

**Development Workshop Namibia (DWN)
Poverty-oriented development of
Infrastructure in Urban Areas in Namibia
(BMZ-No. 2019 67 462)**

Annex 6 to Separate Agreement

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

[30th June 2021]

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. Development Workshop Namibia (DWN) will implement the Project Poverty-oriented development of Infrastructure in Urban Areas in Namibia (the **Project**) as agreed by the Ministry of Urban and Rural Development (MURD). **KfW Development Bank** (*hereinafter KfW*) will be providing financing for the Project.
2. DWN will implement material measures and actions so that the Project is implemented in accordance with the 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. DWN will also comply with the provisions of any other E&S documents required under the ESS and referred to in this ESCP, such as the Project ESMF including its Annexes and any Environmental and any Social Impact Assessments (ESIAs), Environmental and Social Management Plans (ESMP), Resettlement Action Plans (RAP), Stakeholder Engagement Plans (SEP) or any other safeguard instruments which may be required as per provisions of the ESMP, and the timelines specified in those E&S documents.
4. DWN is responsible for compliance with all requirements of the ESCP in any case.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to *KfW* by DWN as required by the ESCP and the conditions of the legal agreement, and *KfW* will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
6. As agreed by *KfW* and DWN, 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, DWN will agree to the changes with *KfW* 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 *KfW* and the DWN. DWN 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, DWN 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
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
Note: intervention is used as synonym for sub project in Project components.			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>An overall Project Manager should be designated to coordinate Project implementation.</p> <p>Contract a qualified environmental and social Manager to collaborate closely with the Project Manager and hereby ensure diligent E&S performance of the Project as per Project ESMF provisions.</p> <p>Reserve resources to support management of E&S risks.</p> <p>Where relevant, identify specific expert for ESHS management that could support the E&S Manager, e.g. a biodiversity specialist and a health and safety specialist.</p>	<p>The organizational structure including the Project Manager and the E&S Manager should be established prior to Project start.</p> <p>The organizational structure should be maintained throughout Project implementation.</p>	DWN.
1.2	<p>ENVIRONMENTAL AND SOCIAL ASSESSMENT</p> <p>For each intervention, apply the E&S screening process as per Project ESMF (Screening, Activity and Receptor Matrix, Relevance, Listed Activity Triggers and Classification). If required by the E&S screening result, carry out an Environmental and social impact assessment (ESIA).</p>	<p>ESIA to be completed prior to the start of tendering process for construction works (to ensure ESMF is part of the tender documents)</p> <p>An appropriate application of the relevant E&S Risk Tools as per ESMF must be ensured at each stage of an intervention's life cycle.</p> <p>Starting at intervention design and then through intervention implementation (=ESMP implementation) until intervention closure.</p>	DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).
1.3	<p>MANAGEMENT TOOLS AND INSTRUMENTS</p> <p>Develop an appropriate E&S management tool (management instrument), for each intervention (see Section 6 in the Project ESMF). It should build on information obtained from the E&S Risk Appraisal undertaken for the proposed intervention as per Project ESMF (see Section 5.4). The scope, range of mitigation and level of detail included in the management tool should be proportionate to the risks and impacts of the intervention and sensitivity of the location.</p>	<p>ESMPs or ESCOPs to be completed prior to the start of the tender process for a given intervention to ensure integration of ESMPs/ESCOPs in the tender documents and construction contracts</p> <p>SEPs to be prepared starting from preparation phase of a given intervention and to be implemented and updated through implementation;</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager), preparation and implementation.</p> <p>Construction contractor (implementation).</p>

