

**Ministry of Health
Timor-Leste Health Access and Rapid
Improvements and Innovations Project –
P179592**

**Draft
ENVIRONMENTAL AND SOCIAL
COMMITMENT PLAN (ESCP)**

January 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Democratic Republic of Timor-Leste through the Ministry of Health of Timor-Leste (or hereafter the Recipient) will implement Timor-Leste Health Access and Rapid Improvements and Innovations Project (or hereafter the Project). The International Development Association] (or hereafter the Association) has agreed to provide financing [P179592] for the Project, as set out in the financing 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 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 environmental and social instruments any specific documents or plans 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 authorized officials Ministry of Health and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between both parties. 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 Environmental and Social Management Framework (ESMF) and ESCP, stakeholder engagement activities, and functioning of the grievance mechanism.</p>	Six-monthly no later than the date of Implementation Support Missions (ISMs).	Special Project Management Unit (S-PMU) of the 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. 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 after learning of the incident or accident.</p> <p>Provide subsequent report to the Association no later than 10 working days following the reporting or within a timeframe acceptable to the Association.</p>	S-PMU
C	<p>CONTRACTORS’ MONTHLY REPORTS</p> <p>Require contractors and supervising firms to provide 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>	Provide quarterly reporting of contractors’ compliance to the ESSs to the Association.	S-PMU
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Assign environmental and social focal points with appropriate qualifications at the SPMU and hire specific positions for ESHS management at the SPMU or Project Management Consultant. These include but not limited to an environmental specialist with expertise in medical waste management, a social specialist with expertise in community engagement and social risk management, civil engineer with Occupational Health and Safety (OHS) expertise, architect with universal design and climate resilience design expertise, a Feedback and Grievance Redress Mechanism (FGRM) specialist with expertise in system and database development.</p>	Focal points to be appointed by project appraisal. Relevant specialists for ESHS management to be hired within three months following project effectiveness.	S-PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>a. Finalize and adopt the project’s ESMF drafted prior to project appraisal, addressing applicable ESSs.</p> <p>b. Adopt and implement site-specific environmental and social assessments and environmental and social management plans (ESMPs) for construction of municipal hospitals in target areas as set out in the ESMF. Any sub-project activities described in the exclusion list set out in the ESMF shall be ineligible to receive financing under the project.</p> <p>c. Incorporate environmental and social indicators as part of a comprehensive infrastructure and equipment gap assessment for each Community Health Center (CHC) and Health Post (HP) to inform environmental and social risk classification, potential site-specific risks and impacts and corresponding mitigation measures.</p> <p>d. Adopt and implement Environmental and Social Codes of Practices (ESCOPs) for minor upgrading of health care facilities assessed as low risk and procurement and maintenance of medical equipment.</p>	<p>a. Update, finalize and adopt the draft ESMF by project effectiveness and thereafter implement the framework throughout Project implementation.</p> <p>b. Finalize site-specific environmental and social assessments and adopt ESMPs prior to the launch of a bidding process for the respective civil works. Once adopted, implement the respective ESMP(s) throughout sub-project implementation.</p> <p>c. Incorporate environmental and social indicators as part of the development of standard operating procedures for CHC and HP infrastructure and equipment gap assessments. Adopt applicable environmental and social risk and impact mitigation measures prior to civil work activities.</p> <p>d. Incorporate ESCOPs into bidding documents and Terms of References. Implement ESCOPs throughout sub-project implementation.</p>	S-PMU
