



Ministry of Finance and Economic Affairs, Malawi

**MALAWI WATER AND SANITATION PROJECT
(P 178954)**

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

5 January 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Malawi (the Borrower) will implement the Malawi Water and Sanitation Project (the Project), with the involvement of the Blantyre Water Board (BWB) and Blantyre City Council (BCC) as set out in the Financing Agreement. The International Development Association (the Association) has agreed to provide financing for the Project.
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.
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. 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 and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Borrower's Minister of Finance and Economic Affairs. The borrower shall promptly disclose the updated ESCP.

THE ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP) FOR MALAWI WATER AND SANITATION PROJECT (P178954)

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, functioning of the grievance redress mechanism(s), and incorporating contractor monthly E&S reporting.</p>	<p>Quarterly (within 15 days of end of the calendar biannual) starting from project effectiveness date and throughout Project implementation.</p>	BWB and BCC
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 Gender Based Violence (GBV), sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury, mistreatment of communities, , damage to natural habitats, damage to physical cultural resources. 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 supervising entity, as appropriate. 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 within a timeframe acceptable to the Association, as requested.</p>	BWB and BCC
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.</p>	<p>Submit the monthly reports to the PMU.</p>	BWB, BCC and contractors
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Establish and maintain Project Management Unit (PMU) under the lead implementing agency, BWB, with relevant qualified staff and resources to support management of ESHS risks and impacts of the Project.</p> <p>Establish and maintain a Project Support Team (PST) under BCC with relevant qualified staff and resources to support management of ESHS risks and impacts.</p> <p>Engage and maintain as part of the PMU an Environmental, Health and Safety Specialist, and Social and Gender Specialist with relevant qualifications and experience in managing high risk and impact projects.</p>	<p>The organizational structure is established within one month after effectiveness and upon approval, will be maintained throughout Project implementation period.</p> <p>E&S Specialists engaged prior to effectiveness, and maintained throughout Project Implementation period</p>	<p>BWB and BCC</p> <p>BWB</p>

<p>1.2</p>	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS:</p> <ol style="list-style-type: none"> 1. Prepare, disclose, and implement the Environmental and Social Management Framework (ESMF) for the Project, consistent with the relevant ESSs, the Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP). 2. Prepare, adopt and implement any environmental and social management plans (ESMP) and environmental and social impact assessments (ESIA) where required, instruments or other measures required for the respective Project activities in accordance with the ESMF, the ESS, the EHSGs, and other relevant Good International Industry Practice (GIIP), including relevant WHO guidelines to, inter alia, ensure access to and allocation of Project benefits in a fair, equitable and inclusive manner, taking into account the needs of individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable, including, as relevant, with regards to vaccines. 3. Incorporate the relevant aspects of this ESCP, including, inter alia, the ESMF, any ESIA or ESMP, LMP, and any other required ESHS measures (including relevant life and fire safety measures), into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms. Thereafter ensure that the contractors and supervising firms comply with the ESHS specifications of their respective contracts. 	<ol style="list-style-type: none"> 1. Prepare and adopt ESMF before effectiveness . 2. Develop and adopt the relevant plans and instruments (ESMF,ESIAs ESMPs LMP and ESHGs) for any of the relevant Project activities for which these are required, and thereafter implement them throughout the carrying out of such activities. Contractors' ESMP (C-ESMP) to be prepared by contractors based on projects' ESMPs and ESF requirements before first disbursement of contract sum. 3. Incorporate the relevant ESHS measures into the procurement documents before launching the procurement process for the relevant Project activities and subsequent contracts, and thereafter supervise compliance with these measures throughout the carrying out of such activities 	<p>BWB and BCC</p>
<p>1.3</p>	<p>MANAGEMENT OF CONTRACTORS:</p> <p>Incorporate the relevant aspects of the ESCP, including the relevant E&S documents and/or plans, and the Labour Management Procedures, and code of conduct, into the ESHS specifications of the procurement documents and contracts with contractors and supervising entities. Thereafter ensure that the contractors comply with the ESHS specifications of their respective contracts.</p> <p>Ensure contractors comply with the environmental, labour, social, health and safety specifications of their respective contracts in accordance with the ESIA, ESMP, LMP and other relevant instruments. Contractors shall ensure that subcontractors and primary</p>	<p>Prior to the preparation of procurement documents.</p> <p>Supervise contractors throughout Project implementation.</p> <p>Reporting on compliance to be continued throughout project implementation using agreed reporting timeframe under action A.</p>	<p>BWB and BCC</p>

