

Government of Tuvalu
Pacific Islands Regional Oceanscape Program –
Second Phase for Economic Resilience Project

P179599

Draft

ENVIRONMENTAL AND SOCIAL
COMMITMENT PLAN (ESCP)

August 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Government of Tuvalu (the Borrower) will implement the Pacific Islands Regional Oceanscape Program – Second Phase for Economic Resilience Project (TV PROPER) Project (the Project), with the involvement of the Tuvalu Fisheries Department (TFD), as set out in the Financing Agreement. The International Development Association (the Association), has agreed to provide financing (P179599) for the Project, as set out in the referred agreement(s).
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 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(s).
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 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 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 TFD and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Director of Fisheries from the TFD. 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 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).</p>	<p>Submit six-monthly project progress reports to the Association throughout Project implementation, commencing after the Effective Date in accordance with the timeframe described in the Financing Agreement. Submit each report to the Association no later than 30 days after the end of each reporting period.</p>	<p>Project Management Unit (PMU) with support from the Central Project Management Office (CPMO) Environmental and Social (E&S) Team</p>
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), violence against children (VAC) 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 with corrective measures within a timeframe acceptable to the Association.</p>	<p>PMU with technical and oversight support from the CPMO</p>
C	<p>CONTRACTORS’ MONTHLY REPORTS</p> <p>Require contractors 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 monthly reports to the Association upon request and as annexes to the reports to be submitted under action A above.</p>	<p>Project Management Unit (PMU) with support from the CPMO</p>
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 SEA, and/or 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</p>	<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).</p>	<p>PMU, with support from the CPMO</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	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.		
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>1. Establish and maintain a PMU with qualified staff and resources to support management of ESHS risks and impacts of the Project including an E&S Officer.</p> <p>2. Maintain staffing arrangements of the Central Project Management Office (CPMO) of International E&S Risks Advisor and a Local E&S Safeguards Specialist.</p> <p>3. PMU shall engage environmental and social specialists on an ad hoc basis to prepare environmental and social assessments as required.</p>	<p>1. E&S Officer to be engaged within six months of the Project Effective Date.</p> <p>2. CPMO organizational structure shall be maintained throughout Project implementation.</p> <p>3. Engagement of specialists to be as required throughout the project implementation.</p>	<p>1. PMU with technical oversight and mentoring support from the CPMO.</p> <p>2. CPMO.</p> <p>3. PMU with technical and oversight support from the CPMO Team.</p>
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>1. Update, consult, adopt, disclose and thereafter implement the Environmental and Social Management Plan (ESMP) for the Project, consistent with the relevant ESSs.</p> <p>2. Screen any proposed Project activity in accordance with the ESMP adopted for the Project. The proposed Project activities that are screened as High or Substantial risk as per the process set out in the ESMP shall be ineligible to receive financing under the Project.</p> <p>3. Prepare activity-specific documents as specified in the ESMP, including C-ESMP, Rapid Site and Options Assessment, and Stakeholder Engagement Action Plans.</p>	<p>1. ESMP was prepared, consulted, disclosed and adopted prior to appraisal. Implement the ESMP throughout Project implementation.</p> <p>2. Screening to be completed prior to the finalization of bidding document.</p> <p>3. Activity-specific documents to be finalized prior to commencement of activity.</p>	<p>1. PMU is responsible for ESMP implementation, with technical support provided by the CPMO.</p> <p>2. PMU with technical support provided by CPMO.</p> <p>3. Applicable contractor and/or consultant.</p>
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>1. As part of the preparation of procurement documents and respective contracts.</p> <p>2. Supervise contractors throughout Project implementation.</p>	<p>1. PMU with technical and oversight support from by CPMO and Procurement teams.</p> <p>2. PMU with technical support provided by CPMO.</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.4	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that the consultancies, studies (including feasibility studies), 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 ESMP, LMP and SEP. Thereafter ensure that the outputs of such activities comply with the terms of reference and are consistent with the ESMP, LMP and SEP.</p>	Throughout Project implementation.	PMU with technical and oversight support from by CPMO and Procurement teams.
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOUR MANAGEMENT PROCEDURES</p> <p>Adopt and implement the Labour 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>	LMP was prepared, consulted, disclosed and adopted prior to appraisal, and will be implemented throughout Project implementation.	<p>CPMO to prepare and disclose the LMP.</p> <p>PMU to implement LMP with technical support from CPMO and Procurement teams.</p>
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.</p>	Grievance mechanism operational prior engaging Project workers and maintained throughout Project implementation.	<p>PMU responsible for establishment of grievance mechanism for Project workers.</p> <p>Implementation by the PMU, with oversight by the CPMO</p>
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>WASTE MANAGEMENT PLAN</p> <p>Prepare, adopt, and implement waste management measures in ESMP, including incorporating into Contractor’s bid documents (as specified in the ESMP) the requirement for Waste Management to be included in the C-ESMP. Thereafter ensure that the contractors and supervising firms comply and cause subcontractors to comply with C-ESMP.</p>	Preparation of clauses prior to the finalization of procurement documents. Supervision of Contractors throughout Project implementation.	PMU with technical support and oversight by the CPMO team
3.2	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Incorporate resource efficiency and pollution prevention and management measures in the ESMP to be prepared under action 1.2 above.</p>	Same timeframe as for the adoption and implementation of the ESMP.	PMU with technical support and oversight by the CPMO team

