

Federal Republic of Nigeria/Federal Ministry of Water Resources and Sanitation

Sustainable Power and Irrigation for Nigeria Project - P179684

Negotiated ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP)

August 27th, 2024

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Federal Republic of Nigeria (hereinafter the Recipient) will implement the Sustainable Power and Irrigation for Nigeria Project (the Project), with the involvement of the Federal Ministry of Water Resources and Sanitation in collaboration with the Federal Ministry of Power, and the relevant Ministry at the State level , as set out in the Financing Agreement. 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 Federal Ministry of Water Resources and Sanitation and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and Federal 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). Any design modifications or changes in scope shall be made in consultation with the Association and reported to the Association.</p>	<p>Submit quarterly reports to the Association throughout Project implementation, commencing after the Effective Date.</p> <p>Submit each report to the Association no later than 14 days after the end of each reporting period.</p>	Federal Ministry of Water Resources and Sanitation (FMWRS) and the Project Implementation Units (SPIUs)
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 injury.</p> <p>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 (24 hours' notice for SEA/SH incidents or accidents resulting in fatalities or serious injuries) after learning of the incident or accident.</p> <p>Provide subsequent report to the Association within a timeframe acceptable to the Association.</p>	FMWRS and SPIUs
C	<p>CONTRACTORS' MONTHLY REPORTS</p> <p>Require contractors and supervising firms to provide monthly monitoring reports on ESHS (incidents & supervision, Training conducted) 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.	FMWRS and the SPIU Environmental and Social teams
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>The FPMU shall set up an E&S unit consisting of one Environmental, one Social and one GBV Officer, leveraging the experience available from the TRIMING Project.</p>	Maintain the E&S unit in the FPMU and establish an E&S unit in the SPIUs as set out in the Financing Agreement.	FMWRS, SPIUs, RBDAs

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>Establish and maintain Environmental and Social Units for the State Project Implementation Units (SPIUs) that is tasked with ESHS management, with qualified staff and resources to support management of ESHS risks and impacts of the Project. Staff to include an Environmental Specialist, a Social Specialist, a Gender/GBV specialist, and a Security Focal Point for each SPIU.</p> <p>Establish and maintain Environmental and Social Units for the River Basin Development Agencies (RBDAs) that is tasked with ESHS management, with qualified staff and resources to support management of ESHS risks and impacts of the Project. Staff to include an Environmental Officer, a Social Officer, and a Gender/GBV Officer.</p> <p>Engage one (1) Dam Safety Expert at the FPMU</p>	<p>The SPIU and RBDA Environmental, Social and GBV/Gender Officers shall be fully deployed from the Ministry of Environment and the Ministry of Women Affairs respectively no later than one month after the Effective Date, and thereafter shall be maintained throughout Project implementation. The Security Advisor shall be hired no later than three months after the Effective Date and thereafter maintained throughout Project implementation.</p> <p>The Recipient shall, no later than three months (3) months after the Effective Date, establish and thereafter maintain throughout the implementation of the Project.</p>	
<p>1.2 ENVIRONMENTAL AND SOCIAL ASSESSMENT</p> <ol style="list-style-type: none"> 1. Prepare, disclose, consult upon, adopt and implement an Environmental and Social Management Framework (ESMF) for the Project, consistent with the relevant ESSs. 2. Require participating states to undertake Environmental and Social Due Diligence (ESDD) for sub-projects using the Environmental and Social screening checklist to identify risk category of each sub-project, as per procedure laid out in the Project ESMF and adopt measures to develop the appropriate Environmental and Social instruments, all consistent with ESSs. 3. Prepare, disclose, consult upon, adopt and implement an Environmental and Social Impact Assessment (ESIA), and corresponding Environmental and Social Management Plan (ESMP) for the rehabilitation works under the Project's Parts 2 and 3, consistent with the relevant ESSs. 	<ol style="list-style-type: none"> 1. The ESMF was adopted and disclosed in July 2024, and shall be implemented throughout Project implementation. 2. Prepare ESDD once the sub-projects are known, and thereafter, develop the recommended instrument(s), prior to the commencement of sub-projects. 3. Adopt the ESIA, ESMP and ESAs prior to rehabilitation works, and thereafter implement the ESIA, ESMP and ESAs throughout Project implementation. 	FMWRS and SPIUs

