**AZERBAIJAN REPUBLIC** 



# STATE AGENCY OF AZERBAIJAN AUTOMOBILE ROADS

# **Regional Connectivity and Development Project**





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# Abbreviations

AHP	Azerbaijan Highway Project
AS	Advisory Services
CS	Construction Supervision
CSC	Construction Supervision Consultant
DED	Detailed Engineering Design
EHS	Environment, Health and Safety
EHSG	Environmental, Health, and Safety General Guidelines
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
GBN	Gender Based Violence
GFP	Grievance Focal Point
GIIP	Good International Industry Practice
GoA	Government of Azerbaijan
GRM	Grievance Redress Mechanism
GRS	Grievance Redress Service
LMP	Labor Management Procedures
MDB	Multilateral Development Banks
MLSPP	Ministry of Labor and Social Protection
OHS	Occupational Health and Safety
PAP	Project Affected Person
PCN	Project Concept Note
PIU	Project Implementation Unit
RCDP	Regional Connectivity and Development Project
ROW	Right of Way

RPF	Resettlement Policy Framework
SAAAR	State Agency of Azerbaijan Automobile Roads
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
ТА	Technical Assistance

ToR Terms of Reference

# **Units of Measurement**

°C	-	degree Celsius
km	-	kilometer
km/h	-	km per hour
km²	-	square kilometer
m	-	meter
m <sup>3</sup>	-	cubic meter
mm	-	millimeter

## 1. INTRODUCTION

#### 1.1 PROJECT BACKGROUND

It is recognized that in Azerbaijan, roads are the dominant transport mode and their role in the national economy is expected to become vital. It is for this reason that the Government of Azerbaijan (GoA) wishes to enhance its focus on the capacity and quality of the road network to ensure higher mobility, reliability, and safety. Through the assistance of Multilateral Development Banks, the road sector in Azerbaijan has progressed in the previous years starting with the reconstruction of major roads. In previous years with the World Bank, the Government of Azerbaijan had been implementing a road program aimed at improving the country's road network, starting with the major roads designated as Magistral (M) road. With the upgrading of the M highways near completion, next earmarked for reconstruction are secondary road networks, and tertiary or local roads (Y roads).

To sustain the important role of road transport in the economy, the rehabilitation of secondary and local roads is becoming an important agenda. In some regions, the secondary and local roads are of the key road sector development gaps that need attention. These are among the primary infrastructure that the proposed Project will address. Accordingly, the Azerbaijan Government, through the State Agency of Azerbaijan Automobile Roads (SAAAR) has initiated the planning for the Regional Connectivity and Development Project (RCDP) with financing from the World Bank. This project entails the rehabilitation and reconstruction of Yenikend-Bilasuvar corridor road, development of ancillary agro-logistics infrastructure, a technical assistance for financial sustainability and operational efficiency within the road sector, and institutional development support.

The project is located within the rayons of Salyan and Bilasuvar in the Aran economic region, a lagging region of the country with socioeconomic problems that the project can alleviate such as: (i) welfare and living standards of the population being below country averages; (ii) lack of well-paying jobs and business opportunities; (iii) insufficiency of infrastructure and services; (iv) nominal average monthly wages of about 40 percent lower than the country average; and (v) a significant part of the population in the region remaining socially vulnerable and at risk of falling into poverty. The map of the RCDP is shown below.



Figure 1: Map of RCDP

# 1.2 ABOUT THE PROJECT

The development objective of the Regional Connectivity and Development Project is to provide safe, efficient and climate resilient transport connectivity and improve market accessibility along the Salyan-Bilasuvar road corridor. For Azerbaijan, this will be the one of the first of such initiatives to be

undertaken that reflects the Government's and Bank's focus on poverty alleviation and the enabling role that transport networks have for local development and economic recovery in the post-COVID-19 pandemic period. Such approach demonstrates cross-sector dimensions, closely integrating road investments with economic and social policies and regional development.

The project will finance three streams of activities as follows:

- (i) The first stream of activities will comprise infrastructure investments in both roads and ancillary agri-logistics infrastructure. These investments will contribute to supporting connectivity and market accessibility to maximize the socio-economic development impact of upgraded road infrastructure. In the short to medium term, the combination of safe and resilient road infrastructure and improved logistics will create conditions for increasing productivity in beneficiary communities, new employment opportunities and household incomes.
- (ii) The second stream will support the design and arrangement of roadside facilities (marketplaces, logistics facilities, among others), and the provision of skills training to local entrepreneurs, in order to improve income-generating opportunities for local communities. The design of the former activities will be based on community mobilization to identify and prioritize the exact types and locations where project investments will take place. An important aspect of the design of roadside facilities will be to support development of a suitable model of management of these facilities, one that provides for equitable usage and addresses long-term maintenance and operation of the facility.
- (iii) The third stream will support financial sustainability and operational efficiency within the road sector, through TA to introduce options for road user charges, thereby enabling the development of new sources of revenue for road maintenance and operations. Under this stream, TA will also be provided to help address deterioration of the road network through prevention of overloaded heavy vehicles. Having additional sources of revenue and operational improvements that provide for adequate levels of road maintenance and costs, will help guarantee the long-term sustainability of the road infrastructure provided under this project and other road investments.

Consistent with the objectives of the Regional Connectivity and Development Project four (4) components are hereby envisioned to be implemented as follows:

Component		Subcomponent	
No.	Title	Subcomponent	
1	Road Connectivity	1.1 Regional Road Rehabilitation	
		1.2 Construction Supervision	
		1.3 Design of Future Investments	
2	Road Sector Sustainability	2.1 Development of Road Network Management System	
		2.2 Development of Road User Charging Models	
		2.3 Development of System to Prevent Axle Overloading	
3	Local Development and Logistics	3.1 Development of Road Side Logistics and Market Facilities	
		3.2 Advisory and Training Initiatives	
4	Project Management and Impact	4.1 Support for Project Management	
	Assessments	4.2 Result Measurement and Impact Assessment	

Table 1: RCDP Components

#### **Component 1 - Road Connectivity**

Subcomponent 1.1 – Regional Road Rehabilitation. This subcomponent will finance rehabilitation of selected sections of the M3 road (original alignment) between km 31.9 and

km 103.3. The cost of constructing the road-side markets and logistics facilities will also be financed under this component (although planned and designed under Component 3).

The road section will be rehabilitated along the existing alignment as a second category road according to the national road classification. Some sections of the road between km 54.4 and km 60.0 within the Salyan town boundaries are considered for lighter rehabilitation due to their existing technical characteristics. The design will ensure a resilient road to properly serve densely populated proximate residential areas and provide a safe alternative to the M3 motorway. Specifically, the road will be upgraded with climate resilience measures including improving the capacity of drainage systems and adaptation of bridges to the flooding risks and other resilience solutions. The enhanced safety considerations will include improved shoulders, guardrails in the high embankment and super-elevation sections, and improved signage among others. Consultations on the road rehabilitation design will be conducted to ensure that needs of local residents are taken into account into the final design and that local communities can provide feedback particularly on aspects such as locations for RCDP is found in the Annex.

**Subcomponent 1.2 – Construction Supervision.** This subcomponent will finance costs of supervision activities as required for rehabilitation of the Component 1.1. road.

**Subcomponent 1.3 – Construction Supervision.** This sub-component will finance costs associated with implementation of technical design, environmental and social studies required for rehabilitation of the remaining sections of M3 highway (original alignment).

#### Component 2 – Road Sector Sustainability

**Subcomponent 2.1 – Road Network Management Systems.** TA to improve network management and operation efficiencies through application of intelligent transport systems (ITS). The TA will explore needs and opportunities for establishment of an integrated network-wide management system incorporating electronic tolling and heavy vehicle monitoring, and other ITS modules, including systems for early warning of weather and geohazards that will impact the road network. Component 2.1 will establish the context and architecture for Components 2.2 and 2.3.

**Subcomponent 2.2 – Development of Road User Charging Models.** TA will focus on development of systems for road user charging (RUC), through e-tolling, vignettes and other similar systems. Technology offers new options to differentiate toll tariffs, so that vehicles that damage the roads most, or make more emissions, pay more, and this will also be explored. The study will consider feasibility, RUC technology choice, back-office requirements, governance, toll collection and accounting, willingness to pay, regulatory issues, communications campaigns/awareness, technical specifications, and other aspects.

**Subcomponent 2.3 – Development of Systems to Prevent Over-loaded Axles.** TA to specifically focus on systems to prevent premature road deterioration by controlling heavy vehicle overloading, through weigh-in-motion (WIM) technology, and other traffic management systems. The study will consider preparation of detailed documentation including feasibility, technology choice, back-office requirements, governance, enforcement and regulatory issues, technical specifications, among others.

