

THE REPUBLIC OF KENYA

**Ministry of Youth Affairs, Arts and Sports/
Micro and Small Enterprises Authority/
National Social Security Fund Board of Trustees**

**National Youth Opportunities Towards Advancement
Project (NYOTA) - P179414**

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP)

May 19, 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Kenya (the “Recipient”) will implement the National Youth Opportunities Towards Advancement Project (the “Project”), with the involvement of the Ministry of Youth Affairs, The Arts and Sports (“MYAAS”), Micro and Small Enterprises Authority (“MSEA”) and National Social Security Fund Board of Trustees (NSSFBT) as the Project Implementing Entities, as set out in the Financing Agreement. The International Development Association (the “Association”) has agreed to provide the 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 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 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 Association. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Association.
4. The Recipient is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the Ministry, agency or unit referenced in paragraph 1 above
5. 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 through the Ministry of Youth Affairs, Arts and Sports, agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Cabinet Secretary, Ministry of Youth Affairs, Arts and Sports.

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 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).</p>	<p>Submit quarterly reports to the Association throughout Project implementation commencing 3 months after effectiveness.</p> <p>Submit each report to the Association no later than 45 days after the end of each reporting period.</p>	Project Management Unit
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 sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury.</p> <p>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 consultant and/or supervising firm, as appropriate.</p> <p>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.</p> <p>Report all other incidents and accidents to the Association in quarterly reports.</p>	Project Management Unit
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p>	<p>Prior to disbursement for Parts 1, 2 & 3 and thereafter implement throughout Project implementation</p>	Project Management Unit

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>Adopt the Kenya Youth and Opportunities Project (KYEOP) Project Management Unit (PMU) within the Ministry of Youth Affairs, Sports and the Arts with qualified staff and resources to support management of ESHS risks and impacts of the Project, including one additional full time Environmental and Social Specialist</p> <p>Supplement with additional staff on short-term or long-term assignment in accordance with Project needs, including subject matter specialists on Security, Gender Based Violence (SEA/SH), CEA, labor conditions (occupational health & safety), and social inclusion as may be required from time to time</p>	<p>The E&S specialist to be recruited prior to disbursement for Parts 1, 2 & 3, and to be maintained throughout Project implementation.</p> <p>Engage additional staff within a timeframe agreed with the Association and specified in the PIM.</p>	
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>Adopt and implement the Labor Management Procedures (LMP), Security Management Plan (SMP), Sexual Exploitation Abuse and Sexual Harassment (SEA/SH) Prevention and Response Action Plan, and the Vulnerable and Marginalized Groups Framework (VMGF), consistent with the relevant ESSs.</p> <p>In addition, adopt and implement a VMGP for each activity under the Project for which the VMGF requires such VMGP and consistent with ESS7,) as agreed with the Association specified in the PIM.</p>	<p>Adopt the LMP, SMP, SEA/SH Action Plan and VMGF prior to disbursement for Parts 1 2 & 3 and thereafter implement throughout Project implementation.</p> <p>Adopt the VMGP prior to the carrying out of any activity that requires the preparation of such VMGP. Once adopted, implement the respective VMGP throughout Project implementation.</p>	Project Management Unit

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
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 (ToRs) acceptable to the Association, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the ToRs.</p>	<p>Prior to the preparation of bid documents and signing the contractual agreements.</p> <p>Throughout Project implementation.</p>	Project Management Unit
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Adopt and implement the Labor Management Procedures (LMP) for the Project covering Project beneficiaries, direct workers, contractors and where applicable primary suppliers, including inter alia, provisions on working conditions, management of apprentices' and interns' relationships, occupational health and safety (including personal protective equipment), training of interns and apprentices, code of conduct (including relating SEA, SH), forced labor, grievance arrangements for the interns and apprentices, and applicable requirements for the hosting institutions, master craftsmen, social enterprises and other service providers.</p>	Same timeframe as 1.2	Project Management Unit
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>Establish and operate a grievance mechanism for Project beneficiaries (interns and apprentices) and Project workers, as described in the LMP and consistent with ESS2.</p>	Establish grievance mechanism prior engaging Project workers and Project beneficiaries and thereafter maintain and operate it throughout project implementation.	Project Management Unit

