

Timor Leste Water Supply and Sanitation Project (P167901)

ENVIRONMENTAL and SOCIAL COMMITMENT PLAN (ESCP)

June 112021

Prepared By:

**Ministry of Public Works
Democratic Republic of Timor-Leste**

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Democratic Republic of Timor-Leste is planning to implement Timor Leste Water Supply and Sanitation Project (the **Project**), with the involvement of the Ministry of Public Works. The International Development Association(*hereinafter the Association*) has agreed to provide financing for the Project.
2. The Democratic Republic of Timor-Leste, through the Ministry of Public Works 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 Democratic Republic of Timor-Leste, through the Ministry of Public Works 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 Plan (ESMP), Resettlement Policy Framework (RPF), Resettlement Action Plan (RAP), Labor Management Plan (LMP) and Stakeholder Engagement Plan (SEP), and the timelines specified in those E&S documents.
4. The Democratic Republic of Timor-Leste 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 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 Democratic Republic of Timor-Leste 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 Democratic Republic of Timor-Leste, 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 Democratic Republic of Timor-Leste, through the Ministry of Public Works 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 Democratic Republic of Timor-Leste. The Democratic Republic of Timor-Leste 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 Democratic Republic of Timor-Leste shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts, which may include environmental, social, health, and safety impacts, labor influx, gender-based violence.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
MONITORING AND REPORTING			
A	REGULAR REPORTING 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 documents required under the ESCP, any project changes or unforeseen circumstances that warrant the revision to the ESCP, stakeholder engagement activities, functioning of the grievance mechanism(s).	Semi-annually throughout Project implementation.	PMU through the Contractors
B	INCIDENTS AND ACCIDENTS 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 fatality, loss time accident, gender-based violence, and social unrest. 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.	Notify the PMU and Bank within 24 hours after learning of the incident or accident. A written report will be provided to the PMU and Bank within 48 hours after the occurrence of the incident or accident.	PMU and Contractors
C	CONTRACTORS REPORTS In contracts for works using the Bank's standard procurement documents, contractors are required to provide weekly and monthly monitoring reports to the Project Implementing Unit. Contractor monthly reports to be submitted to the Bank by the Borrower.	Weekly and monthly throughout Project implementation.	Supervising Engineer and Contractors
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	ORGANIZATIONAL STRUCTURE Establish and maintain an organizational structure in the Project Management Unit (PMU) and/or within the DED consultant with qualified staff and resources to support management of E&S risks including engagement of environmental specialist, social development specialist and a health and safety specialist.	Organizational structure including the three specialists established within 30 days of establishing the PMU and maintained throughout project implementation.	Project Management Unit (PMU) and DED Consultant

