

**Federated States of Micronesia
National Department of Education**

**Skills and Employability Enhancement Project
(P176965)**

Final Draft for Negotiations

**ENVIRONMENTAL and SOCIAL
COMMITMENT PLAN (ESCP)**

February 2022

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Federated States of Micronesia (hereinafter FSM or the Recipient) will implement the FSM Skills and Employability Enhancement Project (the **Project**). The National Department of Education will lead and coordinate the Project and The International Development Association (hereinafter the Association) has agreed to provide financing for the Project.
2. The Recipient will implement material measures and actions so that the Project is implemented in accordance with the Environmental and Social Standards (**ESSs**). This Environmental and Social Commitment Plan (**ESCP**) sets out material measures and actions, any specific documents or plans, as well as the timing for each of these.
3. The Recipient will also comply with the provisions of any other environmental and social documents required under the Environmental and Social Framework and referred to in this ESCP, such as the Environmental and Social Management Plan, Labor Management Procedures, Stakeholder Engagement Plan and any Resettlement Action Plans and the timelines specified in those documents.
4. The Recipient is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the Department, agency or unit referenced in 1. above.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Association by the Recipient as required by the ESCP and the conditions of the legal agreement, and the Association will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
6. As agreed by the Association and Recipient, this ESCP may be revised from time to time during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to assessment of Project performance conducted under the ESCP itself. In such circumstances, the Recipient or delegate(s) will agree to the changes with the Association and will update the ESCP to reflect such changes. Agreement on changes to the ESCP will be documented through the exchange of letters signed between the Association and the Recipient or delegate(s). The Recipient or delegate(s) will promptly disclose the updated ESCP.
7. Where Project changes, unforeseen circumstances, or Project performance result in changes to the risks and impacts during Project implementation, the Recipient shall provide additional funds, if needed, to implement actions and measures to address such risks and impact.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING</p> <p>Prepare and submit to the Association regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, status of preparation and implementation of E&S documents, instruments tools and other measures required under the ESCP, stakeholder engagement activities and functioning of the grievance mechanisms.</p>	<p>Six-monthly throughout Project implementation.</p>	<p>Central Implementation Unit to prepare reports to be submitted to the Association by the Project Implementation Unit</p>
B	<p>INCIDENTS AND ACCIDENTS</p> <p>Promptly notify the Association of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers. Provide sufficient detail regarding the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by any contractor and supervising entity, as appropriate. Subsequently, as per the Association’s request, prepare a report on the incident or accident and propose any measures to prevent its recurrence.</p>	<p>Notify the Association within 48 hours after learning of a serious incident or accident.</p> <p>A report would be provided to the Association on request.</p> <p>Minor incidents, not immediately reported, will be reported in the six-monthly reports to the Association.</p>	<p>Project Implementation Unit</p>
C	<p>CONTRACTORS MONTHLY REPORTS</p> <p>Monthly reports on the Contractor’s implementation of environmental, social, health and safety measures will be submitted to the Association.</p>	<p>Within one week of a request.</p>	<p>Project Implementation Unit</p>
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Assessment, management and monitoring of environmental and social risks are delegated to the environmental and social staff of the Central Implementation Unit, Department of Finance and Administration. The Central Implementation Unit staff will coordinate with the Project Manager and other key staff in the Project Implementation Unit (PIU) within the National Department of Education, to provide timely and effective support to the Project. The Central Implementation Unit will include at least two full time environmental and / or social specialists. Specialist support will be recruited by the Project on an ad hoc basis.</p> <p>The day-to-day implementation of the Project will be coordinated and managed by the Project Implementation Unit (PIU). The PIU are responsible for implementing project activities, monitoring implementation progress, and providing capacity building activities for all government agencies involved in the implementation of the Project. The PIU will be closely supported by the CIU in carrying out environmental safeguards and social safeguards functions as stated in the prior paragraph. The PIU will retain a dedicated GBV and Safety Officer responsible for undertaking assessment, management and monitoring of the Project activities relating to Gender Based Violence (GBV) and Sexual Exploitation, Abuse and Sexual Harassment (SEA-SH) as per section 4.4 of this ESCP.</p>	<p>The number of CIU environmental and social specialists will be established within 30 days after Project effectiveness and maintained throughout Project implementation.</p> <p>The PIU will engage a GBV and Safety Officer within 12 months of the Effective Date.</p>	<p>Central Implementation Unit</p> <p>Project Implementation Unit</p>
