

SOCIALIST REPUBLIC OF VIETNAM

SOUTHERN WATERWAYS LOGISTICS CORRIDORS PROJECT

DRAFT
ENVIRONMENTAL AND SOCIAL
COMMITMENT PLAN
(ESCP)

4th Revised Version

FEBRUARY 2022

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN



1. The Socialist Republic of Vietnam (the Borrower) shall implement the **Southern Waterways Logistic Corridors (SWLC) Project** (the Project), with the involvement of the following agencies: Ministry of Transport (MOT)/ Project Management Unit – Waterways (PMUW); Ho Chi Minh City and Dong Nai, Long An, Ben Tre, Tien Giang and Vinh Long Provincial People’s Committee (PPCs). The International Bank for Reconstruction and Development Bank (hereinafter the **Bank**) has agreed to provide financing for the Project.
2. The Borrower shall implement material measures and actions so that the Project is implemented in accordance with the Environmental and Social Standards (ESSs) of the Environmental and Social Framework (ESF) of the Bank. This Environmental and Social Commitment Plan (ESCP) sets out the responsibility of the Borrower for material measures and actions, any specific documents or plans, as well as the timing for each of these.
3. The Borrower shall also comply with the provisions of any other Environmental and Social (E&S) documents required under the Environmental and Social Framework (ESF) and referred to in this ESCP, such as Environmental and Social Impact Assessment (ESIA), Environmental and Social Management Plan (ESMP), Resettlement Policy Framework (RPF)/Resettlement Action Plans (RP), Ethnic Minority Planning Framework (EMPF), Ethnic Minority Development Plans (EMDP), Stakeholder Engagement Plan (SEP), Labor Management Procedures (LMP), and the timelines specified in those E&S documents.
4. The Borrower is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the Ministry, agency or unit referenced in Para 1 above.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Bank by the Borrower as required by the ESCP and the conditions of the legal agreement, and the Bank shall 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 Borrower, 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 Borrower, through the MOT/PMUW, shall agree to the changes with the Bank and shall update the ESCP to reflect such changes. Agreement on changes to the ESCP shall be documented through the exchange of letters signed between the Bank and the Minister of Transport. The Borrower, through the MOT/PMUW shall 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 Borrower 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, sexual exploitation and abuse, and sexual harassment.

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| MATERIAL MEASURES AND ACTIONS | | TIMEFRAME | RESPONSIBLE ENTITY/AUTHORITY |
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| MONITORING AND REPORTING | | | |
| A | <p>REGULAR REPORTING</p> <p>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>Quarterly internal monitoring reports by PMUW submitted to the Bank by the end of the first week of the subsequent quarter; and six-monthly independent monitoring reports by the Independent Environmental and Social Monitoring Consultant (IESMC) submitted to the Bank by the end of the first week of the subsequent six-month period</p> | MOT/PMUW |
| 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, for example, occupational accidents that could result in death or serious injury, cases of gender-based violence or violence against minors, injuries, falls, vehicle accidents and electrocution. 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 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>Report any incident or accident to the Bank within 24 hours and no later than 48 hours after becoming aware of the occurrence of the incident or accident. A subsequent report shall be provided within a timeframe acceptable to the Bank.</p> | MOT/ <u>PMUW</u> |

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| C | <p><i>INDEPENDENT THIRD-PARTY MONITORING</i></p> <p>Hire an independent environmental and social monitoring consultant to conduct periodic monitoring of ESHS implementation, particularly for civil works and preparation of monitoring reports. The Borrower shall implement the recommendations and findings of the consultant in a manner acceptable to the Bank.</p> | <p>Hire the consultant by no later than 30 days after the Effective Date and retain throughout Project implementation. Monitoring reports to be submitted to the PMUW every 6 months throughout project implementation.</p> | MOT/PMUW |
| D | <p><i>CONTRACTORS MONTHLY REPORTS</i></p> <p>Require contractors and supervising firms to provide monthly monitoring reports on ESHS performance in accordance with the contractor environmental and social management plans (C-ESMP) and ESHS metrics specified in the respective bidding documents and contracts, including : (i) environmental and social incidents or non-compliances with contract requirements, including contamination, pollution or damage to groundwater and surface water supplies; (ii) health and safety incidents, accidents, injuries that require treatment and all fatalities; (iii) interactions with regulators; (iv) status of all permits and agreements; (v) health and safety supervision; (vi) worker accommodation; (vii) health services; (viii) gender issues due to impact of labor influx; (ix) GBV/SEA/SH, child or forced labor; (x) training; (xi) environmental and social supervision; (xii) grievances; (xiii) Traffic, road safety and vehicles/equipment; (xiv) environmental mitigations and issues; and (xv) compliance; and submit such reports to the Bank</p> | <p>Monthly progress and monitoring reports shall be prepared and submitted throughout the Project implementation.</p> | MOT/PMUW |
| ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS | | | |

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| 1.1 | <p><i>ORGANIZATIONAL STRUCTURE</i></p> <p>Maintain the PMUW with qualified staff and resources to support management of E&S risks and impacts of the Project including at least one Environmental Specialist and one Social Development Specialist responsible for ensuring compliance with the ESF and relevant instruments, a Grievance Redress Mechanism (GRM) focal point to provide essential coordination of different administrative levels for handling complaints in a timely and satisfactory manner; and other specialists (e.g. community engagement specialist) as and when required.</p> | <p>PMUW has been established and shall be maintained, as set out in the Loan Agreement. Three (3) specialists including one (1) Environmental Specialist, one (1) Social Specialist and one (1) GRM focal person shall be hired or appointed no later than 30 days after the Effective Date of the Loan Agreement.</p> | <ul style="list-style-type: none"> • MOT/ PMUW |
| 1.2 | <p><i>ENVIRONMENTAL AND SOCIAL ASSESSMENT</i></p> <p>Update, re-disclose, and implement the Environmental and Social Impact Assessment (ESIA), including an Environmental and Social Management Plan (ESMP), in a manner consistent with the relevant ESSs and acceptable to the Bank.</p> | <p>Implement throughout the Project implementation.</p> | <ul style="list-style-type: none"> • MOT/PMUW |

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| <p>1.3</p> | <p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including the relevant E&S documents and/or plans, and the LMP, OHS management plan, sexual exploitation and abuse/sexual harassment code of conduct, and GRM into the procurement documents with contractors.</p> <p>Require contractors to prepare and implement C-ESMPs consistent with the requirements of the procurement documents and E&S documents and/or plans.</p> <p>Monitor the performance of the contractors to ensure that they comply with the ESHS requirements of their respective contracts, including C-ESMPs.</p> | <p>Prior to the preparation of Project procurement documents.</p> <p>C-ESMPs to be adopted prior to the commencement of any works, and implemented throughout contract implementation.</p> <p>Supervise contractors throughout Project implementation.</p> | <ul style="list-style-type: none"> • MOT/PMUW |
| <p>1.4</p> | <p>TECHNICAL ASSISTANCE</p> <p>Ensure that the consultancies, studies (including feasibility studies), capacity building, training, and any other technical assistance activities under the Project, are carried out in accordance with terms of reference acceptable to the Bank, that are consistent with the ESSs.</p> <p>Ensure that any outputs from the technical assistance activities, including, inter alia, any environmental and social instruments, are consistent with the ESSs.</p> | <p>Throughout Project implementation. TORs to be approved by the Bank prior to advertising.</p> | <ul style="list-style-type: none"> • MOT/PMUW |

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| 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> | Throughout Project implementation. | MOT/PMUW |
| ESS 2: LABOR AND WORKING CONDITIONS | | | |
| 2.1 | <p>LABOR MANAGEMENT PROCEDURES</p> <p>Update, adopt, and implement the LMP that have been developed for the Project to address labor risks, including (but not limited to) provisions on: occupational, health and safety (OHS) measures; prevention of child and forced labor; emergency preparedness and response; grievance redress mechanism (GRM) for Project/Subprojects workers; training of Project/Subprojects workers on key issues including OHS and GBV/SEA/SH prevention; management of labor influx; and COVID-19 prevention and control.</p> | Adopt prior to engaging Project workers, and thereafter implement and maintain throughout Project implementation. | MOT/ PMUW <ul style="list-style-type: none"> • |
| 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> | Grievance mechanism operational prior to engaging Project workers, information to be disseminated to Project workers prior to commencing any works, and the grievance mechanism to be maintained throughout Project implementation. | MOT/PMUW |

