

Jamaica

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

Draft

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP)

April 28, 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. 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
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.</p>	<p>Establish the PIU within the timeframe required under the Loan Agreement and maintain the PIU, including the required environmental and social specialists, throughout Project implementation.</p>	JSIF
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>1. Prepare an Environmental and Social Impact Assessment (ESIA), and corresponding Environmental and Social Management Plans (ESMPs) for the Kingston Waterfront under Part 1 of the Project through engaging an independent consulting firm, consistent with the relevant ESSs.</p> <p>2. Prepare an Environmental and Social Management Framework (ESMF), for activities under Part 2 of the Project (urban upgrading and economic development in Downtown Kingston), consistent with the relevant ESSs.</p>	<p>1. The Terms of Reference of the ESIA, including ESMPs, shall be reviewed and cleared by the Bank before initiating the procurement process to hire the independent consulting firm. Thereafter ensure that the ESIA and corresponding ESMPs comply with the terms of reference and are finalized in a manner acceptable to the Bank.</p>	JSIF

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
		2. The Terms of Reference of the ESMF shall be reviewed and cleared by the Bank. Thereafter ensure that the ESMF comply with the terms of reference and is finalized in a manner acceptable to the Bank.	
1.3	<p>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 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.</p>	Carry out TA activities consistent with the ESSs throughout Project implementation.	JSIF
1.4	<p>CONTINGENT EMERGENCY RESPONSE FINANCING</p> <p>a) Ensure that the Contingency Emergency Response Component (CERC) Manual includes a description of the Environmental, Social, Health and Safety (ESHS) assessment and management arrangements including, a CERC-ESMF Annex that shall be included or referred to in the CERC Manual for the implementation of CERC component, in accordance with the ESSs.</p> <p>b) Upon activation of the CERC, prepare, consult, adopt, and disclose any environmental and social (E&S) instruments which may be required for activities under the CERC component of the Project, in accordance with the CERC Manual, CERC-ESMF Addendum and the ESSs, and thereafter implement the measures and actions required under said E&S instruments, within the timeframes specified in said E&S instruments.</p>	<p>a) The adoption of the CERC Manual in form and substance acceptable to the Bank is a withdrawal condition under Section III.B.1(b)(ii) of Schedule 2 of the Loan Agreement for the Project.</p> <p>b) Upon activation of the CERC, submit the respective E&S instrument for the Bank’s prior review and approval, and include it as part of the respective bidding process, and in any case, before carrying out of the relevant Project activities for which the E&S instrument is required. Implement the E&S instruments in accordance with their terms, throughout Project implementation.</p>	JSIF
ESS 2: LABOR AND WORKING CONDITIONS			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Adopt and implement, as relevant, 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.</p>	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	<p>GRIEVANCE MECHANISM (GM) FOR PROJECT WORKERS</p> <p>Establish and operate a Project workers Grievance Mechanism, as described in the LMP and consistent with ESS2.</p>	Establish a grievance mechanism prior to engaging Project workers and thereafter maintain and operate it throughout Project implementation.	JSIF
2.3	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>Incorporate OHS measures as part of the ESIA/ESMPs and the ESMF development.</p>	Same timeframe as for actions 1.2.1 and 1.2.2.	JSIF
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>WASTE MANAGEMENT PLAN</p> <p>Prepare a Waste Management Plan (WMP) as part the ESIA/ESMPs and the ESMF, consistent with ESS3.</p>	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF
3.2	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Incorporate resource efficiency and pollution prevention and management measures in the ESIA/ESMPs and the ESMF to be prepared under action 1.2.1 and 1.2.2 above.</p>	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>TRAFFIC AND ROAD SAFETY</p> <p>Incorporate measures to manage traffic and road safety risks as required in the ESIA/ESMPs and the ESMF to be prepared under action 1.2.1 and 1.2.2 above.</p>	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF
4.2	<p>COMMUNITY HEALTH AND SAFETY</p> <p>Assess specific risks and impacts to the community, including, inter alia, behavior of Project workers, risks of labor influx, child labor, response to emergency situations, and include mitigation measures in the ESIA/ESMPs and the ESMF to be prepared under action 1.2.1 and 1.2.2 above.</p>	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF
4.3	<p>SEXUAL EXPLOITATION AND ABUSE AND SEXUAL HARASSMENT (SEA/SH) RISKS</p> <p>Assess the risks of sexual exploitation and abuse and sexual harassment (SEA/SH), and include prevention and response measures, proportionate to the risks of the Project, including availability of a list of services for victims of SEA/SH, code of conduct for future workers, as part of the ESIA/ESMPs and ESMF</p>	Implement SEA/SH prevention and response measures throughout Project implementation.	JSIF

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
4.4	UNIVERSAL ACCESS Where technically and financially feasible, incorporate the concept of universal access in civil work designs developed through TA under the Project.	To be incorporated in the designs through the technical assistance activities.	JSIF
4.5	SECURITY MANAGEMENT Assess the security risks of the Project, including the risks of engaging security personnel to safeguard Project workers, sites, assets, and activities, and include measures to manage such risks in the ESIA/ESMPs and ESMF, 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.	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	RESETTLEMENT PLANS Prepare a resettlement action plan (RAP) for the Kingston Waterfront under Part 1 of the Project, and other relevant ESS5 instruments, like livelihood restoration plans, for activities under Part 2 of the Project (urban upgrading and economic development in Downtown Kingston), as relevant, consistent with ESS5.	Same timeframe as for actions 1.2.1 and 1.2.2 above.	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.	
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	BIODIVERSITY RISKS AND IMPACTS Include an assessment of biodiversity impacts as part of the ESIA (activity 1.2.1) and identify whether any Biodiversity Management Plan is required as part of the ESMPs for the Kingston Waterfront. Related measures shall be in accordance with the guidelines of the ESIA/ESMPs and the ESMF prepared for the Project, and consistent with ESS6.	Adopt related measures as part of the ESMPs and in the same timeframe as under action 1.2.1 and 1.2.2.	JSIF
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
ESS7 is NOT currently relevant.			
ESS 8: CULTURAL HERITAGE			
8.1	CULTURAL HERITAGE RISKS AND IMPACTS Prepare a Cultural Heritage Management Plan (CHMP), for the ESIA/ESMPs and the ESMF, as relevant, and consistent with ESS8.	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF
8.2	CHANCE FINDS Include the chance finds procedures as part of the ESIA/ESMPs and the ESMF of the Project.	Same timeframe as for actions 1.2.1 and 1.2.2 above.	JSIF
ESS 9: FINANCIAL INTERMEDIARIES			
ESS9 is NOT currently relevant.			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
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> <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>	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.	JSIF
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 	Training Plan to be prepared 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 workers on:</p> <ul style="list-style-type: none"> ▪ Environmental and social requirements including ESHS requirements ▪ 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 	Based on a training plan agreed between the Bank and JSIF	JSIF