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<p>Category A and B+ interventions require a bespoke Environmental and Social Management Plan (ESMP) to describe all measures that need to be taken to avoid, mitigate, offset, and monitor any adverse impacts and risks that have been identified by the ESIA (see Section 5.4.3 of the Project ESMF). Less complex interventions as of Category B would require an ESMP or an ESCOP (to be determined as per Project ESMF guidance)</p> <p>DWN to report to KfW regularly regarding the implementation of the Project ESMF as well as regarding the implementation of safeguard instruments for the individual interventions, including contractors' ESHS performance. Reporting shall cover stakeholder engagement and grievance management.</p> <p>With regard to environmental and social matters, including occupational and community health & safety and labor issues as well as impacts on adjacent population, DWN shall notify KfW promptly of any event, incident or accident in relation to the Project execution, which has, or is likely to have a material adverse effect, has attracted or is likely to arouse substantial adverse attention of outside parties or to create substantial adverse media/press reports, or gives, or is likely to give rise to material potential liabilities.</p>	<p>Any safeguard tools related to land acquisition and compensation (as required) to be completed and fully implemented prior to the start of construction.</p> <p>Safeguard instruments to be shared with KfW for comments and no objection upon their completion (prior to commencement of respective tender process, for documents related to land acquisition timely so that implementation could be completed prior to construction commencement).</p> <p>Implement safeguard instruments through construction (and operation as appropriate) including monitoring and regular reporting.</p>	
<p>1.4</p> <p>MANAGEMENT OF CONTRACTORS</p> <p>Tendering phase:</p> <p>The tender documents shall include relevant E&S documents and/or plans such as the ESMP or ESCOP), relevant aspects of the ESCP, requirements for contractors' Labor Management Procedures, specific ESHS requirements (standard works requirements) such that contractors can make provision for the requirements thereof.</p> <p>Contractual terms:</p>	<p>Prior to the preparation of procurement documents.</p> <p>Supervise contractors throughout Project implementation.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).</p> <p>Contractor (implementation of ESMFs etc).</p>

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<p>Compliance with the Works Requirements and with any relevant E&S management instrument (ESMP/ESOP, SEP as appropriate) must be included as a contractual condition on appointment of contractors. Contractors are to develop and implement their own Construction ESMPs based on the provisions of the ESMP and the Standard Works Requirements. Construction ESMPs to be approved by DWN.</p> <p>Implementation phase:</p> <p>Through an appropriate monitoring on intervention site, DWN to ensure that the contractors comply with the ESHS specifications of their respective contracts including the provisions of the ESMP/ESOP. The scope and frequency of this monitoring shall be commensurate with the E&S risk of the intervention and shall cover the duration of the construction contract. Monitoring results to be integrated into regular reporting to KfW.</p> <p>DWN to ensure that any safeguard instrument related to land acquisition will be developed and implemented prior to the start of any construction activities.</p> <p>DWN to undertake stakeholder engagement as per SEP through implementation for a given intervention (to be integrated into regular reporting to KfW).</p>		
<p>ESS 2 : LABOR AND WORKING CONDITIONS</p>		
<p>2.1 LABOR MANAGEMENT PROCEDURES</p> <p>The intervention's ESMPs must include appropriate labor management provisions to guarantee workers health, safety and ensure good labor conditions as per national legislation and ILO Core Labor Standards.</p> <p>DWN to approve contractors' labor management plans (as part of contractors Construction ESMPs) which have to comply with the ESMP provisions, timely prior to the mobilization of contractors.</p> <p>Contractors to report to DWN regularly on ESHS performance including labor management.</p>	<p>During the elaboration and implementation of each intervention ESMP.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager). The Contractors are responsible for the implementation of appropriate measures in the intervention site.</p>

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<p>2.2</p> <p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>Ensure that all direct and indirect workers have access to and are aware about the Workers Grievance Mechanism so that they can raise workplace relevant complaints anonymously.</p> <p>Contractors to share their GRM with DWN. DWN to review and approve workers GRM and to monitor operation of such GRM. Contractor to report on grievances received and their resolution.</p>	<p>The grievance mechanism must be operational prior engaging Project workers and maintained throughout Project implementation.</p>	<p>Contractors (development, operationalization and reporting). DWN must review and approve the GRM.</p>
<p>2.3</p> <p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>Prepare, adopt, and implement occupational, health and safety (OHS) measures specified in the intervention's ESMP (as per Project ESMP guidance).</p> <p>Contractors to develop and implement their own OHS Plans in line with the provisions of the ESMP including all training measures as appropriate and including the provision of free and appropriate PPE to all workforce, including casual laborers. DWN to approve OHS Plans and to monitor implementation. Contractors to report on OHS Plan implementation including accidents, incidents and near misses and all types of trainings undertaken.</p>	<p>Same timeframe than for the implementation of the ESMP.</p>	<p>Contractors (development, operationalization and reporting). DWN must review and approve the OHS Plans and monitor their implementation.</p>
<p>ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p>		
<p>3.1</p> <p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Resource efficiency and pollution prevention and management measures will be covered under the intervention's ESMPs (as per Project ESMP guidance) to be prepared under action 1.3 above. Contractors Construction ESMPs to comprise waste management measures as per ESMP. Contractors to implement Construction ESMP.</p>	<p>Same timeframe than for the preparation and implementation of the ESMPs.</p>	<p>DWN during E&S screening and planning. Contractor during implementation.</p>
<p>ESS 4: COMMUNITY HEALTH AND SAFETY</p>		
<p>4.1</p> <p>TRAFFIC AND ROAD SAFETY</p> <p>Adopt and implement measures and actions to assess and manage traffic and road safety risks as per Project ESMP guidance and integrate in the intervention's ESMPs to be developed under action 1.3 above. Contractors' Construction ESMPs to comprise appropriate measures as per ESMP. Contractors to implement Construction ESMP.</p>	<p>Same timeframe than for the preparation and implementation of the ESMPs.</p>	<p>DWN during E&S screening and planning. Contractor during implementation.</p>

