

**Common Market for Eastern and Southern Africa**

**(COMESA)**

**Accelerating Sustainable & Clean Energy Access Transformation (ASCENT) in AFE Region Multi-Phase Programmatic Approach (MPA)**

**(P180547)**

**Revised Draft**

**ENVIRONMENTAL and SOCIAL**

**COMMITMENT PLAN (ESCP)**

**September 2023**

**ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN**

1. The Common Market for Eastern and Southern Africa (COMESA) will implement the Accelerating Sustainable & Clean Energy Access Transformation (ASCENT) Regional Energy Access Acceleration Platform Project (P180547) (the Project), as set out in the Project Agreement. The International Development Association (the Association) has agreed to provide the original financing for the Project, as set out in the referred agreement.
2. COMESA shall ensure that the Project is carried out in accordance with the Environmental and Social Standards (ESSs) of the World Bank Environmental and Social Framework (ESF) and this Environmental and Social Commitment Plan (ESCP), in a manner acceptable to the Association. The ESCP is a part of the Project 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 ESSs, 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, 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 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 COMESA Secretary General. The Recipient shall promptly disclose the updated ESCP

| **MATERIAL MEASURES AND ACTIONS**  | **TIMEFRAME** | **RESPONSIBLE ENTITY** |
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| **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, 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) including those related to Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH). For incidents related to SEA/SH, the report should include only non-identifiable information such as the survivor's age, gender, type of incident, whether the alleged perpetrator is related to the project according to the survivor's witness, and the care services the survivor accessed, if any. | Submit quarterly reports to the Association throughout Project implementation, commencing 90 days after the Effective Date. Submit each report to the Association no later than 30 days after the end of each reporting period.  | COMESA |
| B | **INCIDENTS AND ACCIDENTS**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 SEA/SH, and accidents that result in death, serious or multiple injury, alleged violations of labor laws (forced and child labour) and working conditions, cases of gender-based discrimination such as exclusion of vulnerable people (women, youth, people with disabilities, minority and disadvantaged groups), etc.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. For SEA/SH cases, the incident report shall respect ethical principles regarding the management of GBV-related data, in particular, the confidentiality and security of the parties involved; therefore, no identifiable information shall be shared.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. | Notify the Association no later than 48 hours after learning of the incident or accident and no later than 24 hours after any severe incident/fatal accident, including SEA/SH incidents.Provide subsequent report within a timeframe acceptable to the Association.  | COMESA |
| C | **CONSULTING FIRMS MONTHLY REPORTS**Require Consultants to provide monthly monitoring reports on TA ESHS performance in accordance with the metrics specified in the respective ToRs and Consulting contracts and submit such reports to the Association.These reports shall provide details on the consultants’ oversight on environmental, social, health and safety (ESHS) performance in accordance with this ESCP and the Project’s E&S instruments, including the SEP and LMP.These reports shall be generated from the field by the project consultants and submitted through the E&S Management Specialists of COMESA for onward reporting to the Association. | Submit the monthly reports to the Association upon request and as annexes to the reports to be submitted under action A above*.* | COMESA |
| D | **NOTIFICATIONS RELATING TO DAAB COMPLIANCE REVIEW OF CONTRACTOR COMPLIANCE WITH SEA/SH PREVENTION AND RESPONSE OBLIGATIONS**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 consulting firms obligations to prevent and respond to SEA/SH specified in the respective consultants’ ToRs with such consulting firm; and, in the event of any such referral, notify the Association of: (i) the DAAB’s decision on such referral; (ii) the consultant’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.  | 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).  | COMESA |
| **ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS** |
| 1.1 | **ORGANIZATIONAL STRUCTURE**1. Adopt and maintain the Regional Infrastructure Financing Facility (RIFF) Project’s (P171967) PIU at the COMESA Secretariat.