1.2	<p>ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN</p> <p>Update, disclose, consult, adopt, and implement, the Environmental and Social Management Plan (ESMP) that has been prepared as a preliminary instrument for appraisal for the Federal States of Micronesia Skills Academy (FSA) revitalization (Component 2.1), in a manner acceptable to the Association.</p>	<p>Finalize, disclose, consult and adopt the FSA ESMP prior to the final design and preparation of the procurement documents for Component 2.1, and thereafter implement Component 2.1 in accordance with the ESMP.</p>	<p>Central Implementation Unit</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.3	<p>MANAGEMENT TOOLS AND INSTRUMENTS</p> <p>The CIU to screen any proposed subproject or activity (including curricula improvements, training and purchase of equipment and materials, but excluding activities in Component 2.1 relating to the FSMSA revitalization) for environmental and social risks, including risks associated with SEA-SH and GBV, in accordance with the Project instruments and the Environmental and Social Standards. Where risks are identified the CIU will prepare instruments, tools and other measures proportionate to the identified risk. The PIU will implement the instruments, tools and measures in a manner acceptable to the Association. Measures may include (but not be limited to): actions arising from the SEA-SH GBV Action Plan, stakeholder engagement approaches, incorporating E&S considerations into Terms of Reference for technical advisory services, waste management plans, codes of practice to manage environmental risks such as emissions, or standard operational procedures for occupational health and safety risks.</p>	<p>Screening to occur prior to the finalization of the Scope of Work and / or Terms of Reference and/or Purchase of Goods.</p> <p>Instruments and / or tools and measures to be prepared by the CIU and cleared by the Association in advance of the Recipient's approval of relevant Terms of Reference, Scope of Work or Purchase of goods.</p> <p>Instruments, tools and measures to be implemented during the sub-component or activity implementation.</p>	<p>Central Implementation Unit is responsible for screening and preparing instruments, tools and measures and monitoring the implementation. The PIU is responsible for implementation of the instruments, tools and measures.</p>
1.4	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including the relevant E&S documents and/or plans, SEA-SH and GBV measures, and the Labor Management Procedures, into the ESHS specifications of the procurement documents for contractors. Thereafter ensure that the contractors comply with the ESHS specifications of their respective contracts.</p> <p>The Contractor for the FSA revitalization (Component 2.1) is required to prepare a C-ESMP to manage the FSA ESMP and ESHS specifications and any other relevant action from the ESCP for the construction period.</p>	<p>ESHS clauses to be included in the preparation of procurement documents.</p> <p>Supervise contractors throughout Project implementation.</p> <p>The FSA C-ESMP shall be prepared by the Contractor and cleared by the Association prior to works commencing and implemented throughout the period of construction.</p>	<p>Project Implementation Unit with technical support from the Central Implementation Unit</p>
1.5	<p>CONTINGENT EMERGENCY RESPONSE COMPONENT (CERC)</p> <p>Prepare, consult, disclose, adopt and implement an Environmental and Social Management Framework (ESMF) to manage the risks from triggering the CERC, Component 5.</p>	<p>Prepare the draft ESMF and submit to the Association for review and clearance within three months of the Project Effective Date.</p>	<p>Central Implementation Unit is responsible for preparing and updating the ESMF.</p> <p>Project Implementation Unit is responsible for implementing the ESMF with support from Central Implementation Unit.</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES Finalise, adopt, disclose, implement and (as required by the Association) update the Labor Management Procedures (LMP) for the Project in a manner acceptable to the Association.</p>	<p>Draft LMP disclosed prior to appraisal.</p> <p>Finalize the draft LMP and submit to the Association for review and clearance within three months of the Project Effective Date and prior to the engagement of any Project Workers.</p> <p>Implement the LMP throughout Project implementation.</p> <p>Incorporate the relevant aspects of the LMP into the contract documents of direct workers (other) and contracted workers (including contractors and consultants).</p>	<p>Central Implementation Unit is responsible for preparing and updating the LMP.</p> <p>Project Implementation Unit is responsible for implementing the LMP.</p>
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS Adopt and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.</p>	<p>Grievance mechanism to be adopted and operational within three months of the Project Effective Date and prior to the engagement of any Project Workers and implemented throughout Project implementation.</p>	<p>Project Implementation Unit</p>
