

**INDEPENDENT STATE OF SAMOA
DIGITAL SAMOA PROJECT (P180807)**

Draft

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

August 2024

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Independent State of Samoa (the Recipient) will implement the Digital Samoa Project (the Project), with the involvement of the Ministry of Finance (MOF), Ministry of Communications and Information Technology (MCIT) and Office of the Regulator (OoTR), as set out in the Financing Agreement between the International Development Association (the Association) and the Recipient. The Association has agreed to provide 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 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.
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 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 through the Ministry of Finance and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Recipient's Chief Executive Officer, Ministry of Finance. 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 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>	Submit six-monthly reports to the Association throughout Project implementation, commencing after the Effective Date. Submit each report to the Association no later than 60 days after the end of each reporting period.	Ministry of Communications and Information Technology (MCIT) and Office of the Regulator (OoTR),
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. 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>Provide subsequent report to the Association within a timeframe acceptable to the Association.</p>	MCIT and OoTR
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 Association.</p>	Submit the monthly reports to the Association as annexes to the reports to be submitted under action A above, or as requested.	MCIT and OoTR
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>1. Establish and maintain a Sector Coordination Division within MCIT with qualified staff and resources to support management of ESHS risks and impacts of the Project including an Environmental and Social Specialist.</p> <p>2. Engage/appoint a Communications Specialist and additional environmental and/or social specialists by MCIT under the SCD, to support the implementation of the Project, if and when required.</p>	1. Engage/appoint an Environmental and Social Specialist within 1 months of the Effective Date and thereafter maintain this position and other positions as required, throughout Project implementation	MCIT and OoTR

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
		2. Engage/appoint a Communications Specialist and additional environmental and/or social specialists as required during the implementation of the Project.	
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>1. Incorporate the rapid analysis of Samoa's environmental and social framework against the World Bank's Environmental and Social Framework relevant to Project activities and risks into the Project Operation Manual. Also, incorporate any gap filling measures into the POM.</p> <p>2. Prepare, adopt and implement environmental and social screening process as part of the POM, including site and technology screening for project financed infrastructure activities to the satisfaction of the Association.</p> <p>3. Prepare, adopt and implement Environmental and Social Assessments – ESAs (i.e. Preliminary Environmental Assessment Report(PEAR) or Comprehensive Environmental Assessment Report(CEAR) or whatever management instruments) for project financed infrastructure activities, in accordance with the Recipient's Environmental and Social Framework as outlined in Ministry of Works and Infrastructure Act 2002, Planning and Urban Management Act 2004, Environmental Impact Regulations 2007, Codes of Environmental Practice 2007 and other relevant legislation, and ESS1, to the satisfaction of the Planning and Urban Management Authority (PUMA) and the Association.</p> <p>4. Prepare, adopt and implement due diligence of privacy and data security risks associated with the project in accordance with arrangements specified in the POM and acceptable to the Association, including measures to integrate privacy and data protection into activity design and support the development of strong legal and regulatory frameworks</p>	<p>1. Incorporate the analysis dated (June 2024) into the Project Operations Manual (POM) within 3 months of the Effective Date.</p> <p>2. Prepare and adopt through the Project Operations Manual (POM) within 3 months of the Effective Date and before commencement of feasibility/design activities for infrastructure activities; and thereafter implement throughout Project implementation.</p> <p>3. Prepare and adopt before launching the bidding process for the respective subproject and thereafter implement the ESA throughout the implementation of Project infrastructure activities.</p> <p>4. Prepare and adopt within 3 months of the Effective Date and thereafter implement throughout Project implementation.</p>	MCIT and OoTR
1.3	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including, inter alia, the relevant E&S instruments, 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>	As part of the preparation of procurement documents and respective contracts. Supervise contractors throughout Project implementation.	MCIT and OoTR
1.4	TECHNICAL ASSISTANCE	Throughout Project implementation.	MCIT and OoTR

