activity

The SIMC basic principles and its members act are the following:

Independence: SIMC will operate independently of all political influences and will exclusively represent the interests of its communities.

Transparency: Meaningful consultation of the community and affected people (PAC) is essential for the credibility and importance of the social and environmental impact monitoring process. In order to ensure a better implementation of the Project, all monitoring information must be communicated to all SIMC members, affected communities and the Employer. All discussions about SIMC tasks and functions will be transparent. All SIMC meetings will be duly recorded, and the Minutes will be made available to the public by posting on the LPA's information board. To facilitate an efficient decision-making process, all parties will have access to information on the work of the SIMC.

Ethics: Monitoring should not reflect the personal, political or organisational interests of SIMC members or local public authorities. Any conflict of interest will be brought to the public's attention, and upon learning of a conflict of interest, any member of the SIMC will resign.

Impartiality: SIMC members will strive to act objectively and unbiased. Freedom of expression and respect for other opinions are the foundations of the existence of the SIMC.

Quality: The work of SIMC members will comply with the minimum quality standards established

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by this framework.

Equality and responsibility: Each member of the SIMC has equal rights with others in the collective and individual decision-making process. Each member of the CIMS is responsible for the prompt execution of the tasks resulting from the work process.

5.4.2.3 Role and responsibilities

The SIMC, having an independent role from the General Contractor, has as its primary task the monitoring of the impact of the construction works on the environment and the respect of the social interests of the inhabitants of the communities affected by the rehabilitation process of the road M1. The SIMC will facilitate communication process between the people affected by the construction works and the Employer/Supervision Consultant, with the aim of creating a mutual understanding between the stakeholders and an atmosphere of cooperation and participation within the Project communities.

The roles and responsibilities of SIMC are:

- 1 Monitoring the social impact of the construction activity near public and privately-owned land in terms of compliance with the environmental and social aspects of the Project. However, under no circumstances shall any of the members of the SIMC be involved in the Contractor's activity. SIMC will inform the Supervision Consultant about the non-conformities identified by the community by disseminating the minutes of the SIMC working meeting.
- 2 Identifies and monitors PACs who have complaints about property damage by the contractor during the construction phase; to verify compliance with ES protection measures. The site visits of the members of the SIMC and the PAC shall be planned together with the Supervision Consultant, who shall be informed at least five working days of the organization of the monitoring visit of the members of the SIMC, or without prior information to the Supervision Consultant or the contractor of the works on the exact day and time.
- 3 It collects complaints from the population, individual or collective, regarding the non-conformities created by the construction works or the possible damages caused by them and forwards the complaints to the Supervision Consultant. It will provide support to the population in filling in the complaint forms and in the process of solving them. Informs the community/individuals about the results of their complaints/suggestions.
- 4 Informs the Contractor about the non-conformities identified on site as a result of the construction works.
- 5 It promotes community awareness of ES and road safety issues in working meetings as well as through other available communication channels and PCM.
- 6 Disseminate relevant information about the Project in their communities through all available information channels and PCM.
- 7 It builds trust, other stakeholders and the community.
- 8 Permanently informs about the functioning of the Complaints Resolution Mechanism.

In order to maintain a participatory approach to the community and to receive suggestions and

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opinions from the community, the Employer, Supervision Consultant together with SIMC will periodically organize consultations with the population and will organize debates on topics related to the implementation of construction works in the locality, the expropriation procedure, the resolution of complaints. Whenever necessary, the Employer and Supervision Consultant will provide full support in facilitating public consultations. The Contractor's representatives will be invited to the meetings where topics relevant to its activity will be discussed.

5.4.2.4 SIMC Members responsibilities

Responsible for the management of SIMC is the Employer together with Supervision Consultant. SIMC is created and operates as a local, non-governmental and apolitical social structure, having as members people from the localities affected by the construction works, in order to ensure the participation of the community in the monitoring of the environmental/social impact that may occur during the execution of the construction works in the locality.

