

**Ministry of Finance and Economic Affairs,  
Malawi**  
*(combined)*

**Emergency Power Restoration Project  
(P178914)**

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

**May 24 2022**

## ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Government of Malawi (the Borrower) through its Ministry of Finance and Economic Affairs is implementing the Emergency Power Restoration Project (the Project), with the involvement of the Implementing Entities as set out in the Financing Agreement and Project Agreement. The International Development Association, the World Bank acting as the administrator, has agreed to provide financing (P178914) for the Project, as set out in the referred agreements.
2. The Borrower 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 World Bank. The ESCP is a part of the Financing Agreement and the Project Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meaning ascribed to them in the referred agreements.
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the Borrower 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 World Bank. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the World Bank.
4. As agreed by the World Bank and the Borrower, 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 Borrower and the World Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the World Bank and the Borrower's Minister of Finance of the Ministry of Finance and Economic Affairs. The Borrower shall promptly disclose the updated ESCP.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
<b>MONITORING AND REPORTING</b>			
A	<p><b>REGULAR REPORTING</b></p> <p>Prepare and submit to the World Bank regular monitoring reports on the environmental, social, occupational and community health and safety (ESOHS) performance of each component of the Project, including but not limited to the implementation of the ESCP, status of preparation and implementation of E&amp;S instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism(s).</p>	<p>Submit monthly Project’s ESOHS monitoring reports to the World Bank throughout Project implementation. Submit each report to the World Bank no later than seven (7) days after the end of each reporting period.</p>	<p>EGENCO PIU ESCOM PIU</p>
B	<p><b>INCIDENTS AND ACCIDENTS</b></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 and stakeholders, the public or workers, including, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), labor unrest and accidents that result in death, serious or multiple injury, labor unrest, damage to private property, or natural disaster. 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 World Bank’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 World Bank no later than 48 hours after learning of the incident or accident.</p> <p>Provide subsequent report to the World Bank within a timeframe acceptable to the World Bank.</p>	<p>EGENCO PIU ESCOM PIU</p>
C	<p><b>CONTRACTORS’ MONTHLY REPORTS</b></p> <p>Require contractors and supervising firms to provide monthly monitoring reports on ESOHS performance in accordance with the metrics specified in the respective bidding documents and contracts, and submit such reports to the World Bank.</p>	<p>Submit the monthly Contractors’ ESOHS monitoring reports to the World Bank as annexes to the reports to be submitted under action A above.</p>	<p>EGENCO PIU ESCOM PIU</p>
D	<p><b>NOTIFICATIONS RELATING TO DAAB COMPLIANCE REVIEW OF CONTRACTOR COMPLIANCE WITH SEA/SH PREVENTION AND RESPONSE OBLIGATIONS</b></p>		

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>Notify the World Bank of any referral submitted to the Dispute Avoidance and Adjudication Board (DAAB) to initiate a process of compliance review in relation to a contractor’s obligations to prevent and respond to sexual exploitation and abuse (SEA), and/or sexual harassment (SH) specified in the respective works contract with such contractor; and, in the event of any such referral, notify the World Bank of: (i) the DAAB’s decision on such referral; (ii) the contractor’s Notice of Dissatisfaction, if any, with such DAAB decision; (iii) any notification received on the commencement of an emergency arbitration proceeding or full arbitration proceeding in relation to the DAAB’s decision; and (iv) the resulting emergency arbitration order and/or full arbitration order, if any.</p>	<p>No later than 7 days after the issuance or receipt, as applicable, of the relevant document (i.e., referral to the DAAB, issuance of DAAB decision, Notice of Dissatisfaction, notice of commencement of emergency/full arbitration order, as applicable).</p>	<p>EGENCO PIU ESCOM PIU</p>
<b>ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS</b>			
1.1	<p><b>ORGANIZATIONAL STRUCTURE</b></p> <p>1. Establish and maintain a Project Implementation Unit (PIU), one each in both Implementing Entities (EGENCO and ESCOM) with qualified staff and resources to support management of ESOHS risks and impacts of the Project, including dedicated: Environmental Safeguard Specialist (including expertise on infrastructure and equipment design and safety requirements of ESS4 to coordinate with the separate Dam Specialist for Component 1) , Social Safeguard Specialist, Occupational Health and Safety Safeguard Specialist (focusing on OHS matters of ESS2 matters) in each PIU. In the event that the Social Safeguards Specialist doesn't have expertise in gender, then an additional Gender Specialist will be required for the PIU. The Environment and Safety Safeguard specialists should also have experience in natural risk disaster management and emergency response. Resources include, for example, desk space, chair, computer, etc., will be provided for conducting their safeguard functions. Gender tagging will be implemented in the project.</p> <p>2. Appoint competent counterpart safeguards team members in the EGENCO and ESCOM Project Implementation Units either through recruitment or secondment within 30 (thirty) days of signing of Agreed Minutes of negotiations to initiate safeguards preparation activities for the proposed project. These counterpart safeguards team members shall remain in place until the recruitment of the permanent safeguards staff into the EGENCO and ESCOM Project Implementation Units has taken place, based on terms of reference satisfactory to the Association.</p>	<p>1. Establish and maintain the two PIUs as set out in the Financing Agreement and Project Agreement. Hire or appoint dedicated Environmental Safeguard Specialist, and Social Safeguard Specialist prior to project disbursement date, and a Gender Specialist (if required) and an Occupational Health and Safety Safeguard Specialist, prior to the preparation of the ESF instruments, and thereafter maintain these positions throughout Project implementation.</p> <p>2. Appoint [interim] competent counterpart safeguards team members in the EGENCO and ESCOM Project Implementation Units either through recruitment or secondment within 30 (thirty) days of signing of Agreed Minutes of Negotiations.</p>	<p>EGENCO ESCOM</p> <p>Ministry of Energy Ministry of Finance and Economic Affairs EGENCO ESCOM</p>

