

Republic of South Sudan

Ministry of Health

South Sudan Health Sector Transformation Project (HSTP) (P181385)

(Draft)

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

November 16, 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of South Sudan (Recipient) will be implementing the South Sudan Health Sector Transformation Project (HSTP) (the Project), with the involvement of the Ministry of Health (MoH) as the implementing agency and United Nations Children's Fund (UNICEF) and World Health Organization (WHO) contracted by the Recipient as management organizations, as set out in the Financing Agreement. The International Development Association (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, through the MoH, this ESCP will be revised from time to time if necessary, during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to Project performance. In such circumstances, the Recipient, through the MoH, and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Recipient, through the MoH. 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, stakeholder engagement activities and functioning of the grievance mechanisms.</p>	<p>Quarterly for the first year as part of the Project's technical progress report, starting from the Project Effective Date, and thereafter biannually throughout Project implementation. UNICEF and WHO to provide their progress report to the Project Management Unit (PMU) 20 days after the end of each reporting period. Submit each compiled report to the Association no later than 30 days after the end of each reporting period.</p>	Ministry of Health (MOH)
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 [specify other examples of incidents and accidents, as appropriate for the type of operation. 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 supervising entity, 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>MOH to notify the Association no later than 24 hours, and UNICEF/WHO to the MOH within 24 hours, after learning of the incident or accident using such reporting formats as the Association may specify.</p> <p>Provide subsequent report to the Association within a timeframe acceptable to the Association.</p>	MOH with UNICEF/WHO
C	<p>CONTRACTORS' MONTHLY REPORTS</p> <p>Require contractors and supervising firms to provide monthly monitoring reports on ESHS performance in accordance with the metrics specified in the respective bidding documents and contracts, and submit such reports to the Association.</p>	<p>Submit the monthly reports to the Association upon request as annexes to the reports to be submitted under action A above.</p>	MOH with Contractors or Supervising firms

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
D	<p>NOTIFICATIONS RELATING TO DAAB COMPLIANCE REVIEW OF CONTRACTOR COMPLIANCE WITH SEA/SH PREVENTION AND RESPONSE OBLIGATIONS</p> <p>Notify the Association 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 Association 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>	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, emergency/full arbitration order, as applicable).	PMU with UNICEF, WHO, Contractors/Supervising firms
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Establish and maintain the PMU with qualified and capacitated staff including a functional environmental and social risk management organizational structure throughout Project implementation with qualified staff (one Environmental Risk Management Specialist, one Social Risk Management Specialist, and one GBV specialist with expertise of gender), and focal points at the local level and resources to support management of ESHS risks and impacts of the Project. Further technical support will be provided by the UNICEF and WHO.</p> <p>UNICEF and WHO will sign contracts 60 days from the Effectiveness Date of the Project. UNICEF and WHO shall maintain existing management structure and implementation arrangement (under South Sudan COVID-19 Emergency Response and Health Systems Preparedness Project and its Additional Financing) for ESHS implementation of HSTP in compliance with the ESCP, and other ESF instruments to be adopted under the Project.</p> <p>The PMU will contract a third-party monitoring agent (TPMA). The TPMA, among other responsibilities, monitors Environmental Social Health and Safety (ESHS) compliance in all project components, including compliance with this ESCP. The Terms of Reference of the TPMA has clear roles and deliverables for its engagement.</p>	<p>Establish and maintain a PMU with qualified staff as set out in the Financing Agreement no later two months after the effective date, and thereafter maintain these positions throughout Project implementation.</p> <p>60 days from the Effectiveness Date, and thereafter maintain throughout Project implementation.</p> <p>Within 90 days after project effectiveness and thereafter maintain throughout Project implementation</p>	MoH