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>4. Develop Terms of Reference (ToR) for the Due Diligence instruments for Part 1, namely Strategic Environmental and Social Assessment (SESA) for the Hydropower Master Plan (HMP) and ESIA(s) for individual projects identified in the HMP, acceptable to the Association and consistent with ESSs.</p> <p>5. Prepare, disclose, consult upon, adopt and implement the relevant Due Diligence instruments for Part 1 – including SESA and ESIA(s), acceptable to the Association and consistent with ESSs.</p>	<p>4. ToR for SESA to be finalized by October 2024. Hydropower master plan to be developed 18 - 24 months from Project effectiveness.</p> <p>5. SESA to be developed within 18-24 months from effectiveness. ESIA will depend on the individual project identified.</p>	FMWRS in collaboration with the Federal Ministry of Power (FMP) through the Federal Project Management Unit (FPMU) Environmental and Social team
1.3	<p>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 throughout Project implementation.</p>	FMWRS and SPIUs
1.5	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that the consultancies, studies (including feasibility studies for the Hydropower Master Plan), 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.</p> <p>Additionally, where deemed relevant, based on capacity needs at the state level, Technical Assistants on Environmental and Social can be engaged, with terms of reference acceptable to the Association, that are consistent with the ESSs.</p>	<p>Throughout Project implementation.</p> <p>Where deemed relevant based on capacity assessment at the state level, Technical Assistants shall be hired and engaged within one month after the Effective Date.</p> <p>TAs at the state level shall be maintained in the first year of implementation and renewed if required throughout Project implementation.</p>	FMWRS, FMP and SPIUs
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p>	<p>The LMP was adopted and disclosed in July 2024, and shall be implemented throughout Project implementation.</p>	FMWRS and SPIUs

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Prepare, disclose, consult upon, 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.		
2.2	GRIEVANCE MECHANISM FOR PROJECT WORKERS Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.	Establish grievance mechanism prior engaging Project workers and thereafter maintain and operate it throughout Project implementation.	FMWRS and the Participating States
2.3	OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES Require contractors to develop and implement OHS plan to maintain safe working environment and workplace. The OHS Plan will include emergency preparedness and response plan; training of project workers and remedies for occupational injuries death and disability and will follow the General Environment Health and Safety Guidelines (EHSG).	To be adopted prior to the commencement of relevant works and implemented throughout	FMWRS and SPIUs - Contractors
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	WASTE MANAGEMENT PLAN Adopt and implement a Waste Management Plan (WMP), as part of the ESIAs/ESMPs, to manage hazardous and non-hazardous wastes, consistent with ESS3.	Adopt the WMP (as part of the ESIAs/ESMPs), and thereafter implement the WMP throughout Project implementation.	FMWRS and SPIUs
3.2	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Incorporate resource efficiency and pollution prevention and management measures in the ESIAs/ESMPs to be prepared under action 1.2 above.	As part of the ESIAs/ESMPs	FMWRS and SPIUs
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 ESMP to be prepared under action 1.2 above	As part of the ESIAs/ESMPs	FMWRS and SPIUs
4.2	COMMUNITY HEALTH AND SAFETY Assess and manage specific risks and impacts to the community arising from Project activities, including, behavior of Project workers, risks of labor influx, response to emergency situations], and include mitigation measures in the ESIAs, ESMPs to be prepared in accordance with the ESMF.	As part of the ESIAs/ESMPs	FMWRS and SPIUs

