

Government of Federated States of Micronesia Digital FSM P170718

Draft ENVIRONMENTAL and SOCIAL COMMITMENT PLAN (ESCP)

04 November 2019

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ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Government of Federated States of Micronesia (GovFSM) will implement the Digital FSM Project (the **Project**), with the involvement of the following Ministries/agencies/units: Department of Transport, Communications and Infrastructure (DTCI), the FSM Telecommunication Cable Corporation (FSMTCC), also known as Open Access Entity (OAE), the Telecommunication Regulation Authority (TRA), the Department of Health and Human Services (DH&HS) and the Department of Finance and Administration (DoFA) Central Implementation Unit (CIU). The International Development Association (hereinafter the Association) has agreed to provide financing for the Project.
2. GovFSM will implement material measures and actions so that the Project is implemented in accordance with the World Bank's 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. GovFSM will also comply with the provisions of any other E&S documents required under the ESF and referred to in this ESCP, such as Environmental and Social Management Plans (ESMP), Resettlement Action Plans (RAP), and Stakeholder Engagement Plans (SEP), and the timelines specified in those E&S documents.
4. GovFSM is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the Ministry, agency or unit referenced in 1. above.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Association by GovFSM 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.
6. As agreed by the Association and GovFSM, this ESCP may be revised from time to time during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to assessment of Project performance conducted under the ESCP itself. In such circumstances, GovFSM/ or delegate(s) 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 GovFSM/ or delegate(s). The GovFSM or delegate(s) will promptly disclose the updated ESCP.
7. Where Project changes, unforeseen circumstances, or Project performance result in changes to the risks and impacts during Project implementation, the GovFSM 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	<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 documents required under the ESCP, stakeholder engagement activities, Contractor’s ESHS implementation, ESHS incidents, functioning of the grievance mechanism(s).</p>	Six-monthly, throughout Project implementation.	Central Implementation Unit
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. Provide sufficient detail regarding 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. Subsequently, as per the Association’s request, prepare a report on the incident or accident and propose any measures to prevent its recurrence. These activities are outlined in the Project Grievance Mechanism.</p>	Notify the Association within 48 hours after learning of the incident or accident. A report would be provided to the Association, as requested.	Central Implementation Unit Safeguards Team
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Establish and maintain an organizational structure with qualified staff and resources to support management of E&S risks including maintaining a Safeguards team in the Central Implementation Unit to provide ongoing support, advice and monitoring to DTCL, FSMTCC (OAE) and the Department of Health and Human Services (DH& HS). Recruitment of part time consultants as required to support the stakeholder engagement processes, technical advisory work and to supervise infrastructure installation.</p>	<p>The Safeguards team as part of their roles will be available to support the Project throughout project implementation.</p> <p>Part time consultants to be hired and retained on an as-required basis.</p>	<p>Central Implementation Unit</p> <p>Central Implementation Unit, Implementing Agencies.</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.2	<p>ENVIRONMENTAL AND SOCIAL ASSESSMENT</p> <p>Adopt, implement and update the Environmental and Social Management Plan (ESMP) in a manner acceptable to the Association. Specific risks and impacts relating to infrastructure installation include: managing sediment discharges, wet concrete and other waste discharges, vegetation clearances, securing land access for public infrastructure (government or private), Project workers OH&S, behaviors with host communities, and inadvertently disturbing graves or other cultural heritage sites. Specific opportunities relating to institutional strengthening include ensuring safeguards for internet users to understand, avoid, minimise, report and seek victim support for harmful and criminal online activities (bullying and harassment, security breaches, scams, etc.).</p>	Adopt and implement the Environmental and Social Management Plan (ESMP) throughout Project Implementation.	FSMTCC, OAEDTCI, TRA and Department of Health and Human Services (DH& HS), supported by Central Implementation Unit.
1.3	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including the relevant aspects of the Environmental and Social Management Plan (ESMP), Stakeholder Engagement Plan (SEP) and the Labor Management Procedures (LMP), into the ESHS specifications of the procurement documents with contractors responsible for installing internet infrastructure. Thereafter ensure that the contractors comply with the ESHS specifications of their respective contracts.</p>	Prior to the preparation of procurement documents. Supervise contractors throughout Project implementation.	FSMTCC, supported by Central Implementation Unit.
1.4	<p>MANAGEMENT OF TECHNICAL ADVISORY CONTRACTS</p> <p>Incorporate the relevant aspects ESCP, including the relevant aspects of the Environmental and Social Management Plan (ESMP), Stakeholder Engagement Plan (SEP) and the Labor Management Procedures (LMP), into the terms of reference. Thereafter ensure that the approaches and outputs of the consultants comply with the terms of reference.</p>	Prior to the preparation of procurement documents. Supervise consultants throughout Project implementation.	FSMTCC OAE, DTCI, TRA and DH&HS, supported by Central Implementation Unit (CIU).
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Adopt, implement and update the Labor Management Procedures (LMP) in a manner acceptable to the Association.</p>	Adopt, implement and update the Labor Management Procedures (LMP) throughout Project Implementation.	FSMTCC-OAE, DTCI, TRA and DH&HS, Central Implementation Unit (CIU).

