

BINH DUONG PROVINCIAL PEOPLE’S COMMITTEE
Province Management Unit – Binh Duong water Environment JSC



Binh Duong Water Environment Improvement Project

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



Binh Duong, November 2020

ABBREVIATIONS

C-ESMP	Contractor's Environment and Social Management Plan
DDR	Due Diligence Review
ESMP	Environmental and Social Management Plan
ESF	Environment and Social Framework
E&S	Environmental and Social
ESIA	Environmental Social impact assessment
ESCP	Environmental and Social Commitment Plan
ESHS	Environmental, Social, Health and Safety
ESIRT	Environment and Social Incidence Response Toolkit
ESS(s)	Environmental and Social Standard(s)
GBV	Gender Based Violence
GRM	Grievance Redress Mechanism
IMA	Independent E&S Monitoring Agency
JSC	Joint Stock Company
LMP	Labor Management Procedures
LFDC	Land Fund Development Center
PMU	Project Management Unit
PPC	Provincial People's Committee
PAP	Project Affected Person
RAP	Resettlement Action Plan
SEP	Stakeholder Engagement Plan
US\$	US Dollar
VND	Vietnamese Dong
WB	World Bank
WEIP	Water Environment Improvement Project
WWTP	Waste Water Treatment Plan
WPC	Ward Peoples' Committee

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Socialist Republic of Vietnam will implement the Binh Duong Water Environment Improvement Project, with the involvement of the Binh Duong Provincial People's Committee (PPC)/Province Management Unit – Binh Duong water Environment JSC. The International Bank for Reconstruction and Development (the Bank) has agreed to provide funding for the Project.
2. The Socialist Republic of Vietnam will implement material measures and actions so that the Project is implemented in accordance with the Bank's 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 Socialist Republic of Vietnam will also comply with the provisions of any other E&S documents required under the ESF and referred to in this ESCP, such as Environmental and Social Impact Assessment (ESIA), Environmental and Social Management Plans (ESMP), Resettlement Action Plan (RAP) and Stakeholder Engagement Plan (SEP), Labor Management Procedures (LMP), the timelines specified in those E&S documents.
4. The Socialist Republic of Vietnam is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the Binh Duong Provincial People's Committee (PPC)/Province Management Unit – Binh Duong water Environment JSC.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Bank by the Socialist Republic of Vietnam as required by the ESCP and the conditions of the legal agreement, and the Bank will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
6. As agreed by the Bank and the Socialist Republic of Vietnam, 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 Socialist Republic of Vietnam will agree to the changes with the 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 Bank and the Socialist Republic of Vietnam. The Socialist Republic of Vietnam 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 Socialist Republic of Vietnam shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts, which may include environmental, health, and safety impacts, labor influx, child labor, gender-based violence.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING:</p> <p>The Government of Vietnam, through the Binh Duong PPC/Province Management Unit (PMU) – Binh Duong water Environment JSC will prepare and submit to the Bank regular monitoring reports on 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, functioning of the grievance mechanism(s).</p> <p>More details on monitoring and reporting will be provided in the Project documents i.e. RAP, LMP, ESIA, ESMP and SEP.</p>	<ul style="list-style-type: none"> • Quarterly internal monitoring reports and six-monthly independent monitoring reports throughout Project implementation to the Bank. • Quarterly and independent monitoring reports will be submitted in the first week of the subsequent quarter and six-month period, respectively. 	<ul style="list-style-type: none"> • Responsibility: Binh Duong water Environment JSC (hereinafter referred to as Binh Duong PMU) • Funding: Project Budget.
B	<p>INCIDENTS AND ACCIDENTS:</p> <p>Promptly notify the 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.</p> <p>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 Bank’s request, prepare a report on the incident or accident and propose any measures to prevent its recurrence.</p>	<p>Notify the Bank within 24 hours and no later than 48 hours after becoming aware of the occurrence of the incidents or accidents.</p> <p>A report on action taken to be provided on the same to the Bank within 07 days of notification in line with the World Bank’s Environment and Social Incidence Response Toolkit (ESIRT).</p>	<ul style="list-style-type: none"> • Responsibility: Binh Duong PMU • Funding: Project Budget.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
C	<p>CONTRACTORS MONTHLY REPORTS:</p> <p>Binh Duong PMU will ensure submission of monthly progress and monitoring report by the contractors on details in the project environmental and social performance and implementation of the environmental and social mitigation measures: (i) employment numbers including new recruits and those who left; (ii) cases of GBV reports; (iii) cases of OHS related incidents; (iv) reports received through GRM system; (v) issues related to traffic incidents, noise and air pollution, communicable diseases (vi) safety and security breach; (vii) training provided to workers.</p>	<p>Monthly (by 10th of every following month) throughout the project life.</p>	<ul style="list-style-type: none"> • Responsibility: Contractors • Funding: Contractors' budget.
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE:</p> <p>Establish and maintain an organizational structure with qualified staff and resources to support management of E&S risks including at least one Environmental Specialist, one Social Development Specialist and Gender Specialist in the PMU for ensuring compliance with the ESF and relevant instruments.</p> <p>Hire qualified Independent Environmental Monitoring Consultant (IEMC) and Construction Supervision Consultants with qualified Environmental and Social staffs to support PMU in monitoring and carrying out E&S requirements</p> <p>A Grievance Redress Mechanism (GRM) focal point, within PMU, would be appointed in order to provide essential coordination of different administrative levels for handling complaints in a timely and satisfactory manner.</p>	<p>Binh Duong PMU has been established.</p> <p>A GRM focal point of the PMU would be appointed within 30 days after Project effectiveness.</p> <p>Throughout project implementation</p>	<ul style="list-style-type: none"> • Responsibility: Binh Duong PMU • Funding: Project Budget.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.2	<p>ENVIRONMENTAL AND SOCIAL ASSESSMENT:</p> <p>Update, disclose, adopt, and implement, the Environmental and Social Impact Assessment (ESIA), including an Environmental and Social Management Plan (ESMP) that has been prepared for the Project, in a manner consistent with the relevant Environmental and Social Standards and acceptable to the Bank.</p>	Throughout the Project implementation.	<ul style="list-style-type: none"> • Responsibility: Binh Duong ODA PMU • Accountability: PMU Director • Funding: Project Budget

