

**Nigeria: State Action on Business Enabling
Reforms (SABER) (Investment Project Financing
(IPF) TA Component)**

P177442

[Draft]

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

[August 10, 2022]

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Federal Republic of Nigeria (the Recipient) will implement the Investment Project Financing (IPF) Technical Assistance (TA) Component (the "Project") of the Nigeria: State Action on Business Enabling Reforms (SABER) Operation, with the involvement of the following Ministries/Agencies/Department, the Federal Ministry of Finance, Budget and National Planning, through the Home Finance Department (HFD), and the Presidential Enabling Business Environment Council (PEBEC)'s Enabling Business Environment Secretariat (EBES), as set out in the Financing Agreement. The International Development Association (the Association) has agreed to provide financing for the Operation as set out in the referred agreement(s). The Operation consists of a Program-for-Results Financing component (the "Program") and an Investment Project Financing component (the "Project").
2. The Recipient through the Home Finance Department (HFD) 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 Association. The ESCP is a part of the Financing Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreement(s).
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the FMFBNP's HFD and EBES 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 Association. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Association.
4. As agreed by the Association 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 and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Director of HFD. The FMFBNP's HFD 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 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 instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism(s).</p>	<p>Half yearly/six-monthly reports to the Association throughout Project implementation, commencing after the Effective Date.</p>	<p>Project Coordination Unit (PCU) at Home Finance Department (HFD)</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, including, inter alia, 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 Association’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 Association no later than 48 hours after learning of the incident or accident.</p> <p>Notify the Association of SEA/SH incidents within 24 hours of learning of the incident.</p> <p>Provide subsequent report to the Association within a timeframe acceptable to the Association, as requested.</p>	<p>PCU</p>
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Establish and maintain a PCU throughout the project implementation with qualified staff and resources to support management of ESHS risks and impacts of the Project, as a manner satisfactory to the Association.</p> <ul style="list-style-type: none"> Assign focal officials responsible for ensuring E&S PAP implementation Hire qualified part-time Environmental and full-time Social Officers/Consultants and provide capacity building/system strengthen program to strengthen their skills 	<p>Assign and share name of the assigned focal officials responsible for E&S with the Association before project effectiveness.</p> <p>One Environmental and one Social officer/consultant will be hired no later than three months after the effectiveness.</p> <p>Organizational structure to be maintained throughout Project implementation.</p>	PCU
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <ol style="list-style-type: none"> Prepare and disclose the Environmental and Social Management Plan Federal Ministry of Finance, Budget and National Planning, Home Finance Department, will apply the ESMP to ensure amongst other, but not limited to waste management, OHS, COVID-19 protocol/guidelines and sustainable procurement throughout the implementation. 	<ol style="list-style-type: none"> By three months of project effectiveness. Implement the ESMP throughout Project implementation. 	PCU
1.3	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that the consultancies, studies, capacity building, training, and any other technical assistance activities under the Project including the ESMP to be supported under the TA are carried out in accordance with terms of reference acceptable to the Association that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.</p>	Throughout Project implementation.	PCU
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES (LMP)</p>	By three months of project effectiveness, prepare and adopt the LMP and thereafter implement the LMP throughout Project implementation.	PCU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Prepare, Adopt and implement the Labor Management Procedures (LMP) as an annex in the ESMP for the Project, including, inter alia, 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.		
2.2	GRIEVANCE MECHANISM FOR PROGRAM WORKERS Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.	Grievance mechanism operational prior to engaging Project works and maintained throughout Project Implementation	PCU/PIUs
2.3	OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES Update and implement occupational health and safety measures (OHS), including emergency preparedness and response measures, Project workers training to heighten awareness of possible risks (PPE, first aid, firefighting equipment, etc.), injuries and to mitigate impacts on project workers. The OHS measures shall be updated before engagement of all consultants and workers including Independent Verification Agency to address work related risk and maintained throughout Project implementation.	Throughout the implementation	PCU/PIUs
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	WASTE MANAGEMENT PLAN Prepare and implement a Waste Management Plan (WMP) including office wastes, e-wastes, hazardous and non-hazardous wastes from vehicle maintenance, if applicable, as a part of the ESMP, to manage wastes, consistent with ESS3.	A part of the ESMP, six months after the project effectiveness. Implement the WMP throughout Project implementation.	PCU
3.2	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Incorporate resource efficiency and pollution prevention and management measures in the bidding document.	During preparation of any bidding document. During preparation of any terms of reference.	PCU
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	Security Management Protocol	Throughout the project implementation	PCU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Although the project activities are not envisaged to result in the large-scale use of security personnel, the project will conduct security risk assessment that will inform the preparation of Security Management Protocol, wherever relevant.		
4.2	<p>Fire Safety Plan</p> <p>Assess the life and fire safety risks of the buildings with public access and prepare the Fire Safety Plan as a part of the ESMP.</p>	<p>By three months of project effectiveness as a part of the ESMP.</p> <p>Implement the Fire Safety Plan throughout the implementation</p>	PCU
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT: This standard is not relevant for the Project.			
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES: This standard is not relevant for the Project.			
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES: This standard is not relevant for the Project.			
ESS 8: CULTURAL HERITAGE: This standard is not relevant for the Project.			
ESS 9: FINANCIAL INTERMEDIARIES: This standard is not relevant for the Project.			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Adopt and implement a Stakeholder Engagement Plan (SEP) for the Project, consistent with ESS 10, which shall include 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.</p>	<p><i>Adopt the SEP no later than the completion of the Project appraisal, and thereafter implement the SEP throughout Project implementation</i></p>	PCU
10.2	<p>PROGRAM 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><i>Establish the grievance mechanism no later than three months after project effectiveness, and thereafter maintain and operate the mechanism throughout Project implementation.</i></p>	PCU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	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.		
CAPACITY SUPPORT			
CS1	<p>Capacity support to PCU staff, stakeholders and, Project workers on:</p> <ul style="list-style-type: none"> • The E&S implementation and management in a PforR operation, results verification, consultation, communication, etc. • ESF Fundamentals • ESMP Implementation • GRM Training • Stakeholder mapping and engagement • Waste Management • Importance of Resource Efficiency and Sustainable Procurement • Occupational health and safety including on emergency prevention and preparedness 	<p><i>Throughout Project implementation .</i></p> <p><i>Other specific training such as ESF and ESMP implementation will be conducted within 4 months of project effectiveness.</i></p>	PCU with World Bank resource person support