2.3	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES Finalise, adopt, and implement occupational, health and safety (OHS) measures specified in the LMP.</p> <p>Finalise, adopt and implement OHS measures specified in the LMP for direct workers (Government), direct workers (other) and contracted workers (including contractors and consultants).</p>	<p>LMP OHS measures to be finalized prior to the preparation of procurement documents for physical works.</p> <p>Throughout Project implementation.</p>	<p>Central Implementation Unit is responsible for preparing and updating the LMP and ESMP.</p> <p>Project Implementation Unit is responsible for implementing the LMP.</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
2.4	<p>CODE OF CONDUCT</p> <p>All Project workers will be required to sign a Code of Conduct (CoC) (LMP Appendix C) which outlines acceptable behaviour for the workers and their role, including reference to workforce-related Gender Based Violence, Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH).</p> <p>Project workers will receive training on the CoC before signing the document.</p>	All project workers to receive training and sign CoC within five days of starting on the project.	Project Implementation Unit is responsible for implementation of the CoC.
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>WASTE MANAGEMENT PLAN</p> <p>Contractors to prepare, adopt and implement a Waste Management Plan for the FSA revitalization (Component 2.1) in accordance with the ESMP as part of their Contractors Environmental and Social Management Plan (C-ESMP).</p> <p>In case of an Asbestos -Containing Material (ACM) is found in the buildings during the implementation of the Project the contractor is to develop an Asbestos Management Plan (AMP).</p>	The FSA C-ESMP Waste Management Plan shall be prepared by the Contractor and cleared by the Association prior to works commencing and implemented throughout the period of construction.	Central Implementation Unit is responsible for providing technical review of C-ESMP and monitoring implementation.
3.2	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT IN DESIGN</p> <p>Resource efficiency and pollution prevention and management measures will be addressed in the design of FSA revitalization (Component 2.1) in accordance with the measures to be prepared in the FSA ESMP, to the satisfaction of the Association. Measures may include water use efficiency, energy efficiency and incorporation of renewable energy generation and the treatment of wastewater.</p>	Preparation of the Final FSA ESMP as per Action 1.2 above.	Central Implementation Unit to prepare Final ESMP and monitor implementation.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
3.3	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT - CURRICULA AND TRAINING MATERIALS</p> <p>The CIU to screen any proposed subproject or activity (including curricula improvements, training and purchase of equipment and materials, but excluding activities in Component 2.1 relating to the FSA revitalization) for resource efficiency and pollution prevention and management. Where risks are identified the CIU will prepare instruments, tools and other measures proportionate to the identified risk.</p> <p>The PIU will implement the instruments, tools and measures in a manner acceptable to the Association. Measures may include (but not be limited to): incorporating E&S considerations into Terms of Reference for technical advisory services, codes of practice or application of national or international emissions standards to manage emissions and preparation of pollution prevention and resource efficiency in TVET curricula.</p>	<p>Screening to occur prior to the finalization of the Scope of Work and / or Terms of Reference and/or Purchase of Goods.</p> <p>Instruments and / or tools and measures to be prepared by the CIU and cleared by the Association in advance of the Recipient’s approval of the relevant Terms of Reference, Scope of Work or Purchase of goods.</p> <p>Instruments, tools and measures to be implemented during the sub-component or activity implementation.</p>	<p>Central Implementation Unit is responsible for screening and preparing instruments, tools and measures and monitoring the implementation. The PIU is responsible for implementation of the instruments, tools and measures.</p>
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>COMMUNITY HEALTH AND SAFETY DURING CONSTRUCTION</p> <p>Contractors to prepare, adopt and implement a C-ESMP for the FSA revitalization (Component 2.1) in accordance with the ESMP, including community engagement and traffic management procedures to avoid and mitigate harm on the community during the construction phase.</p>	<p>The CESMP shall be prepared by the Contractor and cleared by the Association prior to works commencing and implemented throughout the period of construction.</p>	<p>Central Implementation Unit is responsible for providing technical review of C-ESMP and monitoring implementation.</p>
4.2	<p>INFRASTRUCTURE AND BUILDING DESIGN</p> <p>Community health and safety will be addressed in the design of FSA revitalization (Component 2.1) in accordance with the measures to be prepared in the Final FSA ESMP, to the satisfaction of the Association. Measures may include potable water and upgraded sanitation, fire and life safety, climate and natural hazard resilience, use of non-toxic materials, building code compliance and universal access.</p>	<p>Preparation of the Final FSA ESMP prior to the finalization of the detailed design.</p>	<p>Central Implementation Unit to prepare ESMP and monitor implementation.</p>

<p>4.3</p>	<p>COMMUNITY HEALTH AND SAFETY – CURRICULA and TRAINING MATERIALS</p> <p>The CIU to screen any proposed subproject or activity (including curricula improvements, training and purchase of equipment and materials, but excluding activities in Component 2.1 relating to the FSA revitalization) for community health and safety risks. Where risks are identified the CIU will prepare instruments, tools and other measures proportionate to the identified risk. The PIU will implement the instruments, tools and measures in a manner acceptable to the Association. Measures may include (but not be limited to): stakeholder engagement approaches, incorporating E&S considerations into Terms of Reference for technical advisory services, national or international standards to manage health and safety risks relating to training activities and incorporation of health and safety measures into curricula.</p>	<p>Screening to occur prior to the finalization of the Scope of Work and / or Terms of Reference and/or Purchase of Goods.</p> <p>Instruments and / or tools and measures to be prepared by the CIU and cleared by the Association in advance of the Recipient’s approval of the relevant Terms of Reference, Scope of Work or Purchase of goods.</p> <p>Instruments, tools and measures to be implemented during the sub-component or activity implementation.</p>	<p>Central Implementation Unit is responsible for screening and preparing instruments, tools and measures and monitoring the implementation. The PIU is responsible for implementation of the instruments, tools and measures.</p>
<p>4.4</p>	<p>GBV AND SEA RISKS</p> <p>Prepare, adopt, disclose, consult and implement a stand-alone Sexual Exploitation and Abuse and Sexual Harassment and Gender-Based Violence Action Plan (SEA-SH GBV Action Plan), to assess and manage the risks of gender-based violence (GBV) and sexual exploitation and abuse (SEA) and sexual harassment (SH).</p> <p>SEA-SH GBV Action Plan will include reference to measures such as a code of conduct for Project workers and a SEA and SH Grievance Mechanism. Awareness raising and training regarding GBV and SEA-SH considerations to be delivered by a communications officer who has specific skills in this area and involving external providers as required.</p>	<p>Submit the SEA-SH GBV Action Plan for the Association’s approval within six months of the Effective Date. Once approved, the GBV Action Plan is implemented throughout Project implementation.</p>	<p>Project Implementation Unit with technical support from the Central Implementation Unit</p>
<p>4.5</p>	<p>GBV AND SEA RISKS DURING PROJECT IMPLEMENTATION</p> <p>The Project will commit additional funds to implement measures arising from the SEA-SH GBV Action Plan in order to address GBV and SEA risks and impacts that may arise during Project implementation.</p>	<p>Submit Budget for the SEA-SH GBV Action Plan for the Association’s approval before the preparation of the procurement documents. Once approved, the GBV Action Plan is implemented throughout Project implementation.</p>	<p>Project Implementation Unit, with technical support from the Central Implementation Unit</p>

ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT

<p>5.1</p>	<p>RESETTLEMENT PLANS Relevant aspects of this standard shall be considered, as needed, under action 1.2 above, including screening checklists and due diligence to confirm site land and asset ownership/access arrangements and current site usage/occupation. There will be an assessment of whether Project activities will involve land acquisition or leasing or physical or economic displacement.</p> <p>If physical or economic displacement, land acquisition or leasing is required for the Project, the CIU will prepare, adopt and implement Resettlement Action Plans (RAPs) before carrying out the associated activities.</p>	<p>Screening, due diligence and RAPs submitted for the Association’s approval and once approved, implemented prior to commencing Project activities that involve land acquisition and physical or economic displacement.</p>	<p>.</p>
<p>5.2</p>	<p>GRIEVANCE MECHANISM The grievance mechanism (GM) to address resettlement related complaints should be described in the RAPs and SEP.</p>	<p>The grievance mechanism to be operational 30 days after the Project effective date as per the SEP. The Grievance mechanism will be implemented throughout Project Implementation.</p>	
<p>ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES</p>			

6.1	<p>BIODIVERSITY CONSERVATION Screen, assess and mitigate biodiversity impacts from the FSMSA revitalization (Component 2.1) in accordance with the FSA ESMP and ESS6.</p> <p>The CIU to screen any proposed subproject or activity (including curricula improvements, training and purchase of equipment and materials, but excluding activities in Component 2.1 relating to the FSA revitalization) for biodiversity conservation risks and risks relating to the sustainable management of living resources. Where risks are identified the CIU will prepare instruments, tools and other measures proportionate to the identified risk. The PIU will implement the instruments, tools and measures in a manner acceptable to the Association. Measures may include (but not be limited to): guidelines or curricula materials.</p>	<p>Preparation of the Final FSA ESMP prior to the preparation of the procurement documents.</p> <p>Implementation of the FSMSA ESMP throughout the implementation of Component 2.1.</p> <p>Instruments and / or tools and measures to be prepared by the CIU and cleared by the Association in advance of the Recipient’s approval of the relevant Terms of Reference, Scope of Work or Purchase of goods.</p> <p>Instruments, tools and measures to be implemented during the sub-component or activity implementation.</p>	<p>Central Implementation Unit to prepare FSA ESMP and monitor implementation.</p> <p>Central Implementation Unit is responsible for screening and preparing instruments, tools and measures and monitoring the implementation. The PIU is responsible for implementation of the instruments, tools and measures.</p>
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	<p>INDIGENOUS PEOPLE The processes and approaches in the E&S management tools and instruments referred to in this ESCP shall be designed to ensure that the Project fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of Chuukese, Ponapean, Yapese and Kosraean people.</p>	<p>Throughout Project implementation</p>	<p>Project Implementation Unit supported by the Central Implementation Unit, Department of Finance and Administration</p>
ESS 8: CULTURAL HERITAGE			
8.1	<p>CHANCE FINDS Prepare, adopt, and implement a chance finds procedure in the ESMP developed for the FSA revitalization.</p>	<p>Preparation of the Final FSA ESMP prior to the preparation of the procurement documents.</p> <p>The chance finds procedure shall be implemented throughout the period of construction.</p>	<p>Central Implementation Unit to prepare FSA ESMP and monitor implementation.</p>

8.2	<p>CULTURAL HERITAGE MANAGEMENT Screen, assess and mitigate risks to cultural heritage from physical works associated with the FSA revitalization (Component 2.1) in accordance with the ESMP, to the satisfaction of the Association.</p>	<p>Screening and assessment to occur prior to the preparation of procurement documents. Implementation of the FSA ESMP throughout the implementation of Component 2.1.</p>	<p>Central Implementation Unit to prepare FSMSA ESMP and monitor implementation.</p>
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Update, adopt, disclose, consult and implement the Stakeholder Engagement Plan (SEP).</p>	<p>The SEP to be operational 30 days after the Project effective date. Implement the SEP throughout Project Implementation. The Stakeholder Engagement Plan shall be reviewed and updated at least annually to reflect the needs of the Project work plan.</p>	<p>Project Implementation Unit with technical support from the Central Implementation Unit. SEP to be updated by the Central Implementation Unit.</p>
10.2	<p>PROJECT GRIEVANCE MECHANISM An accessible grievance mechanism shall be established, publicized, maintained and operated to receive and facilitate resolution of concerns and grievances in relation to the Project, promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all Project-affected parties, at no cost and without retribution, including concerns and grievances filed anonymously, in a manner consistent with ESS10. The grievance mechanism shall also receive, register and address concerns and grievances related to the, sexual exploitation and abuse, sexual harassment in a safe and confidential manner, including through the referral of survivors to gender-based violence service providers.</p>	<p>The grievance mechanism to be operational 30 days after the Project effective date. Implement the grievance mechanism throughout Project Implementation.</p>	<p>Central Implementation Unit in consultation with the Project Implementation.</p>
CAPACITY SUPPORT (TRAINING)			

<p>CS1</p>	<p>PIU staff (direct worker), other direct workers and contractors shall receive training on the relevant aspects of the Project E&S instruments, tools and measures including relevant ESHS requirements, topics include but are not limited to:</p> <ul style="list-style-type: none"> • ESS10 Stakeholder engagement and GM implementation. • ESS2 and the Project’s Labor Management Procedure, including CoC. • Roles and Responsibilities for ES management. • Screening risks and preparing instruments, tools and measures. • C-ESMP monitoring and auditing. • Community and worker health and safety. • GBV and SEA-SH prevention and awareness raising. 	<p>On inception of all new workers to the project and on regular intervals throughout Project implementation.</p>	<p>Central Implementation Unit</p>
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