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.2	<p>ENVIRONMENTAL AND SOCIAL ASSESSMENT</p> <p>Prepare, adopt and implement an Environmental Social Impact Assessment (ESIA) and Environmental Social Management Plan (ESMP) based on the information from IEE (Initial Environment Evaluation) report and EMP (Environmental Management Plan) of Bacau Project (“IEE and EMP Bacau project”) in the Master plan in a manner acceptable to the Bank.</p> <p>Ensure the information obtained from ESIA/ESMP provides input into the DED process including project sitting, type of treatment, analysis of alternatives.</p> <p>Implement the mitigation measures contained in the ESMP throughout the Project implementation</p>	ESIA and ESMP submitted for Bank’s clearance prior to bidding of construction works and mitigation measures carried out through project implementation.	<p>Bee Timor-Leste(BTL) through DED Consultant (part of DED scope of work)</p> <p>Source of budget: GoTL</p>
1.3	<p>STAKEHOLDER CONSULTATION</p> <p>Stakeholder consultation of the ESIA and ESMP three weeks after disclosure date of the final draft of the ESIA and ESMP.</p>	Stakeholders consultation is part of ESIA and ESMP preparation and carried out throughout project implementation.	<p>BTL through DED Consultant (part of DED scope of work)</p> <p>Source of budget: GoTL</p>
1.4	<p>MANAGEMENT TOOLS AND INSTRUMENTS</p> <p>Implement the Environmental and Social Management Plan (ESMP), as required, in a manner acceptable to the Bank. The ESMP to be submitted for the Bank approval before launching of the bidding process. Once approved, the ESMPs are carried out throughout Project Implementation.</p>	ESMP submitted for Bank’s clearance prior to bidding of construction works and mitigation measures carried out throughout project implementation.	<p>BTL through DED Consultant (part of DED scope of work)</p> <p>Source of budget: GoTL</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.5	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the requirements of the ESMP, and the Labor Management Procedures, into the Environmental, Social, Health, Safety (ESHS) specifications of the procurement documents for bidders. Thereafter ensure that the appointed contractor(s) comply with the ESHS specifications of their respective contracts.</p> <p>Contractor to prepare, adopt and implement Contractor Environmental and Social Management Plan (CESMP) that addresses the requirements of the ESHS specifications in the procurement documents (see CESMP commitment under ESS 3).</p>	CESMP submitted for Bank's clearance prior to commencement of construction works and mitigation measures carried out throughout project implementation.	<p>BTL and Contractor</p> <p>Source of budget: GoTL</p>
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Prepare, adopt, and implement the Labor Management Procedures (LMP) in accordance with the GoTL's legal framework and ESS2. This LMP is applicable to direct workers, contracted workers and community workers.</p>	LMP submitted for Bank's clearance prior to bidding of construction works and carried out throughout project implementation.	PMU, DED Consultant and Contractor
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 as part of LMP submitted for Bank's clearance prior to bidding of construction works and carried out throughout project implementation.	PMU, DED Consultant and Contractor
2.3	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>Prepare, adopt, and implement occupational, health and safety (OHS) standard operating procedures (SOPs) and measures specified in the ESMP.</p>	OHS measures as part of LMP submitted for the Bank's clearance prior to bidding of construction works and carried out throughout project implementation.	PMU, DED Consultant and Contractor
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
3.1	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT: Resource efficiency and pollution prevention and management measures are covered under the ESMP and Contractor ESMP (CESMP). Specifically, the CESMP will include standard operating procedures (SOPs) for integrated waste management during construction and operation phases.</p> <p>Prepare, adopt and implement a CESMP.</p>	CESMP submitted for Bank's clearance prior to commencement of construction works and mitigation measures carried out throughout project implementation.	Contractors with oversight from Supervision Engineer and BTL
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>TRAFFIC AND ROAD SAFETY: Prepare, adopt and implement measures and actions to assess and manage traffic and road safety risks as required in the ESMP and CESMP.</p>	CESMP submitted for Bank's clearance prior to commencement of construction works and mitigation measures carried out throughout project implementation.	Contractors with oversight from Supervision Engineer and BTL
4.2	<p>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, including risks of labor influx, response to emergency situations, and include these measures in the CESMP, in a manner acceptable to the Bank.</p>	CESMP submitted for Bank's clearance prior to commencement of construction works and mitigation measures carried out throughout project implementation.	Contractors with oversight from Supervision Engineer and BTL
4.3	<p>GBV AND SEA RISKS: Prepare, adopt, and implement a Conduct of Conduct on preventing Gender-Based Violence (GBV) and Sexual Exploitation and Abuse (SEA) for project construction, as part of the CESMP.</p>	<p>CESMP submitted for Bank's clearance prior to commencement of construction works and mitigation measures carried out throughout project implementation.</p> <p>GBV and SEA requirements to be incorporated into bidding of construction works.</p>	Contractors with oversight from Supervision Engineer and BTL
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT the relevance of ESS5 is established during the ESA process.			

