



**REPUBLIC OF KENYA**

**MINISTRY OF AGRICULTURE, LIVESTOCK, FISHERIES AND COOPERATIVE**

**KENYA EMERGENCY LOCUST RESPONSE PROGRAM**

## **Environmental and Social Commitment Plan**

**April 2020**

## ENVIRONMENTAL & SOCIAL COMMITMENT PLAN FOR DESERT LOCUSTS RESPONSE PROJECT

1. The Republic of Kenya (the **Recipient**) shall implement the Emergency Locust Response Program Kenya (the **Project**), with the involvement of the Ministry of Agriculture, Livestock, Fisheries and Cooperative. The International Development Association (hereinafter the Bank/the Association) has agreed to provide financing for the Project.
2. The Government of Kenya 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. The Recipient will also comply with the provisions of any other E&S Documents required under the ESF and referred to in this ESCP such as Integrated Pest Management Plan (IPMP), Environmental and Social Management Framework (ESMF), Environmental and Social Management Plans (ESMPs) and Stakeholder Engagement Plans and the timelines specified in those E&S documents.
4. The Recipient is responsible for compliance with all requirements of the ESCP.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Association by the Recipient as required by the ESCP and the conditions of the legal agreement, and the Association will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
6. As agreed by the Association and the Recipient, 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, the Recipient will agree to the changes with the Association 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 the Association and the Recipient. The Recipient 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, the Recipient shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts which may include health and safety, gender-based violence or environmental impacts.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<b>Monitoring and Reporting</b>			
A	<b>REGULAR REPORTING:</b> Prepare and submit to the Association regular monitoring progress 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 documents required under the ESCP, stakeholder engagement activities, and the functioning of the grievance mechanism.	Quarterly and Annually throughout the Project Implementation Period	Ministry of Agriculture, Livestock, Fisheries and Cooperative
B	<b>INCIDENTS AND ACCIDENTS:</b> 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 <i>including</i> child abuse, gender based violence, pesticide spills or misuse, diversion of pesticides or any dispute between local communities and the National Youth Service assigned to carry out locust control operations under the Project. Provide sufficient detail regarding 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, as per the Association's request, prepare a report on the incident or accident and propose any measures to prevent its recurrence.	Notification of the Bank within 48 hours.  Root-cause analysis, after the Association's request for such an analysis, along with measures to prevent recurrence to be provided within fifteen days.	Ministry of Agriculture, Livestock, Fisheries and Cooperative
<b>ESS1 Assessment and Management of Environmental and Social Risks and Impacts</b>			
1.1	<b>ORGANIZATIONAL STRUCTURE:</b> Overall Coordination of the Project will be by the Ministry of Agriculture, Livestock, Fisheries and Cooperative (MoALFC) and their counterparts in the respective locust affected Counties.  For Component 1 and 2 the MoALFC shall maintain an organizational structure with qualified staff and resources to support management of environment and social risks; including expedite the hiring and deployment of an additional qualified and experienced Environmental Specialist, Social Safeguards Specialist and GBV expert to support the NPCU on this operation to complement the staff at post.	The PIU shall be fully established before disbursement for the relevant components and maintained throughout project implementation.  The GBV Specialist, Social Safeguards Specialist and Environment Specialist shall be hired /deployed prior to effectiveness of the Financing Agreement.	Ministry of Agriculture, Livestock, Fisheries and Cooperative

