

**Government of Nepal
Ministry of Water Supply
Department of Water Supply and Sewerage Management
Panipokhari, Kathmandu**

**Water Sector Governance and Infrastructure
Project (P176589)**

Draft

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

January 31, 2022

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Government of Nepal (GoN) will implement the Water Sector Governance and Infrastructure Project, referred as the Project hereafter, with the involvement of the Department of Water Supply and Sewerage Management (DWSSM) under the Ministry of Water Supply (MoWS). The International Development Association (hereinafter the World Bank) has agreed to provide financing for the Project.
2. The GoN 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 GoN will also comply with the provisions of any other E&S documents required under the Environmental and Social Framework (ESF) and referred to in this ESCP, such as the Environmental and Social Management Framework (ESMF), Resettlement Policy Framework (RPF), Indigenous Peoples Planning Framework (IPPF), Labor Management Procedures (LMPs) and Stakeholder Engagement Plan (SEP), and the timelines specified for the preparation of those E&S documents.
4. The GoN is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the DWSSM under the MoWS.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the World Bank by the GoN as required by the ESCP and the conditions of the legal agreement, and the World Bank will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
6. As agreed by the World Bank and the GoN, 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 GoN, through the DWSSM under the MoWS, will agree to the changes with the World Bank 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 World Bank and the GoN, through MoWS. The GoN, through DWSSM, will promptly disclose the updated ESCP.
7. Where Project changes, or unforeseen circumstances arises, or Project performance result in changes to the risks and impacts during Project implementation, the GoN shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts, which may include risks and impacts that are relevant to the Project, such as environmental, health, and safety impacts, labor influx, sexual exploitation and abuse and sexual harassment (SEA/SH).

MATERIAL MEASURES AND ACTIONS		TIME FRAME	RESPONSIBLE ENTITY/AUTHORITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING</p> <p>Prepare and submit to the World Bank 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 required under the ESCP, stakeholder engagement activities, and the functioning of the grievance mechanism.</p>	<p>Every six months throughout Project implementation. Reports will be shared with the Bank not later than 2 weeks after the end of the 6-month period.</p>	<p><i>Project Management Unit (PMU)</i></p>
B	<p>INCIDENTS AND ACCIDENTS NOTIFICATION</p> <p>Promptly notify the World Bank 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 including accidents that could result in fatalities, injuries, sexual exploitation and abuse and sexual harassment (SEA/SH) etc. For all incidents except SEA/SH related, 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 World Bank's request, prepare a report on the incident or accident and propose any measures to prevent its recurrence. For SEA/SH incidents related to the project, provide basic facts with no specific detail information that would reveal the identity of the victim. All SEA/SH incident reports will be anonymized to the extent possible.</p>	<p>Any incident or accident shall be notified to the Bank within 24 hours after learning of the incident or accident.</p> <p>A preliminary report on action taken will be provided within 07 days, and a detailed report will be provided within a month after learning of the incident or accident, or any other timeframe acceptable to the Bank, as requested.</p>	<p><i>Project Director, PMU</i></p>
C	<p>EXTERNAL MONITORING</p> <p>External monitoring of ESMF implementation will be conducted to ensure that all E&S management measures are being properly addressed and that mitigation measures are being implemented where these are required. External monitoring will be conducted by independent consultant hired by the PMU</p>	<p>After first year of implementation, at mid-term and during the final year of project implementation.</p>	<p><i>Project Director, PMU</i></p>
D	<p>CONTRACTORS MONTHLY REPORTS</p> <p>Contractors will provide monthly monitoring reports to the Project Management Unit. Where required, the DWSSM shall submit copies of contractor monthly reports to the Bank upon request.</p>	<p>Periodically, upon request from the World Bank</p>	<p><i>Project Director, PMU</i></p>

MATERIAL MEASURES AND ACTIONS	TIME FRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS		
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Establish and maintain a Project Management Unit (PMU) with a qualified Environmental Specialist, Social Development Specialist and Gender Equity and Social Inclusion (GESI) Specialist within the PMU structure with qualified staff and resources to support management of E&S risks throughout the Project implementation. Similarly, the Municipality/district Level Project Implementation Units (PIUs) will be established with an Environmental Officer and a Social Development Officer to support management of E&S risks at the local level throughout the Project implementation. In addition, Birendranagar Municipality, where a number of activities will be carried out, will hire two additional Environmental and Social Mobilizers for effective E&S risk management.</p>	<p>One Environmental and one Social Specialists have been hired by PMU. The Municipal-PIUs, when established, will include an Environmental Officer and One Social Development Officer. The establishment of the PIUs along with E&S staffing will be done within 90 days after Project effectiveness</p> <p>Birendranagar Municipality will hire two Social Mobilizers within 90 days after the establishment of Municipal-PIUs.</p> <p>The organizational structure, including the specialists, shall be maintained throughout Project implementation.</p>