#### **Component 3 – Local Development and Logistics**

#### Subcomponent 3.1 – Development of Road-side Logistics and Market Facilities.

This sub-component will provide financing for TA to guide the planning and development of road-side market and logistics facilities and their implementation. The investments will be identified and designed as a result of participatory planning with local communities and with the strong involvement of the local authorities. An important aspect will be to support

development of a suitable model to manage the facilities, one that provides for equitable usage by beneficiary groups and addresses long-term maintenance and operation of the facility. The project will improve existing roadside market and logistics facilities and/or create new ones along the project road in selected areas. Facilities considered as part of the subcomponent interventions will involve, but not be limited to small markets, selling points, warehouses, cold storage, packaging and distribution facilities.

**Subcomponent 3.2 – Advisory and Training Initiatives.** Financing for TA to develop a curriculum and then to deliver training and advisory services specific to small-scale agricultural producers and agri-logistics, operating in the project area; for example, businesses supplying organic food products from Salyan to Baku. Activities will include guidance on working safely and strategies to contain the spread of pandemics. There will be a particular focus on the needs of women growers and women entrepreneurs, but the training will be open to all in the project area communities. The sub-component will be tailored to the needs of local beneficiaries, such as farmers, cooperatives and entrepreneur groups, to be identified through participatory needs assessment and community mobilization work. Advisor and training initiatives will also align with Component 3.1. Advisory services and training will cover such areas as community and cooperative development, business development, branding, digital literacy (e.g., in the use of the e-commerce and e-services platforms and applications), and the like. Some training activities will be tailored to the needs of women entrepreneurs and at least 50 percent of the beneficiaries will be women.

#### **Component 4: Project Management and Impacts**

Financing will support various project management functions including staff costs, incremental operating costs and costs of individual consultant services in support of project implementation and management capacity of the implementing agency, as well as financial audits. Financing for the associated incremental operating costs will be applied towards training of SAAAR and Project Implementing Unit (PIU) staff, office space and equipment, office consumables, transport as required to implement the project and for site visits, consultant assistance for management of technical, safeguards and fiduciary aspects, interagency coordination; results monitoring; completion reviews, impact assessments and monitoring of results; and the like. The component will also finance preparation of a Project Operating Manual (POM) and support the development of a COVID-19 emergency response plan mainly aimed at project contractors and local communities.

As part of the climate co-benefits from the project, under Subcomponent 1.1, the road-works will incorporate climate resilient design and engineering, to improve resilience to the impacts of climate change, which is expected to be rising ambient summer temperatures, increase in the intensity and duration of precipitation with the potential for river and flash-flooding, and increased fire risk. The old M3, which is being rehabilitated, will provide better connectivity and access for local area traffic and in emergency situations, the project road may be used to divert traffic form the new M3.

The engineering design of the road rehabilitation will consider culverts and side-drains sized for the catchment and on rainfall and runoff records. Bridge infrastructure will be designed with adequate protection of the abutments and piers, against erosion, and with suitable water-way areas to accommodate peak flood flows. Similarly, erosion protection will be provided at culvert inlets and outlets. The invert level of side drains will be designed to be lower than the road formation, to prevent ponding water from infiltrating the road sub-base and base layers. The combination of earthquake and increased rainfall may increase susceptibility to landslides; however, engineering design standards and appropriate quality materials will be applied to provide improved resilience to low seismic hazard and landslide susceptibility. Fire hazard could impact short-term connectivity through smoke, dust and road closures. Road surfacing and road-side furniture may also be impacted by fire, but these can be repaired through re-surfacing, or replaced, without lasting consequence.

With these added considerations, the general public will benefit from ensuring better connectivity, thus ensuring enhanced mobility, more options for route of goods and improved transport safety. The

existing dilapidated road is no longer able to provide the intended service, thus with the planned rehabilitation, the transport systems in these two rayons will improve and boost the economy and alleviate the standards of living,

## 2. LABOR USE IN THE PROJECT

#### 2.1 TYPES OF WORKERS

ESS2 categorizes the workers into direct workers, contracted workers, community workers and primary supply workers. This Labor Management Procedure (LMP) applies to all project workers as defined in ESS2:

- (a) Direct Workers: People employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project,
- (b) **Contracted Workers**: People employed or engaged through third parties to perform work related to core functions of the project, regardless of location,
- (c) **Primary Supply Workers**: People employed or engaged by the Borrower's primary suppliers (for its core functions),
- (d) **Community Workers**: People employed or engaged in providing community labor.

The project will engage Direct Workers, Contracted Workers, and Primary Supply Workers, for the road rehabilitation (Subcomponents 1.1 & 3.1) and socio-economic assistance (Subcomponent 3.2). As per the nature of engagement, the project will engage full time, part-time and temporary workers. The LMP is applicable, as per World Bank Environmental and Social Standards 2 (ESS2), to the people employed under all employment types in relation to the project. These workers will be considered **project workers** for the purpose of this LMP.

**Direct workers.** The RCDP will be implemented by an existing Project Implementation Unit (PIU) under the SAAAR, which had been established for the management of the project activities on a daily basis and will play a linkage role between SAAAR and WB. Direct workers will comprise a mix of government civil servants and those deployed as "Technical Consultants" – full and part-time by the PIU – under the RCDP. The former will be governed by a set of civil services code, the latter by mutually agreed contracts. SAAAR consists of workers based in Baku but also going to the regions (Salyan and Bilasuvar) to inspect project sites to be covered by the RCDP.

**Contracted Workers**. Contracted workers will be employed as deemed appropriate by contractors, sub-contractors, and other intermediaries, details of which will be known as and when activities' implementation begins. The RCDP will engage the services of: (i) Technical Consultant team for Detailed Engineering Design (DED), Construction Supervision (CS); any Advisory Services (AS) and Technical Assistances (TA) that may be needed; (ii) Contractors (with Sub-Contractors) for construction, and implementation of civil works components; and (iii) other individual professionals or experts.

*Primary Suppliers*. The primary suppliers to the RCDP shall be companies who, on an ongoing basis, will provide directly to the project goods or materials essential for the core functions of the project.

The construction works and related project activities will need materials and goods that might be provided by either national or international suppliers. The expected supply for the Project's core functions are construction materials, construction equipment, machineries, IT equipment, daily needs of the Contractors' camps, etc.) will be hired under the primary supplier companies

The SAAAR-PIU should assess the presence of risks of child labor and forced labor for those who will be involved in the RCDP as project workers. Whether foreign or local entities who would be engaged, PIU shall be required to carry out due diligence procedure to identify if there are significant risks that they are exploiting child or forced labor or exposing a worker to serious safety issues. If there are any risks related to child and forced labor, and safety identified, PIU will prepare the procedures to address these risks. These may include signed verification by the project workers on adherence to national law, good environmental (sanitary, health, etc.) practices, no involvement of child or forced labor as well as visits to the project workers' premises.

#### 2.2 NUMBER OF PROJECT WORKERS

*Direct Workers.* Total number of PIU employees, dedicated to this RCDP, is estimated to be around six (6) to ten (10) persons. The exact number will be provided and updated by the PIU on a timely basis. In addition, implementation of the RCDP will involve directly hired technical experts, as well as some government agency employees.

*Contracted Workers.* The precise number of RCDP contracted workers (Technical Assistance Consultants and Implementation Contractors) who will be employed are not known as of now. This will become known as and when implementation begins. Based on previous projects of similar types, the contracted workers were 100 to 150.

*Primary Suppliers.* When the need arises, the total number of primary suppliers who will be employed for the RCDP as of now cannot be determined. This shall be determined as and when project implementation begins.

## 2.3 CHARACTERISTICS OF PROJECT WORKFORCE

To initiate RCDP implementation, the PIU is expected to comprise at the minimum 6-10 personnel (a PIU Director, 1-2 civil/ road engineers, environmental and social safeguard specialist, resettlement specialist, 1-2 procurement specialist, and 1-2 administration support staff). Moreover, technical and subject matter experts are planned to be hired to support strengthening the operational work on RCDP on various relevant issues that may arise.

In the category of Contracted Workers, the basic workforce characteristics are as follows:

- Contractor's Side:
  - Project Management Team Technical expertise in construction of civil works, roads and bridges/culverts, drainage, buildings, etc.
  - Field Construction Team actual construction work expertise and experience, heavy equipment operators, etc.
  - Plants Operations asphalt mixing plant and concrete batching plant operations group, heavy equipment operators, materials engineers, etc.
  - Safeguards group environmental/ health / safety staff, GRM-community liaison/s and coordinators, etc.
  - Administrative staff Secretary/ies, document keepers/, interpreter/s, etc.
  - Utility Personnel driver/s, cook/s, cleaner/s, washer/s, etc.
  - Security Guard/s and watcher/s, etc.
- Construction Supervision Consultant Side
  - Project Management Team Designated person as "The Engineer", Expert Engineers in design, quality control and construction supervision for civil works, roads and bridges/culverts, drainage, buildings, materials, geotechnical, etc.
  - Field Inspection and Quality Control Team surveyors, inspectors, etc.
  - Safeguards group environmental, health and safety specialist, Sociologist (for resettlement, social issues and GRM), etc.
  - Administrative staff Secretary/ies, document keepers/, interpreter/s, etc.