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
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.	Same timeframe as for the adoption and implementation of the ESMP.	PMU with technical support and oversight by the CPMO
4.2	COMMUNITY HEALTH AND SAFETY Prepare, adopt, and implement measures and actions included in the ESMP and LMP to manage risks (including code of conduct to address behavior of Project workers), in a manner acceptable to the Association. Assess and manage specific risks and impacts to the community arising from Project activities and include mitigation measures in the subproject-specific safety documentation to be prepared in accordance with the ESMP and LMP.	Same timeframe as for the adoption and implementation of the ESMP and LMP.	PMU with technical support and oversight by the CPMO
4.3	SEA AND SH RISKS Prepare, adopt, and implement measures and actions and include in the ESMP and LMP to manage SEA/SH risks (including code of conduct to address behavior of Project workers).	Same timeframe as for the adoption and implementation of the ESMP and LMP.	PMU with technical support and oversight by the CPMO
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
	ESS 5 is not considered relevant. The Project will involve the implementation of natural resource management plans and may result in the loss of access to natural resources that support subsistence and customary livelihoods, and local food and income security. Such impacts would typically trigger ESS5, however, the impacts on vulnerable people are proportionate to the benefits that they will receive through better managed fisheries. Thus, there are not differentiated impacts. Some project activities (under Subcomponent 2.2) will mitigate food insecurity risk. This is detailed in Appendix 4 of the ESMP.		
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	BIODIVERSITY RISKS AND IMPACTS Adopt and implement measures and actions to assess and manage biodiversity risks as required in the ESMP prepared for the Project and consistent with ESS6.	Same timeframe as for the adoption and implementation of the ESMPs.	PMU with technical and oversight support from the CPMO Team
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	ESS 7 is not considered relevant. There are no known groups that meet the criteria in ESS7 as the majority of people in Tuvalu (96%) belong to the Polynesian ethnic group, who will be the overwhelming beneficiaries of the project.		
ESS 8: CULTURAL HERITAGE			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
8.1	<p>CHANCE FINDS Describe and implement the chance finds procedures as part of the C-ESMP in accordance with the ESMP.</p>	Same timeframe as for the ESMP.	PMU with technical and oversight support from the CPMO Team.
ESS 9: FINANCIAL INTERMEDIARIES			
	<p>ESS 9 is not considered relevant. The Project does not propose to include financial intermediaries.</p>		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION 1. Prepare, adopt, and implement the Stakeholder Engagement Plan (SEP) 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 genuine and culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation. 2. Prepare and implement activity-based Stakeholder Engagement Action Plans (SEAPs) in compliance with the SEP.</p>	<p>1. SEP was prepared, disclosed and adopted prior to appraisal. Implement the SEP throughout Project implementation. 2. Prepare and implement a Stakeholder Engagement Action Plan (SEAPs) for each activity (as required)</p>	<p>1.CPMO responsible for preparing the SEP, in consultation with the PMU. 2.Consultants responsible for preparation and implementation of SEAPs with technical and oversight support from the PMU and CPMO.</p>
10.2	<p>PROJECT GRIEVANCE REDRESS MECHANISM Establish, publicize, maintain, and operate an accessible Project grievance redress mechanism (GRM), 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 redress 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>Project GRM prepared, consulted, adopted and disclosed prior to appraisal. Project GRM to be operational within 30 days of the Effectiveness Date and Implemented throughout the Project.</p>	<p>CPMO responsible for establishment of Project GRM. Implementation by the PMU, with oversight by the CPMO team</p>
CAPACITY SUPPORT			
CS1	<p>PMU staff to receive training on Project E&S instruments and the roles and responsibilities of different key agencies in E&S risk management.</p>	Within 3 months of the Effective Date.	PMU to arrange training and keep records. CPMO Team to prepare and deliver training.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
CS2	All Project workers to receive training on occupational health and safety, prevention of gender-based violence (GBV), SEAH, Violence Against Children (VAC), environmental incidents and emergency prevention and preparedness and responses to emergency situations and the grievance mechanisms.	As required, prior to work commencing, and throughout Project implementation as new workers are engaged.	PMU to arrange training and keep records. CPMO to prepare training package, PMU E&S Officer to deliver.
CS3	Training to be delivered as per Table 11 of the ESMP.	As required, prior to commencing work, and throughout Project implementation.	PMU E&S Officer (or delegate) to deliver training