



REPUBLIC OF KENYA

MINISTRY OF ENVIRONMENT, CLIMATE CHANGE AND FORESTRY

Kenya Watershed Services Improvement Program (KEWASIP)

P178850

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

Appraisal Version

February 2025

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Kenya (the Recipient) will implement the Kenya Watershed Services Improvement Program (the Project), with the involvement of the Ministry of Environment, Climate Change and Forestry as set out in the Original Financing Agreement. The International Development Association (the Association) acting as the implementing entity, has agreed to provide financing for the Project, as set out in 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 Association. The ESCP is a part of the Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the 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, their respective timeframes; institutional, staffing, training, monitoring and reporting arrangements; and grievance management. The ESCP also sets out the environmental and social (E&S) documents that shall be prepared or updated, consulted, disclosed and implemented under the Project, consistent with the ESSs, in form and substance acceptable to the Association. Said E&S documents may be revised from time to time with prior written agreement by the Association. As provided for under the referred Agreement, the Recipient shall ensure that there are sufficient funds available to cover the costs of implementing the ESCP.
4. As agreed by the Association and the Recipient, this ESCP will be revised from time to time, if necessary, to reflect adaptive management of Project changes or unforeseen circumstances or in response to Project performance. In such circumstances, the Association and the Recipient agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Recipient's Representative specified in the Agreement. The Recipient shall promptly disclose the updated ESCP.
5. The subsection on "Indicators for Implementation Readiness" below identifies the actions and measures to be monitored to assess Project readiness to begin implementation in accordance with this ESCP. Nevertheless, all actions and measures in this ESCP shall be implemented as set out in the "Timeframe" column below irrespective of whether they are listed in the referred subsection.

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
IMPLEMENTATION ARRANGEMENTS AND CAPACITY SUPPORT		

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MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
A.	ORGANIZATIONAL STRUCTURE		
	i) Establish and maintain a national Project Coordination Unit (PCU) with staff and resources to support management of environmental and social (E&S) risks and impacts of the Project including a fulltime, qualified and experienced environmental specialist (1), and a social specialist (1), each with more than ten (10) years of experience in carrying out environmental and social assessments of Projects.	Ensure that a fulltime, qualified and experienced environmental specialist (1), and a social specialist (1) are hired/appointed/attached/seconded, prior to Project effectiveness. Thereafter ensure the two (2) officers are maintained as part of the national PCU, throughout Project implementation.	MoECCF
	ii) For the efficient delivery of Technical Assistance (TA) related activities, the national PCU to hire qualified and experienced consultants, on a part time basis, to support the Project on specialized areas such as Gender-based Violence and Sexual Exploitation Abuse and Sexual Harassment (GBV/SEA-SH) prevention and response, labor and Occupational Health and Safety (OHS).	On a part time basis, hire specialized consultants, including but not limited to, GBV/SEA-SH advisor, labor specialist and Occupational Health and Safety (OHS) specialist, prior to the start of related TA activities.	
	iii) Establish and maintain environmental and social (E&S) capacities at the county level including qualified and experienced: one (1) environmental officer and one (1) social officer, as part of the County Project Coordination Unit (CPCU).	Ensure that one (1) environmental officer and one (1) a social officer are assigned, no later than one month (1) once an Inter-Governmental Partnership Agreement is signed with the participating counties. Thereafter, ensure that the two (2) officers are maintained throughout Project implementation.	