#### 2.4 TIMING OF LABOR REQUIREMENTS

The direct workers who will be employed by RCDP will generally be required full time and for the project duration. Civil Works contract workers will be working for major road projects under Subcomponent 1.1. Depending on the finalized strategy under Component 3, ancillary agro-logistics infrastructure, Advisory and Training Initiatives for financial sustainability and operational efficiency may be provided using local contractors who will employ contract workers. Any capacity building activities may be provided by PIU directly hired consultants (international or national) on a full time or part-time basis.

Normally, construction season typically lasts from April to October but can be somewhat longer or shorter depending on weather conditions. Hence, it will be up to the contractor to mobilize labor force to coincide with the type of work and the season. The work hours should not exceed 8 hours a day, with the provision of at least 1 hour for the rest.

Timing and duration of the employment of contracted workers will be known at later stages, however they will only be engaged for the duration of respective components, which may extend more than 12 months depending on encountered issues.

## 3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

The RCDP will entail the construction of secondary road Yenikend-Bilasuvar (Subcomponent 1.1) and Development of Road Side Market and Logistics Facilities (Subcomponent 3.1). Referring to WB's ESS2 requirements (*pars. 24-30*) the key risks associated with labor and Occupational Health and Safety (OHS) aspects were assessed. Corresponding measures will be established to take into account the WB's Environmental, Health, and Safety General Guidelines (EHSGs) and, as appropriate, the industry-specific EHSGs and other Good International Industry Practice (GIIP).

The key risks and impacts would be related to the RCDP include such risks as exposure to physical, chemical and biological hazards during construction activities, use of heavy equipment, falling objects hazards, noise and dust, exposure to electrical hazards from the use of tools and machinery.

As per Article 42 of the Labor Code of Azerbaijan, the minimum age for a person to be employed is fifteen (15), with parent's permission. In WB *ESS2 Section B* stipulates the requirements for Child labor and minimum age, in which the age below of eighteen (18) years old is employable subject to the following conditions (*par. 18-19*):

- (a) the work does not fall within paragraph 19: "A child over the minimum age and under the age of 18 will not be employed or engaged in connection with the project in a manner that is likely to be hazardous or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development".
- (b) an appropriate risk assessment is conducted prior to the work commencing; and
- (c) the Borrower conducts regular monitoring of health, working conditions, hours of work and the other requirement of this ESS.

As the construction activities will involve hazardous work, persons under the age of 18 will be employed by the RCDP subject to the above conditions. Employment of such under aged will be restricted to non-hazardous work duties. Based on currently available information about the project, and experience with similar project activities the following labor and OHS risks would be associated with the proposed project activities:

**Occupational Health and Safety (OHS) risks** are low to moderate and associated with type of works to be implemented in the project areas. The terrain of the project area is generally flat and the construction corridor follows the same alignment as the existing roads. The contractors to be hired

for road reconstruction works under the Subcomponent 1.1 of the project will be required to develop and implement written labor management procedures, including procedures to establish and maintain a safe working environment as per requirements of ESS2. Small infrastructure and services contractors and suppliers shall be appraised by PIU (and their consultants) of the OHS requirements for the RCDP. All contractors/sub-contractors will be required to ensure workers will use required safety gears, receive safety training module and other preventive actions as provided in the Project's Environmental and Social Management Framework (ESMF). Contractors for Subcomponent 1.1 will be providing their own Labor Management Plan which shall also be followed by their subcontractors to 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. The possible risks that may arise in this project are as follows:

- 1. The conduct of hazardous work, such as use of heavy machinery, or use of hazardous materials.
- 2. Possible accidents or emergencies.

Many workers will be exposed to occupational health and safety hazards, including but not limited to:

- General earthworks
- Pavement construction asphalting, concreting,
- Installation of road furniture and signages
- Building construction
- Electrical works
- Exposure to chemicals (as paints, solvents, lubricants, and fuels)
- Traffic accidents
- Excavations hazards
- Falling from elevated structures
- Lifting of heavy structures
- Exposure to construction airborne agents (dust, silica and asbestos)
- Ergonomic hazards during construction
- Welding hazards (fumes, burns and radiation)
- Steel erection hazards etc.

Labor risks associated with contracted workers at Component level. It is expected that road renovations/reconstruction and small infrastructure and services will be implemented by international and/or local contractors and where possible contracted workers will be hired locally. However, all contractors will be required to have a written contract with their workers materially consistent with objective of ESS2, following procedures as specified in the World Bank's Procurement Regulations and required by the Azerbaijan Labor Code and other related laws.

Labor risks including labor influx, HIV/AIDS issues and associated Gender-Based Violence (GBV) are considered low due to size of the work force and the likelihood that workers will be hired locally. WB also recognized the risk of HIV/AIDS with the interaction of non-local project workers with local communities. For this aspect, the ESMF of RCDP explains preventive measures that can be taken during project implementation. Gender equality is guaranteed under Azerbaijan Constitution (Article 25 of the Constitution declares that "Men and women possess equal rights and liberties, and prohibits discrimination on the basis of sex). The Labour Code carries ample protective provisions for women in the work force. In addition, the ESMF of RCDP elaborates further a number of considerations to mitigate GBV. Forced labor and child labor risks are also assessed as low. The Azerbaijan Labour Code and working conditions and the SAAAR-PIU's adherence to the Constitution of Azerbaijan (Article 35 "Right to work" (with provisions against "Forced Labour"), Article 36 "Right to strike" and Article 37 "Right to rest"). Nevertheless, the civil works bidding documents carry provisions for contractors to commit against the use of forced labor, and include provisions against forced labor, child labor and GBV in workers' contracts. The PIU's staff in charge of contractor supervision will monitor and report the absence of forced labor, child labor and GBV. A locally based project specific worker GRM will be established at the PIU level (for PIU staff) and at each contactor's company (for their employees) to process workers complaints. Additionally, a project-level GRM will be established to address community grievances due to health and safety concerns, traffic disruptions, labor influx, or any other issues related to the project. Workers and community members will be trained and/or sensitized against these risks and informed of the potential grievance channels.

**Employment Risks** may denote that some direct or contracted workers either have no contract or have a contract with ambiguous terms and conditions, thus leading to workers' unfair treatment. Workers will be hired in the RCDP, either directly, as project staff, or indirectly as part of contracts with consultants or service providers. All the workers to be hired under the project, whether direct, contracted or sub-contracted, will be employed based on the principles of nondiscrimination and equal opportunity (*ESS2 pars 13-15*). The PIU (and the CS Consultant) will assess the contractor's internal HR procedures to ensure consistency with ESS2.

**Overtime work risks**. In some projects, issues arose pertaining to unaccounted working hours and lack of compensation for overtime work in Azerbaijan, which is violation of the Labour Code. Also, there may be risk of failure to pay individuals who do formal contracts. The project's PIU will seek to address these risks through: (1) making sure that all direct workers, part-time, assignment-based construction workers have written contracts with overtime work accounting provisions construction; (2) establishing a Grievance Redress Mechanisms (GRM) for direct workers and contracted workers (*ESS2 C pars 21-23*).

## 4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

Labor related legislation in Azerbaijan consists of the Constitution of the Republic of Azerbaijan, Labor Code, and other legal and regulatory instruments and international treaties supported by the Republic of Azerbaijan.

The **Constitution** of the Republic of Azerbaijan establishes the basic principles of employment. Article 35 of the Constitution stipulates that everyone have the right freely to choose his/her kind of activity, profession, occupation and place of work based on his or her ability to work. No person may be deprived of a right to work because of discrimination. Compulsory or forced labor is forbidden. Labor contracts are freely signed. Everyone has the right to work in safe and healthy conditions and to receive salary not less than minimum wage defined by the state. Moreover, Article 37 states that everybody who work with labor contract shall be granted paid leave not less than 21 calendar days in a year.

Labor Code of the Republic of Azerbaijan (*dated February 1, 1999 № 618-IQ*) is the fundamental legislative act aimed at governing relations between employees and employers, as well as other legal relations derived from such relations between them and relevant national authorities and entities. The Code also stipulates health and safety related requirements and principles. In addition, the work conditions of women and under aged are established.

## 4.1 WAGES AND DEDUCTIONS

In Azerbaijan, the wages of employees are calculated based on the amount of work performed or the amount of time the employee has put in or on some other criteria. Wages paid shall be no less than the amount specified in employment contracts or standard salaries agreed upon in collective Labor contracts. (*Article 156, Labor Code*). Wages may be based on either the individual or collective result of the work performed. Other terms for the payment of wages may also be stipulated in collective agreements and employment contracts.