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS Establish, maintain, and operate a grievance mechanism for Project workers, as described in the Labor Management Procedures (LMP) and consistent with ESS2.</p>	Adopt, implement and update the Grievance Mechanism throughout Project Implementation.	FSMTCC-OAE, DTCl, TRA and DH&HS, supported by Central Implementation Unit (CIU).
2.3	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES Adopt, implement and update the occupational, health and safety (OHS) measures specified in the Environmental and Social Management Plan (ESMP) in a manner acceptable to the Association. Specific issues relate to working in remote areas, travelling in small water craft, working at heights, working on road edges at risk of vehicle collisions, working in the heat, protection from diseases and illnesses and working with electrical or heavy machinery.</p>	Adopt and implement the Environmental and Social Management Plan (ESMP) throughout Project Implementation.	FSMTCC-OAE, DTCl, TRA and DH&HS, Central Implementation Unit (CIU).
2.4	<p>WORKER CODE OF CONDUCT Prepare and implement code of conduct for workers as specified in the ESMP.</p>	Prior to the commencement of works.	FSMTCC-OAE, DTCl, TRA and DH&HS, Central Implementation Unit (CIU)
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>WASTE MANAGEMENT: Adopt, implement and update the waste management measures specified in the Environmental and Social Management Plan (ESMP) in a manner acceptable to the Association. Specific issues relate to managing sediment, wet/leftover concrete, packaging, cable-related waste and hazardous waste such as waste oil.</p>	Adopt and implement the Environmental and Social Management Plan (ESMP) throughout Project Implementation.	Contractor, supervised by the PMU, FSMTCC-OAE and supported by Central Implementation Unit (CIU).
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>TRAFFIC AND ROAD SAFETY: Adopt, implement and update the traffic and road safety measures through the development of a Traffic Management Plan as specified in the Environmental and Social Management Plan (ESMP) in a manner acceptable to the Association. Specific issues relate to keeping motorists and pedestrians safe from work areas in road easements.</p>	Adopt and implement the Environmental and Social Management Plan (ESMP) throughout Project Implementation.	Contractor, supervised by the PMU, FSMTCC-OAE and supported by Central Implementation Unit (CIU).

