

Jamaica

Jamaica Social Investment Fund (JSIF) Kingston Waterfront Improvement Project (P179642)

Draft

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP)

February 23, 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Government of Jamaica (the Borrower) will implement the Kingston Waterfront Improvement Project (the Project), with the involvement of the Jamaica Social Investment Fund (JSIF), as set out in the Loan Agreement. The International Bank for Reconstruction and Development (the Bank), has agreed to provide financing for the Project, as set out in the referred agreement.
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 Bank. The ESCP is a part of the Loan 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 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 Bank. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Bank.
4. As agreed by the 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 through JSIF and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the Managing Director of the JSIF. The Borrower 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 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 instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism(s).</p>	<p>Submit semi-annual reports to the Bank throughout Project implementation, commencing after the Effective Date. Submit each report to the Bank no later than 45 days after the end of each reporting period.</p>	JSIF
B	<p>INCIDENTS AND ACCIDENTS</p> <p>Promptly notify the Bank of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury. 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 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 Bank no later than 48 hours after learning of the incident or accident.</p> <p>Provide subsequent report to the Bank within a timeframe acceptable to the Bank.</p>	JSIF
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 Bank and highlight the key observations and corrective actions (if any).</p>	<p>Submit the monthly reports to the Bank upon request</p>	JSIF
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Establish and maintain a Project Implementation Unit (PIU), with qualified staff and resources to support management of ESHS, labor, land acquisition, cultural heritage, and stakeholder engagement risks and impacts of the Project, including environmental specialists and social specialists). It may be noted that the project preparation works are being supported by the existing E&S staff of the JSIF and they will continue to provide support to the project till hiring of the required staff.</p>	<p>Hire or engage the environmental specialist and social specialist to the PIU prior to carrying out works, including the planning and consultation of activities during the Project’s implementation phase, and thereafter maintain these positions throughout Project implementation.</p>	JSIF

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>1.2 ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>1. Prepare, adopt, and implement an Environmental and Social Impact Assessment (ESIA), and corresponding Environmental and Social Management Plans (ESMPs) for activities under Component 1 of the Project through engaging independent consulting firm, consistent with the relevant ESSs. The Terms of Reference of the ESIA including ESMPs to be reviewed and cleared by the Bank's before initiating the procurement process.</p> <p>2. Prepare, adopt, and implement an Environmental and Social Management Framework (ESMF), including preparation of subproject level environmental and social screening/assessment and ESMPs, for activities under Component 2 of the Project, consistent with the relevant ESSs.</p> <p>3. The proposed activities described in the exclusion list (if any) set out in the ESIA, ESMPs and ESMF and in the Projects' Operation Manual (POM), shall be ineligible to receive financing under the Project.</p>	<p>1. Prepare for Bank non-objection and upon securing the Bank's no objection, then adopt, and disclose the ESIA and ESMPs before launching the bidding processes for the respective works under Component 1. Implement ESMPs throughout the entire duration of Project works.</p> <p>2. Prepare, adopt, and disclose the ESMF prior to carrying out works under Component 2, and thereafter implement the ESMF and subsequent site-specific ESMPs throughout Project implementation.</p> <p>3. The exclusion list (if any) shall be enforced throughout Project implementation.</p>	<p>JSIF</p>
<p>1.3 MANAGEMENT OF CONTRACTORS</p> <p>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 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>	<p>As part of the preparation of procurement documents and respective contracts.</p> <p>Supervise contractors (and subcontractors as applicable) throughout Project implementation.</p>	<p>JSIF</p>
<p>1.4 TECHNICAL ASSISTANCE</p> <p>Ensure that the consultancies, studies, capacity building, training, and any other technical assistance (TA) activities under the Project, including TA under Components 2</p>		<p>JSIF</p>

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	and 3 of the Project, are carried out in accordance with terms of reference acceptable to the Bank, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.	Carry out TA activities consistent with the ESSs throughout Project implementation.	
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	LABOR MANAGEMENT PROCEDURES Adopt and implement the 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 (including relating to SEA and SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms.	Submit the LMP for the Bank’s prior review and no objection, and adopt, and disclose the LMP no later than 60 days following the Effective Date, or before Project workers are hired, whichever comes first. Thereafter implement the LMP throughout Project implementation.	JSIF
2.2	GRIEVANCE MECHANISM (GM) FOR PROJECT WORKERS Establish and operate a Project workers Grievance Mechanism, as described in the LMP and consistent with ESS2.	Establish a grievance mechanism prior to engaging Project workers and thereafter maintain and operate it throughout Project implementation.	JSIF
2.3	OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES a) Develop and implement OHS measures as part of the development and implementation of the site-specific ESMPs and in a manner acceptable to the Bank. b) Incorporate the OHS measures into bidding documents and contracts with consulting firms, contractors, and supervision firms, as applicable. c) Ensure that the OHS measures specified are implemented at the site.	a) Same timeframe as for actions 1.2.1 and 1.2.2. b) Prior to commencing the corresponding bidding process for the respective works and thereafter incorporate in the respective contracts. c) Throughout Project implementation.	JSIF
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	WASTE MANAGEMENT PLAN Adopt and implement a Waste Management Plan (WMP), to manage hazardous and non-hazardous wastes, consistent with ESS3.	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF
3.2	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Incorporate resource efficiency and pollution prevention and management measures in the ESMPs to be prepared under action 1.2.1 and 1.2.2 above.	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF