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
B.	CAPACITY BUILDING PLAN/MEASURES Prepare and implement the capacity building plan entailing: An Environmental & Social (E&S) training for national and county PCU staff, Community Based Organizations (CBOs), community organizations, communities, project workers and other relevant stakeholders on: the Environmental and Social Framework (ESF); implementation of the Project E&S instruments; management of the Project's environmental and social risks and impacts; stakeholder mapping and engagement; Vulnerable and Marginalized Groups (VMGs); grievance management; labor management; Gender-based Violence (GBV), Sexual Exploitation and Abuse and Sexual Harassment (SEA-SH) prevention and response; emergency preparedness and response; and occupational and community health safety management.	Submit a capacity building plan based on a capacity assessment for non-objection of the Association no later than three (3) months of effectiveness and thereafter implement it throughout Project implementation. Carry out annual Environmental & Social (E&S) capacity building, at the national, county and community levels, throughout Project implementation.	MoECCF
MONITORING AND REPORTING			
C.	REGULAR REPORTING Prepare and submit to the Association regular monitoring reports on the environmental, social, health and safety (E&S) performance of the Project. The reports shall include: • Status of preparation and implementation of E&S documents required under the ESCP. • Summary of stakeholder engagement activities carried out as per the	Submit quarterly reports to the Association throughout Project implementation, commencing after the Effective Date. Submit each Report to the Association no later than thirty (30) days after the end of each reporting period	MoECCF

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Stakeholder Engagement Plan. - Complaints submitted to the grievance mechanism(s), the grievance log, and progress made in resolving them. - E&S performance of contractors and subcontractors as reported through monthly contractors' and supervision firms' reports. - Number and status of resolution of incidents and accidents reported under action E below.		
D.	CONTRACTORS' MONTHLY REPORTS Where civil works occur, require contractors and supervising firms to provide monthly monitoring reports on E&S performance in accordance with the metrics specified in the respective bidding documents and contracts and submit such reports to the Association.	Submit the monthly reports to the Association upon request, for verification of E&S performance reported under action C above.	MoECCF
E.	INCIDENTS AND ACCIDENTS Notify the Association of any incident or accident relating 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 those resulting in death or significant injury to workers or the public; acts of violence, discrimination or protest; unforeseen impacts to cultural heritage or biodiversity resources; pollution of the environment; dam failure; forced or child labor; displacement without due process (forced eviction); allegations of sexual exploitation or abuse (SEA), or sexual harassment (SH); or disease outbreaks. Provide available details of the incident or accident to the Association upon request. Arrange for an appropriate review of the incident or accident to establish its immediate, underlying and root causes. Prepare, agree with the Association, and	Notify the Association no later than 48 hours after learning of the incident or accident. Provide available details upon request. Provide review report and Corrective Action Plan to the Association no later than 10 days following the submission of the	MoECCF

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	implement a Corrective Action Plan that sets out the measures and actions to be taken to address the incident or accident and prevent its recurrence.	initial notice, unless a different timeframe is agreed to in writing by the Association.	
F.	MID TERM AND PROJECT CLOSEOUT ENVIRONMENTAL AND SOCIAL AUDITS Conduct mid-term and closeout environmental and social (E&S) audits to assess the Project's compliance with the established commitments in the ESCP, Environmental and Social Management Plans, and other ESF instruments prepared for the Project. The Audits shall identify corrective actions and timeframes for their implementation. Terms of reference for the compliance Audits shall be prepared and agreed with the Association prior to commissioning the Audits.	Carry out the mid-term E&S compliance Audit of the Project, three years after effectiveness. Carry out the closeout E&S compliance audit of the Project three (3) Months to Project closure.	MoECCF
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	ENVIRONMENTAL AND SOCIAL ASSESSMENTS AND/OR PLANS i. Prepare and implement an Environmental and Social Management Framework (ESMF) for the Project, consistent with the relevant ESSs. The ESMF shall include the following E&S instruments as annexes: ESMP¹ for minor civil works, Labor Management Plan (LMP) (with annexes on Sexual Exploitation, Abuse and Harassment (SEAH) Prevention and Response Plan), Security Management Plan (SMP), consistent with the relevant ESSs. ii. Complete the Environmental and Social Assessment (ESA) that includes, a comprehensive Strategic Environmental and Social Assessment (SESA), process framework, an evaluation of the institutional frameworks for the Kenya Forest Services (KFS) and Kenya Wildlife Services (KWS), social conflict analysis, E&S technical capacities and systems assessment of implementing entities and a	Prior to Project Appraisal and thereafter implement throughout Project implementation. Complete the Environmental and Social Assessment (ESA) prior Project Effectiveness. Prepare the ESIA, ESMP, RPs, LRPs, IPPs, WMP and BSAs where	MoECCF