1.3	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including, inter alia, the relevant ESMPs, the Labor Management Procedures (LMP), 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>Prior to the launch of the bidding process. Supervise contractors throughout sub-project implementation.</p>	S-PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.4	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that the development of Detailed Engineering Designs (DEDs) and building standards for health facilities along with capacity building, training, and any other technical assistance activities 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>Terms of Reference to be reviewed and cleared by the Association prior to the launch of the bidding process. Monitor ESS compliance throughout Project implementation.</p>	S-PMU
1.5	<p>CONTINGENT [EMERGENCY] [EARLY] RESPONSE FINANCING</p> <p>a. Ensure that the CERC Manual under Component 4 includes a description of the ESHS assessment and management arrangements in accordance with the ESSs.</p> <p>b. Adopt any environmental and social instruments which may be required for activities under of the Project, in accordance with the CERC manual which addresses the ESSs, and thereafter implement the measures and actions required under said environmental and social instruments, within the timeframes specified in said environmental and social instruments.</p>	<p>a. Preparation and adoption of the CERC manual as part of the Project Operation Manual (POM) in form and substance acceptable to the Association by project effectiveness.</p> <p>b. Adopt any required environment and social instrument and include it as part of the respective bidding process, if applicable, and in any case, before the carrying out of the relevant Project activities for which the environment and social instrument is required. Implement the environment and social instruments in accordance with their terms, throughout Project implementation.</p>	S-PMU
1.6	<p>ASSOCIATED FACILITIES</p> <p>Ensure that the activities identified as associated facilities under the ESF are carried out in accordance with the applicable requirements of the ESMF, ESCP and SEP, including, inter alia, site-specific environmental and social assessments and ESMPs, ESCOPs, LMP, management of contractors, land acquisition plan, etc.</p>	<p>Prior to an investment decision for sub-projects with associated facilities. Perform due diligence of such associated facilities as part of site-specific environment and social assessments and include applicable risk and impact mitigation measures as part of ESMPs. Implement such measures throughout implementation of sub-projects concerned.</p>	S-PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Adopt and implement the LMP for the Project as established in the ESMF, including, inter alia, provisions on working conditions, management of workers relationships, OHS, 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>	LMP to be drafted prior to project appraisal and subsequently finalized and adopted prior to project effectiveness. Thereafter implement the LMP throughout Project implementation.	S-PMU
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>Establish and operate a feedback and grievance redress mechanism (FGRM) adapted for Project workers, as described in the LMP in the ESMF and consistent with ESS2.</p>	Establish a FGRM for project workers prior to project effectiveness and thereafter maintain and operate it throughout Project implementation.	S-PMU
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>WASTE MANAGEMENT PLAN</p> <p>a. Adopt and implement site-specific ESMPs and/or ESCOPs as applicable governing management of construction wastes for all civil works, consistent with ESS3.</p> <p>b. Incorporate the ESCOP governing medical wastes management into operation plans of three municipal hospitals to be financed by the project, consistent with ESS3.</p> <p>c. Ensure safe disposal of IT equipment procured at the end of its lifespan in compliance with Government of Timor-Leste legislation (Law No. 2/2017 on Urban Solid Waste Management System) and support procurement of goods that emphasize technically and financially feasible waste minimization efforts.</p>	<p>a. Incorporate applicable measures on waste management under site-specific ESMPs and/or ESCOPs into the bidding documents and thereafter implement applicable measures throughout sub-project implementation.</p> <p>b. Incorporate ESCOPs into hospital operation plans prior to facility handover.</p>	SPMU
3.2	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Incorporate resource efficiency and pollution prevention and management measures in the DEDs of the municipal hospitals to be financed under the project and building standards for health facilities.</p>	Prior to the launch of the bidding process of DED firms.	SPMU