PMU
PIUs, Municipalities and Districts

MATERIAL MEASURES AND ACTIONS	TIME FRAME	RESPONSIBLE ENTITY/AUTHORITY
<p>1.2 ENVIRONMENTAL AND SOCIAL ASSESSMENT</p> <p>a. Prepare, adopt, and implement, the Environmental and Social Management Framework (ESMF), in a manner acceptable to the World Bank.</p> <p>b. Screen each proposed subproject in accordance with the ESMF prepared for the Project, and, thereafter, prepare, disclose, adopt, and implement Environmental and Social Assessment (ESIA), Environmental and Social Management Plans (ESMP) or other instruments required for the respective subprojects based on the assessment process, in accordance with the ESSs, the ESMF, the EHSs, and other relevant Good International Industry Practice (GIIP) including the relevant WHO guidelines on COVID-19 in a manner acceptable to the World Bank.</p> <p>c. Cumulative Impact Assessment (CIA): Screen to decide if a CIA is relevant for Surkhet Valley landscape. If needed, a CIA and consultation with stakeholders, in line with the ESMF, shall be undertaken to assess cumulative impacts of the project in and around the Surkhet valley landscape, in a manner acceptable to the Bank.</p>	<p>a. A Draft ESMF has already been prepared and disclosed. ESMF will be finalized, consulted, re-disclosed, and adopted before the Project Appraisal.</p> <p>b. During planning and design phase of each subproject, prior to approval of the sub- project, and issuance of bids for corresponding sub-project/activities, and thereafter implement throughout the implementation of respective sub projects.</p> <p>The need for a CIA will be assessed within 90 days of project effectiveness, as well as prepare Terms of Reference (ToR) for CIA if CIA is relevant.</p> <p>If CIA is needed, the CIA will be prepared within nine-month of project effectiveness. Thereafter, implement the CIA recommendations throughout the project implementation.</p>	<p><i>PMU</i></p> <p><i>PIUs, Municipalities/ Districts</i></p>

MATERIAL MEASURES AND ACTIONS		TIME FRAME	RESPONSIBLE ENTITY/AUTHORITY
1.3	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, ESMF, sub-project E&S documents and/or plans, and the SEA/SH plan and the Labor Management Procedures, into the Environmental, Social, Health and Safety (ESHS) specifications of the procurement documents with contractors. Thereafter ensure that the contractors comply with the ESHS specifications of their respective contracts.</p> <p>Ensure that contractors prepare and implement Contractor-ESMPs (C-ESMPs).</p>	<p>During preparation of the bidding documents.</p> <p>Ensure that contractors comply with relevant aspects of ESCP, ESMF and specific E&S plans or instruments throughout Project implementation.</p> <p>Prepare C-ESMPs prior to commencement of civil works; and implement the plan throughout contract period.</p>	<p><i>PMU</i></p> <p><i>PIUs, Municipalities/ Districts</i></p> <p><i>Project Contractors</i></p>
1.4	<p>PERMIT, CONSENTS AND AUTHORIZATIONS</p> <p>As appropriate, obtain required permits, consents, licenses, no-objections, and authorizations, including tree -felling permit, environmental licenses and work permits that are applicable to the subproject from relevant national and/or local authorities, and comply with the conditions thereunder</p>	<p>Obtain required permits, consents, licenses, no-objections, or authorization, prior to carrying out any subproject or subproject activity, and comply with the conditions thereunder throughout the implementation of such subproject.</p>	<p><i>PMU</i></p> <p><i>PIUs, Municipalities/ Districts</i></p>

MATERIAL MEASURES AND ACTIONS		TIME FRAME	RESPONSIBLE ENTITY/AUTHORITY
1.5	<p>CONTINGENT EMERGENCY RESPONSE FINANCING</p> <p>a. Ensure that the <i>CERC Manual as specified in the Financing Agreement</i> includes a description of the ESHS assessment and management arrangements including, <i>any CERC-ESMF/ESMF Addendum that has been included or referred to in the CERC Manual</i>] for the implementation of Component 4 <i>CERC</i>, in accordance with the ESSs.</p> <p>b. Prepare, disclose, consult and adopt any environmental and social (E&S) management plans or instruments which may be required for activities under Component 4 [CERC] of the Project, in accordance with the<i>CERC Manual, this ESCP</i> and the ESSs, and thereafter implement the measures and actions required under said E&S management plans or instruments, within the timeframes specified in said E&S management plans or instruments.</p>	<p>a. The adoption of the <i>manual and, if applicable, other documents as relevant</i> in form and substance acceptable to the World Bank is a withdrawal condition under Section I.F, schedule 2 of the Financing Agreement for the Project.</p> <p>b. The E&S management plans or instruments shall be prepared, disclosed, consulted, and thereafter adopted before the commencement of the relevant Project activities under CERC. The E&S management plans or instruments shall be implemented in accordance with their terms, throughout Project implementation.</p>	<p>PMU</p>
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Adopt Labor Management Procedures (LMP) that have been developed for the Project. For each subproject, elaborate/ tailor the LMP provisions to the subproject ESIA/ESMPs and implement throughout project life. Ensure that LMP addresses SEA/SH issues including code of conduct (CoC), prohibition of child and forced labor, safety, and non-discrimination.</p>	<p>Finalize and disclose the LMP prior to project appraisal.</p> <p>Implement the LMP throughout the project implementation</p>	<p>PMU</p> <p>PIUs, Municipalities/Districts</p>
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>Establish, maintain, and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.</p>	<p>Grievance mechanism operational prior to engaging Project Workers and maintained throughout Project implementation.</p>	<p>PMU</p> <p>PIUs, Municipalities/Districts</p>