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.2	<p>MANAGEMENT TOOLS AND INSTRUMENTS</p> <p>1. Consistent with the relevant ESSs, prepare, consult upon, disclose, adopt and implement an (a) Environmental and Social Management Framework (ESMF) (including, as annexes, the Labor Management Procedures (LMP), Social Assessment (SA) including Social Development Plan (SDP), GBV/SEA/SH Prevention and Response Action Plan, and General Medical Waste Management Plan, and capacity assessment and action plan); (b) Resettlement Framework (RF); and (c) Security Risk Assessment and Management Plan (SRAMP).</p> <p>2. Prepare, consult upon, disclose, adopt and implement site specific Environmental and Social Impact Assessments (ESIAs)/ corresponding Environmental and Social Management Plans (ESMPs) for health facility rehabilitation subprojects as set out in the ESMF. In line with the ESMF and site specific ESIAs/ESMPs, ensure that contractors will prepare C-ESMPs before commencement of any rehabilitation/construction activities.</p>	<p>1. Prepare, disclose, and adopt the ESMF, the RF, and the SRAMP before the Project Effectiveness date, and thereafter implement throughout Project implementation.</p> <p>2. Adopt the site-specific ESIA/ESMP before launching the bidding process for the respective Project activity/subproject that requires the adoption of such as ESIA/ESMP. Once adopted, implement the respective instruments throughout Project implementation.</p>	MoH
1.3	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including, inter alia, the relevant E&S instruments, as listed under 1.1 (LMP), 1.2 (ESIA, ESMP, LMP, GBV Action Plan) 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 for respective contracts.</p> <p>Supervise contractors ESHS requirements throughout Project implementation.</p>	MoH with UNICEF and WHO
1.4	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that technical assistance activities including feasibility studies, capacity building, training, and any other related 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>	Throughout Project implementation	MoH
1.5.	<p>CONTINGENT EMERGENCY RESPONSE COMPONENT (CERC) FINANCING</p> <p>Ensure that activities and other technical assistance activities under the CERC are carried out in accordance with terms of reference acceptable to the Association, that are consistent with the ESSs.</p>	Prior to implementation of activities under CERC	MoH

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>Also, maintain a chapter in the ESMF to outline CERC provisions (see 1.2 for ESMF timeline).</p> <p>Update the ESMF upon CERC activation, as necessary to reflect CERC activities.</p> <p>Carry out CERC activities in accordance with the ESMF.</p>	<p>Same timeframe as under under Action 1.2(1) above</p> <p>Prior to any CERC activations under the Project.</p> <p>Throughout implementation of CERC activities</p>	
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>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 (OHS) plan (including personal protective equipment, and emergency preparedness and response), code of conduct (including relating to SEA/SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms.</p>	<p>Prepare and disclose the LMP, as part of the ESMF, before the Project Effectiveness date and thereafter implement the LMP throughout Project implementation.</p> <p>Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2</p>	MoH
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2. Grievance mechanism procedures for Project workers shall be spelled out in LMP.</p>	Establish a grievance mechanism for Project workers as part of the LMP, prior to engaging Project workers and thereafter maintain and operate throughout Project implementation	MoH
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>MEDICAL WASTE MANAGEMENT PLAN:</p> <p>Adopt and implement Medical Waste Management Plan (WMP) as part of ESMF and site specific ESIAs/ESMPs to manage hazardous and non-hazardous wastes, consistent with ESMF and ESS3</p>	Same timeframe as under Actions 1.2 (1) for ESMF and 1.2 (2) for ESIAs/ESMPs above	MoH
3.2	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Consistent with ESS3, incorporate resource efficiency and pollution prevention and management measures in the ESMF (including: measures to carry out the purchase, storage, transportation and handling of vaccines (including, ultra-cold chain management) in a safe manner and in accordance with the good industry practice and relevant WHO guidelines; adequately manage and dispose of health care wastes (including, vaccines); sustainably manage construction-related waste generated during rehabilitation and construction activities, and other types of hazardous and non-hazardous wastes); and will be detailed in the site-specific environmental and social risk management tools such as ESMPs/ ESIAs to be prepared under Actions 1.2 (1) and 1.2 (2), respectively</p>	Same timeframe as for the adoption and implementation of the ESMF under Section 1.2 (1) above. Inclusion in site-specific ESIAs/ESMPs is same timeline for adoption and implementation as ESIAs/ESMPs under Section 1.2 (2) above	MoH

