

Republic of Kenya

KENYA COVID-19 EMERGENCY RESPONSE PROJECT ADDITIONAL FINANCING (P175188)

ENVIRONMENTAL and SOCIAL COMMITMENT PLAN (ESCP)

04 November 2020

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Kenya (the **Recipient**) will implement the Kenya COVID-19 Emergency Response Project Additional Financing (the **Project AF**), with the involvement of the Ministry of Health. The International Development Association (the **Association**) has agreed to provide financing for the Project AF.
2. The Recipient will implement material measures and actions so that the Project AF is implemented in accordance with the Environmental and Social Standards (**ESSs**). This Environmental and Social Commitment Plan (**ESCP**) sets out material measures and actions, any specific documents or plans, as well as the timing for each of these.
3. The Recipient is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the Ministry referenced in 1 above.
4. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Association by the Recipient as required by the ESCP and the conditions of the legal agreement, and the Association will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project AF.
5. As agreed by the Association and the Recipient, this ESCP may be revised from time to time during Project AF implementation, to reflect adaptive management of Project AF changes and unforeseen circumstances or in response to assessment of Project AF performance conducted under the ESCP itself. In such circumstances, the Recipient or its designated representatives will agree to the changes with the Association and will update the ESCP to reflect such changes. Agreement on changes to the ESCP will be documented through the exchange of letters signed between the Association and the Recipient. The Recipient will promptly disclose the updated ESCP.
6. Where Project AF changes, unforeseen circumstances, or Project AF performance result in changes to the risks and impacts during Project AF implementation, the Recipient shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
MONITORING AND REPORTING			
A	REGULAR REPORTING: Prepare and submit to the Association regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project AF, including but not limited to, stakeholder engagement activities and grievances log.	Quarterly throughout the Project AF implementation period.	Ministry of Health, Kenya
B	International Alignment. The MoH will review the Project AF's implementation, monitoring, and reporting on environmental and social matters under the Project AF in line with updated WHO updated guidance on Covid 19.	Reporting quarterly throughout the Project AF implementation period.	Ministry of Health, Kenya
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	ORGANIZATIONAL STRUCTURE: The Ministry of Health shall establish and maintain a Project Management Team (PMT) with qualified staff and resources to support management of environmental and social risks and impacts of the Project AF, including dedicated environmental (at least one) and social risk management (at least one) specialists.	The PMT staff shall be in place prior to the commencement of Project AF activities. The PMT shall be maintained throughout Project AF implementation.	Ministry of Health, Kenya