¹This ESMP is a template to be adapted as necessary for specific works, and the criteria for its use as opposed to carrying out a site-specific ESIA, will be included in the ESMF

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	review of the existing Grievance Redress Mechanism of implementing entities. iii. Prepare and implement Environmental and Social Impact Assessments (ESIA), and corresponding Environmental and Social Management Plans (ESMP), Resettlement Plans (RP), Livelihood Restoration Plans (LRPs), Indigenous Peoples Plans (IPPs), Waste Management Plans (WMP) and Benefit Sharing Plans/Agreements (BSA) for targeted investments in selected watersheds, guided by framework instruments in (i) above, the outcomes of the Environmental and Social Assessment (ESA) in (ii) above, and consistent with the relevant ESSs.	required prior to commencement of works on targeted investments and thereafter implement throughout Project implementation. Incorporate the ESMP in the bidding documents for the respective subprojects prior the commencement of works.	
1.2	MANAGEMENT OF CONTRACTORS Incorporate the relevant aspects of the ESCP, including, inter alia, subproject ESMP, the Labor Management Procedures, and code of conduct, into the E&S specifications of the procurement documents and contracts with contractors and supervising firms. Thereafter ensure that the contractors and supervising firms comply and that they require their subcontractors to comply with the E&S specifications of their respective contracts. Provide copies of the relevant contracts with contractors/subcontractors and supervision firms to the Association.	As part of the preparation of procurement documents and respective contracts. Supervise contractors throughout Project implementation. Copies of relevant contracts provided to the Association upon request.	MoECCF
1.3	TECHNICAL ASSISTANCE Carry out the consultancies, studies (including feasibility studies, if applicable), capacity building, training, and any other technical assistance activities under the Project in accordance with terms of reference acceptable to the Association, that are consistent with the ESSs. Thereafter prepare and finalize the outputs of such activities in compliance with the terms of reference.	Throughout Project implementation.	MoECCF
ESS 2: LABOR AND WORKING CONDITIONS			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
2.1	LABOR MANAGEMENT PROCEDURES Prepare and implement the Labor Management Procedures (LMP) for the Project as specified under action 1.1 above.	As specified under 1.1 and thereafter implement throughout Project implementation.	MoECCF
2.2	OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT PLAN Require contractors and subcontractors to prepare and implement OHS Management Measures or Plan in accordance with the ESMF under action 1.1 above.	As specified under 1.1 and thereafter implement throughout Project implementation.	MoECCF
2.3	GRIEVANCE MECHANISM FOR PROJECT WORKERS Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.	Establish grievance mechanism prior engaging Project workers and thereafter maintain and operate it throughout Project implementation.	MoECCF
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT]			
3.1	WASTE MANAGEMENT PLAN Prepare and implement a Waste Management Plan (WMP), as part of the ESMP prepared for the Project, to manage non-hazardous construction wastes, consistent with ESS3.	As specified under 1.1 and thereafter implement throughout Project implementation.	MoECCF
3.2	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Incorporate resource efficiency and pollution prevention and management measures in the ESMP to be prepared under action 1.1 above	As specified under 1.1 and thereafter implement throughout Project implementation.	MoECCF
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	TRAFFIC AND ROAD SAFETY	As specified under 1.1 and	MoECCF