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Ensure that the consultancies, studies (including feasibility studies, if applicable), capacity building, training, and any other technical assistance activities under the Project 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.		
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>1. Ensure that the project workforce is managed in compliance with Samoa's country framework for labor and working conditions and ESS2 as set out in the POM, including terms and conditions of employment, nondiscrimination and equal opportunity, workers' organisations, child labour and minimum age, forced labour, workers grievance mechanisms, occupational health and safety, and contracted workers as outlined in the Labour and Employment Relations Act 2013; Labour and Employment Regulations 2016; Occupational Safety and Health Act 2002; OSH Regulation 2017, Public Service Act 2004 and other relevant legislation and policy.</p> <p>2. Outline, adopt and implement specific labour and working requirements for project workers, contractors, subcontractors and supervising firms in accordance with Samoa's country framework for labour and working conditions and ESS2, as set out in the POM.</p> <p>3. Ensure that all project workers are 18 years and over.</p> <p>4. SEA/SH prevention and response measures will be outlined in the POM including implementation of the public sector code of conduct for direct workers; a project specific Code of Conduct for contracted workers, workforce training, community awareness, and a response protocol.</p>	<p>1. Throughout Project implementation</p> <p>2. Establish in the POM within 3 months of the Effective Date; and thereafter implement throughout project implementation</p> <p>3. Throughout Project implementation</p> <p>4. Establish in the POM within 3 months of the Effective Date; and thereafter implement throughout project implementation</p>	MCIT and OoTR
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>Establish, maintain and operate a grievance mechanism for Project workers consistent with requirements under Samoa's country E&S framework and ESS2, as set out in the POM.</p>	Establish in the POM within 3 months of the Effective Date and thereafter maintain and operate it throughout Project implementation	MCIT and OoTR
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>WASTE MANAGEMENT PLAN</p> <p>Adopt and implement measures for managing e-waste and non-hazardous wastes resulting from the digital infrastructure supported under the Project in accordance with Samoa's country framework and ESS3, as set out in the POM.</p>	Establish in the POM within 3 months of the Effective Date; and thereafter implement throughout project implementation	MCIT and OoTR

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	TRAFFIC AND ROAD SAFETY Incorporate measures to manage traffic and road safety risks as part of the ESAs into the POM as described under action 1.1 above.	Same timeframe as for the preparation, adoption and implementation of the sub-project ESAs	MCIT and OoTR
4.2	COMMUNITY HEALTH AND SAFETY Assess and manage specific risks and impacts to the community arising from Project activities and include mitigation measures in the ESAs to be prepared in accordance with Samoa's E&S framework and ESS1	Same timeframe as for the preparation, adoption and implementation of the sub-project ESAs	MCIT and OoTR
4.3	SEA AND SH RISKS Establish and implement SEA/SH prevention and response measures, consistent with requirements under Samoa's country E&S framework and ESS4.	Establish in the POM within 3 months of the Effective Date and thereafter implement throughout project implementation.	MCIT and OoTR
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	LAND ACCESS AND RESETTLEMENT Prepare, adopt and implement a Land Access and Compensation Protocol for the Project, consistent with ESS5, as set out in the POM and to the satisfaction of the Association.	Prepare and adopt within 3 months of the Effective Date; and thereafter implement throughout Project implementation.	MCIT and OoTR
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
	NOT RELEVANT		
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
	NOT RELEVANT		
ESS 8: CULTURAL HERITAGE			
8.2	CHANCE FINDS Adopt and implement the chance finds procedures as part of the ESA prepared under action 1.1	Same timeframe as for the adoption and implementation of the sub-project ESAs	MCIT and OoTR
ESS 9: FINANCIAL INTERMEDIARIES			
	NOT RELEVANT		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Adopt and implement a Stakeholder Engagement Plan (SEP) for the Project, consistent with ESS10, 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.	Implement the SEP (dated August 2023) that has been prepared and disclosed prior to appraisal throughout Project implementation	MCIT and OoTR

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
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>	Maintain and operate the projects grievance mechanism that has been established through the project's SEP (dated August 2023) throughout Project implementation.	MCIT and OoTR
CAPACITY SUPPORT			
CS1	<p>CAPACITY BUILDING PLAN</p> <p>Prepare and implement a capacity building plan for E&S risk management to support the achievement of the following::</p> <ul style="list-style-type: none"> • All project staff familiar with all E&S instruments • Grievance mechanisms established and operating effectively • E&S, risk management measures, integrated into Project activity designs and POM • E&S risk management measures integrated into bidding and contracting documents • Contractors understand and can implement their E&S obligations • Improved environmental health, safety, and sanitation to the project staff and beneficiaries 	Prepare within 3 months of the project Effective Date. Implement throughout Project implementation.	MCIT and OoTR
CS2	Provide targeted training to contractors and project beneficiaries before site-specific Project activities and throughout Project implementation as needed, including but not limited to management of E&S risks, labour management and OH&S, traffic safety, community health and safety and grievance mechanisms.	Throughout implementation	MCIT and OoTR