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
4.3	<p>SEA AND SH RISKS</p> <p>Prepare, adopt and implement a SEA/SH Action Plans and associated Accountability & Response Framework to assess and manage the risks of SEA and SH.</p>	FMPU to prepare the SEA/SH Action Plans and Accountability and Response Framework before the Effective Date and thereafter FPMU and SPIUs implement throughout Project implementation.	FMWRS and SPIUs
4.4	<p>SECURITY MANAGEMENT</p> <p>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 State-specific Security Management Plans, consistent with ESS4 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.</p>	Prior to engaging security personnel and thereafter implemented throughout Project implementation	FMWRS and SPIUs
4.5	<p>INVOLVEMENT OF SECURITY PERSONNEL</p> <p>Ensure the following measures are carried out before deploying the security personnel in the implementation of Project activities for the provision of security to Project workers, sites and/or assets, consistent with the ESSs:</p> <ul style="list-style-type: none"> a. Assess and implement measures to manage the security risks of engaging the Security Personnel as set out in the Security Management Plans, consistent with ESS4 and guided by the principles of proportionality and GIIP, and by applicable law, in relation to screening, hiring, rules of conduct, training, equipping, and monitoring; b. Adopt and implement standards, protocols, and codes of conduct for the selection and assignment of the Security Personnel to the Project, and screen such personnel to verify that they have not engaged in past unlawful or abusive behavior, including sexual exploitation and abuse (SEA), sexual harassment (SH) or excessive use of force; c. Enter into a memorandum of understanding (MoU), with the line ministry in control of the Security Personnel, setting out the arrangements for the engagement of the Security Personnel in the Project, including the relevant actions and measures set out in this ESCP; 	<p>Carry out a, b), c), and d) before deploying Security Personnel under the Project and implement throughout Project implementation.</p> <p>e) and f) as set out under actions 10.1 and 10.2 respectively. Notify the Association after receiving the concern or grievance in the timeframe specified in action B above.</p> <p>[g) within the timeframes requested by the Association</p>	FMWRS and the Participating States

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<ul style="list-style-type: none"> d. Provide adequate instruction and training to the Security Personnel, prior to deployment and on a regular basis, on the use of force and appropriate conduct (including in relation to civilian-police engagement, SEA and SH, and other relevant areas, as set out in the Security Management Plan and MoU; e. Ensure that the stakeholder engagement activities under the Stakeholder Engagement Plan (SEP) include communication on the involvement of Security Personnel in the Project; f. Ensure that any concerns or grievances regarding the conduct of the NPF are received, monitored, and documented (taking into account the need to protect confidentiality) by the Project's grievance mechanism (see action 10.2 below), which shall facilitate its resolution, in accordance with ESS4 and ESS10. Notify the Association after receiving the concern or grievance, as set out under action B above; and g. Where the Association so request in writing, after consultation with the Recipient: (i) promptly appoint a third- party monitor consultant, with terms of reference, qualifications and experience acceptable to the Association, to visit and monitor the Project area where Security Personnel are deployed, collect relevant data and communicate with Project stakeholders and beneficiaries; (ii) require the third-party monitor consultant to prepare and submit monitoring reports, which shall be promptly made available to and discussed with the Association; and (iii) promptly take any actions, as may be requested by the Association upon its review of the third-party monitor consultant reports. 		
<p>4.6 DAM SAFETY (FOR ANNEX A, PARA. 5. ESS4)</p> <ul style="list-style-type: none"> 1. Engage qualified dam safety expert to develop dam safety measures for the dams and to supervise the implementation of the relevant remedial works, in accordance with good international industry practice, and thereafter adopt and implement such measures. 2. Establish and maintain an independent Dam Safety Review Panel (DSRP) with terms of reference and composition acceptable to the Association, for reviewing and confirming the adequacy of the design of rehabilitation and safety improvement works, quality of construction works, and other dam safety measures including dam safety plans. 	<ul style="list-style-type: none"> 1. The Recipient shall, no later than three months (3) months after the Effective Date, establish and thereafter maintain throughout the implementation of the Project. 2. The Recipient shall, no later than thirty (30) days after the Effective date, established and thereafter 	FMWRS