MATERIAL MEASURES AND ACTIONS		TIME FRAME	RESPONSIBLE ENTITY/AUTHORITY
2.3	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>Prepare and incorporate Occupational Health and Safety (OHS) measures and plan consistent with ESS2, the World Bank Group Health and Safety (EHS) Guidelines, LMP, and relevant national legislation into subproject site-specific environmental and social instruments including ESIA/ESMP. These will include workplace safety measures including personal protective equipment, first aid measures, work site protection measures, fire-fighting equipment, labour camp facilities, accidents and emergency response measures, Project workers' training to enhance awareness of possible risks, protocols for local community safety, measures related to communicable diseases including COVID-19.</p>	<p>Prior to issuance of bids for corresponding sub-project/activities, and thereafter implement the plans (as part of C-ESMP) throughout the implementation of such sub projects.”</p>	<p><i>PMU</i></p> <p><i>PIUs, Municipalities/Districts</i></p> <p><i>Project Contractors</i></p>
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT:</p> <p>Resource efficiency and pollution prevention and management measures, including recycling and re-use options, water/energy efficiency features for the Project, are discussed in the ESMF and will be incorporated into the design of each activity, and implemented through the subproject specific instrument(s) such as ESIA/ESMPs prepared under action 1.3 above.</p> <p>Prepare sub-project specific ESIA/EMSPs including specific measures on pollution prevention to minimize impacts of air and noise pollution, water pollution, surface- and groundwater contamination, and waste minimization.</p>	<p>Subproject ESIA/ESMPs will be developed as required prior to issuance of bids for corresponding sub-projects/activities, and thereafter implemented throughout the subproject implementation.</p> <p>Energy and water efficiency measures will be included in sub-project designs and carried out throughout the subproject implementation.</p>	<p><i>PMU</i></p> <p><i>PIUs, Municipalities/Districts</i></p>
ESS 4: COMMUNITY HEALTH AND SAFETY.			

4.1	TRAFFIC AND ROAD SAFETY: Prepare, adopt, and implement measures and action to assess and manage specific traffic and road safety risks and impacts to the community arising from Project activities, and include these measures in the subproject specific instruments such as ESIA/ESMPs in accordance with the ESMF and relevant national laws, in a manner acceptable to the Bank.	Prior to issuance of bids for corresponding subproject/activities, and thereafter implement the measures throughout the subproject implementation.	<i>PMU</i> <i>PIUs, Municipalities/ Districts</i> <i>Project Contractors</i>
4.2	COMMUNITY HEALTH AND SAFETY: Prepare, adopt, and implement measures and action to assess and manage specific risks and impacts to the community arising from the Project activities, such as behavior of Project workers, risks of labor influx, spread of COVID-19 and STIs among communities and include these measures in the subproject specific ESIA/ESMPs or other instruments to be prepared in accordance with the ESMF and relevant national laws, in a manner acceptable to the Bank.	Prior to issuance of bids for corresponding subproject/activities, and thereafter implement the measures throughout the subproject implementation.	<i>PMU</i> <i>PIUs, Municipalities/Districts</i> <i>Project Contractors</i>
4.2	GBV AND SEA/SH RISKS: Prepare, adopt, and implement measures to manage risks of sexual exploitation and abuse and sexual harassment (SEA/SH) as part of subproject specific E&S instrument as provisioned in the ESMF. Finalize and adopt the SEA/SH Action Plan prior to appraisal.	Finalize and adopt the SEA/SH Action Plan prior to Appraisal. Implement SEA/Action Plan throughout the Project and subproject implementation.	<i>PMU</i> <i>PIUs, Municipalities/ Districts</i> <i>Project Contractors</i>
4.3	EMERGENCY RESPONSE MEASURES: Prepare, adopt, and implement measures to address emergency events, if recommended by subproject specific E&S assessment/ ESIA, as part of subproject specific ESMPs for implementation.	Prior to issuance of bids for corresponding subproject/activities, and thereafter implement the measures throughout the subproject implementation.	<i>PMU</i> <i>Project Contractors</i>