The Labor Code establishes right of employees to get wages, without discrimination, not less than the minimum salary determined by the State. Wages includes the standard monthly pay, supplements to it, and bonuses. The Code also defines the currency of the Republic of Azerbaijan, the Manat, as payment currency.

The legislation (*Article 172, Labor Code*) outlines payment of wages in two parts within a month (advance and remaining pay) with an interval not exceeding sixteen (16) days. However, it also empowers individual employment contracts to consider other type of agreements.

For an employee's wage, the total amount of a deduction from remuneration may not exceed 20%. Nevertheless, in the case of legal actions defined by law, deductions may be up to maximum of 50% (*Article 176, Labor Code*). These restrictions are not used in cases of correctional work, alimony for minor children, and redress of wrong because of criminal activity or death of breadwinner, and restitution of injury caused to health of another person.

Deductions from an employee's wages can be made only for cases specified by legislation or with the written consent of the employee or by executive documents. By the order of the employer, only the following deduction are made from the salary of the employee:

- Taxes, payments for social insurance, other compulsory payments specified by law;
- Amounts by the executive documents;
- Compensation of the damage by the fault of the employee's (not exceed average monthly earnings);
- Vacation pay in cases of leave in advance and discharge before the end of the working year;
- Amount given to an employee for travel or other expenses which was not spent;
- Sums that were overpaid to the employee (due to an accounting error);
- Sums for purchase of goods for utility purposes, that were not used and not returned in time;
- Membership fees to the trade union; and
- Other cases specified by collective agreements.

The Labor Code also provides for higher remuneration to the workers engaged in heavy work, work with harmful or hazardous working conditions or in unfavorable climate.

## 4.2 WORKING HOURS

The standard work week is forty (40) hours, with less allowed for the specific categories. The following reduced working hours must apply (*Article 91, Labor Code*):

- Employees up to the age of 16, 24 hours per week;
- Aged 16 to 18, category (i) and (ii) disabled employees, and pregnant women and women with a child under the age of one-and-a-half, 36 hours per week.

Shorter working hours of no more than 36 hours per week shall be specified for certain places of work (e.g., doctors, teachers and individuals working with electronic devices and etc.) where working conditions (special in nature) are characterized by a high degree of sensitivity, excitement, mental, physical and nervous strain, or other factors negatively affecting human health. The list of such workplaces and positions, professions, and specialties are approved by the Cabinet of Ministers.

#### 4.3 REST BREAKS

The employees must be granted a rest and meal break during the workday. Time and duration are regulated by internal work rules, shift schedules, or by an individual employment contract or a collective agreement between the employer and employee. The duration of rest between working days shall not be less than twelve (12) hours.

#### 4.4 LEAVES

An employee will have the right to take a leave regardless of his/her position (profession), terms of employment or the effective period of their employment contract (*Article 110, Labor Code*) with the duration of at least 21 days. Some categories of employees are eligible for 30 calendar days leave

(agricultural workers; public officials, managers and experts holding responsible positions (responsibility for said positions shall be determined by the employer, taking into account the particulars of the work) at institutions, scientific personnel etc.). Depending on their seniority, employees shall be eligible for the following amounts of additional vacation time:

- Seniority of five to ten years 2 additional calendar days;
- Seniority often to fifteen years 4 additional calendar days;
- Seniority of over fifteen years 6 additional calendar days.

#### 4.5 OVERTIME WORK

Wages for every hour of overtime work shall be paid to employees as follows:

- If wages are based on time worked, the amount paid per hour shall not be less than twice the standard hourly wage;
- If wages are paid on the basis of piecework performed by the employee, extra wages must be paid in an amount not less than the hourly wages of employees with the same pay scale (*Article 165, Labor Code*)

#### 4.6 LABOR DISPUTES

Collective and individual labor disputes are regulated in accordance with the Chapter XI of the Labor Code. All individual labor disputes shall be handled by the courts, if mutual agreement cannot be reached by parties of contract.

However, in case of collective agreements, a special body may be created within the framework of a trade union to look into individual disputes prior to going to court *(ESS2 par. 16)*. The creation and functioning of this body may be defined by collective agreements.

# 5. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY (OHS)

#### 5.1 AZERBAIJAN LEGISLATION REQUIREMENTS ON OHS

According to the article 35.6 of the Constitution of the Republic of Azerbaijan "Everyone has the right to work in safe and healthy conditions" Labor protection norms and regulations are determined by the Labor Code of the Republic of Azerbaijan, as well as other legislative acts, normative legal acts adopted by the appropriate executive bodies within their jurisdiction. Recommendations for the organization of occupational safety services in enterprises, offices and organizations (*dated July 14, 1999*)" is a normative act regulates roles and responsibilities of occupational health and safety services, approved by the collegial council of the Ministry of Labor and Social Protection (MLSPP).

State Labor Inspection Service (SLIS) under MLSPP enforces labor-related regulations following the requirements of the legislation. SLIS carries out state control for labor relations with employees, payment of labor, vacation and vacation rights, labor protection, technical safety, working conditions, compensation for work injuries, accidents at work and occupational accidents, compulsory occupational health insurance due to illnesses.

In addition to the labor inspection, the Ministry of Emergency Situation through State Agency for Safety Control carries out technical control in construction works. The Agency within its mandate participates in the development of safety policy at all stages of the construction sector ensures the implementation of this policy and exercises state control over in this direction.

The legislation of Azerbaijan Republic requires all employers to provide insurance to all employees. This is defined as compulsory insurance against loss of professional ability as a result of industrial accidents and occupational diseases. The nature and scope of the insurance varies depending on the degree of occupational risk and the categories of insured. The labor code requires occupational safety to be implemented on, but not limited to, the following principles:

- Priority of employee life and health over results of production by enterprises;
- Coordination of occupational safety with other economic and social policies, as well as with environmental protection;
- Determination of unified occupational safety requirements for all enterprises, regardless of their ownership or legal form of organization;
- Implementation of independent and efficient controls for compliance with occupational safety requirements by all enterprises;
- Development and use of efficient occupational safety methods, techniques and technologies;
- Providing employees with protective outer garments and boots, other individual protection devices, therapeutic food, etc., at no cost;
- Training of experts at educational institutions on occupational safety;

The law also stipulates requirements for compulsory investigation, registration and analysis of any industrial accident or occupational illness and providing employees with accurate information on the situation related to occupational injuries, damages and occupational diseases;

The owner and employer of the organization shall be directly responsible for the occupational safety of employees in the workplace and for the application of regulations. They also shall be obliged to take the following measures in the workplace:

- obey all occupational safety standards, norms and regulations;
- protect the security of buildings, machinery, technological processes and equipment;
- provide healthy conditions in the workplace and use current public health standards;
- provide the necessary sanitary and cleanliness and provide treatment and prevention services;
- provide employees who work in a harmful or adverse environment with free therapeutic food, milk or other foodstuff equivalents;
- apply normal work and rest standards;
- provide employees with free work clothes, shoes and other necessary protective gear in the required condition and with normal, regular frequency;
- educate, instruct, and test the knowledge of employees on occupational safety standards and regulations and encourage them in occupational safety;
- include necessary occupational safety regulations in the collective contract and assume responsibility as defined in these regulations;
- provide a statistical report on the application of current occupational safety standards and working conditions; on measures taken to implement the standards and the results of activities to achieve these goals. The required information shall be provided at specific times and in specific forms determined by the relevant executive authorities.

## 5.2 THE WORLD BANK ENVIRONMENTAL AND SOCIAL STANDARDS: ESS 2

The World Bank's stipulations related to labor are outlined in its Environmental and Social Standard 2 on Labor and Working Conditions (ESS2). This helps the Borrowers in promoting sound workermanagement relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. As mentioned in ESS2 (*par. 1*), the key objectives are to:

- Promote safety and health at work;
- Promote the fair treatment, nondiscrimination and equal opportunity of project workers;
- Protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- Prevent the use of all forms of forced labor and child labor;
- Support the principles of freedom of association and collective bargaining of project workers; in a manner consistent with national law; and

• Provide project workers with accessible means to raise workplace concerns.

ESS2 applies to project workers including fulltime, part-time, temporary, seasonal and migrant workers. Where government civil servants are working in connection with the project, whether full-time or part-time, they will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the project. ESS2 will not apply to government civil servants. *(ESS2 par. 8)* 

The Borrower is responsible for developing and implementing written labor management procedures applicable to the project. These procedures set out the way in which project workers will be managed, in accordance with the requirements of national law and this ESS. The procedures will address the way in which this ESS will apply to different categories of project workers including direct workers, and the way in which the Borrower will require third parties to manage their workers.

Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labor and employment law (which will include any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits, as well as those arising from the requirements of this ESS. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.

The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices.