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>3. Prepare dam safety plans including: i) instrumentation plan, ii) operation and maintenance plan, and iii) emergency preparedness plan. Ensure that these plans are adopted and implemented consistent with ESS4.</p> <p>4. Prepare and adopt national dam safety guidelines and protocols</p>	<p>maintain until the Project Dams have been fully rehabilitated.</p> <p>3. Instrumentation Plan: Before bid tendering</p> <p>Operation & Maintenance Plan: Not later than six months before rehabilitation works are completed</p> <p>Emergency Preparedness Plan: Not later than six months before rehabilitation works are completed.</p> <p>4. Before starting any dam rehabilitation works.</p>	
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	<p>RESETTLEMENT POLICY FRAMEWORK</p> <p>Prepare, disclose, consult upon, adopt and implement a Resettlement Policy Framework (RPF) for the Project, consistent with ESS5.</p>	The RPF was adopted and disclosed in July 2024, and shall be implemented throughout Project implementation.	FMWR and SPIUs
5.2	<p>RESETTLEMENT PLANS</p> <p>Prepare, disclose, consult upon, adopt and implement a Resettlement Action Plan (RAP) and/or Livelihood Restoration Plan (LRP) for each activity under the Project (including if relevant for the Hydropower Plan) for which the RPF requires such RAP and/or LRP, and consistent with ESS5.</p>	Adopt and implement the respective RAP and/or LRP prior to the commencement of relevant civil works, including ensuring that before taking possession of the land and related assets, full compensation has been provided and displaced people have been resettled and moving allowances have been provided.	FMWRS and SPIUs
5.3	<p>GRIEVANCE MECHANISM</p> <p>Adopt and implement a grievance mechanism to address resettlement related complaints, as described in the RPF, SEP and RAP.</p>	Adopt and implement the grievance mechanism prior to commencement of resettlement activities	FMWRS and SPIUs
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
6.1	BIODIVERSITY RISKS AND IMPACTS If needed, and based on ESIA/ESMP findings, adopt and implement a Biodiversity Management Plan (BMP) as part of the ESIA/ESMPs in accordance with the guidelines of the ESMF prepared for the Project, and consistent with ESS6 specially for damsites close to conservation areas	As part of the ESIA/ESMPs	FMWRS and SPIUs
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES: Not Applicable			
ESS 8: CULTURAL HERITAGE			
8.1	CULTURAL HERITAGE RISKS AND IMPACTS If needed, and based on ESIA/ESMP findings, adopt and implement a Cultural Heritage Management Plan (CHMP) as part of the ESIA/ESMPs that would be prepared in accordance with the guidelines of the ESMF prepared for the Project, and consistent with ESS8.	As part of the ESIA/ESMPs	FMWRS and SPIUs
8.2	CHANCE FINDS Describe and implement the chance finds procedures as part of the ESMF and ESIA/ESMPs of the Project.	As part of the ESIA/ESMPs. Implement the procedures prior to rehabilitation, and thereafter throughout Project implementation.	FMWRS and SPIUs
ESS 9: FINANCIAL INTERMEDIARIES: Not Applicable			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Prepare, disclose, consult upon, 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.	The SEP was adopted and disclosed in July 2024, and shall be implemented throughout Project implementation.	FMWRS and SPIUs
10.2	PROJECT GRIEVANCE MECHANISM 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.	Establish the grievance mechanism no later than three (3) months after the Effective date and thereafter maintain and operate the mechanism throughout Project implementation. While the operationalization of the Project level GRM is pending, complaints will be submitted through the FMWRS existing complaints channels such as SERVICOM.	FMWRS and SPIUs

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	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.		
CAPACITY SUPPORT			
CS1	<ul style="list-style-type: none"> • Training of Project team on the Association procurement processes and ESF for project workers. • ESF Capacity building • Specific aspects of social risk management, including GBV SEA/SH risks, resettlement planning, voluntary land donation, stakeholder engagement; impacts and mitigation measures for FPMU and PIU teams. • Implementation of Grievance Redress Mechanism • How to conduct stakeholder engagement • Occupational Health and safety at work and civil works • Addressing SEA/SH issues in World Bank financed Projects • Security Protocol and Management • Addressing E&S requirement in Community Driven Development projects • Community health and safety) Communities (construction stage impacts, safety provisions, OHS guidelines) 	During project implementation	FMWRS and SPIUs
CS2	<ul style="list-style-type: none"> • Occupational Health and safety at work and civil works • Emergency prevention and preparedness and response Strategy • Security Management Strategies 	During project implementation	FMWRS and SPIUs