5.1	RESETTLEMENT POLICY FRAMEWORK (RPF): finalize, adopt and implement a Resettlement Policy Framework that combines the provisions of the relevant Timor Leste Land Acquisition and Resettlement and Rehabilitation laws and the World Bank ESS5 Provisions on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, and outlines procedures that will be applicable to the project in this respect.	RPF applied for the preparation of RP.	BTL, MoPW, GoTL. Source of budget: GoTL
5.2	RESETTLEMENT PLAN (RP): in the event that involuntary resettlement is confirmed for the purpose of land acquisition, prepare, adopt and implement Resettlement Plan consistent with the requirements of Government of Timor-Leste laws and regulations as well as ESS5. The plan will include details of consultations and engagement with affected people, livelihoods restoration measures and available GRM processes to affected land owners.	RP submitted for Bank's clearance prior to settlement and carried out during the resettlement.	DED Consultant (part of DED scope of work) Source of budget: GoTL
5.3	GRIEVANCE MECHANISM: prepare, adopt, and implement a Grievance Redress Mechanism (GRM) for external stakeholders on issues related to Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.	GRM established prior to land acquisition and construction works and carried out throughout project implementation.	DED Consultant (part of DED scope of work) Source of budget: GoTL
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES the relevance of ESS6 is established during the ESA process.			
6.1	BIODIVERSITY PROTECTION: Assessment of biodiversity and its mitigation is covered under the ESMP that is prepared under the DED scope of work. Contractor to adopt and implement biodiversity mitigation measures in its CESMP.	ESMP submitted for Bank's clearance prior to bidding of construction works and mitigation measures carried out throughout project implementation. CESMP submitted for Bank's clearance prior to commencement of construction works and mitigation measures carried out throughout project implementation.	DED Consultant (part of DED scope of work) and Contractors Source of budget: GoTL
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES the relevance of ESS7 is established during the ESA process.			
7.1	MEANINGFUL CONSULTATION: Implement the SEP including the elements of an IPP for meaningful consultations and participation to contribute to project design and implementation (DED).	To be applied throughout the project design (ESIA and ESMP preparation) and implementation.	PMU, Consultants and Contractors

7.2	GRIEVANCE MECHANISM: address the specific grievances of Indigenous Peoples (IP) communities through meaningful consultations and if needed free, prior and informed consultations.	To be finalized and to be applied throughout the project design (ESIA and ESMP preparation) and implementation.	PMU, Consultants and Contractors
ESS 8: CULTURAL HERITAGE the relevance of ESS8 is established during the ESA process.			
8.1	INTANGIBLE CULTURAL HERITAGE: In the event that the environmental and social impact assessment (ESIA) confirms that intangible cultural heritage that is material to the identity and/ or cultural, ceremonial, or spiritual aspects of the local communities is unavoidably and significantly impacted, the project design will incorporate the necessary elements.	ESIA and ESMP submitted for Bank's clearance prior to bidding of construction works and mitigation measures carried out throughout project implementation.	DED Consultant Source of budget: GoTL
8.2	CHANCE FIND PROCEDURE: Prepare, adopt, and implement the chance finds procedure.	Submitted for Bank's clearance prior to bidding of construction works and mitigation measures carried out throughout project implementation.	Contractor Source of budget: loan proceeds under Project Implementation Support
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Finalize, adopt and implement Stakeholder Engagement Plan (SEP).	During ESIA and ESMP preparation and applied through project design and implementation.	BTL
10.2	PROJECT GRIEVANCE MECHANISM: Finalize, adopt, maintain and operate a grievance mechanism, as described in the SEP.	To be finalized and applied throughout the project design (ESIA and ESMP preparation) and implementation.	BTL
CAPACITY SUPPORT (TRAINING)			
CS1	OCCUPATIONAL HEALTH AND SAFETY TRAININGS: for project and contractor workers, including emergency preparedness and response drills	After contractor award for construction works and quarterly during construction.	Contractor
CS2	GRIEVANCE HANDLING TRAINING: for project and contractor workers to effectively manage and resolve project grievances	After contractor award for construction works and semi-annually during construction.	PMU and Contractor