## 5.3 POLICY GAP

Comparison of key OHS related World Bank Requirements with Azerbaijan Legal Requirements as shown in the table below

ESS & Topic		Major WB requirements	Gaps with Azerbaijan legal framework	
Α.	Working conditions and management of labor relations	<ul> <li>Written labor management procedures</li> <li>Terms and conditions of employment</li> <li>Nondiscrimination and equal opportunity</li> <li>Worker's organizations</li> <li>Elaborate Labor Management Plans including Contractor's ESMP</li> </ul>	<ul> <li>All requirements exist in Azerbaijan legislation, except No provision for Labor Management Plans for specific projects.</li> </ul>	
В.	Protecting the work force	<ul><li>Child labor prohibition</li><li>Forced labor prohibition</li></ul>	<ul> <li>No gaps (Child labor prohibited under 15) and 15- 18 (with permission of parents).</li> </ul>	
C.	Grievance mechanism	GRM should be in place for direct and contracted workers	<ul> <li>No specific GRM process for employees working with individual employment contracts</li> <li>Grievance registration and follow-up procedures are</li> </ul>	

 Table 2: Gaps between WB ESS2 and Azerbaijan Legal Framework

ESS & Topic	Major WB requirements	Gaps with Azerbaijan legal framework	
		available through the Law on Appeals of Citizens.	
D. Occupational Health and Safety	<ul> <li>Detailed Procedure required for every project.</li> <li>Requirements to protect workers, train workers, document incidents, emergency preparation, addressing issues; and</li> <li>Monitor OSH performance</li> </ul>	<ul> <li>No detailed procedure specific to every project.</li> <li>Consistent on requirements to protect workers, train workers, document incidents, have emergency preparedness plan.</li> </ul>	
E. Category of workers (direct, contracted, supplier, community)	Specifies categories of workers	No such classification	
F. Minimum age of workers	<ul> <li>Minimum age for employment is 14;</li> <li>A child between 14-18 may be employed or engaged only in certain conditions</li> </ul>	<ul> <li>Employment permissible for 15 plus age, but with guardian permission.</li> <li>15-18 years are not permitted to work under difficult and unsafe working conditions</li> </ul>	

The Azerbaijan labor legislation is consistent with the World Bank ESS2 in most key aspects with the exception of few points, namely, requirements for employers to develop internal grievance redress mechanism for workers. For the purposes of the RCDP, the provisions of the World Bank ESS2, stipulated in this Labor Management Procedures document will be followed, with the exception of civil servants, whose terms of employment will follow national legislation only.

#### 6. **RESPONSIBLE STAFF**

The PIU will be directly supervised by the SAAAR and/or will report to responsible staff within SAAAR. The assigned person will oversee and guide all the workers associated with the RCDP. The PIU, on a daily basis, will coordinate the RCDP activities including relations with direct employees, contractors and suppliers.

The human resources person assigned by SAAAR and PIU's Social and Environmental specialists will be responsible for the following within their responsibility area:

- Implementing these labor management procedures;
- Ensuring that contractors comply with this labor management procedure;
- Monitoring to verify that contractors are meeting labor and OHS obligations toward contracted and subcontracted workers as required by Azerbaijan legislation and ESS2;
- Monitoring contractors and subcontractors" implementation of labor management procedures;
- Monitoring compliance with occupational health and safety standards at all workplaces in line with the national occupational health and safety legislation;
- Ensuring that the grievance redress mechanism for RCDP workers is established and implemented and that workers are informed of its purpose and how to use it;
- Have a system for regular monitoring and reporting on labor and occupational safety and health performance; and
- Monitoring implementation of the Worker Code of Conduct (a Company's Policy).

The Consultants and Contractors will be responsible for the following:

- To obey requirements of the national legislation and this labor management procedure;
- Maintain records of recruitment and employment process of contracted workers;
- Communicate clearly job description and employment conditions to contracted workers;
- Have a system for regular review and reporting on labor, and occupational safety and health performance.

When contractor(s) are known, this labor management procedure can be updated to include additional details about companies, hired workforce and etc., as necessary.

## 7. POLICIES AND PROCEDURES

As specified in the Labor Code, employment of project workers will be based on the principles of nondiscrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures will be monitored by the Human Resources department of SAAAR and PIU Social specialist, to ensure fair treatment of all those who will work in RCDP:

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability or gender;
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post;
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract;
- Employees will be informed at least two months before their expected release date of the coming termination;
- Depending on the origin of the employer and employee, employment terms and conditions will be communicated in a language that is understandable to both parties;
- In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.

## 8. AGE OF EMPLOYMENT

Azerbaijan legislation prohibits anyone under 18 from performing "unhealthy or heavy" labor and there are special requirements for leave, work hours, and other conditions of employment. It is expected that people to be hired within the RCDP will be over 18. However, in case of a particular need, 15-18 years could be hired within the project with shortened working hours and with guardian permission. Given the nature of work, mostly skilled labor requiring secondary of higher education, it is not expected that employees between 15 and 18 will be employed by the RCDP.

The Consultants and Contractors will be required to verify the identity and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record. If a child under the minimum age is discovered working on the RCDP, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, taking into account the best interest of the child.

## 9. TERMS AND CONDITIONS

Permanent RCDP staff will have individual agreements (labor contract or service contract) with fixed monthly wage rates. All the recruiting procedures should be documented and filed in the folders in accordance to the requirements of labor legislation of the Republic of Azerbaijan.

Forty hours per week employment should be practiced. Requirements and conditions of overtimes and leave durations are agreed as part of individual contracts.

## **10. GRIEVANCE MECHANISM**

A grievance mechanism (GM) will be provided for all direct workers and contracted workers to raise workplace issues and concerns. Such workers will be informed of the grievance mechanism at the

time of recruitment and the measures put in place to protect them against any reprisal for its use. Measures will be put in place to make the grievance mechanism easily accessible to all such RCDP workers.

The RCDP specific GM for the workers will\ be at two levels- one at the RCDP Component level and the other in the PIU level. It should be emphasized that this GM <u>is not</u> an alternative/substitution to legal/juridical system for receiving and handling grievances (*ESS2 par. 23*). However, this is formed to mediate and seek appropriate solutions to labor related grievances, without escalating to higher stages. Having said that, all employees always have rights, according to Azerbaijan legislation, to access judicial/legal grievance management system.

# **10.1 WORKER GM STRUCTURE**

**RCDP Component level**: The Construction Supervision Consultant shall have a designated focal person who will accept any work-related complaints or grievances from project workers. Resolution of issues can be mutually resolved at the project site. However, if amicable resolution is not reached, the issues and concerns will be elevated to the PIU level.

**PIU level**: Social specialist will serve as Grievance Focal Point (GFP) to file the grievances and appeals. He/ She will be responsible to coordinate with relevant departments/ organization and persons to facilitate addressing these grievances.

GM will be accessible to all project workers through various means (written, telephone, fax, social media, etc.). Grievance logbook will be maintained in the Consultant's office. The RCDP project workers" grievance mechanism will not prevent workers to use judicial procedure. Moreover, monitoring of work-related grievances will be carried out by the PIU on quarterly basis. Assigned person will review received grievances and their resolution, and prepare a short summary to be included in the quarterly progress report to WB.

## 10.2 WB's GM STRUCTURE

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service. *http://www.worldbank.org/en/projectsoperations/products-and-services/grievanceredress-service.* For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

## 11. CONTRACTOR MANAGEMENT

The civil works construction contracts (Subcomponent 1.1) and other contracts (in Component 3) will include provisions related to labor and occupational health and safety requirements that must comply with the Azerbaijan legislation and the World Bank ESS2. SAAR PIU will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties) and labor management procedures. This may include periodic audits, inspections, and/or spot checks of project locations and work sites as well as of labor management records and reports compiled by contractors. Contractors' labor management records and reports that may be reviewed would include:

- (a) Representative samples of employment contracts or arrangements between third parties and contracted workers';
- (b) Records relating to grievances received and their resolution;
- (c) Reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions;
- (d) Records relating to incidents of non-compliance with national law and WB's ESS2;
- (e) Records of training provided for contracted workers to explain occupational health and safety risks; record of training provided for contracted workers on general safety measures.

In the face of current pandemic situation, the World Bank support the development of a COVID-19 emergency response plan mainly aimed at project contractors and local The ESSs contains provisions pertaining to diseases such as:

- The OHS measures will be designed and implemented to address **diseases** (ESS2 par.25 (d)).
- To avoid or minimize community exposure to project-related **diseases** (ESS4 par. 2)
- The Borrower will avoid or minimize the potential for community exposure to **communicable** and noncommunicable diseases that could result from project activities, taking into consideration differentiated exposure to and higher sensitivity of vulnerable groups (*ESS4 par. 15*).
- The Borrower will take measures to avoid or minimize transmission of **communicable diseases** that may be associated with the influx of temporary or permanent project labor (ESS4 par. 16).