2. As short term measure to strengthen the PIU to support the management of ESHS risks and impacts of the ASCENT TA Project, recruit and maintain an environmental expert with OHS expertise, a social expert, and a stakeholder engagement/communication expert and train/sensitize them on the World Bank’s ESF/ESSs requirements to enable them review consultancy ToRs and reports to ensure they are in line with the ESF/ESSs. The ESHS management staff should have qualifications and experience acceptable to the Association, i.e., at least 7 years’ experience by each expert
3. , Put in place plans to establish ESHS unit/section within the COMESA Secretariat – headed by an ESHS Director satisfactory to the Association - and ensure it is appropriated resources (with qualified staff and other resources) to ensure the proper attention to ESHS matters in all COMESA activities.
4. The strengthened PIU shall also provide technical guidance and support on environmental and social risks management for Project Preparation Facility (PPF) activities during the Facility design and implementation phases.
5. Mobilize additional staff as needed on short-term and long-term engagements in accordance with capacity building and institutional assessment/ needs;
6. Ensure the PPF consultant that possesses EHS expertise and the terms of reference for PPF design is acceptable to the Association, consistent with the ESSs and WB (World Bank) EHSG (Environmental Health and Safety Guidelines), and thereafter ensure that the outputs of such activities comply with the terms of reference.
 | 1. Ongoing throughout the ASECENT project life
2. Recruit qualified environmental, social, and stakeholder engagement/communication experts prior to project effectiveness and thereafter maintain throughout Project implementation.
3. By year five of project effectiveness
4. Guidance and support on ESHS risk and impacts management should be provided during design of PPF, and thereafter maintained throughout Project implementation.
5. Throughout project implementation
6. Before disbursement of component 2 of the Project
 | COMESAPIU |
| 1.2 | **ENVIRONMENTAL AND SOCIAL INSTRUMENTS** 1. Prepare, disclose, adopt, and implement the ESCP, SEP and LMP in a form and substance acceptable to the Association.
2. All ESF instruments shall be reviewed and cleared by the Association and publicly disclosed in a language understandable to stakeholders in accordance with ESS10.
3. ensure consistency in the development of the required ESF instruments across the different countries under the MPA
4. Ensure the design and implementation of the PPF is done in a form and manner satisfactory to the Association consistent with ESF requirement and including procedures to embed ESHS requirements in advisory services provided.
5. COMESA to ensure all TA supported activities are consistent with the ESF, and that those activities resulting in preparation of E&S instruments establish a process and timing for preparing relevant E&S instruments during project implementation, specifying the requirements for consultation and disclosure of these instruments, and setting forth the institutional arrangements.
6. ToRs for E&S Instruments such as ESIAs and for feasibility studies among others TA activities to be prepared by participating governments or private sector entities using COMESA ASCENT grants will include provisions for identifying potential E&S risks of downstream subprojects, in line with applicable ESF provisions and relevant requirements of the WB EHS Guidelines
 | 1. Adopt the ESCP, SEP and LMP by effectiveness and thereafter implement throughout Project implementation.
2. throughout Project implementation.
3. Reviewed and cleared by the Association prior to Project effectiveness, and thereafter implement the respective instruments throughout Project implementation.
4. PPF component disbursement will be subject to prior PPF design approval by the association.
5. Before disbursement of the grants to beneficiaries.
6. Condition for TOR approval
 | COMESA |
| 1.3 | **MANAGEMENT OF CONSULTANTS** 1. Incorporate the relevant aspects of the ESCP, including, inter alia, the relevant E&S instruments, the LMP, and SEA/SH code of conduct, into the ESHS specifications of the consultancy procurement ToRs and contracts with consultants and other service providers. Thereafter ensure that consultants and service providers comply with the ESHS specifications of their respective contracts, including SEA/SH aspects.
2. Service providers involved in the Project for purposes of providing advisory services shall be required to adopt and implement ESHS mitigation actions as well as enhance their capacity in accordance with the requirements set out in the respective Service Level Agreements (SLAs) which shall be prepared by PIU, according to the requirements of applicable ESSs.
3. Ensure that relevant environmental and social monitoring requirements are considered in conducting component 1 activities in a manner acceptable to the Association, that are consistent with the ESF and ESF and relevant requirements of the WB EHS Guidelines.
 | 1. As part of the preparation of procurement documents and respective consultancy contracts.
2. Prior to finalization and signing of SLA and implement as set out in the Agreement. After signing of agreement and throughout project implementation. Supervise Consultants and/or contractors throughout Project implementation.
