

**Republic of Kosovo
Improvement and Rehabilitation of Irrigation
Systems (P179737)**

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

June 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Kosovo (Recipient) will implement the Improvement and Rehabilitation of Irrigation Systems Project (the Project), through the Project Implementation Unit (PIU) established within the Ministry of Agriculture, Forestry and Rural Development (MAFRD), as set out in the Grant Agreement. The International Bank for Reconstruction and Development and the International Development Association (hereinafter referred to as the Bank) acting as administrator of the European Commission – World Bank Partnership Programme Part III for Europe and Central Asia Programmatic Single-Donor Trust Fund), has agreed to provide the financing for the Project, as set out in the referred agreement.
2. The Recipient shall ensure that the Project is carried out in accordance with the Environmental and Social Standards (ESSs) and this Environmental and Social Commitment Plan (ESCP), in a manner acceptable to the Bank. The ESCP is a part of the Grant Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreement.
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the Recipient shall carry out or cause to be carried out, including, as applicable, the timeframes of the actions and measures, institutional, staffing, training, monitoring and reporting arrangements, and grievance management. The ESCP also sets out the environmental and social (E&S) instruments that shall be adopted and implemented under the Project, all of which shall be subject to prior consultation and disclosure, consistent with the ESS, and in form and substance, and in a manner acceptable to the Bank. Once adopted, said E&S instruments may be revised from time-to-time with prior written agreement by the Bank.
4. As agreed by the Bank and the Recipient, this ESCP will be revised from time-to-time if necessary, during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to Project performance. In such circumstances, the Recipient through the PIU and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the Recipient. The Recipient shall promptly disclose the updated ESCP.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING</p> <p>Prepare and submit to the 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 instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism(s).</p>	<p>Submit six-monthly reports to the Bank throughout Project implementation, commencing after the Effective Date. Submit each report to the Bank no later than 10 days after the end of each reporting period.</p>	<p>MAFRD/PIU</p>
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, including, <i>inter alia</i>, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury. Provide sufficient detail regarding the scope, severity, and possible causes of 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/or supervising firm, as appropriate.</p> <p>Subsequently, at the Bank’s request, prepare a report on the incident or accident and propose any measures to address it and prevent its recurrence.</p>	<p>Notify the Bank no later than 48 hours after learning of the incident or accident.</p> <p>Provide subsequent reports to the Bank within a timeframe acceptable to the Bank.</p>	<p>MAFRD/PIU</p>
C	<p>CONTRACTORS’ MONTHLY REPORTS</p> <p>Require contractors and supervising firms to provide monthly monitoring reports on ESHS performance in accordance with the metrics specified in the respective bidding documents and contracts and submit such reports to the Bank.</p>	<p>Submit the monthly reports to the Bank upon request as annexes to the reports to be submitted under action A above.</p>	<p>MAFRD/PIU</p>
D	<p>NOTIFICATIONS RELATING TO DAAB COMPLIANCE REVIEW OF CONTRACTOR COMPLIANCE WITH SEA/SH PREVENTION AND RESPONSE OBLIGATIONS</p> <p>Notify the Bank of any referral submitted to the Dispute Avoidance and Adjudication Board (DAAB) to initiate a process of compliance review in relation to a contractor’s obligations to prevent and respond to sexual exploitation and abuse (SEA), and/or sexual harassment (SH) specified in the respective works contract with such contractor; and, in the event of any such referral, notify the Bank of: (i) the DAAB’s decision on such referral; (ii) the contractor’s Notice of Dissatisfaction, if any, with such DAAB decision; (iii) any notification received on the commencement of an emergency arbitration proceeding or full arbitration proceeding in relation to the DAAB’s decision; and (iv) the resulting emergency arbitration order and/or full arbitration order, if any.</p>	<p>No later than 7 days after the issuance or receipt, as applicable, of the relevant document (i.e., referral to the DAAB, issuance of DAAB decision, Notice of Dissatisfaction, notice of commencement of emergency/full arbitration, emergency/full arbitration order, as applicable).</p>	<p>MAFRD/PIU</p>
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>1.1 ORGANIZATIONAL STRUCTURE Establish and maintain a PIU, with qualified staff and resources to support the management of ESHS risks and impacts of the Project including full-time Environmental and Social Specialist within the PIU at MAFRD.</p>	<p>Establish and maintain a PIU, as set out in the grant agreement. Hire the full-time Environmental and Social Specialist prior to the Project effective date, and thereafter maintain the PIU with this position throughout Project implementation.</p>	<p>MAFRD/PIU</p>
<p>1.2 ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>1. Adopt and implement an all-inclusive for three sub schemes Environmental and Social Impact Assessment (ESIA) for the works under the Project, in accordance with the ESSs, the Environmental, Health, and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP) in a manner acceptable to the Bank. The ESIA shall include, <i>inter alia</i>, screening procedures, ESHS risks and impacts assessment, natural disaster risk assessment, and mitigation measures.</p> <p>2. Adopt and implement recommendations of the Environmental Impact Assessment (EIA) report as required with Kosovar EIA Law for environmental permitting.</p>	<p>1. Draft ESIA was prepared, disclosed and consulted upon (December 2022) and shall thereafter be maintained and implemented throughout Project implementation.</p> <p>Draft LMP was prepared, disclosed, and consulted upon (December 2022), and recommendations to be thereafter implemented throughout Project implementation</p> <p>2. Adopt the EIA report before launching the bidding process for a respective activity that requires the adoption of such EIA. Once adopted, implement the recommendation of the respective EIA throughout Project implementation.</p>	<p>MAFRD/PIU</p>
<p>1.3 MANAGEMENT OF CONTRACTORS Incorporate the relevant aspects of the ESCP, including, <i>inter alia</i>, the relevant E&S instruments, the Labor Management Procedures, and code of conduct, into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms. Thereafter ensure that the contractors and supervising firms comply and cause subcontractors to comply with the ESHS specifications of their respective contracts.</p>	<p>As part of the preparation of procurement documents and respective contracts. Supervise contractors throughout Project implementation.</p>	<p>MAFRD/PIU</p>
<p>1.4 TECHNICAL ASSISTANCE Ensure that the consultancies, studies, capacity building, training, and any other technical assistance activities under the Project are carried out in accordance with terms of</p>	<p>Throughout Project implementation.</p>	<p>MAFRD/PIU</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	reference acceptable to the Bank, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.		