Accordingly, the measures to be adopted against COVID-19 contraction and transmission during construction and implementation stage are as follows:

- To minimize transmission from out of site workers, the Contractors should ensure that all workers are hired locally to the extent possible.
- Contractors should provide training to all workers on the following:
  - signs and symptoms of COVID-19, how it is spread, how to protect themselves (including regular handwashing and social distancing) and what to do if they or other people have symptoms, as well as policies and procedures listed here.
  - Training of workers should be conducted regularly, providing workers with a clear understanding of how they are expected to behave and carry out their work duties.
  - Training should address issues of discrimination or prejudice if a worker becomes ill and provide an understanding of the trajectory of the virus, where workers return to work.
  - Training should cover all issues that would normally be required on the work site, including use of safety procedures, use of construction PPE, occupational health and safety issues, and code of conduct, taking into account that work practices may have been adjusted.
- A summary of basic guidelines and COVID-19 symptoms should be displayed at all civil works sites, with images and text in local languages.
- Workers who are sick or showing possible symptoms should not be allowed on work site, should be isolated and referred to local medical facilities immediately.
- Contractors should review worker accommodation arrangements to see if they are adequate and designed to reduce contact with the community.
- Contractors should review work arrangements, tasks and hours to allow social distancing.
- Contractors should provide workers with appropriate forms of personal protective equipment, and with designated bins to dispose of such equipment.
- Contractors should ensure that:
  - handwashing facilities supplied with soap, disposable paper towels and closed waste bins exist at key places at the work site; where there is a toilet, canteen or food distribution, or provision of drinking water; in worker accommodation; at waste stations; and in common spaces. Where handwashing facilities do not exist or are not adequate, arrangements should be made to set them up.
  - alcohol based sanitizer (if available, 60-95% alcohol) can also be used.
- Contractors should implement a communication strategy with the community in relation to COVID-19 issues on the site.

 Workers will be allowed remove themselves from a work situation which they have a reasonable justification to believe presents an imminent and serious danger to their life or health (with no reprisal for reporting or removing themselves).

The Government of Azerbaijan also came up with policies to mitigate COVID-19 transmission which includes information on key public health measures that aim to prevent the further spread of the disease. It details how the general public and people who (might) have the disease to prevent further spread, as well as measures in place to test and identify cases, trace contacts, and monitor the scale of the outbreak. These policies cover health communication, physical distancing, isolation and quarantine, monitoring and surveillance, and testing. The Contractors should be always updated on the current developments of these relevant policies and regulations during the entire project implementation.

#### 12. PRIMARY SUPPLIERS

The construction work under RCDP will require primary supplies including construction materials essential for the functions of the priority infrastructure, such as aggregates, bitumen and precast concrete interlocking blocks. Some contractors may be able to produce such construction materials by their workforce. However, where the contractor will source (a) essential materials (b) directly from primary suppliers (c) on an ongoing basis, the workers engaged by such primary suppliers (that meet all three criteria (a) to (c)) are deemed "primary supply workers", as defined in ESS2. The OHS risks are also deemed to be generally significant in the construction sector including quarry sites where there is no functioning labor inspection mechanism. To address these potential risks, the following measures will be taken:

**Selection of primary suppliers**. When sourcing construction materials from primary suppliers, the contractor will require such suppliers to identify the risk of child labor/force labor and serious safety risks in producing the construction materials. The PIU and the Construction Supervision Consultants will review and approve the purchase of primary supplies from the suppliers following such risk identification/assessment and any other relevant due diligence (such as the review of license for quarries). Where appropriate, the contractor will be required to include specific requirements on child labor/forced labor and work safety issues in all purchase orders and contracts with primary suppliers.

**Remedial process**. If child labor/forced labor and/or serious safety incidents are identified in relation to primary supply workers under subprojects, the PIU and the Construction Supervision Consultants will require the primary supplier to take appropriate steps to remedy them. Such mitigation measures will be monitored periodically to ascertain their effectiveness. Where the mitigation measures are found to be ineffective, the PIU and the engineering and supervision consultants will, within reasonable period, shift the project's primary suppliers to suppliers that can demonstrate that they are meeting the relevant requirements.

## **Annex: Public Consultation Minutes**

# Regional Connectivity and Development Project Rehabilitation Project of Selected Sections of Salyan-Bilasuvar Road Public Consultations on

# Environmental and Social Framework (ESF) Documents

(Conducted on February 18 and 19, 2021 with representatives of stakeholders from Salyan and Bilasuvar Rayons)

## Background:

As part of the Environmental and Social Safeguards requirements for the processing of the ESF documents, Public Consultations (PC) were conducted within the Rayons of Salyan and Bilasuvar.

## The Objectives and Purposes of the Public Consultations:

- Providing information on the Project scope (general details, objectives, components, etc.);
- Presenting RCDP Environmental and Social Framework (ESF) Documents (*ESMF, RPF, SEP, LMP and PreESMP specific for the Yenikend-Bilasuvar Road Section*) that describe potential socio-environmental impacts of the Project activities and corresponding mitigations;
- For responding questions related to the above-mentioned documentations; and
- Receiving comments and feedback to be incorporated into the final versions of environmental and social framework (ESF) documents.

## Methodology:

Digital copies of Environmental and Social Framework (ESF) Documents have been posted on the official websites of SAAAR and Salyan and Bilasuvar Executive Power Offices on February 7, 16 & 18, 2021 respectively (see Appendix 1 for relevant weblinks). In addition, SAAAR official website also contains supplementary note indicating that any interested party may use the organization's official contact details (phoneline, email and postal addresses) for sending further feedback and suggestions.

Due to the restrictions on public meetings related to the COVID-19 pandemic situation, it was decided to hold a limited number of meetings with stakeholders. One meeting was held with stakeholders living in Bilasuvar region over the "Zoom" application, and three (3) group meetings were held with stakeholders living in Salyan Rayon.

The RCDP Public Consultations were organized with the assistance of the Local Executive Powers of the Rayons, who informed to their local citizens regarding the event, as part of the outreach activities. In addition to the Project information presented during the PC's, contact details of the PIU were provided for any future grievances, suggestions and communications. The Grievance Mechanism shall also be shared in the aforementioned websites for guidance of the stakeholders and the general public prior to the commencement of the actual work. Location: Salyan Rayon, Yenikend village<sup>1</sup>

#### Date and time: February 19, 2021, 10:00 AM

**Participants:** 14 people (representatives of interested parties from Yenikend, Hasanli and Chukhanli villages)

- Executive Power local representative;
- Members of Municipalities;
- Village residents; and
- A representative of the service organization.

#### Minutes of the meeting

Elnur Abbaszade (representative of PIU2) informed that with financial support provided by the World Bank, the Government of Azerbaijan is in the process of preparation of the Regional Connectivity and Development Project aimed at rehabilitation of selected sections of Salyan-Bilasuvar road.

The drafts of Environmental and Social Framework (ESF) Documents describing potential socio-environmental impacts and the corresponding relevant mitigation activities have been produced as a part of the Project and in accordance with the World Bank Environmental and Social Standards, as well as relevant legislative acts of the Republic of Azerbaijan. These documents are being disclosed to the public for questions and comments. E. Abbaszade gave a PowerPoint presentation describing general information on the Project, potential socio-economic impacts and mitigation activities. It was also been mentioned that the full electronic versions of documents are available on the official websites SAAAR and Salyan Executive Power Office.

The meeting continued with a question-and-answer session.

Questions	Responses (PIU)
<b>P.Jafarov (Yenikend village excom)</b> – We were looking forward to this project. After the construction of the new road, the existing road was put aside, and left out of attention. My question is related to the dust that will be generated during the construction of the road. What specific actions are planned to prevent this?	<b>E.Abbaszade</b> – As it was mentioned during the presentation water regularly will be sprayed along the routes, as well as all unpaved access roads to stop dust emission.
<b>Z.Vahidov (Head of Chukhanli</b> <b>municipality)</b> – In order to prevent the entry of strangers and domestic animals into the construction site mounting lights and barriers are necessary.	<b>E.Abbaszade</b> - Security barriers will be widely applied during construction. In addition, public awareness campaigns will be organized to draw their attention to security issues.
T.Rahmanov (Hasanli village excom) – Sometimes we observe that during the	<b>E.Abbaszade</b> - Firstly, I would like to inform you that according to the prepared ESF

<sup>&</sup>lt;sup>1</sup> Given the current pandemic situation, representatives of various communities were invited to a meeting located nearby.