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| 2.3 | <p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>Prepare, adopt, and implement occupational, health and safety (OHS) measures specified in the Project’s ESIA/ESMP (including OHS risks related to the transmission of communicable diseases). Ensure that contractors develop, implement and maintain OHS management plan(s).</p> | Adopt by no later than 30 days after the effective date of the loan agreement and thereafter implement and maintain throughout the Project implementation. | <ul style="list-style-type: none"> • MOT/PMUW |
| ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT | | | |
| 3.1 | <p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Incorporate resource efficiency and pollution prevention and management measures in the ESIA/ESMP to be prepared under action 1.2 above.</p> | Same timeframe as for the adoption and implementation of the ESIA/ESMP | <ul style="list-style-type: none"> • MOT/PMUW |
| 3.2 | <p>DREDGED MATERIAL MANAGEMENT PLAN (DMMP)</p> <p>Prepare, adopt, and implement the Dredged Material Management Plan (DMMP) as part of the ESMP for the activities that require dredging works.</p> | Adopt DMMP prior to the commencement of any dredging activities, and implement throughout Project implementation. | <ul style="list-style-type: none"> • MOT/PMUW |
| ESS 4: COMMUNITY HEALTH AND SAFETY | | | |
| 4.1 | <p>TRAFFIC AND ROAD SAFETY</p> <p>Conduct and complete clearance of unexploded ordnances as required in the ESIA/ESMP to be developed under action 1.2 above.</p> <p>Adopt and implement measures and actions to assess and manage traffic, roads and waterway safety risks as required in the ESIA/ESMP to be developed under action 1.2 above.</p> | <p>UXO clearance to be conducted after the completion of any resettlement and/or compensation activities required under the RPF, and before the commencement of any construction activities.</p> <p>Throughout Project implementation.</p> | <ul style="list-style-type: none"> • MOT/PMUW |

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| 4.2 | <p>COMMUNITY HEALTH AND SAFETY</p> <p>Prepare, adopt and implement the measures and actions to manage specific risks and impacts to the community arising from Project activities, including, inter alia, behaviour of Project workers, risks associated with labor influx, the risk of GBV/SEA/SH, the risk of transmission of communicable diseases due to Project activities, response to emergency situations including prevention and control of COVID-19 and other infectious medical wastes as included in the ESMP, in a manner acceptable to the Bank.</p> | Same timeframe as for the adoption and implementation of the ESMPs. | <ul style="list-style-type: none"> • MOT/PMUW |
| 4.3 | <p>GBV AND SEA-SH RISKS</p> <p>Prepare, adopt, and implement measures and actions to assess and manage the risks of gender-based violence (GBV) and sexual exploitation and abuse (SEA). This shall include, inter alia:</p> <ol style="list-style-type: none"> Measures and actions to assess and manage the risks of gender-based violence (GBV) and sexual exploitation and abuse (SEA) detailed in the LMP and ESMP. Engaging a qualified institution to conduct community and workers’ training and awareness on, GBV & SEA. Awareness raising on grievance/feedback processes for reporting SEA & GBV cases. | <p>Throughout the execution of the Project:</p> <ol style="list-style-type: none"> Same timeframe as for the adoption and implementation of the ESIA/EMSP prior to commencement of construction and maintained throughout Project implementation; quarterly awareness raising campaigns through the stakeholder’s engagement meetings. | MOT/PMUW |
| 4.5 | <p>SECURITY PERSONNEL</p> <p>If the security personnel are required for the Project, prepare, adopt, and implement a stand-alone Security Personnel Management Plan consistent with the requirements of ESS4, in a manner acceptable to the Bank.</p> | Prior to engaging security personnel, and maintained and implemented throughout Project implementation. | <ul style="list-style-type: none"> • MOT/PMUW |
| ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT | | | |

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| 5.1 | RESETTLEMENT POLICY FRAMEWORK Update, adopt and implement the Resettlement Policy Framework, that has been prepared for the Project. | Updated RPF to be adopted and disclosed prior to the Effective Date. | MOT/PMUW • |
| 5.2 | RESETTLEMENT ACTION PLANS Prepare, adopt, and implement resettlement plans (RAPs) or abbreviated resettlement action plan for each of the five provinces in accordance with ESS 5 and consistent with the requirements of the RPF, and thereafter adopt and implement the respective RAPs before carrying out the associated activities, in a manner acceptable to the Bank. | RAPs to be submitted for Bank and PPC approval and once approved, implemented prior to the commencement of any Project activities that involve land acquisition and resettlement | PPCs/MOT/PMUW |
| ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES | | | |
| 6.1 | BIODIVERSITY RISKS AND IMPACTS: Assess risks and impacts on biodiversity and implement the mitigation measures consistent with ESS6 and the ESIA/ESMP. | Same timeframe as for the adoption and implementation of the ESIA/EMSP | • MOT/PMUW |
| ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES | | | |
| 7.1 | ETHNIC MINORITY PLANNING FRAMEWORK Prepare, consult, adopt, disclose, and implement an Ethnic Minority Planning Framework (EMPF) for the Project, consistent with ESS7. | Updated EMPF to be adopted and disclosed prior to the Effective Date. | PPCs/MOT/PMUW |
| 7.2 | ETHNIC MINORITY DEVELOPMENT PLAN Prepare, consult, adopt, disclose, and implement the Ethnic Minority Development Plan (EMDP) for each of the [number] provinces where the ethnic minorities are presence, in accordance with the EMPF and the ESS7. | EMDPs to be submitted for Bank approval and once approved, implemented prior to the commencement of any Project activities that require the preparation of such EMDP. Once adopted, implement the respective EMDP throughout Project implementation. | PPCs/MOT/PMUW |

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| ESS 8: CULTURAL HERITAGE | | | |
| 8.1 | <p>CHANCE FINDS PROCEDURE</p> <p>Implement the cultural heritage mitigation measures and chance finds procedure described in the Project ESMP.</p> | Same timeframe as for the adoption and implementation of the ESIA/EMSP | <ul style="list-style-type: none"> MOT/PMUW |
| ESS 9: FINANCIAL INTERMEDIARIES | | | |
| <p>No financial intermediaries are expected to be involved in the SWCL Project; this standard is not relevant for the Project.</p> | | | |
| ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE | | | |
| 10.1 | <p>STAKEHOLDER ENGAGEMENT PLAN</p> <p>Update, adopt, disclose, and implement the Stakeholder Engagement Plan (SEP).</p> | Throughout Project implementation. | <ul style="list-style-type: none"> MOT/PMUW |
| 10.2 | <p>PROJECT GRIEVANCE MECHANISM</p> <p>Prepare, adopt, maintain and operate a grievance mechanism, as described in the SEP.</p> | Grievance mechanism to be operational prior to the commencement of any resettlement activities and by no later than [XX], and maintained throughout Project implementation. | <ul style="list-style-type: none"> MOT/PMUW |

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| | CAPACITY SUPPORT (TRAINING) | Targeted Groups and Time Frame for Delivery | |
| | Training on: (i) the Bank’s ESF, (ii) stakeholder mapping and engagement; (iii) implementation of RP, ESMP, SEP, LMP, EMDP; (iv) grievance redress; (v) environmental and social supervision, monitoring, and reporting; and (v) labor management procedures for PMUW’s Environment & Social Safeguards Team and various stakeholders. | PMUW’s Environment & Social Safeguards Team and various stakeholders throughout Project implementation. Before project implementation and maintained throughout Project implementation where necessary. | <ul style="list-style-type: none"> • MOT/PMUW |
| | Training on: (i) occupational health and safety; and (ii) Labor and Working Conditions for Project’s workers | Project workers throughout Project implementation. | <ul style="list-style-type: none"> • MOT/PMUW |
| | Training on: (i) Gender-Based Violence Risk Mitigation; and (ii) Disability inclusion. | Project staff, contractors, and contractor employees as well as local Communities participating in the Project, particularly women) throughout Project implementation. | <ul style="list-style-type: none"> • MOT/PMUW |