1.2	<p>ENVIRONMENTAL AND SOCIAL ASSESSMENT/MANAGEMENT PLANS AND INSTRUMENTS/ CONTRACTORS</p> <p>a. Update, disclose and adopt an Environmental and Social Management Framework (ESMF) for the Project AF. The ESMF for the Project AF will be the same as the ESMF for the parent project. It will include a template for Infection Control and Waste Management Plan (ICWMP) based on the existing ICWMP prepared for the Africa CDC Regional Project as well as a template for Environmental and Social Management Plan (ESMP) as necessary for isolation centers construction.</p> <p>b. Assess the environmental and social risks and impacts of proposed Project AF activities - including to ensure that individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable, have access to the development benefits resulting from the Project AF - in accordance with ESSs and the ESMF.</p> <p>c. Prepare, publicly consult, disclose, adopt, and implement Infection Control and Waste Management Plans, Environmental and Social Management Plans and/or other instruments, if required for the respective Project AF activities based on the screening and assessment process, in accordance with the ESSs, the ESMF, the EHSs and other relevant Good International Industry Practice (GIIP) including relevant WHO Guidelines related to COVID-19, in a manner acceptable to the Association.</p> <p>d. Incorporate the relevant aspects of this ESCP, including, inter alia, any Environmental and Social Management Plans or other instruments, ESS2 requirements, and any other required ESHS measures, into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms. Thereafter ensure that the contractors and supervising firms comply with the ESHS specifications of their respective</p>	<p>a. The ESMF including ICWMP has been prepared, disclosed. It is accessible at https://www.health.go.ke/wp-content/uploads/2020/09/Environmental-and-social-management-Framework.pdf</p> <p>The updated ESMF will be finalized within one month after the effective date of Additional Financing.</p> <p>b. Assessment shall be conducted before the carrying out of the relevant Project AF activities.</p> <p>c. Before carrying out of the relevant Project AF activities, and thereafter throughout the carrying out of such activities.</p> <p>d. Before launching the procurement process for the relevant Project AF</p>	Ministry of Health, Kenya
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	<p>contracts.</p> <p>e. Update Environmental and Social Management Plans, And Infection Control and Waste Management Plans or other instruments based on updated guidance by WHO on COVID19.</p>	<p>activities and thereafter throughout the carrying out of such activities.</p> <p>e. Throughout Project AF implementation</p>	
1.3	<p>EXCLUSIONS: Exclude the following type of activities as ineligible for financing under the Project AF:</p> <p>a. Activities that may cause long term, permanent and/or irreversible adverse (e.g. loss of major natural habitat) impacts</p> <p>b. Activities that have high probability of causing serious adverse effects to human health and/or the environment not related to treatment of COVID19 cases</p> <p>c. Activities that may have significant adverse social impacts and may give rise to significant social conflict</p> <p>d. Activities which would require Free Prior Informed Consent under ESS7</p> <p>e. Activities that may affect lands or rights of Vulnerable and Marginalized Groups or other vulnerable minorities</p> <p>f. Activities that may involve permanent resettlement or land acquisition or adverse impacts on cultural heritage</p> <p>g. All the other excluded activities set out in the ESMF.</p>	<p>During the assessment process conducted under action 1.2.b. above.</p>	<p>Ministry of Health, Kenya</p>
ESS 2: LABOR AND WORKING CONDITIONS			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
2.1	Relevant aspects of this standard shall be considered, as needed, under action 1.2 above.	<p>The Labor Management Procedures prepared and disclosed for the parent project are available at https://www.health.go.ke/wp-content/uploads/2020/07/Labor-Management-Procedures-KENYA-COVID-19-EMERGENCY-RESPONSE-PROJECT-P1738202.pdf</p> <p>The updated LMP reflecting AF activities will be disclosed within one month after the effective date of Additional Financing.</p> <p>Maintain throughout Project AF implementation.</p>	Ministry of Health, Kenya
2.2	LABOR MANAGEMENT: The Project AF shall be carried out in accordance with the applicable requirements of ESS2, in a manner acceptable to the Association, including through, inter alia, implementing adequate occupational health and safety measures (including emergency preparedness and response measures), setting out grievance arrangements for Project AF workers, and incorporating labor requirements into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms.	Throughout Project AF implementation.	Ministry of Health, Kenya
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	Without prejudice to the prohibition in action 1.3(b) above, relevant aspects of this standard shall be considered, as needed, under action 1.2 above, including, inter alia, measures to: manage health care wastes, and other types of hazardous and non-hazardous wastes.	Throughout Project AF implementation.	Ministry of Health, Kenya
ESS 4: COMMUNITY HEALTH AND SAFETY			