Questions	Responses (PIU)
construction process the top layer of existing asphalt roads is removed and thrown to the side of the road. This is a serious threat to the soil.	documents, areas for large-scale waste disposal will be identified at the pre- construction stage. A waste management plan with all details for waste disposal will be prepared by the contractors and approved by the construction technical supervision consultant. The Contractor will not dump any constructional materials on individual land plots without the permission of the landowner and the consent of the Engineer.
<b>P.Gozalov (teacher)</b> – Will the Grievance Redress Mechanism be approached as a tool to share our feedback and suggestion with you?	<b>E.Abbaszade</b> – During the preparation phase of the project, as well as during the active construction period the regular interactions can be established and maintained to express your feedback and suggestions to us.
<b>A.Huseynov (school principal)</b> – As I understood from the presentation the project envisages the development of roadside markets and, indirectly, the creation of new jobs. This is a very important direction. These markets are a very good opportunity for the people of our village to earn money by selling their products.	<b>E.Abbaszade</b> - You are absolutely right. The third component of the project envisages the development of such markets. However, before starting on these activities, there is a need for serious research. A decision will be made upon the results of relevant investigations, including consultations with the local population.
M.Abasov (Member of Hasanli municipality) – Is the land acquisition expected as part of the construction?	<b>E.Abbaszade</b> – No new areas are expected to be acquired as the rehabilitation of this road is planned to be carried out along the existing road axis. Nevertheless, in accordance with international standards, a Resettlement Policy Framework (RPF) has been developed, which regulates the mentioned issue.

Azərbaycan Avtomobil Yolları Dövlət Agentliyi Regional Yollar və İnkişaf Layihəsi Salyan-Biləsuvar yolunun seçilmiş hissələrinin bərpası Sosial və ətraf mühitə təsirlər barədə sənədlərin ictimai müzakirəsi 00 Salyan R-NU, Yenik and K. yaşayış məntəqəsi (rayon, kənd) 19.02.21 10 tarix və vaxt İştirakçıların siyahısı İş yeri və tutduğu Əlaqə İmza Adı və soyadı S.s. nömrəsi vəzifə Yeuind 1. 2.11 050-221-14-1. Cotoro 222026/ ac may 28 1 'nd 2. 3. 4. 5. n el an 6. 7. Ю 8. 51 9. machin 750 10. agen 0 101 Quell Hodiyyos odzi 11. Seningha s. and 12. mieatein 350 13. 07 a Ki toob bounde 170340-51 56 14. m 15. 16. 17. 18. 19. 20.



Yenikend village, Salyan Rayon, February 19, 2021



Yenikend village, Salyan Rayon, February 19, 2021

Location: Arbatan village, Salyan Rayon

### Date and time: February 19, 2021, 11:30 AM

**Participants:** 11 people (representatives of interested parties from Arbatan, Marishli, Seyidsadigli and Sarvan villages)

- Executive Power local Representatives;
- Municipality members;
- Local people.

#### Minutes of the meeting

Elnur Abbaszade (representative of PIU2) informed that with financial support provided by the World Bank, the Government of Azerbaijan is in the process of preparation of the Regional Connectivity and Development Project aimed at rehabilitation of selected sections of Salyan-Bilasuvar road.

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The meeting continued with a question-and-answer session.

Questions	Responses (PIU)
F.Gafarov (Arbatan village excom) – Using internal roads during the construction may create a threat for our village residents. What measures are planned in this regard?	<b>E.Abbaszade</b> – A Transport Management Plan will be produced to prevent the mentioned negative situations. In addition, some measures will be taken such as informing the local population about the planned work in advance, placing flagmen and mounting temporary traffic lights in perilous areas, establishing pedestrian crossings and reducing the movement of large trucks, especially during rush hours.
A.Huseynov (Head of Marishli municipality) – Construction materials or waste spilled from trucks during construction are a source of danger on the roads. Please impose strict control on this issue.	<b>E.Abbaszade</b> - Trucks carrying soil, gravel, and stones will be covered with a tent or any material that can effectively prevent spillage. Drivers and contractors bear responsibility for loading materials and transporting them safely, especially when passing through residential areas.

Questions	Responses (PIU)
<b>I.Mammadov (Resident of Sarvan village)</b> – Will local people be employed or people from other areas be invited here to get a job in construction?	<b>E.Abbaszade</b> - Job competitions will be organized to attract employees. Of course, local labor will be preferred, if they have the necessary qualifications and skills.
A.Farajov (Head of Arbatan municipality) – Are there any other works planned to be done for our village within the project?	<b>E.Abbaszade -</b> The third component of the project involves the implementation of certain social and economic activities. This includes providing support for the planning and development of the roadside market and logistics facilities. On the other hand, it is also planned to develop a curriculum and then provide special training and consulting services for small agricultural producers and agro-logistics operating in the project area. Trainings will be open to everyone in the communities living in the project area.

#### Azərbaycan Avtomobil Yolları Dövlət Agentliyi Regional Yollar və İnkişaf Layihəsi Salyan-Biləsuvar yolunun seçilmiş hissələrinin bərpası Sosial və ətraf mühitə təsirlər barədə sənədlərin ictimai müzakirəsi yan R-NU, Arbatan R. V yaşayış məntəqəsi (rayon, kənd) 02 21 10 tarix və vaxt İştirakçıların siyahısı Əlaqə İmza İş yeri və tutduğu Adı və soyadı S.s. nömrəsi vəzifə 3001 1. batoen CMA quezzt 2. Maush 3. Codi 44951 aus 4. 12.(0-391-22-89 039-390-84-0 5. ano Salvan @503635799 NIT 6. utiquem 12312 Sazvan 2507803536 7. 13512 Sarvan 8. 051326 5064 12812 Sarran 9. 0513497301 13312 Soyeven 6× 10. 0515534202 12312 AVUE apoen 0514262987 11. 13812 12. 13. 14. 15. 16. 17. 18. 19. 20.



Arbatan village, Salyan Rayon, February 19, 2021



Arbatan village, Salyan Rayon, February 19, 2021



Arbatan village, Salyan Rayon, February 19, 2021



Marishli village, Salyan Rayon, February 19, 2021

Location: Salyan Rayon, Sarvan village

#### Date and time: Feb 19, 2021, at 01:30 pm

**Participants:** 10 people (representatives of interested parties from Shorsulu, Sarvan and Gizilaghadj villages)

- Executive Power local Representatives;
- Members of Municipalities;
- Local people.

#### Minutes of the meeting

Elnur Abbaszade (representative of PIU2) informed that with financial support provided by the World Bank, the Government of Azerbaijan is in the process of preparation of the Regional Connectivity and Development Project aimed at rehabilitation of selected sections of Salyan-Bilasuvar road.

The drafts of Environmental and Social Framework (ESF) Documents describing potential socio-environmental impacts and the corresponding relevant mitigation activities have been produced as a part of the Project and in accordance with the World Bank Environmental and Social Standards, as well as relevant legislative acts of the Republic of Azerbaijan. These documents are being disclosed to the public for questions and comments. E. Abbaszade gave a PowerPoint presentation describing general information on the Project, potential socio-economic impacts and mitigation activities. It was also been mentioned that the full electronic versions of documents are available on the official websites SAAAR and Salyan Executive Power Office.

The meeting continued with a question-and-answer session.

Questions	Responses (PIU)
<b>G.Hasanov (Gizilaghaj village excom)</b> – There are several secondary school buildings along the road. How will the safety of the population, especially schoolchildren, be ensured during construction?	<b>E.Abbaszade</b> – A Traffic Management Plan will be developed to regulate increasing traffic in the area. In addition, some measures will be implemented too. For example, additional advocacy work may be carried out in schools so that children can be introduced to safety rules during construction. On the other hand, additional measures may be undertaken in areas some areas, such as placing flag persons and mounting temporary traffic lights, establishing pedestrian crossings, and reducing the movement time of large trucks, especially during rush hours. In addition, safety signs will be installed in prominent places.
<b>S.Javadov (Shorsulu village excom)</b> – I think there will not be such a serious problem. I urge you to minimize the impact	<b>E.Abbaszade</b> - Efforts will be made to ensure that all activities carried out under

Questions	Responses (PIU)
on the soil and the environment as much as possible, simply because our area is an agricultural zone.	the project do not have a negative socio- environmental impact. As you can see from the presentation, preventive measures will be proposed to be taken for all types of impacts.
F.Mammadov (Head of Shorsulu municipality) – We have some suggestions on the technical aspects of the project. How can we present them?	<b>E.Abbaszade</b> - the World Bank's 10 <sup>th</sup> Environmental and Social Standard (ESS) includes stakeholder engagement and disclosure. Public hearings should also be held in accordance with the requirements of the Law on Environmental Impact Assessment and the Law on Public Participation. At the same time, the existence of an open and transparent relationship between the stakeholders in the project is considered an essential element of international practice. Effective stakeholder participation can improve the environmental and social sustainability of projects and make a significant contribution to the more successful design and implementation of the project. For this purpose, additional consultations will be held with you during the preparation of the project. In addition, a continuous information exchange mechanism will be established and operated throughout the project between the stakeholders involved in the project.
<b>B.Sadigov (Member of Gizilaghadj</b> <b>municipality)</b> – Land plots of some villagers are situated in close vicinity of the road. We would like to minimize the impact on those lands during construction.	<b>E.Abbaszade</b> - As you saw in the presentation, a number of preventive measures have been taken to minimize the environmental impact of the construction work. During the construction period, contractors will not be allowed to dump excess materials on individual plots of land without the permission of the landowner. All temporarily affected areas should be rehabilitated at the end of the project.