1.5	<p>EXCLUSIONS:</p> <p>The ESIA sets out the principles, rules, guidelines, screening criteria, and procedures to assess the environmental and social risks and impacts of project activities. The screening questions for Potential Environmental and Social Impacts are part of the ESIA. The results will guide confirmation of the overall E&S risk rating and classification of the activities to be financed based on the screening.</p> <p>Exclude the activities listed below as ineligible for financing under the Project:</p> <ul style="list-style-type: none"> ▪ Expansion and construction of new irrigation scheme, realignment of irrigation network; ▪ Activities that would lead to the degradation of critical natural habitats, critical land areas, and clearing of forests or forest ecosystems; ▪ Activities that will result in the involuntary taking of land, loss of assets or access that leads to loss of income sources or other means of livelihoods, and interference with households' use of land and livelihoods; ▪ Use of equipment and goods on lands abandoned, or the ownership of the land is disputed or cannot be ascertained; ▪ Use of goods and equipment involving forced labor, child labor, or other harmful or exploitative forms of labor; ▪ Activities which, when being carried out, would affect, or involve the use of, the water of rivers or of other water bodies (or their tributaries) which flow through or are bordered by countries other than the Borrower, in such a manner as to in any way adversely change the quality or quantity of water flowing to or bordering said countries. 	These exclusions shall be applied as part of the E&S screening process conducted under Action 1.2 above.	MAFRD/PIU
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Adopt and implement recommendations of the Labor Management Procedures (LMP) for the Project, including, <i>inter alia</i>, provisions on working conditions, management of workers relationships, occupational health and safety (including personal protective equipment, and emergency preparedness and response), code of conduct (including relating to SEA and SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms.</p>	Draft LMP was prepared, disclosed, and consulted upon (December 2022), and recommendations to be thereafter implemented throughout Project implementation	MAFRD/PIU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.</p>	Establish grievance mechanism prior engaging Project workers (no later than awarding the first construction works' contract) and thereafter maintain and operate the grievance mechanism throughout Project implementation.	MAFRD/PIU
<p>ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT [the relevance of ESS3 is established during the ESA process. ESS3 may require the adoption of specific measures to cover energy, water (e.g. water balance) and raw materials use, management of air pollution, hazardous and nonhazardous wastes, chemicals and hazardous materials and pesticides. Depending on the project, these measures may be set out in an E&S instrument (e.g. ESMP) already mentioned in the section under ESS1 above or as a stand-alone instrument or as a separate measure or action.</p>			
3.1	<p>WASTE MANAGEMENT PLAN</p> <p>ESIA for project activities includes a thorough treatment of pollution prevention and management aspects associated with all proposed civil works and direct impacts of construction, including air, water, and noise pollution, as well as solid waste minimization and management in consistence with ESS3.</p>	Same timeframe as for the adoption and implementation of the ESIA	MAFRD/PIU
3.2	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Resource efficiency and pollution prevention and management measures are covered under ESIA prepared under action 1.2 above.</p>	Same timeframe as for the adoption and implementation of the ESIA	MAFRD/PIU
<p>ESS 4: COMMUNITY HEALTH AND SAFETY [the relevance of ESS4 is established during the ESA process. As with other ESSs, ESS4 may require the adoption of specific measures to cover community health and safety risks, including, inter alia, on infrastructure and equipment design and safety, safety of services, traffic and road safety, community exposure to health issues, ecosystem services, management and safety of hazardous materials, emergency preparedness and response, security (including engagement of security personnel), and safety of dams. Depending on the project, these measures may be set out in an E&S instrument (e.g. ESMP) already mentioned in the section under ESS1 above or as a stand-alone instrument or as a separate measure or action.</p>			
4.1	<p>TRAFFIC AND ROAD SAFETY</p> <p>Incorporate measures to manage traffic and road safety risks as required in the ESIA to be prepared under action 1.2 above.</p>	Same timeframe as for the adoption and implementation of the ESIA.	MAFRD/PIU
4.2	<p>COMMUNITY HEALTH AND SAFETY</p> <p>Assess and manage specific risks and impacts to the community arising from Project activities, including, <i>inter alia</i>, codes of conduct for Project workers, measures to prevent and respond to cases of sexual exploitation and abuse, and sexual harassment, and any risk of labor influx, and include mitigation measures in the ESIA prepared under action 1.2 above.</p>	Same timeframe as for the adoption and implementation of the ESIA.	MAFRD/PIU