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>3. Each PIU will appoint an Independent Consultant (individual or firm) with international and/or regional experience in the World Bank Environmental and Social Framework, to support each PIU with the development of the necessary ESF Instruments.</p> <p>4. EGENCO will appoint an Independent Sediment Specialist with international experience in large dam and hydropower plant sediment management, to provide technical guidance and support to EGENCO to oversee the development of the emergency sediment management plan for immediate and project works, and oversee the sediment assessment for the development of the updated Operation and Management rules together with the Owner Engineer.</p> <p>5. Establish a Project Steering Committee (PSC) comprising senior staff from the Ministry of Energy, Ministry of Finance and Economic Affairs, EGENCO, and ESCOM. The two PIUs will report to the PSC providing regular progress and information on project implementation and challenges. The PSC will provide oversight, and high-level coordination and meet to address any issues that need to be resolved including facilitating any authorizations or approvals required for project implementation and evaluating the overall progress of the project.</p> <p>6. PIUs to appoint a Third-Party monitoring service provider, acceptable to the World Bank, to objectively monitor and report on project implementation.</p>	<p>3. Appoint an Independent Consultant Firm to support the PIUs in the preparation of ESIA and ESF instruments, by 30 September 2022.</p> <p>4. Throughout Project implementation Appoint the Independent Sediment Specialist within 15 days after effectiveness.</p> <p>5. Establish within 30 days after the effectiveness of the financing, and maintain the PSC and ensure regular engagement between the PSC and PIU, throughout project implementation.</p> <p>6. Before any construction begins, each PIU to appoint and maintain a 3<sup>rd</sup> Party monitoring service provider by project implementation and implemented throughout project execution</p>	<p>EGENCO ESCOM</p> <p>EGENCO</p> <p>Ministry of Energy Ministry of Finance and Economic Affairs EGENCO ESCOM</p> <p>EGENCO PIU ESCOM PIU</p>
<p>1.2 <b>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</b></p> <p>1. Assess the environmental and social risks and impacts of the proposed Project activities, in accordance with the ESSs, the WBG Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP). Prepare, disclose, adopt, and implement any environmental and social management plans, or other instruments required for the respective Project activities based on the assessment process, in accordance with the ESSs, the WBG EHSGs, and other relevant Good International Industry Practice (GIIP), cleared by the World Bank prior to carrying out project activities, and/or prior to applicable Contractor’s appointment processes. The instruments shall also include recommendations and mitigation measures proposed through the ESS management plans.</p>		