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<p>1.3 MANAGEMENT TOOLS AND INSTRUMENTS:</p> <p>Binh Duong PMU has prepared, adopted, disclosed, and will implement management E&S instruments including: Environmental and Social Commitment Plan (ESCP); Stakeholder Engagement Plan (SEP); Resettlement Action Plan (RAP); Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management Plan (ESMP); Labor Management Procedure (LMP) and Grievance Redress Mechanism (GRM) for project workers; Due Diligence Reviews (DDRs) for Thuan An and Di An WWTPs in a manner acceptable to the Bank.</p> <p>Implement diligently the measures and actions identified in the ESCP in accordance with the timeframes specified and review the status of implementation of the ESCP as part of the monitoring and reporting.</p> <p>Notify the World Bank promptly of any proposed changes to the scope, design, implementation or operation of the project that are likely to cause an adverse change in the environmental or social risks or impacts of the project.</p> <p>Carry out, as appropriate, additional assessment and stakeholder engagement in accordance with the ESSs, and propose changes, for approval by the World Bank, to the ESCP and relevant management tools, as appropriate, in accordance with the findings of such assessments and consultation. Disclose the updated ESCP.</p> <p>Prepare Terms of Reference (TOR) for all technical assistance activities, incorporating applicable ESF requirements.</p>	<p>Throughout the Project implementation.</p> <p>Throughout the Project implementation.</p> <p>RAP/DDRs, ESIA: (i) Draft RAP available and disclosed prior to Appraisal; (ii) Final RAP available and disclosed prior to Bank Board Approval.</p> <p>Throughout the Project implementation.</p> <p>Throughout the Project implementation.</p>	<ul style="list-style-type: none"> • Responsibility: Binh Duong PMU • Funding: Project Budget