Questions	Responses (PIU)
<b>I.Hasanov (teacher)</b> – İf there is a plan to rehabilitate the affected areas as you mentioned earlier, is it possible that the vegetation, for example, cut trees, will be replaced with new ones?	impact on trees, then mature trees will be removed for replanting or three new trees

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In addition to the group meetings listed above two more individual meetings were held with Mr.Etibar Huseynov, Deputy head of Salyan Executive Power Office and Mr. Sarvaddin Jafarov, head of Salyan Municipality.



Sarvan village, Salyan Rayon, February 19, 2021



Sarvan village, Salyan Rayon, February 19, 2021

ESF Documents Preparation – LABOR MANAGEMENT PROCEDURE



Sarvan village, Salyan Rayon, February 19, 2021



Sarvan village, Salyan Rayon, February 19, 2021

Location: Administrative office of SAAAR (a distance meeting over the Zoom application)

## Date and time: February 18, 2021, 3:00 PM

**Participants:** 23 people (representatives of interested parties from Khirmandali, Beydili and Ashaghi Jurali villages of Bilasuvar Rayon)

- Executive Power local Representatives;
- Municipality members
- Local people.

#### Minutes of the meeting

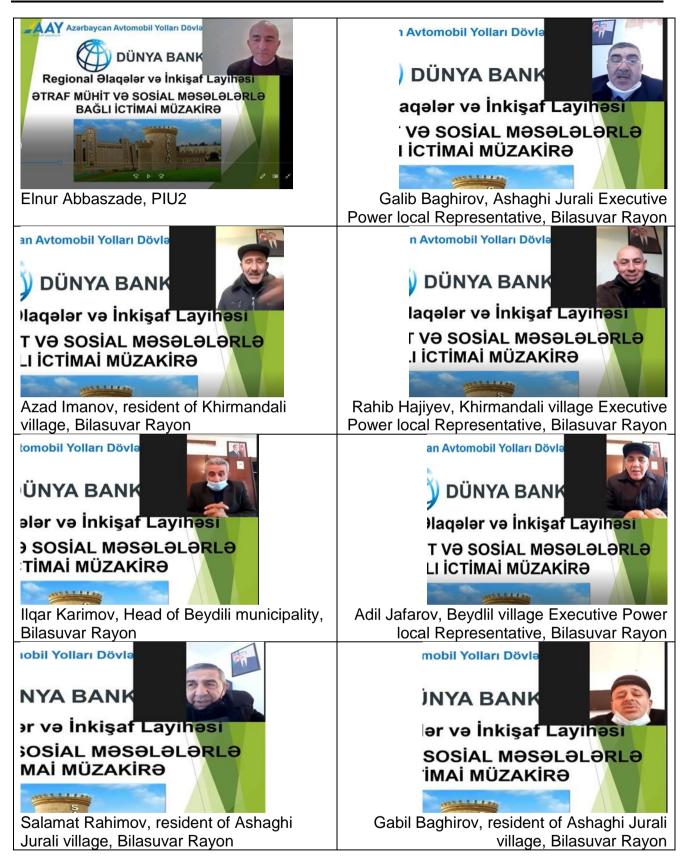
Elnur Abbaszade (representative of PIU2,) informed that with financial support provided by the World Bank, the Government of Azerbaijan is in the process of preparation of the Regional Connectivity and Development Project aimed at rehabilitation of selected sections of Salyan-Bilasuvar road.

The drafts of Environmental and Social Framework (ESF) Documents describing potential socio-environmental impacts and the corresponding relevant mitigation activities have been produced as a part of the Project and in accordance with the World Bank Environmental and Social Standards, as well as relevant legislative acts of the Republic of Azerbaijan. These documents are being disclosed to the public for questions and comments. E. Abbaszade gave a PowerPoint presentation describing general information on the Project, potential socio-economic impacts and mitigation activities. It was also been mentioned that the full electronic versions of documents are available on the official websites SAAAR and Salyan Executive Power Office.

The meeting continued with a question-and-answer session.

Questions	Responses (PIU)
A.Imanov (resident of Khirmandali village) – We are facing certain challenges while our domestic animals cross the newly built road. I hope there will be no such ban on this road. It is important to have special temporary crossings for this purpose during the construction of the road.	<b>E.Abbaszade</b> – In accordance with the initial technical documentation, I can say that this road will have the 2 <sup>nd</sup> category and there will be no restrictions on the crossing of domestic animals through designated locations. Temporary safety barriers and road signs to be installed during construction will help to organize movements.
<b>A.Jafarov (Baydili village excom)</b> – As a result of the project, the mobility of people living in the area will increase. For this reason, we are ready to support the project within our authorities. My concern is about the use of local labor. Please, increase the involvement of the rural population in construction as much as possible.	<b>E.Abbaszade</b> – Preference will be given to local labor if they have the necessary qualifications and skills.
I.Azizov (Head of Khirmandali municipality) – The existing road is	<b>E.Abbaszade</b> - Some measures will be taken to reduce noise and not cause

Questions	Responses (PIU)
situated at a very close distance to our village. Noise during construction will disturb the villagers. Therefore, I ask you to monitor this case.	inconvenience to residents. For example, restricting working hours during certain hours of the day or not allowing noise to exceed a certain norm. In addition, if necessary, the local population will be notified in advance about activities that could cause a loud noise.
<b>G.Baghirov (Ashaghi Jurali excom)</b> – Where will construction waste be transported?	<b>E.Abbaszade</b> - An area for large-scale waste collection will be identified prior to construction. Garbage bins will be provided for each work area and waste and non-hazardous waste will be collected at designated disposal sites. Waste disposal sites will be agreed with local municipalities and relevant authorities.



# Azərbaycan Avtomobil Yolları Dövlət Agentliyi Regional Volları Dövlət Agentliyi Regional Yollar və İnkişaf Layihəsi Salyan-Biləsuvar yolunun seçilmiş hissələrinin bərpası Sosial və ətraf mühitə təsirlər barədə sənədlərin ictimai müzakirəsi

Biləsuvar rayonu, Aşağı Cürəli kəndi yaşayış məntəqəsi (rayon, kənd)

18 fevral 2021-ci il saat 15:00 tarix va vaxt

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Biləsuvar rayonu, Bəydili kəndi <u>18 fevral 2021-ci il saat 15:00</u> yaşaya mantaqasi (rayon, kənd) taria və vərt

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In addition to the group meetings listed above an individual consultation was held with Mr. Rovshan Badalov, a representative of the architectural department of the Executive Power Office of Bilasuvar Rayon.

# Appendix #1.

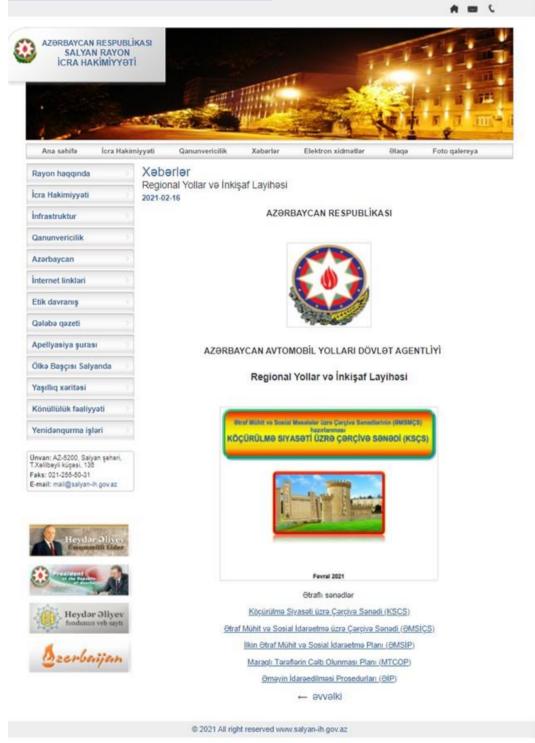
ESF Documents issued on the official website of SAAAR on February 7, 2021

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		5. İlkin Ətraf Mühit və Sosial İdarəetmə Planı (ƏMSİP)							
Yerli əhəmiyyətli		1.Preliminary Environmental and Social Management Plan (PreESMP)							
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	5.Environmental and Social Management Framework (ESMF)								
		Sənədlərlə bağlı sual və təkliflərinizi AAYDA-nin rəsmi elektron ünvanlarına göndərə bilərsiniz.							

ESF Documents issued on the official website of the Executive Power Office of Salyan Rayon on February 16, 2021

#### http://salyan-ih.gov.az/news/997.html



ESF Documents issued on the official website of the Executive Power Office of Bilasuvar Rayon on February 16, 2021

http://www.bilesuvar-ih.gov.az/news/940.html