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>The ESIA will include as annexures, a set of ESMPs including: the Waste Management Plan, Hazardous Substances Management Plan, GBV/SEA/SH Action plan, Traffic Management Plan. The ESIA and ESMPs will include requirements for resource efficiency and pollution prevent and management. Additional management plans including the archaeological assessment, biodiversity management plan, Disaster Risk Assessment and Emergency Preparedness Plan for Project Implementation, the dam safety plans (such as: (i) plan for construction supervision and quality assurance, (ii) an instrumentation plan, (iii) an operation and maintenance plan, (iv) and an emergency preparedness plan), Emergency Sediment Management Plan, Sediment Assessment for Kapichira scheme and Kapichira O&amp;M Plan (focusing on the critical aspects of sediment management pertaining to Kapichira’s operations, and to be further updated once a basin-wide sediment management plan will be developed under Mpatamanga Phase I and SVTP 2 projects including a comprehensive sedimentation strategy and cumulative impact assessment), and cultural heritage are described under the relevant ESS and will be stand-alone plans.</p> <p>Instruments for different sub-activities of the components to be developed/updated include (not limited to):</p> <p><b>COMPONENT 1: EGENCO</b></p> <p>i. Develop a consolidated Environmental and Social Impact Assessment (ESIA) for the Project Component 1 Dam, training dike, spillway, and HPP rehabilitation activities, and corresponding Environmental and Social Management Plans (ESMPs), in accordance with the ESSs, , the WBG EHSs, and other relevant Good International Industry Practice (GIIP), including cumulative impacts.</p> <p>The Phase 1 Cofferdam will fall under the Shire Valley Transformation Project Phase 1 (SVTP-1), and the environmental and social management instruments will be considered through SVTP’S updated ESMP. Safety measures for the small cofferdam will be developed and reviewed by the independent panel to ensure consistency with GIIP. EGENCO will ensure collaborative due diligence during construction and operation of the cofferdam and regular management meetings will be established between EGENCO and the SVTP project. In addition, EGENCO agrees to adopt the results of the work of the third party experts referred in item 1.1 above.</p>	<p>1. The ESF instruments shall be developed, disclosed, consulted, reviewed and cleared by the World Bank, before the carrying out of the relevant Project activities as referred to the ESS sections below, and prior to relevant Contractor’s bidding processes, and thereafter implemented throughout the carrying out of activities.</p> <ul style="list-style-type: none"> <li>• In line with section 3.4, submit the Emergency Sediment Management Plan together with the RfP to be prepared for desilting the left channel of the reservoir, and in any case prior to any excavation begins.</li> <li>• Prior to the bidding phase of the cofferdam, the PIU shall coordinate with SVTP project and agree with the World Bank on safety measures to be put in place for the temporary dam.</li> <li>• Prior to relevant Contractor’s bidding processes, obtain Bank clearance of the ESIA and ESMPs.</li> </ul>	<p>EGENCO PIU                      ESCOM PIU                      (As applicable)                      Implementation also includes contractors and sub-contractors</p>

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>ii. For any new ancillary activities or new sites for existing activities related to or associated with the project activities, including new sediment deposit areas, quarry and/or borrow pit sites, new access roads, and any new labor camp sites, a detailed Environmental and Social Impact Assessment (ESIA) will be prepared. The ESIA must consider and assess alternative options for activity methods, and/or location of the activities or sites.</p> <p>iii. Update, disclose, consult and adopt the detailed ESMP for dredging/excavation works in the Kapichira dam prior to activity implementation, to reflect and account for Project activities and ensure compliance of Project activities with the ESSs, the WBG Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP).</p> <p><b>COMPONENT 2: ESCOM</b></p> <p>iv. Develop, prepare, disclose, consult and adopt a detailed ESMP for reconstruction of distribution and transmission lines to reflect and account for Project activities and ensure compliance of Project activities with the ESSs, the WBG Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP). If the proposed reconstruction works and/or associated works should deviate from the existing/previous routes, an ESIA will need to be prepared accordingly. ESMP to include Biodiversity Management Plan recommendations.</p> <p>2. Obtain relevant environmental permits and authorizations in compliance with National legislation and regulations prior to commencement of such activities within the project components and sub-activities.</p> <p>3. Contractor, and subcontractors, shall adopt and implement mitigation and monitoring measures of the ESIA and ESMPs of the Project Activities in line with the ESSs, the WBG Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP)</p>	<ul style="list-style-type: none"> <li>In line with section 3.4 and 6.2 of the ESCP, not less than six months before starting the first reservoir filling, agree with the World Bank on the results of the hydrological assessment, environmental flow requirements and associated updated sediment management plan, which will be an integral part of the O&amp;MP rules for the Kapichira HPP as developed by the Owner Engineer</li> </ul> <p>2. Obtain relevant environmental permits and authorizations prior to commencement of such activities.</p> <p>3. Adopt the ESMPs before launching the bidding process for the respective Project activity and/or prior to implementing any Project activity as referred to the ESS sections below that requires the adoption of such ESMPs. Once adopted, implement the respective ESMPs throughout Project implementation.</p>	<p>EGENCO PIU ESCOM PIU Contractors Subcontractors</p> <p>EGENCO PIU ESCOM PIU Contractors Subcontractors</p>
<p>1.3 <b>MANAGEMENT OF CONTRACTORS</b></p>		