4.2	<p>COMMUNITY HEALTH AND SAFETY: Adopt, implement and update the community health and safety measures specified in the Environmental and Social Management Plan (ESMP) in a manner acceptable to the Association. Specific issues relate to safety around construction sites (particularly road easements), risks of violence and harassment behavior of Project workers during design and installation of infrastructure, and the awareness raising and institutional strengthening to manage the negative online influences and activities from improved internet connectivity.</p>	Adopt and implement the Environmental and Social Management Plan (ESMP) throughout Project Implementation.	Contractor, FSMTCC-OAE, DTCI, TRA and Department of Health and Human Services, supported by Central Implementation Unit (CIU).
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	<p>RESETTLEMENT POLICY FRAMEWORK: Adopt, implement and update the Land Access Process in a manner acceptable to the Association.</p>	Land access process agreed with World Bank prior to effectiveness.	PMU and FSMTCC-OAE, supported by Central Implementation Unit (CIU).
5.2	<p>VOUNTARY LAND ACCESS PROCESS: Consult, negotiate and implement voluntary land donations for public infrastructure on private land in accordance with the objectives of ESS 5 and consistent with the requirements of the Land Access process that has been prepared for the Project, in a manner acceptable to the Association.</p>	Negotiate and implement Voluntary Land access process prior to any activities involving access to, and / or use of, private land.	FSMTCC-OAE, supported by Central Implementation Unit. (CIU).
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	<p>BIODIVERSITY MANAGEMENT: Adopt, implement and update the biodiversity management measures specified in the Environmental and Social Management Plan (ESMP) in a manner acceptable to the Association. Specific issues relate to surveying and avoiding natural habitats during infrastructure design and installation.</p>	Adopt and implement the Environmental and Social Management Plan (ESMP) throughout Project Implementation.	PMU, FSMTCC –OAE supported by Central Implementation Unit (CIU).
ESS 8: CULTURAL HERITAGE			
8.1	<p>CULTURAL HERITAGE MANAGEMENT: Adopt, implement and update the cultural heritage management measures specified in the Environmental and Social Management Plan (ESMP) in a manner acceptable to the Association. Specific issues relate to consultations with communities and surveying to avoid graves and other culturally significant sites during infrastructure design and installation.</p>	Adopt and implement the Environmental and Social Management Plan (ESMP) throughout Project Implementation.	PMU, FSMTCC-OAE supported by Central Implementation Unit (CIU).

8.2	<p>CHANCE FINDS: Prepare, adopt, and implement the chance finds procedure described in the Environmental and Social Management Plan(ESMP) developed for the Project.</p>	Throughout Project implementation.	FSMTCC-OAE supported by Central Implementation Unit (CIU).
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Adopt, implement and update the Stakeholder Engagement Plan (SEP) throughout Project implementation. Specific issues relate to engaging fully with communities who may receive improved connectivity infrastructure under the Project, ensuring private land access is voluntary and involves all relevant land owners, ensuring all eligible households and businesses are aware of the opportunity to connect to the fibre network (particularly vulnerable households), and ensuring stakeholders are fully engaged in the various institutional strengthening activities.</p>	Adopt and implement the Stakeholder Engagement Plan (SEP) throughout Project Implementation.	FSMTCC-OAE, DTCl,TRA and DH&HS, supported by Central Implementation Unit (CIU).
10.2	<p>PROJECT GRIEVANCE MECHANISM: Adopt, implement and update the Grievance Mechanism throughout Project implementation.</p>	Adopt and implement the Grievance Mechanism throughout Project Implementation.	FSMTCC-OAE, DTCl,TRA and DH&HS, supported by Central Implementation Unit (CIU).
CAPACITY SUPPORT (TRAINING)			
CS1	DTCl, FSMTCC-OAE, DH&HS and TRA staff responsible for the Project to receive training from on the Project safeguards instruments, the relevant requirements of the Environmental and Social Management Plan (ESMP) , and the roles and responsibilities of different key agencies in safeguards implementation.	Within three months of Project effectiveness and as new project team members join the Project throughout implementation.	Central Implementation Unit (CIU).
CS2	Project workers to receive training onlocal culture, occupational health and safety, prevention of gender based violence, environmental incidents and emergency prevention and preparedness and responses to emergency situations.	As required, prior to work commencing, and throughout project implementation as new staff / workers are recruited.	Central Implementation Unit (CIU).
CS3	Contractors to receive training on the relevant aspects of the Project safeguards instruments and relevant ESHS requirements, including preparation of detailed ESHS management plans and procedures.	Prior to work commencing, throughout project implementation.	Central Implementation Unit(CIU) .