The responsibilities of the committee are as follows:

SIMC Chairman

1. Organises the working meetings of the Committee,
2. Establishes the agenda of the meetings based on the complaints received from the community,
3. Leads the working meeting and signs the minutes of the working meeting,
4. Organizes field visits based on complaints received from people affected by the construction activity,
5. Establishes measures together with the members of the SIMC regarding the resolution of complaints and sends to the entrepreneur's address,
6. Invites the Contractor to the working meeting,
7. Communicate with state authorities in emergency situations,
8. Forwards the complaints to the Contractor and the PACs,
9. Fills in the register of complaints and reports to the Employer on the status of complaint resolution
10. Informs committee members and the community about decisions made for emergencies, etc.

SIMC Members

1. Participates in the working meetings of the SIMC,
2. Examines and identifies measures to resolve complaints received from affected persons,
3. Votes on the decisions of the working meetings and signs the working minutes,
4. Carry out field visits and examine the case on the spot,
5. Informs the meeting of the results identified in the field/construction site

People affected by the project (PAP)

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1. Informs the members of the committee about the inconveniences or damages caused by the construction works,
2. Send the complaint to the address of SIMC or Supervision Consultant/Employer,
3. Informs SIMC, Supervision Consultant/Employer about the resolution of the complaint or about its non-resolution in the form and time established by the Contractor.

The SIMC members will participate in the relevant trainings organized by various parties of the Project. The SIMC Regulation can only be amended by prior notice and in the presence of 60% of the quorum.

SIMC Meetings

The SIMC meetings will be held in the room provided by the local public authority. If the subject of the meeting is the resolution of a problem caused by construction works, the meeting may be held on site.

The SIMC's Chairman will coordinate the organization of the meetings. The frequency of the meetings of the SIMC will be decided and documented at the first meeting of the SIMC. Any member of the SIMC may request ad-hoc meetings. It is recommended that meetings be held at least once a month during the construction phase, or according to the needs of SIMC and the community.

The Chairman must inform and invite to the meeting the ESHS Specialists of the Contractor, the Employer and the PAPs.

The SIMC Secretary (Supervision Consultant) will be responsible for drafting the minutes of the meeting, sending the SIMC a copy of it to the Contractor, the Employer, LPA and PAPs, which will also be made available to the affected community/individuals and other parts of the Project, on the LPA's notice board and upon request.

5.4.2.5 Communication with the community

Installation of complaints collection boxes

In each locality affected by the construction works, in the headquarters of the LPA, a box will be provided for the collection of complaints from the people affected by the construction works. The boxes will be checked daily by SIMC members or by a representative of the LPA. At the same time, complaints can be delivered directly to the members of the SIMC or to the LPA secretariat.

Informational panels

The LPA will provide space for the installation of an information panel or will provide sufficient space on the LPA's information panels for displaying information on the implementation of the

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Project, such as:

- Complaint form template
- Procedure for submitting a complaint/petition
- Leaflets and informational posters prepared by the Employer
- Contact details for the Employer, the Hincesti and Nisporeni Districts.
- Other relevant information.

Training on the operation of SIMC

The people from the localities affected by the construction works, especially the members of the SIMC, will be trained in the following topics:

1. The content of the Project's specific ESMP, LMP, CoC, SEP, etc., the provisions of the Environmental Agreement, the results of the RAP, etc.
2. Regulation on the functioning of the Project's Complaints Mechanism (PCM),
3. SIMC Regulation,
4. How to prepare and submit complaints,
5. Place for lodging complaints,
6. Filing the complaint directly through social networks or direct address to SIMC and Supervision Consultant and Employer.

Following the training process, a training report will be drawn up in which the name and surname, occupation, telephone number and signature will be indicated. The training will be carried out by the Supervision Consultant and Employer.

Creating working groups on communication platforms (Viber, WhatsApp, Telegram)

Working groups will be created by the Supervision Consultant and Employer on the Viber/WhatsApp platform, using the phone numbers of SIMC members, for immediate communication on ES impact topics. A separate communication group will be created for each locality.

6 MONITOR THE SIMC ACTIVITY

6.1 Handing over the site to the General Contractor

The handover of the site to the contractor will be carried out by the Employer in the presence of the Supervision Consultant which a report will be signed. The representatives of LPA and SIMC will also be invited to the process of handing over the site. The purpose of the participation of the LPA and SIMC members is to identify the initial state in terms of ES aspects instead of organizing the future construction site.