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<p>4.2</p> <p>COMMUNITY HEALTH AND SAFETY</p> <p>Prepare, adopt, and implement measures and action to assess and manage specific risks and impacts to the community arising from Project interventions and include these measures in the ESMPs to be prepared in accordance with the Project ESMF. Contractors' Construction ESMPs to comprise appropriate measures as per ESMP. Contractors to implement Construction ESMP.</p>	<p>Same timeframe than for the preparation and implementation of the ESMPs.</p>	<p>DWN during E&S screening and planning. Contractor during implementation.</p>
<p>4.3</p> <p>GBV AND SEA RISKS</p> <p>For project interventions with a moderate, substantial, or high prevalence of Gender Based Violence, prepare, adopt, and implement a stand-alone Gender-Based Violence Action Plan (GBV Action Plan), to assess and manage the risks of gender-based violence (GBV) and sexual exploitation and abuse (SEA). DWN to guide contractors regarding the requirement of a GBV Action Plan. At minimum, contractors have to integrate the respective provisions into their construction ESMP and to implement these diligently and completely.</p> <p>All construction workforce to sign an appropriate code of conduct, covering GBVSH risks. Contractors to share Code of conduct with DWN for approval.</p>	<p>Submit the GBV Action Plan for KfW's approval before the preparation of the procurement documents. Once approved, the GBV Action Plan is implemented throughout Project implementation.</p>	<p>DWN during E&S screening and planning. Contractor during implementation.</p>
<p>4.5</p> <p>SECURITY PERSONNEL</p> <p>If security services are required in specific project interventions, prepare, adopt, and implement a stand-alone Security Personnel Management Plan (SPMP) consistent with the requirements of ESS4, in a manner acceptable to KfW. Contractor to share all relevant information and the security management plan with DWN, including e.g. required registration of the respective company, hiring policy, codes of conduct of security personnel), performance of security personnel to be covered by regular monitoring (contractor, DWN).</p>	<p>Prior to engaging security personnel and thereafter implemented throughout Project implementation.</p>	<p>DWN during E&S screening and planning. Contractor responsible to ensure security firm adheres to provisions of security management plan. .</p>
<p>ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT</p>		
<p>5.1</p> <p>RESETTLEMENT PLANS</p> <p>The involuntary expropriation of land or displacement is defined as trigger for exclusion of a proposed intervention from the Project scope.</p>	<p>LACP submitted for KfW's approval and, once approved, implemented prior to commencing Project interventions that involve land acquisition and resettlement.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).</p>