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.4	<p>MANAGEMENT OF CONTRACTORS:</p> <p>Incorporate the relevant aspects of the ESCP, the relevant E&S documents and/or plans (including but not limited to ESMP), and the Labor Management Procedures, into the Environmental and Social (E&S) specifications of the procurement documents with contractors.</p> <p>Thereafter ensure that the contractors comply with the E&S specifications of their respective contracts.</p> <p>Selection of contractors: Ascertain that the contractors are legitimate and reliable entities and able to comply with the relevant environmental and social requirements of the Project.</p> <p>Monitor the performance of the contractors to ensure that they comply with the E&S specifications of their respective contracts.</p>	<p>During the preparation of Project procurement documents</p> <p>Throughout Project implementation.</p> <p>During evaluation of bidders</p> <p>During Project implementation</p>	<p>Responsibility: Binh Duong PMU</p> <p>Funding: Project Budget.</p>
1.5	<p>PERMIT, CONSENTS AND AUTHORIZATION</p> <p>Obtain or assist in obtaining, as appropriate, the permits, consents and authorizations that are applicable to the Project from relevant national authorities, pursuant to applicable national laws.</p> <p>Comply or cause to comply, as appropriate, with the conditions established in these permits, consents and authorizations throughout Project implementation.</p>	<p>Obtain licenses and permits prior to carrying out any Project activity requiring a license.</p>	<p>Responsibility: Binh Duong PMU</p> <p>Funding: Project Budget.</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES:</p> <p>Update, adopt and implement the Project Labor Management Procedure (LMP).</p> <p>Binh Duong PMU would ensure that necessary conditions are included in the bidding document to comply with the provisions set out in the Labor Management Procedure prepared for the project, including (but not limited to) occupational, health and safety (OHS) measures; prevention of child and forced labor; emergency preparedness and response; grievance redress mechanism (GRM) for project workers; training of project workers on key issues including OHS and GBV prevention; management of labor influx; and COVID-19 prevention and control.</p>	<p>Throughout Project implementation</p> <p>During the preparation of tender documents</p>	<p>Responsibility: Binh Duong PMU</p> <p>Accountability: PMU Director</p> <p>Funding: Project Budget.</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. Implement the GRM throughout project implementation.</p>	<p>Grievance mechanism operational prior to engaging Project workers, to be disseminated to project workers prior to commencing any works and maintained throughout Project implementation.</p>	<p>Responsibility: Binh Duong PMU and Contractors</p> <p>Accountability: PMU Director</p> <p>Funding: Project Budget.</p>
2.3	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES:</p> <p>Adopt, and implement occupational, health and safety (OHS) measures specified in the Project's ESMP and LMP (including OHS risks related to the transmission of communicable diseases). Ensure that contractors develop, implement and maintain OHS plan(s).</p>	<p>Throughout Project implementation</p>	<p>Responsibility: Binh Duong PMU/ Contractors</p> <p>Accountability: PMU Director</p> <p>Funding: Project Budget</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT:</p> <p>Implement the resource efficiency and pollution prevention and management measures as required under the ESMP of the ESIA.</p>	During project implementation	<p>Responsibility: Binh Duong PMU</p> <p>Accountability: PMU Director</p> <p>Funding: Project Budget.</p>
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>TRAFFIC AND ROAD SAFETY:</p> <p>Adopt and implement measures and actions to assess and manage traffic and road safety risks as required in the Project's ESMP</p>	Throughout Project implementation.	<p>Responsibility: Binh Duong PMU/Contractors</p> <p>Accountability: PMU Director</p> <p>Funding: Project's budget</p>