THE ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP) FOR MALAWI WATER AND SANITATION PROJECT (P178954)

	suppliers comply with the applicable obligations.		
1.4	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that the consultancies, studies (including feasibility studies, if applicable), 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 ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.</p>	Throughout Project implementation.	BWB and BCC
1.5	<p>PERMIT, CONSENTS AND AUTHORIZATIONS:</p> <p>Obtain the permits, consents and authorizations that are applicable to the Project from relevant national authorities. Comply with the conditions established in these permits, consents, and authorizations throughout Project implementation.</p>	Obtain such permits, consents and authorizations before any commencement of works or initiation of activities that require them. Thereafter, comply with permits, consents and/or authorizations throughout Project implementation.	BWB and BCC
1.6	<p>CONTINGENT EMERGENCY RESPONSE COMPONENT (CERC) FINANCING</p> <p>a) Ensure that the CERC Manual, as specified in the legal agreement, includes a description of the Environmental, Social, and Occupational Health and Safety (ESOHS) assessment and management arrangements for the implementation of 'Component 4: Contingent Emergency Response', in accordance with the ESSs.</p> <p>b) Adopt any environmental and social (E&S) instruments, as set out in the ESMF, which may be required for activities under the CERC component of the Project, in accordance with the CERC Manual and the ESSs, and thereafter implement the measures and actions required under said E&S instruments, within the timeframes specified in said E&S instruments.</p>	<p>a) The adoption of the CERC Manual and, if applicable, other instruments, as relevant in form and substance acceptable to the Association is a withdrawal condition under Section III.B.1(b)(ii) of Schedule 2 of the Financing Agreement for the Project.</p> <p>b) Adopt any required E&S instrument, as set out in the ESMF, 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 E&S instrument is required. Implement the E&S instruments in accordance with their terms, throughout Project implementation</p>	BWB and BCC
ESS 2: LABOR AND WORKING CONDITIONS			

<p>2.1</p>	<p>LABOR MANAGEMENT PROCEDURES</p> <ol style="list-style-type: none"> 1. Prepare, disclose, 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 that integrates issues of prevention and response to SEA and SH, forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms. 2. Terms and conditions of employment prepared, documented and provided to each worker including CoC. 3. Contractor's/sub-contractor's labor management policies will be developed. 4. Develop and implement occupational, health and safety (OHS) measures specified in the ESMP, LMP and/or other necessary instruments, including but not limited to the safety reviews of the detailed designs, incorporating safety features into the detailed design, provision of emergency response measures, and health and safety awareness raising. Prepare and obtain approval of an Occupational Safety and Health (OHS) plans for workers at the work site and in the labor camps. The Project will avoid any activities that have high probability of causing serious adverse effects to human health and/or the environment related exposure to COVID-19 infection. 	<ol style="list-style-type: none"> 1. The LMP shall be developed and adopted a month after project effectiveness and thereafter implement the LMP throughout Project implementation 2. Workers' employment documents at the start of employment. 3. Contractors' documents on award of contract and before commencement of works. 4. OHS measures/plans operational prior to engaging Project workers and maintained throughout Project implementation 	<p>BWB, BCC and Contractors</p>
<p>2.2</p>	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.</p>	<p>Workers grievance redress mechanism operational prior to engaging Project workers and thereafter maintain and operate it throughout Project implementation</p>	<p>BWB, BCC and Contractors</p>
<p>2.3</p>	<p>GENDER TARGETS The project shall ensure that all gender gaps that are directly and indirectly associated with the project are addressed in compliance with the World Bank Gender Strategy (2016-23) including offering direct and indirect employment in areas where women benefit</p>	<p>Develop and adopt the Gender Action Plan one month after project effectiveness, and thereafter implement of the Plan throughout</p>	<p>BWB, BCC and Contractors</p>

THE ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP) FOR MALAWI WATER AND SANITATION PROJECT (P178954)