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Incorporate the relevant aspects of the ESCP, including, inter alia, the relevant E&S instruments, the Labor Management Procedures, and code of conduct, into the ESOHS 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 ESOHS specifications of their respective contracts.	As part of the preparation of procurement documents and respective contracts. Supervise contractors throughout Project implementation.	EGENCO PIU ESCOM PIU
1.4	<b>TECHNICAL ASSISTANCE</b>  Ensure that the consultancies, studies (including feasibility studies, if applicable), capacity building, training, and any other technical assistance including short term consultancies, activities under the Project, including, inter alia, sediment assessment, verification of environmental flow, , and the environmental and social instruments to be supported under the TA are carried out in accordance with terms of reference acceptable to the World Bank, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.	Throughout Project implementation.	EGENCO PIU ESCOM PIU
1.5	<b>ACTIVITIES SUBJECT TO RETROACTIVE FINANCING</b>  EGENCO PIU envisages the following activities will require retroactive financing: <ul style="list-style-type: none"> <li>• Hiring of consultancies for preparation of E&amp;S instruments and documentation ESMP Consultant for Phase 1 Works</li> <li>• Procurement of goods (e.g., motor vehicles for PIU, office furniture, laptops, mobile phone handsets and airtime for PIU)</li> <li>• Topographic survey and sediment lab testing</li> </ul> ESCOM PIU envisages the following activities will require retroactive financing: <ul style="list-style-type: none"> <li>• Hiring of consultancies for preparation of E&amp;S instruments and documentation</li> <li>• Implementation of SEP</li> <li>• Procurement of goods (e.g., motor vehicles for PIU, transformers)</li> <li>• Hiring of other key support consultancies for the PIU</li> </ul> In case that any construction activities will be subject to retroactive financing, the proposed activities will be subject to an EHS audit for completed construction activities, including desilting and embankment stabilization.	Proposed activities for retroactive financing to be procured and implemented in accordance with World Bank procurement and ESF procedures and where applicable ESMPs.	EGENCO PIU ESCOM PIU
<b>ESS 2: LABOR AND WORKING CONDITIONS</b>			