4.2	<p>COMMUNITY HEALTH AND SAFETY:</p> <p>Adopt and implement measures and action to assess and manage specific risks and impacts to the community arising from Project activities, including, inter alia, behavior of Project workers, risks of labor influx, risks of transmission of communicable diseases due to project activities, response to emergency situations including prevention and control of COVID-19, these measures in the ESMP, in a manner acceptable to the Bank.</p>	Throughout Project implementation.	<p>Responsibility: Binh Duong PMU/Contractors</p> <p>Accountability: PMU Director</p> <p>Funding: Project's ' budget.</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
4.3	<p>GBV AND SEA RISKS:</p> <ul style="list-style-type: none"> ○ Prepare a code of conduct for project workers, which includes prohibitions on GBV & SEA/SH, and integrate into bidding documents ○ Engage a qualified institution to conduct community and workers’ training and awareness on HIV/AIDS, GBV & SEA and COVID-19 response; and on the existence and content of a workers’ code of conduct ○ Awareness raising on grievance/feedback processes for reporting SEA & GBV cases (GBV referral pathways and response protocol) as part of LMP and SEP. <p>The contractor/consultant’s response to these requirements will be required to be reflected mitigation measures in their C-ESMP.</p>	<p>Throughout the execution of the Project:</p> <p>(i) prior to commencement of construction and maintain during the project timeline;</p> <p>(ii) quarterly awareness raising campaigns through the stakeholder’s engagement meetings.</p> <p>Project GRM for workers and GBV survivors was established and will be operational throughout project implementation. The Stakeholders including the communities will be notified about the GRM within a month of project effectiveness.</p>	<p>Responsibility: Binh Duong PMU,</p> <p>Funding: Project budget</p>
4.4	<p>SECURITY PERSONNEL:</p> <p>No expectation of security personnel, however, procedures will be outlined in the LMP.</p> <p>In the event that security personnel is used for the project, the contractor shall develop and implement measures and actions to assess and manage the risks to human security of project-affected communities and project workers that could arise from the use of security personnel.</p>	<p>Prior to engaging security personnel.</p> <p>Maintained throughout Project implementation.</p>	<p>Responsibility: Binh Duong PMU</p> <p>Funding: Project Budget.</p>
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	<p>LAND ACQUISITION AND RESETTLEMENT:</p> <p>Project activities will require land acquisition, but no household resettlement. The footprint of project financed infrastructure was known at the time of appraisal, and a resettlement plan was prepared.</p>		<p>Responsibility: Binh Duong PMU</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
5.1.1	<p>RESETTLEMENT ACTION PLAN:</p> <p>Finalized Resettlement Plan agreed and publicly disclosed</p> <p>Finalized resettlement plan approved by Binh Duong Provincial People’s Committee (PPC)</p> <p>Finalized resettlement plan fully implemented</p>	<p>Prior to Project Appraisal</p> <p>Prior to negotiations (or effectiveness)</p> <p>Prior to the commencement of civil works</p>	<p>Responsibility: Binh Duong PMU/ Binh Duong PPC, E&S consultants</p> <p>Funding: Project Budget.</p>
5.2	<p>GRIEVANCE MECHANISM:</p> <p>The project GRM has been established in and disclosed with the RAP and SEP to address resettlement related complaints. The GRM will be continuously disclosed to affected people during resettlement implementation.</p> <p>Regular reporting on outcomes of the GRM to the Bank.</p>	<p>Established prior to the commencement of project activities maintain throughout project implementation.</p> <p>Reporting through quarterly and six-month internal and independent monitoring reports, respectively.</p>	<p>Responsibility: Binh Duong PMU,</p> <p>Funding: Project Budget</p>
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	<p>BIODIVERSITY RISKS AND IMPACTS:</p> <p>Implement the mitigation measures included in the ESMP to mitigate the risks and impacts on biodiversity.</p>	Throughout project implementation	<p>Responsibility: Binh Duong PMU</p> <p>Accountability: PMU Director</p> <p>Funding: Project’s Budget.</p>