	disproportionately. PIU and PST to appoint personnel to be responsible for Gender and Social Inclusion activities with experience and familiar with the World Bank's Gender Strategy (2016-23) to support the implementation of the project's Gender Action Plan in collaboration with the safeguards team. Special attention will be placed on Institutional capacity development in order to promote gender equality and improvement of sanitation and hygiene in selected schools.	Project implementation.	
2.4	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>Develop and implement occupational, health and safety (OHS) measures specified in the ESMP, LMP and/or other necessary instruments, including but not limited to the safety reviews of the detailed designs, incorporating safety features into the detailed design, provision of emergency response measures, and health and safety awareness raising. Prepare and obtain approval of an Occupational Safety and Health (OHS) plans for workers at the work site and in the labor camps. The Project will avoid any activities that have high probability of causing serious adverse effects to human health and/or the environment.</p> <p>Site Specific risk assessments to be carried out and preventative action and mitigation measures to be developed and included in the Occupational Health and Safety Management (OHSM) developed by the contractors, method statements or other necessary instruments. Method statements/safe systems of work are to be implemented by the contractors while undertaking the works.</p>	<p>OHS measures/plans operational prior to engaging Project workers and maintained throughout Project implementation</p> <p>Site specific Risk Assessments to be completed prior to commencement of work under the same timeframe as for the preparation and implementation of the CESMPs or other necessary instruments but before works commencement</p>	BWB, BCC and Contractors
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>WASTE MANAGEMENT PLAN</p> <p>Prepare, adopt and implement a Waste Management Plan (WMP), to manage hazardous and non-hazardous wastes, consistent with ESS3.</p>	Prior to contractors' bidding phase for specific civil work and implement throughout Project implementation.	BWB, BCC and Contractors
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>	Prior to relevant contractors' bidding phase and maintained throughout project implementation.	BWB, BCC and Contractors
3.3	<p>HAZARDOUS SUBSTANCES MANAGEMENT</p> <p>Develop, adopt and implement a Hazardous Substances Management Plan (HSMP) to safely handle, manage, store, and transport hazardous substances including explosives,</p>	Develop and adopt HSMP prior to relevant Contractor's bidding processes,	BWB, BCC and Contractors

THE ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP) FOR MALAWI WATER AND SANITATION PROJECT (P178954)

	in accordance with the ESF requirements and approved by the Association. Disposal of hazardous waste will consider the Basal Convention on the control of transboundary movements of hazardous wastes and their disposal (BC-14/12). The HSMP will be included as an annexure in the ESMPs.	and implement the HSMP throughout Project implementation.	
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	TRAFFIC AND ROAD SAFETY Prepare Traffic Management Plan (TMP) that will set out management and mitigation measures for traffic and road safety to be implemented across all components and all contractors and service providers on the project, including, inter alia, consideration of the road worthiness of vehicles, and competence of vehicle operators, signage, etc. incorporate measures to manage traffic and road safety risks as required by the relevant E&S instruments to be prepared under action 1.2 above.	Prepare and incorporate TMP prior to relevant Contractor's bidding processes, thereafter implement throughout project implementation.	BWB, BCC and Contractors
4.2	COMMUNITY HEALTH AND SAFETY Assess and manage specific risks and impacts to the community arising from Project activities [, including, inter alia,], e.g., noise disturbance, behavior of Project workers, risks of labor influx, response to emergency situations], and include mitigation measures in the ESIA and ESMPs to be prepared in accordance with the ESMF.	Similar timeframe as the respective ESIA, ESMPs, prior to relevant Contractor's bidding processes	BWB, BCC and Contractors
4.3	GBV/SEA AND SH RISKS The project will set out mitigation measures for moderate GBV risk, the mitigation measures will be adopted and implemented through a GBV/SEA/SH Action Plan as a standalone report, to be included in the annexure of the ESMPs, to assess and manage the risks of GBV, SEA and SH. The action plan will include development of referral pathways, awareness raising and capacity building including topics <i>inter alia</i> , gender equity, GBV, SEA, SH. The grievance mechanism to address GBV/SEA related complaints and should be described in the RPF RAPs and SEP.	Develop and Adopt the GBV/SEA/SH Action Plan, prior to relevant contractor's bidding processes, and thereafter implement the GBV/SEA/SH Action Plan throughout Project implementation. Ensure GRM integrates issues of GBV/SEA/SH	BWB, BCC and Contractors
4.4	SECURITY MANAGEMENT Assess and implement measures to manage the security risks of the Project, including the risks of engaging security personnel to safeguard project workers, sites, assets, and activities, guided by the principles of proportionality and GIIP, and by applicable law, in relation to hiring, rules of conduct, training, equipping, and monitoring of such personnel.	Prior to engaging security personnel and thereafter implemented throughout Project implementation].	BWB and BCC
4.5	DAM SAFETY Adopt and implement the following dam safety measures, in accordance with the ESSs,		BWB

