

SAFEGUARDS AND SOCIAL DIMENSIONS SUMMARY

A. Environmental Safeguards

1. The project is classified category A for environment. Following the national procedures, the revised Environmental and Social Impact Assessments (ESIAs) were prepared, and were approved by the National Environment Board on 18 March 2015 (Pink Line) and 19 February 2016 (Yellow Line). The revised ESIAs were disclosed on the Asian Development Bank (ADB) website on 26 October 2017. Additional studies on noise, cumulative and induced impacts, and climate change risks were conducted to ensure compliance with the ADB Safeguard Policy Statement (2009) (SPS). Environmental and Social Management Plans (ESMPs) were prepared to consolidate information and measures from the ESIAs and other documents.

2. Potential impacts during construction and operation include dust, noise, vibration, waste water generation from construction activities and offices, disruption of traffic and utilities, and occupational and community health and safety risks. These are short term and localized, and can be effectively mitigated through good construction practices and implementation of the occupational health and safety management and operational plan, which are in the ESMPs. The proposed project sites are within the Bangkok metropolitan area and are modified habitats.

3. Both lines will be constructed over existing road networks passing through zoned commercial and residential areas of the city. Design features to minimize noise and vibration concerns include the use of rubber tires and sound dampening technology. Results from an extensive noise monitoring program show existing noise levels to be above the 45–55 dB(A) environment, health and safety (EHS) guidelines. However, the operation will not result in significant changes, and within the EHS guidelines for areas with high levels of baseline noise.¹ The EHS guidelines for noise in commercial areas and the Thai national standards are both 70 dB(A). Extensive noise monitoring will continue during the construction and operation. The ESIAs and ESMPs set out procedures for monitoring and options for dealing with noise in excess of the 70 dB(A) standard. These include installing noise-absorptive material to structures where excess noise has been experienced, replacing absorptive materials when effectiveness has decreased by more than 40%, and scheduled replacement of rubber wheels.

4. Since the completion of the ESIA consultation process in 2015, engagement with affected communities has focused on discussions and negotiations with affected households and property owners. The ESMPs for both lines contain details on the public relations activities that will be conducted during construction. The ADB project team has confirmed with the concessionaire that the project team will be able to observe the public relations activities once they begin.

5. The Mass Rapid Transit Authority of Thailand (MRTA) will provide environmental and social compliance oversight during project implementation. The contractor and operators will be responsible for implementing the ESMPs, including the monitoring plan, during the construction and operation phases, respectively. A third-party environmental compliance auditing firm will be engaged during construction and operation. Semiannual monitoring reports will be prepared by the MRTA (construction phase) and the operator (operation phase). ADB will conduct due diligence on the implementation of the ESMPs through reviews of the semiannual environmental monitoring reports and/or project review missions. The ESIAs and ESMPs include the complaints management structure and activities on information disclosure, consultation, and participation.

¹ The monorails will operate at 35 kilometers per hour (km/h) while the noise modeling with an assumption of operation at 80 km/h resulted in increases of 3 dB(A)–5 dB(A) in most areas.

B. Social Safeguards and Other Social Dimensions

6. The project is classified A for involuntary resettlement and C for indigenous peoples. The project is located in the heart of the Bangkok metropolitan region and will not affect indigenous peoples communities. The project will affect private assets, mainly land and structures, which are being acquired by the MRTA and not by the project sponsors, following Thai laws on land ownership and expropriation. [CONFIDENTIAL INFORMATION DELETED].

7. Land acquisition and resettlement activities being undertaken by the MRTA commenced with the issuance of the royal decree designating the area for acquisition on 16 December 2014 (Pink Line) and on 28 September 2015 (Yellow Line) prior to ADB's involvement in June 2017, hence not in anticipation of ADB financing,² and therefore does not fall within the ambit of the SPS Safeguard Requirements 2 para 4. As of February 2018, agreements were signed and compensation paid for 59.77% of land being acquired for the Yellow Line. For the Pink Line, 61.5% of compensation agreements and contracts are being processed, with 11.5% paid. An audit of the land acquisition process was undertaken to determine if there are risks associated with MRTA-led land acquisition and resettlement. The audit found the MRT practices based on the Ministry of Transport compensation manual and other applicable national legal frameworks are in line with SPS requirements. The MRTA has (i) conducted a census and full asset inventory, disclosed information, and consulted meaningfully with affected people on impacts, compensation, and entitlements; and (ii) paid compensation for land, structures, and lost income due to business disruption at replacement cost. Where the audit found sufficient information to compare the market prices for the land being acquired, it found that compensation offers issued by the MRTA for affected assets are equivalent to or above the market rate and therefore adhere to Thai legal requirements. In addition to compensation rates at market rates, the MRTA also covers administrative or transaction costs, among other assistance, which aligns the MRTA practices with ADB SPS requirements. The MRTA is implementing a robust grievance mechanism where requests for reappraisal of compensation rates and changes in design, alignment, and location of stations are being managed. The audit reports recommend continuous monitoring of land acquisition and compensation activities, including unanticipated impacts or outstanding issues, until completion. [CONFIDENTIAL INFORMATION DELETED].

8. The project is classified as having some gender elements. The borrowers will commit to implement measures to promote gender equality. The gender-related targets include the following: (i) integrate specific gender in the project design such as mobility, safety, and security facilities and services for persons with disability, the elderly, women (especially expectant mothers), and children such as dedicated parking slots and toilets in the park-and-ride facilities; adequate security, lighting and elevators in stations and dedicated seats in carriages; and (ii) adopting a gender and/or diversity policy by 2020.

9. The borrowers and contractors will comply with national labor laws and, pursuant to ADB's Social Protection Strategy (2001), will take measures to comply with the internationally recognized core labor standards. The borrowers will report regularly to ADB on (i) its compliance and that of its contractors with such laws, and (ii) the measures taken. Information disclosure and consultation with affected people are in accordance with ADB's requirements.

² The financing of the project was originally led by Thai banks.