

Sint Maarten National Recovery Program Bureau (NRPB)

Sint Maarten Housing Project (P177804)

Draft

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

26 October 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Sint Maarten National Recovery Program Bureau (NRPB) (the Recipient) will implement the Sint Maarten Social and Affordable Housing Project (the Project), with the involvement of the Ministry of Public Housing, Spatial Planning, Environment and Infrastructure (VROMI), as set out in the Grant Agreement. The International Bank for Reconstruction and Development (the Bank), acting as the administrator of Sint Maarten Hurricane Irma Reconstruction, Recovery and Resilience Single-Donor Trust Fund, has agreed to provide financing for the Project, as set out in the referred 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 Bank. The ESCP is a part of the Grant 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 ESS, and in form and substance, and in a manner acceptable to the Bank. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Bank.
4. As agreed by the Bank 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 Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the Director of the NRPB. The Recipient shall promptly disclose the updated ESCP.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING</p> <p>Prepare and submit to the Bank 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.</p>	<p>Submit six-monthly reports to the Bank throughout Project implementation, commencing after the Effective Date. Submit each report to the Bank no later than 45 days after the end of each reporting period.</p>	NRPB
B	<p>INCIDENTS AND ACCIDENTS</p> <p>Promptly notify the Bank 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 Bank’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 Bank no later than 72 hours after learning of the incident or accident.</p> <p>Provide subsequent report to the World Bank within a timeframe acceptable to the Bank.</p>	NRPB
C	<p>CONTRACTORS’ MONTHLY REPORTS</p> <p>Require contractors and supervising firms 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 Bank.</p>	<p>Submit the monthly reports to the Bank as annexes to the reports to be submitted under action A above.</p>	NRPB

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Maintain the Project Implementation Unit (PIU) with qualified staff and resources to support management of ESHS risks and impacts of the Project, including assigning an environmental specialist and a social specialist to support the Project implementation.</p>	Maintain the PIU as set out in the Grant Agreement. Assign at least one environmental specialist and one social specialist, no later than 30 days after the Effective Date, and thereafter maintain these positions throughout Project implementation.	NRPB
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>Update, consult, adopt, disclose and implement an Environmental and Social Management Plan (ESMP), including an assessment of the potential environmental and social risks and impacts, for Part 2 of the Project, consistent with the relevant ESSs.</p>	Submit the preliminary ESMP for the Bank’s prior review and no objection, adopt, and disclose the final ESMP before launching the bidding process for the respective Project activity. Once adopted, implement the ESMP throughout Project implementation.	NRPB
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>	As part of the preparation of procurement documents and respective contracts. Supervise contractors throughout Project implementation.	NRPB
1.4	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that the consultancies, 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 Bank, that</p>	Throughout Project implementation.	NRPB

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	are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.		
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	LABOR MANAGEMENT PROCEDURES Update, 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 (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.	Submit the updated LMP for the Bank's prior review and no objection, adopt, and disclose the LMP no later than 60 days after Effective Date, and thereafter implement the LMP throughout Project implementation.	NRPB
2.2	GRIEVANCE MECHANISM FOR PROJECT WORKERS a) Maintain and operate a grievance mechanism for Project workers, as described in the LMP and the NRPB's institutional GRM consistent with ESS2. b) Require contractors and supervising firms to establish and operate a grievance mechanism for their workers.	a) Maintain and operate the grievance mechanism prior engaging Project workers and thereafter maintain and operate it throughout Project implementation. b) Establish a GRM prior to engaging Project workers and thereafter maintain and operate it throughout contract implementation.	NRPB
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	WASTE MANAGEMENT PLAN Incorporate waste mitigation measures, as part of the ESMP to be prepared under action 1.2 above, to manage hazardous and non-hazardous wastes, consistent with ESS3.	Same timeframe as for the adoption and implementation of the ESMP.	NRPB
3.2	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT		NRPB

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	Incorporate resource efficiency and pollution prevention and management measures in the ESMP to be prepared under action 1.2 above.	Same timeframe as for the adoption and implementation of the ESMP.	
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	TRAFFIC AND ROAD SAFETY Incorporate measures to manage traffic and road safety risks as part of the ESMP to be prepared under action 1.2 above.	Same timeframe as for the adoption and implementation of the ESMP.	NRPB
4.2	COMMUNITY HEALTH AND SAFETY Assess and manage specific risks and impacts to the community arising from Project activities, including, inter alia, behavior of Project workers, risks of labor influx to the community, response to emergency situations, and include mitigation measures in the ESMP to be prepared under 1.2 above.	Same timeframe as for the adoption and implementation of the ESMP.	NRPB
4.3	SEA AND SH RISKS Implement SEA/SH prevention and response measures, proportionate to the risks of the Project, including availability of a list of services for victims of SEA/SH, adoption of the code of conduct by all workers, and adequate treatment of SEA/SH grievances in the Project level GRM, as reflected in the SEP and LMP. These measures shall also be included in the ESMP to be developed under 1.2 above.	Implement SEA/SH prevention and response measures throughout Project implementation.	NRPB
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
ESS5 is not currently relevant.			
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
ESS6 is not currently relevant.			
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
ESS7 is not currently relevant.			
ESS 8: CULTURAL HERITAGE			
8.1	CHANCE FINDS		NRPB

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	Describe and implement the chance finds procedures, as part of the ESMP to be developed under 1.2 above.	Same timeframe as for the adoption and implementation of the ESMP.	
ESS 9: FINANCIAL INTERMEDIARIES			
ESS9 is not currently relevant.			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Update, consult, adopt, disclose 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.</p>	Submit the updated SEP for the Bank’s prior review and no objection, adopt and disclose the SEP no later than 60 days after Effective Date, and thereafter implement the SEP throughout Project implementation.	NRPB
10.2	<p>PROJECT GRIEVANCE MECHANISM</p> <p>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.</p> <p>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>	Maintain and operate the existing NRPB grievance mechanism throughout Project implementation.	NRPB
CAPACITY SUPPORT			
CS1	<p>Training shall be facilitated and provided as applicable and appropriate to PIU staff, contractors and supervision firms on:</p> <ul style="list-style-type: none"> • E&S instruments requirements and implementation • Community health and safety 	Training needs to be described in the final ESMP to be prepared under action 1.2 above. Thereafter, training to be delivered throughout the Project implementation.	NRPB

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<ul style="list-style-type: none">• SEA/SH• Emergency prevention and preparedness• Managing contractor environmental and social performance		