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
2.3	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>Adopt and implement the Occupational, Health and Safety (OHS) measures for the interns and apprentices in line with the LMP and the World Bank Group EHS General guidelines.</p>	. Same timeframe as 1.2	Project Management Unit
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Not relevant to the Project.</p>		
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>SEA AND SH RISKS</p> <p>Adopt and implement the Sexual Exploitation and Harassment (SEA/SH) Prevention and Response Action Plan to assess and manage the risks of sexual exploitation and abuse (SEA/ and sexual harassment (SH), including Child Exploitation and Abuse (CEA).</p>	Same timeframe as 1.2	Project Management Unit
4.2	<p>SECURITY MANAGEMENT</p> <p>Adopt and implement the Security Management Plan (SMP) consistent with ESS4 and good international practice, in a manner acceptable to the Association, to ensure that the use of security personnel in the Project does not result in adverse consequences to the community health and safety, including in matters relating to SEAH. The SMP shall be guided by the principles of proportionality and GIIP, and by applicable national laws, in relation to hiring, rules of conduct, training, equipping, and monitoring of such personnel.</p>	Same timeframe as 1.2	Project Management Unit
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
5.1	Not relevant to the Project.		
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	BIODIVERSITY RISKS AND IMPACTS Not relevant to the Project.		
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	VULNERABLE AND MARGINALIZED GROUPS FRAMEWORK Adopt and implement a VMGF consistent with ESS7.	Same timeframe as 1.2	Project Management Unit
7.2	VULNERABLE AND MARGINALISED GROUPS PLANS Adopt and implement a VMGP for each activity under the Project for which the VMGF requires such VMGP and consistent with ESS7.	Adopt the VMGP prior to the carrying out of any activity that requires the preparation of such VMGP. Once adopted, implement the respective VMGP throughout Project implementation.	Project Management Unit
7.3	GRIEVANCE MECHANISM Describe in the VMGF, and SEP the grievance mechanism to address complaints submitted by VMGs. The project GM will be culturally appropriate and accessible to VMGs and considers the availability of judicial recourse and customary dispute settlement mechanisms among VMGs.	Prior to disbursement for Parts 1, 2 & 3 and thereafter implement throughout Project implementation	
ESS 8: CULTURAL HERITAGE			
8.1	CULTURAL HERITAGE RISKS AND IMPACTS		

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Not relevant to the Project.		
ESS 9: FINANCIAL INTERMEDIARIES			
9.1	Not relevant to the Project.		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Adopt 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> <p>Conduct and document meaningful additional stakeholder consultations with targeted refugee and host communities</p>	<p>SEP prepared, reviewed and cleared. To be implement throughout Project implementation.</p> <p>Prior to disbursement for Parts 1,2 and 3 under the Window for Host Communities and Refugees (WHR) financing</p>	Project Management Unit
10.2	PROJECT GRIEVANCE MECHANISM	Establish the grievance mechanism prior to disbursement for Parts 1, 2 & 3, and thereafter maintain and operate the mechanism throughout Project implementation.	Project Management Unit

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>Establish, publicize, maintain, and operate the 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, as well as an appeal process to which unsatisfied grievances may be referred when resolution of grievance has not been achieved 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> <p>Document and publicize simple and easy to understand procedures for submitting grievances in languages accessible to refugee communities and indicate the expected length of timelines for acknowledgment, response, and resolution of grievances.</p>	<p>Prior to disbursement for Parts 1,2 and 3 under the Window for Host Communities and Refugees (WHR) financing</p>	
CAPACITY SUPPORT			
CS1	<p>Undertake a E&S capacity assessment to establish the capacity strengthening measures required to ensure implementing agencies and partners involved in the Project can effectively manage the anticipated E&S risks and impacts.</p> <p>Conduct the World Bank ESF training for the PMU, PIUs, Environment and Social Specialists, consultants, and staff of Semi-Autonomous Government Agencies (SAGAs) handling the Project.</p> <p>Additional capacity building activities, include, but not limited to.</p> <ul style="list-style-type: none"> ● Gender-Based Violence (SEA/SH); 	<p>Conduct the capacity assessment within the first month of effectiveness.</p> <p>Commence the trainings Three (3) months after the effective date and thereafter conduct refresher trainings.</p>	Project Management Unit

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<ul style="list-style-type: none"> ● Vulnerable and disadvantaged groups (PWDs, IPs etc.); ● Other trainings informed through the capacity assessment. 		
CS2	<p>Conduct the following trainings for master craftsmen and other Project contractors on:</p> <ul style="list-style-type: none"> ● Occupational and Community Health and Safety; ● Gender-Based Violence (SEA/SH); ● Grievance Management; ● Labor Management Procedures. 	During on boarding and thereafter conduct refresher trainings.	Project Management Unit
CS3	<p>Conduct trainings for Project beneficiaries on:</p> <ul style="list-style-type: none"> ● Occupational and Community Health and Safety; ● Gender-Based Violence (SEA/SH); ● Grievance Management. 	During on boarding and thereafter conduct refresher trainings.	Project Management Unit