6.2 Monitor and measure SIMC meetings

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The Supervision Consultant will be responsible for monitoring and measuring the SIMC process, and reporting on performance to the Employer on a monthly basis.

7 NON-CONFORMITIES AS A RESULT OF CONSTRUCTION ACTIVITY

During the construction works, for access to the construction areas, the existing roads will be mainly used; To ensure access to the site sites, asphalt and concrete plants, a combination of access roads, existing roads and new roads will be used, respectively.

Following the construction and assembly works, the following non-conformities could occur on the site and could displease and disturb the community:

1. The population does not have access to the fields and cannot carry out agricultural work,
2. Roads are closed or blocked during construction,
3. The crop is affected due to construction work,
4. Storage of building materials on farmers' land without their consent,
5. During the construction, there were leaks of oils or other pollutants,
6. Large amounts of dust are generated,
7. The Contractor's personnel participate in unauthorized fishing or hunting activities,
8. Open fire to solid waste or dry vegetation,
9. Construction waste is improperly stored and not discharged,
10. Inappropriate social behaviour of workers in localities and on construction sites,
11. Inappropriate behaviour towards objects of worship, archaeology and historical monuments,
12. Consumption of alcohol and other prohibited substances on site with community representatives,
13. Noise and vibrations are generated near localities,
14. Local roads that are not specified in the Traffic Management Plan are used by the Contractor,
15. Road incidents or speeding in localities,
16. Excessive lighting at night,
17. Soil compaction with heavy equipment,
18. Mixing black soil with sterile soil,
19. Emergencies regarding the ignition of dry vegetation in the field, soil erosion, floods, high temperatures due to climate change,
20. Unlicensed communication with the community, sexual harassment, human trafficking, etc.
21. Discharge of domestic water on agricultural land and contamination of the water table,
22. The site organization is not coordinated with LPAs,
23. Risks of getting the community sick with HIV-AIDS, STB, COVID-19, etc.
24. Employing children to work,
25. Hiring community personnel without employment contracts, etc.,
26. Discrimination against people in the process of temporary employment in the workplace,
27. Pandemic aspects

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8 RECORDS OF THE SIMC PROCESSES

Input data	Activity	Results
Verified Technical Design Building Permit, Environmental Permit, Project's ESMS with specific ESMP, LMP, CoC, PCM, SEP, etc.	Delivery of the site to the Contractor	Minute of handing over the site
Installation of information panel on construction sites	PAP information on the start of the works	Information panel installed on construction sites
Establish SIMC on each affected community	Organize SIMC in each LPA	SIMC Working plan
Installation of PCM on construction site	Install boxes for complaints	Collect daily the boxes
Complaints from the PAP	Registration of complaints in the register, informing Employer and the contractor	Field visits and establishment of solutions. Preparation of the finding report
Complaints from PAC (CPAs, LPAs)	Organization of the SIMC meeting and establishment of measures	Minutes of the SIMC meeting
Minutes of the SIMC meeting	Signing of the SIMC's minute and dissemination to the contractor	Minute disseminated to the contractor
Field visits	On-site verification of the implementation of the measures set out in the minutes	Implementation of the measures in the minutes of the SIMC
Non-conformity Reports	Site visits	Records the non-conformities on site
Emergency situation	Specific emergency on construction site	Coordinate the EPRP with community
Training	Organize specific training session with affected communities	Training and drill simulation on site

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9 ANNEXES

Annex no. 1 Complaint registration form

Annex no. 2 The list of affected communities/people

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Annex no. 2 The list of affected communities/people

The rehabilitation works of the M1 expressway will affect localities in the Hincesti and Nisporeni Districts.

No.	SIMCs	Localities	District name
1	SIMC no.1	Ivanovca village	Hincesti District
2	SIMC no.2	Bujor com.	Hincesti District
3	SIMC no.3	Miresti com.	Hincesti District
4	SIMC no.4	Onesti com.	Hincesti District
5	SIMC no.5	Boltun village	Nisporeni District
6	SIMC no.6	Iurceni village	Nisporeni District
7	SIMC no.7	Cristesti village	Nisporeni District