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	TRAFFIC AND ROAD SAFETY Consistent with ESMF and ESS4, incorporate measures to manage traffic and road safety risks as required in the site-specific ESIAs/ESMPs to be prepared under section 1.2(2)	Same timeframe as for the adoption and implementation of the ESIAs/ESMPs under Section 1.2 (2) above	MoH
4.2	COMMUNITY HEALTH AND SAFETY Assess and manage specific risks and impacts to the community arising from Project activities, including, inter alia, medical wastes, SEA/SH, child labor, behavior of Project workers, risks of labor influx and other issues, and include mitigation measures in the ESIAs/ESMPs to be prepared in accordance with the ESMF.	Same timeframe as for the adoption and implementation of the ESIAs/ESMPs under Action 1.2 (2) above	MoH
4.3	GBV AND SEA RISKS Adopt and implement a SEA/SH Action Plan as part of the ESMF to assess and manage the risks of SEA/ SH	Same time frame as for the adoption and implementation of the ESMF under Section 1.2 (1) above	MoH
4.4	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 Security Risk Assessment and Management Plan (SRAMP) for the Project, 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 under Section 1.2 (1) above	MoH
4.5	Consistent with the ESMF and ESS4, Personal Data Protection: Safeguard personal data of individuals as an essential aspect of protecting people's lives, their physical and mental integrity, and their dignity on Personal Data Protection; take the appropriate measures, if any breach of the rules takes place.	Same time frame as for the adoption and implementation of the ESMF under Section 1.2 (1) above	MoH
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	RESETTLEMENT POLICY FRAMEWORK Adopt and implement a Resettlement Framework (RF) for the Project, consistent with ESS5.	Same timeframe as under Section 1.2 (1) above	MoH
5.2	RESETTLEMENT PLANS Adopt and implement a resettlement action plan (RAP) for each activity under the Project for which the RF requires such RAP, as set out in the RF, and consistent with ESS5.	Adopt and implement the respective RAP, including ensuring that before taking possession of the land and related assets, full compensation has been provided and [as applicable] displaced people have been resettled and moving allowances have been provided.	MoH

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1.	Where relevant, adopt and implement mitigation measures, including E&S screening process, analysis of alternatives and management plan for hazardous wastes as part of subproject specific ESIAs/ESMPs, consistent with ESS6 and ESMF	Same timeframe as under Section 1.2 (2) above	MoH
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	INDIGENOUS PEOPLES As most of South Sudan's population fall under the definition of Indigenous Peoples outlined in ESS7, this Project shall comply with the provisions of ESS7. Respective assessments and provisions shall be included in the Social Assessment (including Social Development Plan (SDP)) as part of the ESMF as well as the overall design of the project to ensure culturally appropriate communication as well as access to culturally appropriate benefits.	Same timeframe as under Section 1.2 (1) above	MoH
7.2	GRIEVANCE MECHANISM Given it is envisioned that all Project beneficiaries are Indigenous Peoples, the grievance mechanism will be established under ESS10.	The GRM, as part of the SEP, is developed and will be disclosed before appraisal; and thereafter will be functional throughout Project implementation	MoH
ESS 8: CULTURAL HERITAGE			
8.1	CHANCE FINDS Describe and implement the chance finds procedures, as part of subproject specific ESIAs/ESMPs consistent with ESS8 and ESMF	Same timeframe as under Section 1.2 (2) above	MoH
ESS 9: FINANCIAL INTERMEDIARIES			
	Not relevant to this Project		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Adopt and implement a Stakeholder Engagement Plan (SEP). It 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, in a manner consistent with ESS 10 and acceptable to the Association	Adopt the SEP prior to the Project Effectiveness date and thereafter implement the SEP throughout Project implementation	MoH

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
10.2	<p>PROJECT GRIEVANCE MECHANISM:</p> <p>Establish, publicize, maintain and operate a grievance mechanism, as described in the SEP. The GRM shall be culturally appropriate and readily accessible to all Project-affected parties including any traditionally disadvantaged, vulnerable or marginalized communities. The grievance mechanism shall also receive, register and address concerns and grievances related to sexual exploitation and abuse, and sexual harassment in a safe and confidential manner, including through the referral of survivors to gender- based violence service providers.</p>	GRM established no later than 60 days after the project effectiveness date, and thereafter operate and maintain the GRM throughout Project implementation.	MoH
CAPACITY SUPPORT (TRAINING)			
CS1	<p>All capacity building activities and trainings will be further detailed in the ESMF, trainings may be required in:</p> <ul style="list-style-type: none"> Stakeholder engagement Environmental and Social Management Framework Resettlement Policy Framework Occupational and Community Health and Safety Emergency preparedness and response GBV risk mitigation Prevention and reporting of SEA/SH Grievance Management Labour management procedures Management of medical waste and disposal of sharps Security Risk Management Significant Event reporting and management Waste disposal plan for wasted vaccine vials, used sharps and any used batteries, solar panels, or unused/spilt fuel oil used for refrigeration 	Throughout Project implementation	MoH with PMU, UNICEF and WHO