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ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>TRAFFIC AND ROAD SAFETY</p> <p>Incorporate measures to manage traffic and road safety risks, where applicable, as required in site-specific ESMPs.</p>	Adopt applicable measures prior to commencement of civil works, and thereafter implement applicable measures throughout sub-project implementation.	Civil work contractors with oversight from the SPMU and supervision engineer.
4.2	<p>COMMUNITY HEALTH AND SAFETY</p> <p>Assess and manage specific risks and impacts to the community arising from sub-project activities as part of site-specific environmental and social assessments, ESMPs and detailed engineering designs. Relevant indicators include behavior of project workers, risks of labor influx, universal access and climate resilience designs, response to emergency situations, and include mitigation measures in the ESMPs to be prepared in accordance with the ESMF.</p>	Adopt applicable measures prior to commencement of civil works, and thereafter implement applicable measures throughout sub-project implementation.	Civil work contractors with oversight from the SPMU and supervision engineer.
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	<p>LAND ACQUISITION AND LAND DUE DILLIGENCE</p> <p>a. Perform land due diligence of the proposed sites for each municipal hospital in line with a land due-diligence procedure in the ESMF and implement applicable risk and impact mitigation measures as applicable as described in the Land Acquisition Framework and Land Due Diligence Procedure in the ESMF in line with the ESS5. These may include mutually accepted compensations and/or livelihoods support as guided in the eligibility criteria and entitlement matrix in the above procedure. Involuntary land acquisition, physical displacement and/or eviction of affected communities and/or households regardless of the nature of their land claims and/or rights are not allowed under the project in line with a negative list in the ESMF.</p> <p>b. In the event that new land is required for the purpose of hospital construction, prepare a land acquisition plan in line with the land aquation procedure in the ESMF. Allowed modalities include voluntary land transactions and under specific circumstances, voluntary land donation as far as these are compliant with the ESS7.</p>	<p>a. Prior to site selection of each municipal hospital.</p> <p>b. Land acquisition plans/livelihood restoration plans to be approved by the Association prior to procurement of civil works.</p> <p>For both a and b, if applicable, implementation of risk and mitigation measures shall be completed before implementation of specific activities with potential impacts considered under ESS5.</p>	SPMU and municipal administrators.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	<p>BIODIVERSITY RISKS AND IMPACTS</p> <p>Incorporate an assessment of biodiversity risks and impacts as part of site-specific environmental and social assessments in line with ESS6 and incorporate and implement relevant measures in the ESMPs and/or other instruments in line with the environmental and social risk classification in the ESMF. Relevant risk indicators include the existing (ambient) environmental conditions, existing and future land uses, proximity of the project to areas of importance to biodiversity and potential cumulative impacts.</p>	Adopt applicable measures prior to commencement of civil works, and thereafter implement applicable measures throughout sub-project implementation.	Civil work contractors with oversight from the SPMU and supervision engineer.
ESS 7: INDIGENOUS PEOPLES			
7.1	<p>CONSULTATIONS AND ENGAGEMENT</p> <p>Ensure inclusive consultations and engagement with Indigenous Peoples consistent with ESS7 where they are present in sub-project locations. Ensure that no activities with adverse impacts on Indigenous Peoples are eligible for financing as set out in the negative list.</p>	Prior to implementation of specific activities in areas where there is presence of Indigenous Peoples.	SPMU and municipal administrators
ESS 8: CULTURAL HERITAGE			
8.1	<p>CULTURAL HERITAGE RISKS AND IMPACTS</p> <p>Incorporate an assessment of cultural heritage risks and impacts as part of site-specific environmental and social assessments in line with ESS8 and incorporate relevant measures and/or other instruments in line with the environmental and social risk classification in the ESMF.</p>	Adopt applicable measures prior to commencement of civil works, and thereafter implement applicable measures throughout sub-project implementation.	Civil work contractors with oversight from the SPMU and supervision engineer.
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 drafted prior to project appraisal, 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>	Update, finalize and adopt the project's SEP prior to completion of project appraisal. Implement and update the SEP throughout the Project implementation.	SPMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
10.2	<p>PROJECT GRIEVANCE MECHANISM</p> <p>Establish, publicize, maintain, and operate an accessible FGRM, 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. 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>	<p>Adopt a FGRM for the project activities as established in the ESMF prior to project effectiveness and operate and thereafter maintain and operate it throughout Project implementation.</p>	
CAPACITY SUPPORT			
CS1	<p>Based on the completed institutional capacity assessment, the following capacity building areas shall be prioritized, targeting key SPMU personnel, including environmental and social focal points:</p> <ol style="list-style-type: none"> Introduction of the World Bank Environmental and Social Framework, applicable provisions in the ESMF, Environmental Health and Safety (EHS) guidelines for health care facility operations as established in the ESCOPs, covering handling of waste management, emissions to air, OHS, community health and safety, followed by training/on-the-job training, awareness, and oversight. OHS and community health and safety applicable for civil works and medical equipment operations. Inclusive engagement with diverse groups, including vulnerable groups who are expected to benefit from a strengthened referral system and quality of health services, as well as those who may potentially be impacted as a result of project activities (i.e., constructions). Feedback and Grievance Redress Mechanism (FGRM) in the health sector is currently fragmented, and there is no single FGRM system in place across government levels. Further assessments on the system capacity on grievance handling are warranted as part of the ESMF preparation. Training on preventing SEA /SH and COVID 19 measures/protocols. 	<p>Capacity building activities to be organized within three months of project effectiveness and maintained throughout Project implementation.</p>	S-PMU

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY