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

5.1	RESETTLEMENT PLANS: Adopt, and implement the Resettlement Policy Framework (RPF) consistent with the requirements of the ESS5. Prepare, disclose, adopt and implement Resettlement Action Plans (RAPs), as required in accordance with ESS 5 and consistent with the requirements of the RPF in a manner acceptable to the Bank where required.	Finalize and disclose the draft RPF before end of project appraisal. Prepare and Implement Resettlement Action Plans (RAPs) in accordance with the RPF prior to issuance of bids for the sub-projects/activities, and thereafter implement the RAP before commencement of works that involve land acquisition and resettlement.	<i>PMU</i> <i>PIUs, Municipalities/ Districts</i>
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ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES

6.1	<p>BIODIVERSITY RISKS AND IMPACTS:</p> <p>As per ESMF requirements, carry out screening of each subproject to identify biodiversity-related risks and impacts, and prepare sub-project specific ESIA/ESMPs, BMP (if required) or other instrument including measures and actions to assess and manage risks and impacts to biodiversity.</p> <p>Follow the guidance provided in the ESMF for planning, design, and construction of subproject and by preparing subproject specific instrument including ESIA/ESMPs in parallel with the engineering plan and Detailed Project Report (DPR) when the specific locations and activities are finalized.</p> <p>Where significant risks and adverse impacts on biodiversity have been identified, check the eligibility of subproject according to the eligibility criteria (Exclusion List of ESMF). For the eligible subprojects with the potential to have significant adverse impacts on biodiversity, prepare Biodiversity Management Plan (BMP), a standalone or as a part of ESIA/ESMP, in a manner acceptable to the Bank.</p>	<p>During planning and design phase of each subproject, prior to subproject approval and issuance of bids for corresponding subprojects/activities, and thereafter implement the measures throughout the subproject implementation.</p>	<p><i>PMU</i></p> <p><i>PIUs, Municipalities/ Districts</i></p> <p><i>Project contractors</i></p>
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	<p>MEASURES FOR INDIGENOUS PEOPLES:</p> <p>Prepare, adopt, and implement the Indigenous Peoples Planning Framework (IPPF) consistent with the requirements of the ESS7 in a manner acceptable to the Bank.</p> <p>Where relevant, prepare and implement Indigenous Peoples Plans (IPPs) for sub-projects consistent with the requirements of the IPPF of the Project in a manner acceptable to Bank.</p>	<p>Finalize and disclose the IPPF before end of project appraisal.</p> <p>If required, prepare, and disclose the IPPs in accordance with ESS7 prior to issuance of bids for the sub-projects/activities, and thereafter implement the IPPs throughout the project implementation.</p>	<p><i>PM</i></p> <p><i>PIUs, Municipalities/Districts</i></p>
ESS 8: CULTURAL HERITAGE			

8.1	CHANCE FINDS PROCEDURES Prepare, adopt, and implement the chance finds procedure described in the project ESMF.	Before implementation of subprojects and Implement it throughout subproject implementation.	<i>PMU</i> <i>PIUs, Municipalities/Districts</i>
8.2	CULTURAL HERITAGE MANAGEMENT PLANS: If required, prepare, and implement Cultural Heritage Management Plans consistent with the ESMF and requirements of ESS 8.	Before implementation a subproject and Implement CHMP throughout subproject implementation.	<i>PMU</i> <i>PIUs, Municipalities/Districts</i>
ESS 9: FINANCIAL INTERMEDIARIES			
	Not relevant. No financial intermediary is involved in the Project.		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Prepare, consult, adopt and implement the Stakeholder Engagement Plan (SEP) consistent with ESS10, which includes measures to, inter alia, provide stakeholders with timely, relevant, understandable, and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination, and intimidation, and undertake Beneficiary Satisfaction Survey twice during the Project lifecycle. Revise SEP to address concerns of vulnerable and marginalised groups as the need arises.	Draft SEP has been disclosed for consultation. A final SEP will be disclosed prior to appraisal and implemented throughout the Project implementation.	<i>PMU, DWSSM</i> <i>PIUs, Municipalities/Districts</i>
10.2	PROJECT GRIEVANCE MECHANISM: Prepare, adopt, maintain, and operate a grievance mechanism, as described in the SEP. Ensure that the project GRM accommodates a specific mechanism to address SEA/SH grievances, and Indigenous Peoples grievances.	Within thirty (30) days after final SEP is approved by the Bank and maintained throughout Project implementation.	<i>PMU</i> <i>PIUs, Municipalities/ Districts</i> <i>Project Contractors</i>
CAPACITY SUPPORT (TRAINING)			