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>2.1 <b>LABOR MANAGEMENT PROCEDURES</b></p> <p>The Project shall be carried out in accordance with the applicable requirements of ESS2, in a manner acceptable to the World Bank, including through, inter alia, implementing adequate occupational health and safety measures (including emergency preparedness and response measures); setting out grievance arrangements for Project workers; and incorporating labor requirements into the ESOHS specifications of the procurement documents and contracts with contractors and supervising firms.</p> <p>Develop, adopt and implement the Project Labor Management Procedures (LMP) 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 with an integration of prevention and response to GBV, SEA and SH issues, forced labor, gender awareness, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms.</p>	<p>Develop and adopt the Project LMP prior to relevant Contractor’s bidding processes, and thereafter implement the Project LMP throughout Project implementation.</p>	<p>EGENCO PIU ESCOM PIU</p>
<p>2.2 <b>GRIEVANCE MECHANISM FOR PROJECT WORKERS</b></p> <p>Establish and operate a grievance mechanism for Project workers, as described in the Project LMP and consistent with ESS2. Establish workers GRM as detailed out in the LMP and engage Project workers on the same and thereafter maintain and operate it throughout Project implementation</p>	<p>Establish workers GRM as detailed out in LMP and made it operational prior to relevant Contractor’s bidding processes and engage Project workers on the same and thereafter maintain and operate it throughout Project implementation.</p>	<p>EGENCO PIU ESCOM PIU</p>
<p>2.3 <b>GENDER TARGET</b></p> <p>The project shall ensure that all gender gaps that are directly and indirectly associated with the project are addressed in compliance with the World Bank Gender Strategy (2016-23) including offering direct and indirect employment in areas where women benefit disproportionately.</p> <p>Each PIU to appoint an independent specialist with experience in gender within the energy sector and familiar with the World Bank’s Gender Strategy (2016-23) to support each PIU with the implementation of the project’s Gender Action Plan in collaboration with the safeguards team. Special attention will be placed on women’s economic empowerment activities that reduce GBV risks, and raise gender awareness.</p>	<p>A gender target of 20% female employment, especially in STEM positions, across the project has been set.</p>	<p>EGENCO PIU ESCOM PIU</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Develop a joint implementation plan where the gender specialists of ESCOM and EGENCO PIUs will collaborate in the implementation of the project's gender action.		
<b>ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</b>			
3.1	<b>WASTE MANAGEMENT PLAN</b> Each PIU to develop, adopt and implement a Waste Management Plan (WMP) applicable to their component activities, as part of the various ESMPs, to manage hazardous and non-hazardous wastes, consistent with ESS3. Disposal of waste will consider the Basal Convention on the control of transboundary movements of hazardous wastes and their disposal (BC-14/12) and in accordance with ESF requirements. Wastes streams should be avoided, and where unavoidable, reuse and recycling should be promoted, and where non-recyclable then disposed at authorized waste disposal sites. The Waste Management Plan will be included in the ESMPs.	PIUs to develop and adopt their component WMP prior to relevant Contractor's bidding processes, in line with the ESSs, the WBG Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP), and thereafter implement the WMP throughout Project implementation.	EGENCO PIU ESCOM PIU
3.2	<b>DISASTER RISK ASSESSMENT AND EMERGENCY PREPAREDNESS PLAN FOR PROJECT IMPLEMENTATION (DRA-EPP)</b> Each PIU to conduct a Disaster Risk Assessment for Phase 1 and Phase 2 and develop Emergency Preparedness plan and response procedures, for their component of the project, specifically including further flooding risk on the project implementation. The Risk assessment should include consideration of climate change effects on future rainfall, with quantitative analysis of flooding scenarios. Findings and recommendations to be included into site management and implementation procedures, design considerations, and other ESF instruments.	Each PIU to develop and adopt the DRA-EPP for their component, prior to relevant Contractor's bidding processes, in line with the ESSs, the WBG Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP), and thereafter implement the DRA-EPP throughout Project implementation.	EGENCO PIU ESCOM PIU
3.3	<b>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</b> Incorporate resource efficiency and pollution prevention and management measures in the ESIA and various ESMPs to be prepared under actions 1.2 and 1.5 above.	Same timeframe as for the adoption and implementation of the ESIA and various ESMPs, prior to relevant Contractor's bidding processes	EGENCO PIU ESCOM PIU
3.4	<b>SEDIMENT MANAGEMENT</b> <b>I. EMERGENCY SEDIMENT MANAGEMENT PLAN</b>		

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>EGENCO together with Independent Sediment Specialist to develop an Emergency sediment management plan for the immediate phase of works, to excavate a channel through the sediment to divert water back to the HPP, removing accumulated sediment from the reservoir, including the temporary storage and/or disposal of the sediment. The plan should set out the approach to opening the channel, removal of the accumulated sediment in the reservoir, recommendation show the sediment could be used, and how to manage the sediments while the reconstruction works are underway, in accordance with ESS3 and ESS6. Development of the plan to be guided by the STC Sediment Specialist. A detailed ESIA including impact to the Chikwawa District floodplain and displacement of persons under future floods, and impacts to the Elephant Marsh Ramsar wetland, will required should the option of flushing the sediment be considered.</p> <p><b>II. SEDIMENT ASSESSMENT and KAPICHIRA O&amp;M PLAN</b>                      Conduct an assessment to determine the sediment load and regime entering Kapichira reservoir, together with verified Environmental Flow Requirements (ESS6, section 6.2) in order to develop updated Operation and Maintenance Operating Rules for the sustainable operation of Kapichira HPP (and SVTP) and sustainability of Elephant Marsh Ramsar wetland and Chikwawa Flood plain. consistent with ESS3 and ESS6.</p>	<p>I. Submit the Emergency Sediment Management Plan together with the RfP to be prepared for desilting the left channel of the reservoir, and in any case prior to any excavation begins.</p> <p>II. Detailed sediment assessment to be embodied in ToRs of the Owner Engineer and Kapichira sediment plan to be integrated in O&amp;M plan (deadline under ESS4).</p>	<p>EGENCO PIU</p> <p>EGENCO PIU MOE</p>
3.4	<p><b>HAZARDOUS SUBSTANCES MANAGEMENT PLAN</b>                      Each PIU to develop, adopt and implement a Hazardous Substances Management Plan (HSMP) to safely handle, manage, store, and transport hazardous substances including explosives, in accordance with the ESF requirements and approved by the World Bank. Disposal of hazardous waste will consider the Basal Convention on the control of transboundary movements of hazardous wastes and their disposal (BC-14/12). The HSMP will be included as an annexure in the ESMPs.</p>	<p>PIUs to develop and adopt their HSMP prior relevant Contractor’s bidding processes, in line with the ESSs, the WBG Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP), and thereafter implement the HSMP throughout Project implementation.</p>	<p>EGENCO PIU ESCOM PIU</p>
<b>ESS 4: COMMUNITY HEALTH AND SAFETY</b>			
4.1	<p><b>TRAFFIC AND ROAD SAFETY</b></p>		