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<p>However, in cases where displacement cannot be entirely avoided and there is a robust and sound rationale to implement a certain activity, which has to be agreed on a case by case base between DWN and KfW, a Land acquisition and compensation plan (LACP) as per Project ESMF (see Annexure F) must be developed and implemented diligently and completely prior to any land access by the contractor. Such displacement cases must not comprise physical displacement and economic displacement, if not entirely avoidable, must not exceed a small number of individual cases. Each intervention, which would be resulting in displacement, would have to be decided upon individually by DWN and KfW. LACPs to be submitted to KfW for no objection.</p>		
<p>5.2 GRIEVANCE MECHANISM In cases where displacement cannot be entirely avoided a Grievance mechanism (GRM) as per Project ESMF (see Annexure E, chapter 5) to address resettlement related complaints must be developed and implemented diligently and completely prior to any land access by the contractor.</p>	<p>Prior to commencement of resettlement activities.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).</p>
<p>ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES</p>		
<p>6.1 BIODIVERSITY RISKS AND IMPACTS Prepare, adopt and implement biodiversity management measures as per guidance in the Project ESMF and integrate these in the ESMFs for a given intervention. Construction contractors to integrate appropriate measures in their Construction ESMF and implement these. Where biodiversity-related risks and impacts cannot be comprehensively covered as part of the ESMP, prepare, adopt, and implement a stand-alone Biodiversity Management Plan, in accordance with the guidelines of the ESIA prepared for the intervention, and in a manner acceptable to KfW.</p>	<p>Same timeframe than for the preparation and implementation of the ESMFs.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	<p>INDIGENOUS PEOPLES PLAN Unlikely if exclusions are applied but must be confirmed for each intervention. In cases where Indigenous People are directly or indirectly affected by Project interventions, prepare, adopt, and implement Indigenous Peoples Plans (IPPs) consistent with the requirements of the Indigenous Peoples Planning Framework (IPPF) that has been prepared for the Project and ESS7, in a manner acceptable to KfW.</p>	<p>Submit the respective IPP for KfW's approval prior to the carrying out of any activity that requires the preparation of an IPP. Once approved, implement the IPP throughout Project implementation.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).</p>
7.2	<p>GRIEVANCE MECHANISM In cases where Indigenous People are directly or indirectly affected by Project interventions, prepare, adopt, and implement the arrangements for the grievance mechanism for indigenous people, as required under the IPPF and further describe such arrangements in the respective IPPs (if the grievance mechanism is distinctive from the one established under ESS10).</p>	<p>Submit the respective GRM for KfW's approval prior to the carrying out of any activity that requires the preparation of an IPP. Once approved, implement the GRM throughout intervention implementation.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).</p>
ESS 8: CULTURAL HERITAGE			
8.1	<p>CHANGE FINDS The relevance of ESS8 is established during the E&S screening phase. In cases where Cultural Heritage sites are directly or indirectly affected by Project interventions, prepare, adopt, and implement the chance finds procedure in the developed interventions ESMPs as per Project ESMF (Appendix C).</p>	<p>During the E&S screening phase for findings and if relevant, throughout Project implementation.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).</p>
ESS 9: FINANCIAL INTERMEDIARIES			
Not relevant			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION The Stakeholder Engagement Framework presented in the Project ESMF (see Appendix D) must be applied throughout the Project to meet the WB ESS 10 and Namibian legal requirements, and in a manner that is</p>	<p>Prior to commencement of interventions.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).</p>

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<p>proportionate to the scale of the intervention and potential environmental and social risk.</p> <p>Stakeholder Engagement Plans to be developed and implemented by DWN for the individual interventions. Implementation of SEP to be part of regular reporting to KfW.</p>		
<p>10.2 PROJECT GRIEVANCE MECHANISM</p> <p>Prepare, adopt, establish, maintain and operate a Grievance Mechanism for receiving and facilitating the resolution of stakeholder comments, suggestions and objections related to all Project interventions as per Project ESMF (see Section 5 of Appendix D). Grievances received and resolved shall be part of regular reporting to KfW. GRM to comprise appropriate avenues to cover complaints related to GBVSH.</p>	<p>Prior to commencement of interventions.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).</p>
CAPACITY SUPPORT (TRAINING)		
<p>CS1</p> <p>1. To enable DWN to implement the Project ESMF consistently across all Project interventions at all locations the following capacity improvements/trainings are recommended:</p> <ul style="list-style-type: none"> • Detailed training of the Project Manager (DWN Executive Director) and Component Managers on the Project ESMF requirements. • Updates to DWN' Programme Manuals and Internal Guidelines to reference the Project ESMF. • Project EMSF introduction for wider staff and core consultant team. <p>2. Training of Community Led Total Sanitation' (CLTS) Volunteers with the aim of improving public hygiene and access to appropriate sanitation.</p>	<p>Inception phase of the Project, as soon as A+F Consultant will have started his assignment.</p>	<p>DWN (responsibility of the Project Manager, but should be implemented by DWN's Environmental & Social Manager) for planning and monitoring.</p>
<p>CS2</p> <p>1. Training of construction workers to raise awareness in the fields of E&S topics and in general implementation of the applicable E&S management tool.</p> <p>2. Induction training on E&S risks and their management as well as Occupational Health & Safety (OHS) related issues shall be provided to all DWN employees as involved in the Project and Contractor's personnel.</p>	<p>Contractors: Inception phase of respective construction works. DWN staff: Inception phase of Project.</p>	<p>DWN (responsibility of the Project Manager but should be implemented by DWN's Environmental & Social Manager).</p>