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ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	TRAFFIC AND ROAD SAFETY Incorporate measures to manage traffic and road safety risks as required in the ESMPs to be prepared under action 1.2.1 above.	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF
4.2	COMMUNITY HEALTH AND SAFETY Assess and manage specific risks and impacts to the community arising from Project activities, including, inter alia, behavior of Project workers, risks of labor influx, child labor, response to emergency situations, and include mitigation measures in the ESMPs to be prepared in accordance with ESS1 and ESS2.	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF
4.3	SEXUAL EXPLOITATION AND ABUSE AND SEXUAL HARASSMENT (SEA/SH) RISKS Adopt and implement sexual exploitation and abuse and sexual harassment (SEA/SH) prevention and response measures, proportionate to the risks of the Project, including availability of a list of services for victims of SEA/SH, adoption of the code of conduct by all workers, and adequate treatment of SEA/SH grievances in the Project level GM, as reflected in the SEP. These measures shall also be included in the ESMPs.	Implement SEA/SH prevention and response measures throughout Project implementation.	JSIF
4.4	UNIVERSAL ACCESS Where technically and financially feasible, incorporate the concept of universal access in civil work designs and designs developed through TA under the Project.	To be incorporated in the designs prior to carrying out works.	JSIF
4.5	SECURITY MANAGEMENT Assess and implement measures to manage the security risks of the Project, including the risks of engaging security personnel to safeguard Project workers, sites, assets, and activities, as set out in the ESMPs and guided by the principles of proportionality and GIIP, and by applicable law, in relation to hiring, rules of conduct, training, equipping, and monitoring of such personnel.	Prior to engaging security personnel and thereafter implemented throughout Project implementation.	JSIF
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	RESETTLEMENT PLANS Where required, prepare, consult, adopt, and implement a resettlement action plan (RAP), and other associated ESS5 instruments, like livelihood restoration plans, for each activity under the Project for which a RAP is required and consistent with ESS5.	Adopt and implement the respective RAP, including by ensuring that, before taking possession of the land and related assets, full compensation has been provided.	JSIF
5.2	GRIEVANCE MECHANISM Establish and implement grievance mechanism (GM) to address resettlement related complaints as described in the RAPs and in the SEP.	Same timeframe as for the RAPs described under activity 5.1.	

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ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	<p>BIODIVERSITY RISKS AND IMPACTS</p> <p>Include an assessment of biodiversity impacts as part of the ESIA (activity 1.2.1) and identify whether any management plan is required as part of the ESMPs. Related measures will be in accordance with the guidelines of the ESIA prepared for the Project, and consistent with ESS6.</p>	Adopt related measures as part of the ESMPs and in the same timeframe as under action 1.2.1 and 1.2.2, and thereafter implement the measures throughout Project implementation.	JSIF
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
ESS7 is NOT currently relevant.			
ESS 8: CULTURAL HERITAGE			
8.1	<p>CULTURAL HERITAGE RISKS AND IMPACTS</p> <p>If required, develop and adopt a Cultural Heritage Management Plan (CHMP), as an annex to the ESMPs, that includes an implementation timeline and an estimate of resource needs for each mitigation measure. The CHMP will be developed and implemented in accordance with the guidelines of the ESIA prepared for the Project, and consistent with ESS8.</p>	Adopt the CHMP prior to carrying out works that require related measures, and thereafter implement throughout Project implementation.	JSIF
8.2	<p>CHANCE FINDS</p> <p>Include the chance finds procedures as part of the ESMPs of the Project and implement it (as applicable).</p>	Same timeframe as for the adoption and implementation of the ESMPs, under action 1.2.1.	JSIF
ESS 9: FINANCIAL INTERMEDIARIES			
ESS9 is NOT currently relevant.			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</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>	Submit the updated SEP for the Bank’s prior review and no objection, adopt, and disclose the SEP no later than 90 days of the Effective Date and thereafter implement the SEP throughout Project implementation.	JSIF
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>		JSIF

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	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.	Establish the grievance mechanism no later than 90 days of the Effective Date and thereafter maintain and operate the mechanism throughout Project implementation. The temporary grievance mechanism included in the draft SEP disclosed by appraisal shall be applicable until the grievance mechanism is finalized.	
CAPACITY SUPPORT			
CS1	<p>Training shall be provided to relevant staff of JSIF and Urban Development Corporation (UDC) on:</p> <ul style="list-style-type: none"> • ESCP requirements and Project E&S instruments • Roles and responsibilities of different agencies and staff on E&S management • Supervision, monitoring, reporting and corrective actions • Stakeholder mapping and engagement • Specific aspects of environmental and social assessment • SEP Grievance Mechanism (GM) and Workers Grievance Mechanism • Community health and safety 	No later than 90 days after the completion of action 1.1. Training shall continue throughout Project implementation based on a training plan agreed between the [Bank and JSIF	JSIF
CS2	<p>Training to be provided to Project contractors/workers on:</p> <ul style="list-style-type: none"> ▪ Environmental and social requirements including ESHS requirements ▪ Waste management ▪ Occupation Health and safety for the workforce including emergency preparedness and response ▪ Infectious Disease Prevention and Response ▪ Community health and safety ▪ SEA/SH risk management ▪ Stakeholder engagement and GM, including Workers GM ▪ Preparation and implementation of the Contractors Environmental and Social Management Plan (CESMP) 	Prior to the start of works based on a training plan agreed between the [Bank and JSIF	JSIF