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>The Traffic Management Plan (TMP) will set out management and mitigation measures for traffic and road safety to be implemented across both components and all contractors and service providers on the project, including <i>inter alia</i> consideration of the road worthiness of vehicles, and competence of vehicle operators, signage, etc. Incorporate measures to manage traffic and road safety risks as required by the ESIA and various ESMPs to be prepared under actions 1.2 and 1.5 above. Traffic and road safety to consider location of schools, and safety of public around construction machinery and vehicles, as well as mitigation measures for noise and dust/emission disturbance by construction traffic.</p>	<p>PIUs to develop and adopt their TMP prior relevant Contractor’s bidding processes, line with the ESSs, the WBG Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP), and thereafter implement the HSMP throughout Project implementation.</p>	<p>EGENCO PIU ESCOM PIU</p>
4.2	<p><b>COMMUNITY HEALTH AND SAFETY</b></p> <p>Assess and manage specific risks and impacts to the community and adjacent land users, arising from Project activities, including, inter alia, noise disturbance, sediment loads, behavior of Project workers, risks of labor influx, response to emergency situations, etc., and include mitigation measures in the ESIA and various ESMPs to be prepared in accordance with the ESSs, the WBG Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP).</p>	<p>Same timeframe as the respective ESIAs and various ESMPs, prior to relevant Contractor’s bidding processes.</p>	<p>EGENCO PIU ESCOM PIU</p>
4.3	<p><b>GBV, SEA AND SH RISKS</b></p> <p>Adopt and implement a GBV/SEA/SH Action Plan as a standalone report, to be included in the annexure of the ESIA and various ESMPs, to assess and manage the risks of GBV, SEA and SH. The action plan will include awareness raising and capacity building including topics <i>inter alia</i>, gender equity, GBV, SEA, SH.</p>	<p>Develop and adopt the GBV/SEA/SH Action Plan prior to relevant Contractor’s bidding processes, and thereafter implement the SEA/SH Action Plan throughout Project implementation.</p>	<p>EGENCO PIU ESCOM PIU</p>
4.4	<p><b>DAM SAFETY (FOR ANNEX A, PARA. 2. ESS4)</b></p> <p>EGENCO agrees to adopt and implement the following dam safety measures, in accordance with the ESSs, dam safety plans as listed below and maintain the 5 main spillway gates operational throughout the project (including phase 1 implemented by SVTP):</p>		<p>EGENCO PIU</p>