3. Throughout Project implementation. Of component 1 activities
 | COMESA |
| 1.4 | **TECHNICAL ASSISTANCE**1. Ensure that the consultancies, studies (including feasibility studies, if applicable), capacity building, training, and any other Type 2 and 3 technical assistance 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.
2. Ensure that the planning process for Type 1 and Type 2 TAs includes adequate assessment of environmental and social implications and that the advice provided through the TA for addressing those implications is consistent with the ESF
 | 1. Throughout Project implementation.
2. Prior to disbursement for component 2 and component 3
 | COMESA |
| 1.5 | **PERMITS, CONSENTS AND AUTHORIZATIONS** Ensure the requirement to obtain the necessary approvals, permits and authorizations from relevant national authorities as applicable to component 2 and other components of the project is embedded in the grant agreements with the governments, cross border entities and the private sector. Comply and cause these beneficiaries to comply with the conditions established in these permits, consents and authorizations throughout Project implementation and operation. | Obtain permits, consents, and/or authorizations before disbursing the grants for activities that require them. | COMESA |
| **ESS 2: LABOR AND WORKING CONDITIONS**  |
| 2.1 | **LABOR MANAGEMENT PROCEDURES**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 plans (including personal protective equipment, and emergency preparedness and response if applicable), code of conduct (including relating to SEA/SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for consultant firms | Adopt the LMP prior to project appraisal and thereafter implement throughout Project implementation. | COMESA |
| 2.2 | **GRIEVANCE MECHANISM FOR PROJECT WORKERS** 1. Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2. The Grievance Redress Mechanism (GRM) will be sensitive to SEA/SH, through a transparent and easy-to-understand process that provides feedback to affected parties in a language they understand, without retaliation, and will operate in an independent and objective manner. This GRM will be available to all direct and contract workers (and their organizations, if any) to express their work-related concerns. These workers will be informed of the existence of the GRM at the time of hiring and of the measures taken to protect them from any retaliation for having used it, as well as the GBV service providers identified by the project in the intervention zones and who guarantee their care if necessary. Care will be taken to ensure that the grievance redress system is easily accessible to all.
2. Include in the bidding documents for the recruitment of consulting firms, the terms of reference for the selection of consultants, service providers and any consultancy subcontractors of the Project, as well as in the project implementation manual, clauses relating to the GRM in connection with any labor or employment issue within the framework of the Project and in compliance with the ESS2 and national labor legislation.
 | 1. Establish grievance mechanism prior engaging Project workers and thereafter maintain and operate it throughout Project implementation.
2. As part of the preparation of procurement documents and respective contracts.
 | COMESA |
| **ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT** |
| 3.1 |  COMESA will consider the sustainable use of resources, including energy, water, and raw materials, as well as the impacts on human health and the environment from pollution. COMESA will also address greenhouse gas emissions, hazardous and non-hazardous waste management, and pesticide use for its operation including ensuring assessment of ESS 3 risks in all advisory and TA products | throughout Project implementation. | COMESA |
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| **ESS 4: COMMUNITY HEALTH AND SAFETY** |
| 4.1 | **COMMUNITY HEALTH AND SAFETY**COMESA will incorporate principles of ESS 4 into their policies and practices. For all TA and advisory support COMESA will ensure relevant aspects of ESS 4 are included in the TOR and outputs for TA activities. health and safety considerations are addressed throughout the implementation of the project. | throughout Project implementation. | COMESA |
| 4.3 | **SEA AND SH RISKS**Develop and implement a SEA/SH Action Plan to assess and manage the risks of SEA and SH in the Project, complete with the relevant referral pathways for survivors | Develop the SEA/SH Action Plan no later than 60 days after project effectiveness, and thereafter implement the SEA/SH Action Plan throughout Project implementation. | COMESA |
| **ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT** |
| 5.1 | All ToRs for consultancy services to be implemented by COMESA, on by participating governments and private sector entities using COMESA ASCENT grant, will be prepared in line with ESS5. Also, COMESA will ensure that TA consultants have included relevant ESS5 requirements findings and recommendations in studies reports in a manner that is consistent with the ESF/ESS5. | Throughout Project implementation. | COMESANational agencies and Private sector companies via contractual or compacts with COMESA |