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Incorporate measures to manage traffic and road safety risks as required in the ESMP to be prepared under action 1.1 above.	thereafter implement throughout Project implementation.	
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, response to emergency situations, and include mitigation measures in the ESMPs to be prepared in accordance with the ESMF.	As specified under 1.1 and thereafter implement throughout Project implementation.	MoECCF
4.3	SEA AND SH RISKS Prepare and implement a SEA/SH Action Plan as part of the LMP, to assess and manage the risks of SEA and SH in the Project, complete with the relevant referral pathways for survivors.	As specified under 1.1 and thereafter implement throughout Project implementation.	MoECCF
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 as set out in the ESMF under action 1.1 above. The security management measures shall be included in subproject ESMPs	As specified under 1.1 and thereafter implement throughout Project implementation.	MoECCF
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	i. Prepare and implement a Process Framework for the Project, consistent with ESS5. Prepare and implement a Resettlement Plans (RP), Livelihood Restoration Plans (LRPs), Indigenous Peoples Plans (IPPs) and/or Benefit Sharing Plans/Agreements (BSA) for targeted investments in selected watersheds, guided by framework	As specified under 1.1 and thereafter implement throughout Project implementation. Prepare and implement the respective RP, IPP, BSA or LRP prior	MoECCF

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	instruments in 5(i) above and consistent with the relevant ESSs	to carrying out the relevant works, including ensuring that before taking possession of the land and related assets, full compensation has been provided and, as applicable, displaced people have been resettled and moving allowances have been provided.	
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
	Incorporate relevant aspects of Biodiversity Management as part of the ESMF, and in accordance with the guidelines of the ESIA prepared for each subproject, and consistent with ESS6.	As specified under 1.1 and thereafter implement throughout Project implementation.	MoECCF
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
	1. Prepare and implement a Process Framework for the Project, consistent with ESS7. 2. Prepare and implement an Indigenous Peoples Plan (IPP), for each activity under the Project for which such IPP is required, as set out in the Process Framework and consistent with ESS7.	As specified under 1.1 and thereafter implement throughout Project implementation. Prepare the IPP prior to the carrying out of any activity that requires the preparation of such IPP. Once finalized, implement the respective IPP throughout Project implementation.	MoECCF
ESS 8: CULTURAL HERITAGE			
8.1	CULTURAL HERITAGE RISKS AND IMPACTS	As specified under 1.1 and	

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Incorporate relevant aspects of cultural heritage as part of the ESMF, and in accordance with the guidelines of the ESIA prepared for each subproject, and consistent with ESS8.	thereafter implement throughout Project implementation.	MoECCF
8.2	CHANCEFINDS Describe and implement the chance finds procedures, as part ESMPs for subprojects	Describe the chance find procedures during preparation of ESMPs for subprojects, as relevant. Thereafter, implement the procedures throughout Project implementation.	MoECCF
ESS 9: FINANCIAL INTERMEDIARIES			
	Not currently relevant for the project		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.	i) STAKEHOLDER ENGAGEMENT PLAN Update 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 and disclose the SEP by Project Appraisal, and thereafter implement the SEP throughout Project implementation.	MoECCF
10.	ii) 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,	Establish and maintain the grievance mechanism prior to	MoECCF

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	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.	Project Effectiveness and thereafter operationalize throughout Project implementation.	
INDICATORS FOR IMPLEMENTATION READINESS [This subsection lists the ESCP actions (by their numbering in the first column of the ESCP) that are identified as relevant to monitor project readiness from an E&S standpoint. These may include actions related to: i) establishment of E&S risk management units in the Project Implementation Entities, ii) recruitment and training of E&S staff within Project Implementation Entities, iii) Memorandums of Understanding or other written agreements/arrangements between Project Implementation Entities and other concerned agencies to ensure proper coordination of E&S risk management activities; iv) E&S effectiveness or disbursement conditions, if deemed warranted, v) ES assessments and plans to be prepared by the Borrower at the onset of implementation; vi) other project-specific requirements related to E&S readiness for implementation].			
The following actions are indicators for implementation readiness: A (i) and (ii); B; 1.1 (i) and (ii); 2.3; 10 (i) and (ii)			