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>1. Establish and maintain an independent Panel of Experts (POE), with terms of reference and composition acceptable to the World Bank, to, inter alia, review and advise on matters related to safety and other critical aspects of the Kapichira Dam, its appurtenant structures, the catchment area, the reservoir embankments, and downstream areas, as relevant. Implement the recommendations made by the POE, unless otherwise agreed in writing by the World Bank.</p> <p>2. Engage one or more independent dam specialists with terms of reference acceptable to the World Bank to, inter alia: (a) inspect and evaluate the safety status of the Kapichira dam, its appurtenances, and its performance history; (b) review and evaluate the owner's operation and maintenance procedures; and (c) provide a written report of findings and recommendations for any remedial work or safety related measures necessary to upgrade the Kapichira dam to an acceptable standard of safety.</p> <p>3. Engage experienced and competent professionals for the supervision of the design and re-construction of Kapichira dam, and require EGENCO to adopt and implement dam safety measures during the design, bid tendering, re-construction, operation, and maintenance of the Kapichira dam and associated works.</p> <p>4. Safety measures for the small cofferdam will be developed under the SVTP project and reviewed by the independent panel to ensure consistency with GIIP. EGENCO will ensure collaborative due diligence during construction and operation of the cofferdam and regular management meetings will be established between EGENCO and the SVTP project. In addition, EGENCO agrees to adopt the results of the work of the third party experts referred in item 1.1 above.</p> <p>5. Develop, adopt and implement the following Dam Safety Plans (DSP) for the Kapichira dam according to ESS4 requirements: (i) a plan for construction supervision and quality assurance (CSQAP); (ii) an instrumentation plan (IP); (iii) an operation and maintenance plan (O&amp;MP); and (iv) an emergency preparedness plan (EPP).</p> <p>6. Engage the POE to carry out a safety inspection of the Kapichira dam at intervals of not less than every six (6) months during Project implementation. The first of dam safety inspection should be carried out no later than August 2022.</p>	<p>1. Establish and maintain an independent panel of experts (POE) by beginning of OE2's design studies, and thereafter maintain the Panel throughout Project implementation, including the reservoir filling. Proposed same POE as for SVTP.</p> <p>2. Done for (a) and (c). Owner Engineer (OE2) for phase 2 works will complement and implement items (b) and (c) – targeted timeframe December 2022. Dam safety assessment proposed to be ready by date of Board approval.</p> <p>3. Appoint Owner Engineer (OE2) within 4 months of date of effectiveness</p> <p>4. Prior to the bidding phase of the cofferdam, and thereafter for coordination through project implementation</p> <p>5. Plans to be prepared by OE2. (i) by December 2022, (ii) prior to commencement of bidding phase, (iii) not less than six months before starting the first reservoir filling (iv) not less than one year before starting the reservoir filling.</p> <p>6. Initial inspection by July 2022, and at least every six (6) months during project implementation, including the review of (CSQAP) periodically.</p>	