| **ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES**  |
| 6.1 | To contribute to the conservation of biodiversity and the sustainable management of living natural resources in all TAs and advisory support, COMESA will ensure that measures and actions to manage risks and impacts on biodiversity are included in the respective TORs, and ensure that the outputs of technical assistance activities comply with the terms of reference, including the inclusion of relevant aspects of ESS 6 including ensuring interventions in Important Bird Areas (IBAs) and other critical habitats are avoided | Throughout Project implementation. | COMESANational agenciesPrivate sector companies |
| **ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES**  |
| 7.1 | COMESA and participating governments and private sector entities will incorporate the requirements of ESS7 while preparing TA ToRs in a manner that ensures that governments and private sector or hired consultants conduct the TA studies in a manner that is consistent with the ESF and ESS7. The study report will include findings and recommendations in relation to ESS7. | Throughout Project implementation. | COMESANational agenciesPrivate sector companies |
| **ESS 8: CULTURAL HERITAGE** |
| 8.1 | COMESA will include the requirements of ESS8 in the TA ToRs to ensure that governments and private sector or hired consultants consider relevant ESS8 requirements in conducting the studies so as to be consistent with the ESF requirements. | Throughout Project implementation. | COMESANational agenciesPrivate sector companies |
| **ESS 9: FINANCIAL INTERMEDIARIES**  |
| 9.1 | Not relevant. |  |  |
| **ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE** |
| 10.1 | **STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION**Develop and implement a Stakeholder Engagement Plan (SEP) for the Project, 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.  | Adopt the SEP prior to Project appraisal, and thereafter implement the SEP throughout Project implementation. | COMESA |
| 10.2 | **PROJECT GRIEVANCE MECHANISM**Establish, publicize, maintain, and operate an accessible grievance mechanism, 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. | Establish the grievance mechanism prior to project effectiveness, and thereafter maintain and operate the mechanism throughout Project implementation. | COMESA |
| **CAPACITY SUPPORT**  |
| CS1 | PIU staff training on:1. Stakeholder Engagement Plan (SEP) – stakeholder mapping and engagement, and the functioning of the project’s grievance mechanisms
2. Specific aspects of environmental and social assessment
3. Emergency preparedness and response
4. Community health and safety
5. Labor Management Procedures (LMP) consisting of Code of Conduct for project workers in relevant languages and Labor Specific GRM
6. World Bank ESHS requirementsESF and WB EHS Guidelines (including those for Electric Power Transmission and Distribution),
7. SEA/SH Action Plan
8. Project wide GRM
9. Occupational Health and Safety (OHS) Plan
10. Technical assistance for RPF/ARAP, IPPF/IPP, BMP, Chance finds procedure, etc.
 | Within 12 months of project effectiveness. | COMESA |
| CS2 | Project workers training on:1. Occupational health and safety including on emergency prevention and preparedness and response arrangements to emergency situations, Personal protective equipment, Workplace risk management, prevention of work-related accidents, Health and safety rules; waste management, Occupational health and safety standards, etc.
2. Employment and working conditions – Conditions of employment under national labor laws; Code of conduct for suppliers with SEA/SH provisions, service providers and subcontractors; Workers' organizations and trade unions; and Rules on child labor and minimum age for employment of children.
3. SEA/SH sensitive GRM – Registration and Processing Procedures; Complaint Resolution Procedures; Operation of the GRM; Documentation and processing of complaints; and Use of the procedure by the different actors.
4. GBV/SEA/SH – Awareness, prevention and measures to prevent, mitigate and respond to SEA/SH risks; Content of the project's code of conduct prohibiting behaviors related to SEA/SH, as well as sanctions in case of non-compliance; Themes, activities and target audiences will be defined as part of the prevention measures; Support to survivors, including service providers identified by the project in the intervention areas and the referral and counter-referral process; and SEA/SH complaint management: complaint handling, responsible parties, verification process and complaint resolution
 | Throughout Project implementation | COMESA |
| CS3 | Community training on emergency prevention and preparedness and response arrangements to emergency situations, and dissemination of grievance mechanisms | Annually and throughout Project implementation | COMESA |