

**Government of Nepal
National Planning Commission**

**Unlocking Human Capital for a Prosperous Nepal
(P167531)**

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

April 2021

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Government of Nepal (GoN) will implement the **Unlocking Human Capital for a Prosperous Nepal Project** (the **Project**), with the involvement of the National Planning Commission (NPC). 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 ESF and referred to in this ESCP, such as the Environmental and Social Management Framework (ESMF), Environmental and Social Management Plans (ESMP), Resettlement Framework (RF) and Stakeholder Engagement Plan (SEP), and the timelines specified in 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 NPC.
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 or the National Planning Commission (NPC) 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 or NPC. The GoN or NPC will promptly disclose the updated ESCP.
7. Where Project changes, 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> | Every six months throughout Project implementation. Report should be received by the Bank not later than 2 weeks after the end of the 6-month period. | Project Management Unit (PMU) – NPC |
| 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. 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.</p> | Any incident or accident shall be notified to the Bank within 24 hours after learning of the incident or accident. A report will be provided within a month after learning of the incident or accident, acceptable to the Bank, as requested. | PMU |
| C | <p>THIRD PARTY MONITORING</p> <p>External or third-party monitoring or independent audit 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.</p> | Three times during project implementation (tentatively, first year of implementation, at mid-term and during the final year of project implementation. | PMU (hire/ engage third party by six month of project effectiveness) |
| 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/GBV Specialist within the PMU structure with qualified staff and resources to support management of E&S risks throughout the Project implementation. Similarly, the local level (LL)-PMUs will be established with a social/environmental staff to support management of E&S risks at the local level throughout the Project implementation.</p> | A PMU including at least three (3) specialists (Environmental, Social and Gender/GBV) and LL-PMU with a social/environmental staff will be established within 90 days after Project effectiveness. The organizational structure, including the specialists, shall be maintained throughout Project implementation. | PMU |

| MATERIAL MEASURES AND ACTIONS | | TIME FRAME | RESPONSIBLE ENTITY/AUTHORITY |
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| 1.2 | <p>ENVIRONMENTAL AND SOCIAL ASSESSMENT</p> <p>a. Update, adopt, and implement, the Environmental and Social Management Framework (ESMF) that has been prepared for the Project, in a manner acceptable to the World Bank.</p> <p>b. Prepare, disclose, adopt, and implement any environmental and social management plans or other instruments required for the respective Project activities/ subproject 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>a. Final ESMF shall be finalized, disclosed, consulted, and adopted before project effectiveness date.</p> <p>b. Before implementing relevant activities/subproject, and thereafter throughout the implementation of such activities/ subproject.</p> | <p>PMU Subproject/ activity implementing entity</p> |
| 1.3 | <p>MANAGEMENT TOOLS AND INSTRUMENTS</p> <p>Screen any proposed subproject in accordance with the ESMF prepared for the Project, and, thereafter, draft, adopt, and implement the subproject Environmental and Social Management Plan (ESMP), or other specific activity/ subproject instrument as required, in a manner acceptable to the World Bank.</p> | <p>Prior to approval of the sub-projects/ activity, and thereafter, apply throughout project implementation.</p> | <p>PMU Activity / subproject Implementing Entity Contractors</p> |
| 1.4 | <p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including the relevant E&S documents and/or plans, and the Labor Management Procedures, into the ESHS specifications of the procurement documents with contractors. Thereafter ensure that the contractors comply with the ESHS specifications of their respective contracts.</p> | <p>During preparation of the bidding documents.</p> <p>Maintain throughout Project implementation.</p> | <p>PMU Activity/ subproject Implementing Entity</p> |
| 1.5 | <p>PERMIT, CONSENTS AND AUTHORIZATIONS</p> <p>As appropriate, obtain permits, consents, no-objections, and authorizations, including environmental licenses and work permits that are applicable to the subproject/ activity from relevant national and/or local authorities.</p> <p>As appropriate, comply with the conditions established in these permits, consents and authorizations throughout Project implementation.</p> | <p>Obtain licenses and permits prior to carrying out any subproject / activity requiring a license.</p> | <p>NPC/PMU Activity/ subproject Implementing Entity to ensure compliance.</p> <p>To be monitored by the external or third-party monitoring agency</p> |

| MATERIAL MEASURES AND ACTIONS | | TIME FRAME | RESPONSIBLE ENTITY/AUTHORITY |
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| ESS 2: LABOR AND WORKING CONDITIONS | | | |
| 2.1 | <p>LABOR MANAGEMENT PROCEDURES</p> <p>Adopt Labor Management Procedures (LMP) as part of the Project ESMF and elaborate/ tailored the LMP provisions to the subproject/ activity in the ESMP and implement throughout.</p> | Final LMP by the project effectiveness, tailor to subproject/ activity in the respective ESMP, and comply throughout implementation. | PMU Subproject/ activity implementing entity. |
| 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 and maintained throughout Project implementation. | PMU |
| 2.3 | <p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>Prepare and incorporate Occupational Health and Safety (OHS) measures consistent with ESS2, the World Bank Group Health and Safety (EHS) Guidelines and relevant national legislation into site-specific ESIA/ESMPs. These will include workplace safety measures including personal protective equipment, first aid measures, work site protection measures, fire-fighting equipment, etc., labour camp facilities, accidents and emergency response measures, Project workers' training to enhance awareness of possible risks, and protocols for local community safety.</p> | Contractual obligations will be maintained throughout the Project implementation. OHS measures and plan will be developed before commencement of works at any of the sites. LMPs will be applied throughout Project implementation. | PMU Implementing entity Contractor |
| ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT | | | |

| MATERIAL MEASURES AND ACTIONS | | TIME FRAME | RESPONSIBLE ENTITY/AUTHORITY |
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| 3.1 | <p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT:</p> <p>a. Relevant aspects of this standard will be considered, as needed, under action 1.2 above, including, inter alia, measures to manage health care wastes, and other types of hazardous and non-hazardous wastes. These measures will be incorporated, where applicable, into the design of each activity/ subproject as applicable, and implemented through the ESMPs prepared under action 1.3 above.</p> <p>b. While upgrading existing and/or constructing new healthcare facilities, educational facilities and water and sanitation facilities, the Recipient will ensure adoption of energy and water efficiency measures consistent with ESS3, as guided in the ESMF, and as per the national law, guidelines and policies and ensure proper disposal of construction wastes.</p> <p>c. Prepare, adopt, and implement, where relevant, a Hazardous Waste/ E-Waste Management Plan, commonly as part of the ESMP, to manage risks such as from batteries, health care wastes, asbestos and e-waste etc. in a manner acceptable to the bank.</p> | <p>a. ESMPs will be developed as required before the activity/ subproject is commenced and will be implemented throughout the subproject/ activity implementation.</p> <p>b. Energy and water efficiency measures will be carried out throughout the subproject implementation.</p> <p>c. During screening, if significant Hazardous Waste/ E-Waste issues are anticipated, a standalone Hazardous Waste/ E-Waste Management Plan will be prepared. Otherwise, hazardous waste / e-waste management will be included as part of the ESMPs.</p> <p>d. The Hazardous Waste/ E-Waste Management Plan acceptable to the bank will be prepared before implementing a subproject/ activity. Once approved, the measures therein will be continued throughout the subproject/ activity implementation.</p> | PMU |
| ESS 4: COMMUNITY HEALTH AND SAFETY. | | | |

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| 4.1 | COMMUNITY HEALTH AND SAFETY: Prepare, adopt, and implement measures and action to assess and manage specific risks and impacts to the community arising from Project activities behavior of Project workers, risks of labor influx, and include these measures in the ESMPs or other instrument to be prepared in accordance with the ESMF and relevant national laws, in a manner acceptable to the Bank. | Prior to subproject implementation (during preparation of ESMP or required instrument). Implement the measures throughout the subproject/ activity implementation. | PMU Subproject/ activity implementing entity. |
| 4.2 | GBV AND SEA RISKS: Prepare, adopt, and implement measures to manage risks of sexual exploitation and abuse and sexual harassment (SEA/SH) as part of ESMF preparation and include these in ESMPs. | Prior to subproject implementation. Implement measures throughout the subproject/activity implementation. | PMU Subproject/ activity implementing entity |
| ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT | | | |
| 5.1 | RESETTLEMENT POLICY FRAMEWORK: No land acquisition is expected as part of project implementation. However, a Resettlement Policy Framework (RPF) for the Project prepared in accordance with ESS5 and included in the ESMF will be adopted. | Prior to project effectiveness. | PMU |
| 5.2 | RESETTLEMENT PLANS: Where required, prepare, adopt, and implement Resettlement Action Plans (RAPs) for sub-projects consistent with the requirements of the RPF of the Project. | If needed, prior to the approval of subprojects but before involuntary taking of land. | PMU Subproject/ activity implementing entity |
| ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES | | | |
| 6.1 | BIODIVERSITY RISKS AND IMPACTS: Not applicable for this project. | | |
| ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES | | | |
| 7.1 | MEASURES FOR INDIGENOUS PEOPLES: Adopt, and implement an Indigenous Peoples Planning Framework (IPPF) consistent with the requirements of the ESS7 included in the ESMF. Where relevant, prepare, adopt, and implement Indigenous Peoples Plans (IPPs) for sub-projects consistent with the requirements of the IPPF of the Project. | Prior to Project effectiveness and throughout project implementation | PMU |
| ESS 8: CULTURAL HERITAGE | | | |
| 8.1 | CHANCE FINDS Adopt, and implement the chance finds procedure described in the ESMF developed for the Project. | Before implementation a subproject/ activity and throughout subproject/ activity implementation. | PMU Implementing entity contractor |
| ESS 9: FINANCIAL INTERMEDIARIES | | | |
| | Not relevant. No financial intermediary is involved in the Project. | | |

| ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE | | | |
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| 10.1 | <p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Consult, adopt and implement a 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.</p> | The SEP has already been prepared, which needs to be disclosed. The SEP will be maintained and implemented throughout the Project implementation. | PMU |
| 10.2 | Organize consultations with project stakeholders, including vulnerable or marginalized groups, or with representatives such as CSOs and community organization who can speak on their behalf, in the project area to inform them about the project objectives and activities, and to seek their concerns and feedback. Revise the SEP to address their concerns and comments as required | Prior to Project effectiveness. | PMU |
| 10.3 | <p>PROJECT GRIEVANCE MECHANISM:</p> <p>Prepare, adopt, maintain, and operate a grievance mechanism, as described in the SEP.</p> | Thirty (30) days after Project effectiveness and maintained throughout Project implementation. | PMU |
| CAPACITY SUPPORT (TRAINING) | | | |
| CS1 | <p>Training topics will among others include for construction workers and operational personnel of Early Child Care Centers, upgrading Health Care Facilities.</p> <ul style="list-style-type: none"> ○ Waste disposal and management ○ Labor practices ○ Occupational health and safety, community health and safety, sexual exploitation and abuse and sexual harassment (SEA/SH) ○ Issues related to indigenous peoples, poor and vulnerable groups <p>Additional training will be identified during Project implementation.</p> | During implementation | PMU |
| CS2 | Provide environmental and social specialists at the local level or implementing entity as needed. | During Implementation | PMU |