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
<b>ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT</b>			
5.1	<p><b>RESETTLEMENT POLICY FRAMEWORK</b></p> <p>Adopt and implement a Resettlement Policy Framework (RPF) for the Project, consistent with ESS5, including physical and economic displacement.</p>	Develop and adopt the RPF, 60 days after project’s disbursement date and thereafter implement the RPF throughout Project implementation.	EGENCO PIU ESCOM PIU
5.2	<p><b>RESETTLEMENT ACTION PLANS</b></p> <p>Adopt and implement a resettlement action plan (RAP) or Livelihood Plan (LP) for each activity under the Project for which the RPF requires such RAP, consistent with ESS5.</p>	Develop, adopt and implement the respective RAP/LP, including ensuring that before taking possession of the land and related assets or economic displacement, full compensation has been provided and as applicable displaced people have been resettled and moving allowances or alternative livelihoods have been provided.	EGENCO PIU ESCOM PIU
5.3	<p><b>GRIEVANCE MECHANISM</b></p> <p>The grievance mechanism to address resettlement related complaints shall be described in the RPF and SEP. The Project GRM shall be used to address resettlement related complaints and issues. Specific Resettlement Plans shall describe the GRM to be applied.</p>	To be detailed out in the updated SEP and operationalize and maintain the GRM throughout project implementation	EGENCO PIU ESCOM PIU
<b>ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES</b>			
6.1	<p><b>BIODIVERSITY RISKS AND IMPACTS</b></p> <p>The PIUs to conduct assessment of biodiversity and living natural resources risks and compile Biodiversity Management Plan (BMP) in accordance with ESS6 for their relevant project components, compiled and included as part of the ESIA and various ESMPs, in accordance with ESS6, and applicable mitigation measures in the relevant project designs. The BMPs for the respective components will in, without limitation, will take into consideration the following:</p>	Compile and adopt the BMPs as part of the ESIA and ESMP, prior to relevant Contractor’s bidding processes , and thereafter implement the BMPs throughout Project implementation.	EGENCO PIU ESCOM PIU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p><b>Component 1:</b> the adjacent biodiverse and critically sensitive area of Majete Wildlife Reserve, the aquatic biota of the Shire River, and impacts to the downstream Elephant Marsh Ramsar wetland. The BMP to set out, without limitation, activities preventing wildlife crimes, poaching, and cleaning and disinfecting activities of contractor equipment to prevent spread of vector diseases and invasive species. Impacts from the BMP to be included in the ESIA and ESMP, considering mitigation, offsets, and/or compensation.</p> <p><b>Component 2:</b> the avifaunal and bat biota considering mitigation measures to avoid/reduce collisions and electrocutions.</p> <p>Both BMPs to include requirements for implementing a fauna and flora rescue program prior to any construction commences, in case of protected/endorsed/vulnerable species are encountered either at project areas or at the ancillary sites (for example the new sediment disposal dam, quarries, access roads, etc.).</p>		
6.2	<p><b>Verification of Environmental Flow release for Kapichira HPP</b> Verification of the hydrological assessments and requirements for SVTP, Kapichira HPP operating rules, and Environmental Flow Requirements through Kapichira Falls, to be included into the updated Operating Rules for the Rehabilitated Kapichira HPP.</p>	Review and verify hydrological assessment to verify Environmental Flow Requirements through Kapichira Falls, to be included in the updated Kapichira O&M plan.	EGENCO PIU
<b>ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES</b>			
At this stage no indigenous peoples are expected to be encountered. Should the situation change, then an Indigenous Peoples Planning framework and plan shall be developed, and the relevant E&S instruments updated and disclosed to reflect this change, all in accordance with ESS7 and to the satisfaction of the Association.			
<b>ESS 8: CULTURAL HERITAGE</b>			
8.1	<p><b>CULTURAL HERITAGE RISKS AND IMPACTS</b></p> <p>EGENCO PIU to liaise with the Archaeological department to conduct an Archeological assessment of exposed fuse-plug and immediate downstream area as priority. The Archeological assessment should consider all project sites, ancillary works and associated facilities. Based on outcome of assessment, develop, adopt and implement a Cultural Heritage Management Plan (CHMP) as part of the Project ESIA, in accordance with ESS8.</p>	Conduct Archeological assessment three months before construction of the emergency spillway begins. Develop and adopt the CHMP prior to relevant Contractor’s bidding processes and thereafter implement the CHMP throughout Project implementation.	EGENCO PIU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
8.2	<p><b>CHANCE FINDS</b></p> <p>Describe and implement the chance finds procedures to be included in the ESIA and various ESMPs of the Project, as well as specific training on chance finds procedures for field workers, and in Toolbox talks.</p>	Same timeframe as the respective ESIAAs and various ESMPs. Implement the procedures throughout Project implementation.	EGENCO PIU ESCOM PIU
<b>ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE</b>			
10.1	<p><b>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</b></p> <p>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.</p>	Implement the SEP agreed at negotiations and update SEP 60 days after project disbursement date, and consequently implement throughout the project implementation, and update as deemed necessary based on the process described in para. 2 – page 2.	EGENCO PIU ESCOM PIU
10.2	<p><b>KEY STAKEHOLDER ENGAGEMENT</b></p> <p>Establish a regular engagement platform with African Parks (Majete Wildlife Reserve), EGENCO PIU, and SVTP PIU.</p>	Initiate and maintain fortnightly engagement with African Parks, SVTP PIU, EGENCO PIU, and implement throughout project implementation.	EGENCO PIU
10.3	<p><b>PROJECT GRIEVANCE MECHANISM</b></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 GBV/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>	Establish the Project grievance mechanism and thereafter maintain and operate the mechanism throughout Project implementation.	EGENCO PIU ESCOM PIU
<b>CAPACITY SUPPORT</b>			

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>CS1 Training will be required for PIU staff, and Project workers on, <i>inter alia</i>:</p> <ul style="list-style-type: none"> <li>• World Bank ESF requirements</li> <li>• WBG EHS Guidelines</li> <li>• GBV/SEA/SH, Gender awareness, and GRM</li> <li>• Disaster Risk, Dam Safety, and Emergency Response Procedures</li> <li>• Hazardous material management</li> <li>• Waste Management</li> <li>• Biodiversity management</li> <li>• Chance finds procedures for field workers</li> <li>• Specialized training on working on/adjacent fast flowing water</li> <li>• Occupational Health and Safety training in various working environments including <i>inter alia</i>, working in mud, scaffolding, and working at heights, explosives management, etc.</li> </ul>	<p>Prior to conducting relevant activities.</p>	<p>EGENCO PIU ESCOM PIU</p>