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	No indigenous peoples are expected to be presented in the project area, this standard is not relevant for the project.	Not relevant	
ESS 8: CULTURAL HERITAGE			
8.1	<p>CHANCE FINDS:</p> <p>Implement the cultural heritage mitigation measures and chance finds procedure described in the ESMP developed for the Project</p>	Prior to commencing project activities and maintained throughout Project implementation.	<p>Responsibility: Binh Duong PMU</p> <p>Accountability: PMU Director</p> <p>Funding: Project Budget</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 9: FINANCIAL INTERMEDIARIES			
9.1	No financial intermediaries are expected to be involved in the project, this standard is not relevant for the project.	Not Applicable	
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION:</p> <p>Update, adopt, disclose and implement the Project’s SEP including the project grievance mechanism (GRM).</p> <p>Deliberations of each meeting will be documented (minutes of meetings prepared) and disclosed. In particular, issues raised in the stakeholder meetings and the propose solutions will also be documented and disclosed.</p> <p>Depending on the public health situation regarding communicable diseases, update the stakeholder engagement plan to reflect national and international guidelines on preventing transmission through public meetings or other stakeholder engagement events.</p>	<p>Throughout Project implementation.</p> <p>Prior to, and throughout, the implementation of the activities specified in Stakeholder Engagement Plan.</p>	<p>Responsibility: Binh Duong PMU</p> <p>Accountability: PMU Director</p> <p>Funding: Project Budget.</p>
10.2	<p>PROJECT GRIEVANCE MECHANISM:</p> <p>Maintain and operate a grievance redress mechanism, as described in the SEP. Awareness raising for potential project affected persons (PAPs) and communities on the existence and processes for submitting grievances.</p>	Throughout Project implementation.	<p>Responsibility: Binh Duong PMU</p> <p>Accountability: PMU Director</p> <p>Funding: Project Budget.</p>
CAPACITY SUPPORT (TRAINING)			
Specify Training to be provided and targeted Groups			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
CS1	<p>Training on: (i) the Bank’s procumbent process and ESF, (ii) stakeholder mapping and engagement; (iii) implementation of RAP, ESMP, SEP, LMP; (iv) grievance redress; (v) environmental and social supervision, monitoring, and reporting; and (v) labor management procedures PMU Environment & Social Safeguards Team and various stakeholders.</p>	<p>Throughout Project implementation. Before commencement of civil works and maintained throughout Project implementation where necessary</p>	<p>Responsibility: Binh Duong PMU Budget source: Project budget.</p>
CS2	<p>Training on Occupational Health and Safety Module and Labor and Working Conditions for Project’s workers</p> <p><i>(i) Occupational Health and Safety Module</i></p> <ul style="list-style-type: none"> ○ Personal protection equipment ○ Workplace risk management ○ Prevention of accidents at work sites ○ Health and safety rules ○ Waste management ○ Hazardous waste management e.g. fueling of vehicles ○ Preparedness and response to emergency situations ○ Awareness campaign on HIV/AIDS <p><i>(ii) Labor and Working Conditions</i></p> <ul style="list-style-type: none"> ○ Terms and conditions of employment according to national working laws and regulations ○ Contractor and sub-contractor codes of conduct ○ Worker’s organizations ○ Child labor and minimum age employment rules 	<p>Implemented right after mobilization of contractors and before commencement of civil works and maintained throughout project implementation.</p>	<p>Responsibility: Binh Duong PMU Budget source: Project budget</p>
CS3	<p>Training on Gender-Based Violence Risks for representatives of Departments/sectors, local authorities, PMU staff, and local communities.</p> <ul style="list-style-type: none"> ○ Raising awareness and measures to prevent and mitigate GBV risks ○ Preparedness and response to SEA/SH and human trafficking ○ GRM 	<p>Implemented right before starting project activities and maintained throughout project implementation.</p>	<p>Responsibility: Binh Duong PMU Budget source: Project budget.</p>