	<p>and maintain throughout the project:</p> <ol style="list-style-type: none"> 1. Engage one or more independent dam specialists with terms of reference acceptable to the Association to, inter alia: (a) inspect and evaluate the safety status of the Mudi dam, its appurtenances, and its performance history; (b) review and evaluate the owner's operation and maintenance procedures; and (c) provide a written report of findings and recommendations for any remedial work or safety related measures necessary to upgrade the Mudi dam to an acceptable standard of safety and (d) consider if the dam could cause significant safety risks, such as an unusually large flood-handling requirement, location in a zone of high seismicity, or potential for significant downstream impacts, in order to verify if additional requirements for large dams should be applied (v) conduct hydrological studies. 2. Develop, adopt and implement the following Dam Safety Plans (DSP) for the Mudi dam according to ESS4 requirements, an emergency preparedness plan (EPP) and operation and maintenance manual. 3. Hire a dam safety expert to periodically monitor and manage the dam 	<ol style="list-style-type: none"> 1. Independent dam specialists to be engaged prior to commencement of bidding for Mudi Dam intake upgrading works 2. Dam safety Plans, EPP and O&M to be prepared prior to commencement of bidding phase for Mudi dam intake upgrading works 3. Before commencement of Mudi Dam intake upgrading works 	
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	<p>RESETTLEMENT POLICY FRAMEWORK Develop, adopt and implement a Resettlement Policy Framework (RPF) for the Project, consistent with ESS5.</p>	Develop and adopt the RPF prior to Project Effective Date and thereafter implement the RPF throughout Project implementation.	BWB and BCC
5.2	<p>RESETTLEMENT PLANS Develop, adopt and implement a resettlement action plan (RAP) and/or Livelihood Plan in accordance with ESS 5 and consistent with the requirements of the Resettlement Policy Framework (RPF) that has been prepared for the Project using the methods for land acquisition as described within the RPF and RAP, in a manner acceptable to the Association. Budget for resettlement to be provided by GoM, as described in the Financing Agreement</p>	Develop, adopt, and implement the respective RAP and/or Livelihood Plan prior to commencement of any works in the project.	BWB and BCC

5.3	GRIEVANCE MECHANISM The grievance mechanism (GM) to address resettlement related complaints and GBV/SEA/SH complaints should be described in the RPF and RAPs. The Resettlement GM will be guided and aligned with overall project GM as stipulated in the SEP and will be adapted in proportional to the scope, location and extent of physical and economic displacement.	GRM developed and adopted prior to project implementation and should continue throughout resettlement implementation.	BWB and BCC
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	BIODIVERSITY RISKS AND IMPACTS Screening for biodiversity and living natural resources risks will be carried out at sub-project level. Biodiversity conservation and sustainable management of living natural resources measures for each sub-project will be covered under the ESMF and subproject ESMPs to be prepared under action 1.2 above.	Same timeframe as that for the preparation and implementation of the ESMPs.	BWB, BCC and Contractors
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
	Not relevant		
ESS 8: CULTURAL HERITAGE			
8.1	CHANCE FINDS Prepare, adopt, and implement the chance finds procedure described in the ESMF developed for the Project. Screening of sub-project sites and necessary measures for each sub-project will be covered under the ESMF to be prepared under action 1.2 above.	Same timeframe as that for the preparation and implementation of the ESMF.	BWB, BCC and Contractors
ESS 9: FINANCIAL INTERMEDIARIES [This standard is only relevant for Projects involving Financial Intermediaries (FIs).]			
	Not Relevant		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Prepare, adopt, and implement Stakeholder Engagement Plan (SEP) for the Project, consistent with ESS 10, 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.	Prepare, adopt the SEP prior to Appraisal and thereafter implement the SEP throughout Project implementation.	BWB and BCC
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.	Same timeframe as that of the preparation and disclosure of the SEP Project GRM operational before commencement of any sub-project implementation	BWB and BCC

THE ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP) FOR MALAWI WATER AND SANITATION PROJECT (P178954)

	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 grievance redress mechanism (GRM) one month after effectiveness. Maintain and operate the GRM throughout Project implementation.	
CAPACITY SUPPORT			
CS1	<p>Carry out assessment of environmental and social impacts capacity building needs for BWB, BCC, Contractors and supervising engineers.</p> <p>Prepare and implement training program that includes but not limited to the following:</p> <ul style="list-style-type: none"> • ESF Requirements • Roles and responsibilities for environmental and social issues • Occupational health and safety training in various working environments including inter alia, working in mud, scaffolding, and working at heights etc. • Labor requirements • Emergency prevention and preparedness and response arrangements to emergency situations • World Bank Group EHS Guidelines • Disaster Risk, Dam Safety, and Emergency Response Procedures • Hazardous material management • Waste Management • Traffic management • Biodiversity management • Chance find procedures • Managing GBV/SEA risks • Dam safety aspects management 	<p>Within 6 months of project effectiveness.</p> <p>Plan developed 7 months after project effectiveness and continue throughout project implementation.</p>	BWB and BCC
CS2	Training for Project workers on UWSP on GEMS reporting and capturing and reporting subproject information	Prior to commencement of project activities	BWB and BCC