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<p>4.1 Without prejudice to the prohibition in action 1.3(b) above, relevant aspects of this standard shall be considered, as needed, under action 1.2 above, including, inter alia, measures to: minimize the potential for community exposure to communicable diseases; ensure that individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable have access to the development benefits resulting from the Project AF; manage the risks of the use of security personnel; manage the risks of labor influx; and prevent and respond to sexual exploitation and abuse, and sexual harassment.</p>	<p>Throughout Project AF implementation.</p>	<p>Ministry of Health, Kenya</p>
<p>4.2 GBV AND SEA RISKS: The project will ensure the avoidance of any form of SEA by implementing the provisions on GBV (including management of data privacy and retaliation risks) as provided in the SEP, LMP, and ESMF while also relying on the WHO Code of Ethics and Professional Conduct for all workers in the quarantine facilities as well as the provision of gender-sensitive infrastructure such as segregated toilets and enough light in quarantine and isolation centers.</p>	<p>Throughout Project AF implementation</p>	<p>Ministry of Health, Kenya</p>
<p>4.3 USE OF SECURITY PERSONNEL: Ensure that any public or private security personnel operating or assisting with quarantine and isolation centers and screening posts, or otherwise involved in the Project AF, abide by clear rules of engagement and a code of conduct consistent with ESS4 and acceptable to the Association.</p> <p>These rules of engagement and code of conduct shall ensure that public and private security personnel associated with the Project AF have been: (i) screened to confirm that they have not engaged in past unlawful or abusive behavior, including SEA, SH or excessive use of force; (ii) adequately instructed and trained, on a regular basis, on the use of force and appropriate behavior and conduct (including in relation to SEA and SH); (iii) deployed in a manner consistent with applicable national law; (iv) will follow strict rules of engagement, code of conduct, and avoid any escalation, and (v) ensure an efficient monitoring of the security personnel on field.</p>	<p>Rules of engagement and code of conduct to be adopted before involvement of any public or private security personnel, and implemented throughout Project AF implementation</p>	<p>Ministry of Health, Kenya</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	Without prejudice to the prohibition in action 1.3(f) above, relevant aspects of this standard shall be considered, as needed, under action 1.2 above.	Throughout Project AF implementation.	Ministry of Health, Kenya
5.2	Without prejudice to the prohibition in action 1.3(f) above, all construction and isolation tents will be undertaken within existing facilities and thus at this point ESS5 is not considered relevant. In case land acquisition would be necessary, plans will be developed in accordance with ESS5 to the satisfaction of the Bank prior to commencement of any land acquisition and displacement.	Throughout Project AF implementation.	Ministry of Health, Kenya
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	Without prejudice to the prohibition in action 1.3(a), relevant aspects of this standard shall be considered, as needed, under action 1.2 above.	Throughout Project AF implementation.	Ministry of Health, Kenya
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	Without prejudice to the prohibition in action 1.3(d), relevant aspects of this standard shall be considered, as needed, under action 1.2 above.	Throughout Project AF implementation.	Ministry of Health, Kenya
7.2	The Recipient will ensure that SSAHUTLC communities are appropriately informed and can share in the benefits of the Project AF in an inclusive and culturally appropriate manner (i.e. prevention and treatment) with provisions included in the SEP, in accordance with ESS7.	Throughout Project AF implementation.	Ministry of Health, Kenya
7.3	If SSAHUTLC communities are likely to be affected by quarantine provisions, site-specific approaches must be prepared to ensure adequate consideration of their specific cultural needs in accordance with ESS7, to the satisfaction of the Association.	Throughout Project AF implementation.	Ministry of Health, Kenya
ESS 8: CULTURAL HERITAGE			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
8.1	Without prejudice to the prohibition in action 1.3(f), relevant aspects of this standard shall be applied, as needed, under action 1.2 above.	Throughout Project AF implementation.	Ministry of Health, Kenya
ESS 9: FINANCIAL INTERMEDIARIES			
9.1	Not relevant.		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN: Prepare, disclose, and implement a Stakeholder Engagement Plan (SEP) consistent with ESS10, in a manner acceptable to the Association. The SEP of the parent project shall apply to the Project AF.	A draft SEP has been prepared and disclosed at https://www.health.go.ke/wp-content/uploads/2020/07/Stakeholder-Engagement-Plan-SEP-KENYA-COVID-19-EMERGENCY-RESPONSE-PROJECT-P1738201.pdf	Ministry of Health, Kenya
10.2	UPDATE SEP: Update the SEP of the parent project to include a risk communication and community engagement (RCCE) strategy, in line with WHO guidance on “Risk communication and community engagement (RCCE) readiness and response to the 2019 novel coronavirus (2019-nCoV)” (January 26, 2020), and adopt the SEP consistent with ESS10, in a manner acceptable to the Association.	The updated SEP will be finalized within one month after the Effective Date of Additional Financing.	Ministry of Health, Kenya
10.3	STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE: Implement the Stakeholder Engagement Plan (SEP) consistent with ESS10, including the use of different, culturally appropriate communication approaches to ensure communication also with the most vulnerable, including illiterate and people with disabilities and hard to reach communities including areas with security concerns.	Throughout Project AF implementation.	Ministry of Health, Kenya
10.4	CASE MANAGEMENT: In line with the SEP, the Project AF will ensure systematic case management, allowing communication between quarantined people and their relatives.	Throughout Project AF implementation.	Ministry of Health, Kenya

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
10.5	GRIEVANCE MECHANISM: Accessible grievance arrangements shall be made publicly available to receive and facilitate resolution of concerns and grievances in relation to the Project AF, consistent with ESS10, in a manner acceptable to the Association.	Throughout Project AF implementation.	Ministry of Health, Kenya
CAPACITY SUPPORT (TRAINING)			
11.1	<p>Training topics for personnel involved in Project AF implementation will among others include:</p> <ul style="list-style-type: none"> • COVID-19 Infection Prevention and Control Recommendations • Laboratory biosafety guidance related to the COVID-19 • Specimen collection and shipment • Standard precautions for COVID-19 patients • Risk communication and community engagement • Grievance redress mechanisms • Security issues • WHO and Africa CDC guidelines on quarantine including case management 	Throughout Project AF implementation.	Ministry of Health, Kenya