<p>ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT [the relevance of ESS5 is established during the ESA process. If resettlement instruments need to be prepared (e.g. resettlement process frameworks, resettlement action plans, process frameworks) this should be reflected in the ESCP.</p>			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
5.1	<p>RESETTLEMENT POLICY FRAMEWORK</p> <p>Finalize, re-disclose, adopt, and implement the recommendations of the RPF for the Project, consistent with ESS5.</p>	Draft RPF was prepared, disclosed, and consulted upon (December 2022) and recommendations to be thereafter implemented throughout Project implementation	MAFRD/PIU
5.2	<p>RESETTLEMENT PLANS</p> <p>Prepare, disclose, consult with stakeholders, adopt, and implement recommendations of the Resettlement Action Plans (RAP) for each Project activity that warrant the adoption of a RAP as required by RPF, all in accordance with the RPF and consistent with ESS5.</p>	Adopt and implement the recommendation of the respective RAP prior to issuance of construction works bidding documents/REOI, including ensuring that before taking possession of the land and related assets, full compensation has been provided and as applicable displaced people have been resettled and moving allowances have been provided.	MAFRD/PIU
<p>ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES [the relevance of ESS6 is established during the ESA process. As with other ESSs, ESS6 may require the adoption of specific measures that may be set out in an E&S instrument (e.g. ESMP) already mentioned in the section under ESS1 above or as a stand-alone instrument or a separate measure or action.</p>			
<p>This standard is not relevant to the suggested project interventions.</p>			
<p>ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES [See examples of possible actions below that can be used if determined that ESS7 is relevant, as set out in paragraph 54 of the E&S Policy and paragraphs 8-10 of ESS7].</p>			
<p>There are no known distinct social and cultural groups as covered by ESS7 residing in Kosovo. Thus, this standard is not applicable.</p>			
<p>ESS 8: CULTURAL HERITAGE [the relevance of ESS8 is established during the ESA process. As with other ESSs, ESS8 may require the adoption of specific measures that may be set out in an E&S instrument (e.g. ESMP) already mentioned in the section under ESS1 above or as a stand-alone instrument or a separate measure or action. See examples below].</p>			
<p>This standard is not relevant. The project activities will not affect any known cultural heritage sites since they are mostly rehabilitation works of existing facilities. Nonetheless, the Project ESIA for all activities which may involve any excavation of earth include appropriate “chance find” procedures.</p>			
8.2	<p>CHANCE FINDS</p> <p>Describe and implement the chance finds procedures, as part of the ESIA of the Project.</p>	Same timeframe as action 1.2 above and implement the procedures throughout Project implementation.	MAFRD/PIU
<p>ESS 9: FINANCIAL INTERMEDIARIES [This standard is only relevant for Projects involving Financial Intermediaries (FIs).]</p>			
<p>This standard is not relevant for the suggested project interventions.</p>			
<p>ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE</p>			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Adopt and implement recommendations of a Stakeholder Engagement Plan (SEP) for the Project, consistent with ESS10, which shall include measures to, <i>inter alia</i>, 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.</p>	Draft SEP is prepared, disclosed, and consulted upon (December 2022) and recommendations to be thereafter implemented throughout Project implementation.	MAFRD/PIU
10.2	<p>PROJECT GRIEVANCE MECHANISM</p> <p>Establish, publicize, maintain, and operate an accessible grievance mechanism, 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.</p> <p>The grievance mechanism shall be equipped to receive, register, and facilitate the resolution of SEA/SH complaints, including through the referral of survivors to relevant gender-based violence service providers, all in a safe, confidential, and survivor-centered manner.</p>	Establish and operationalize a grievance mechanism not later than 30 days after the Effective Date and thereafter, maintain and operate the mechanism throughout Project implementation.	MAFRD/PIU
CAPACITY SUPPORT			
CS1	<p>The training shall focus on Project workers, contractors, community organizations and government agent officials involved in the Project.</p> <p>The training plan shall include the following:</p> <ul style="list-style-type: none"> • SEP and GM; • Performance of the Project (and incidence and accident reporting) • Workers and Community Health and Safety; • SEA/SH Risk Prevention and Management; • Traffic Management; • LMP and Labor GM • Codes of Conduct for the contractors’ workers including ESHS, OHS, SEA/SH, SEP and GM. 	Throughout the Project implementation	MAFRD/PIU