1.2	<p><b>ENVIRONMENTAL AND SOCIAL ASSESSMENT/ MANAGEMENT PLANS AND INSTRUMENTS/ CONTRACTORS</b></p> <p>i. <b>Component 1.</b> Assess the environmental and social risks and impacts of the proposed Project activities, including consideration of disadvantaged or vulnerable groups and individuals, including the Traditional Local Communities, to ensure they have access to development benefits resulting from the Project; in accordance with the ESSs and the Environmental and Social Management Framework (ESMF). The Ministry will update, consult upon and disclose the ESMF prepared for Kenya Climate Smart Agriculture Project (KCSAP) to meet the requirements of the ESSs. The updated ESMF will include an Integrated Pest Management Plan (IPMP) and related Waste Management Plan, a Gender-Based Violence (GBV) Action Plan, Labor Management Procedures (LMP), monitoring requirements and templates to screen any proposed subprojects. The ESMF will also screen and identify the risks related to contracting and/or utilizing the National Youth Service to undertake desert locust control activities supported under the project. In doing so, the environmental and social assessment will be guided by the principles of proportionality and relevant Good International Industry Practice, and by applicable law, in relation to engaging the National Youth Services, rules of conduct, training, equipping, and monitoring.</p> <p>ii. Carry out environmental monitoring of the desert locust control activities with focus on environmental impact, occupational health and safety and pesticides residue, the environmental monitoring will involve a multi-disciplinary technical team of lead agencies such as Kenya Wildlife Service, Water Resources Authority, National Environment Management Authority, Directorate of Occupational Health and Safety Services , Pest Control Products Boards e.t.c</p>	<p>i. Develop an ESMF for component 1,3 &amp; 4 consult upon and disclosed prior to the disbursement for Component 1.</p> <p>ii. Prepare the ToRs for monitoring environmental impacts prior to the disbursement for Component 1.</p>	<p>Ministry of Agriculture, Livestock, Fisheries and Cooperative</p>
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	<p>iii. <b>Component 2.</b> Assess the environmental and social risks and impacts of the proposed Project activities, including consideration of disadvantaged or vulnerable groups and individuals, including the Traditional Local Communities, to ensure they have access to development benefits resulting from the Project; in accordance with the ESSs and the Environmental and Social Framework (ESF). The Ministry will prepare an ESMF, which is consulted upon and publicly disclosed and will include a description of the targeting mechanism, a social assessment or indigenous people plan in line with ESS7, a GBV Action Plan, LMP, Security Management Plan (SMP) , monitoring requirements and templates to screen any proposed subprojects.</p> <p>iv. <b>Component 3 and 4.</b> Terms of Reference and plans developed by the Recipient shall follow the ESSs and detailed considerations in this ESCP.</p> <p>v. Screen any proposed subprojects under the different components in accordance with the respective ESMF.</p> <p>vi. Prepare, consult, publicly disclose and implement any environmental and social management plans or other instruments, as required for the respective Project activities, based on the assessment process in accordance with the ESSs and the ESMF in a manner acceptable to the Association.</p> <p>vii. Incorporate the relevant aspects of this ESCP, including, inter alia, any ESMPs or other instruments, ESS2 requirements, ESS7 requirements (where relevant) and any other required ESHS measures, into the ESHS specifications of the procurement documents and contracts with contractors (if any) and supervising firms. Thereafter ensure that the contractors and supervising firms comply with the ESHS specifications of their respective contracts.</p>	<p>iii. The ESMF for component 2 shall be developed, consulted upon and disclosed prior to the disbursement for Component 2.</p> <p>iv. Throughout project implementation</p> <p>v. Before subproject implementation</p> <p>vi. Before subproject implementation</p> <p>vii. Before launching the procurement process for the relevant activities and thereafter throughout undertaking such activities.</p>	
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	<p>viii. Update environmental and social management plans or other instruments based on updated guidance by FAO.</p> <p>ix. Assess any unforeseen impacts, including those identified via the Grievance Redress Mechanism (GRM), and implement respective corrective measures, including compensation, where appropriate.</p>	<p>viii. Throughout project implementation.</p> <p>ix. Throughout project implementation.</p>	
1.4	<p><b>EXCLUSIONS:</b> Exclude the following types of activities as ineligible for financing under the Project:</p> <ul style="list-style-type: none"> <li>• Activities that may cause long term, permanent and/or irreversible (e.g. loss of major natural habitat) impacts.</li> <li>• Activities that have a high probability of causing serious adverse effects to human health and/or the environment, other than associated with spraying to control desert locust.</li> <li>• Activities that may have significant adverse social impacts and/ or may give rise to significant social conflict.</li> <li>• Activities that may affect lands or rights of Traditional Local Communities or other vulnerable and marginalized groups.</li> <li>• Activities that may involve involuntary resettlement or land acquisition or impacts on cultural heritage</li> <li>• Any other excluded activities as set out in the ESMF for the Project.</li> </ul>	Throughout project implementation as part of the assessment process conducted under action 1.2 above.	Ministry of Agriculture, Livestock, Fisheries and Cooperative
<b>ESS2 Labor and Working Conditions</b>			
2.1	Relevant aspects of this standard shall be considered, as needed, under action 1.2 above.	Throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative

2.2	<b>LABOR MANAGEMENT PROCEDURES:</b> The Project shall be carried out in accordance with the applicable requirements of ESS2, in a manner acceptable to the Association, including through, inter alia, implementing adequate occupational health and safety measures (including emergency preparedness and response measures and testing for acetylcholinesterase before, during and after the spraying campaign), training of workers, establishing grievance mechanisms for Project workers, signing a code of conduct noted under [2.3].and incorporating labor requirements into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms.	Prior to disbursement for Components 1 and 2 respectively and throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
2.3	The Recipient shall ensure a non-discriminatory, decent work environment; including ensuring that all direct and contracted workers adhere to the professional code of conduct developed as part of the LMP.	Throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
2.4	The Recipient shall establish a system adequate to prevent and address Sexual Harassment in the workforce for Component 1 and 2, including the integration of provisions into the code of conduct noted under [2.3].	Prior to disbursement for Components 1 and 2 respectively	Ministry of Agriculture, Livestock, Fisheries and Cooperative
2.5	<b>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES:</b> The Recipient shall prepare and implement adequate occupational health and safety measures for workers (including emergency preparedness and response measures) in line with the ESMF/IPMP and FAO health and safety procedural guidelines proportional to the different activities under Component 1 and Component 2.	Prior to disbursement for Components 1 and 2 respectively and throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
2.6	<b>GRIEVANCE MANAGEMENT:</b> The Project shall establish a labor grievance mechanism and assignment of focal points to address these grievances within MoALFC.	Prior to disbursement for Components 1 and 2 respectively and throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
<b>ESS3 Resource Efficiency and Pollution Prevention and Management</b>			
3.1	<b>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT:</b> The Recipient shall prepare, consult on, adopt and publicly disclose an: a. Integrated Pest Management Plan (IPMP), including emergency response measures b. Waste Management Plan as part of the IPMP	Prior to disbursement for Component 1	Ministry of Agriculture, Livestock, Fisheries and Cooperative

3.2	Relevant aspects of this standard shall be considered, as needed, under action 1.2 above, including, inter alia, measures for: (i) adequate design of pesticide storage, handling, transport, and management facilities; (ii) management of stocks in an effective, efficient, and transparent way, (iii) improvement of the capacity of health centers in the treatment of pesticide poisoning incidents; (iv) disposal of unwanted or surplus pesticides shall follow the applicable requirements under the relevant ESSs, the EHSs, and other relevant Good International Industry Practice (GIIP) and relevant FAO guidelines satisfactory to the Association.	Prior to disbursement for Component 1 and throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
3.3	The Recipient will establish appropriate environmental monitoring procedures for the implementation of environmental risk management measures; as (i) designing an appropriate environmental and social management plan in the context of regular project monitoring, (ii) on pesticide application quality, control efficacy and the reporting of incidents, integrated into the IPMP in more detail.	Prior to disbursement for Component 1 and throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
<b>ESS4 Community Health and Safety</b>			
4.1	<b>COMMUNITY HEALTH AND SAFETY:</b> Relevant aspects of this standard shall be considered, as needed, under action 1.2 above.	Prior to disbursement for Components 1 and 2 respectively and throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
4.2	The Recipient shall develop and implement measures to assess and manage health and safety risks and impacts to the community arising from Project activities, including, inter alia, risks to livestock, crop, fodder, and humans associated with inappropriate use of pesticides during spraying; risks of labor misconduct; related sexual exploitation and abuse; risks of security personnel (if any), etc. and include these measures in the ESMPs to be prepared in accordance with the ESMF, in a manner acceptable to the Association.	Develop the measures and include them in the ESMF prior to disbursement for Component 1 and implementation of the requirements including those reflected in relevant ESMPs throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
4.3	Under Component 1, the Recipient will implement emergency preparedness measures in case of significant chemical spills or other health and safety related incidents.	As required, throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
4.4	Conduct training for the community to heighten awareness of risks associated with spraying and to mitigate impacts specified in the IPMP prior to the commencement of activities.	Throughout project implementation.	Ministry of Agriculture, Livestock, Fisheries and Cooperative



4.5	<p><b>TRAFFIC AND ROAD SAFETY:</b> The Recipient shall adopt and implement measures and actions to assess and manage traffic and road safety risks to workers and the community resulting from movement of vehicles mounted pesticide sprayers, transporting pesticides, etc. as outlined in the IPMP and ESMPs</p>	Adoption of measures and actions prior to disbursement for Component 1 and implementation of such measures and actions throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
4.6	<p><b>GBV AND SEA RISKS:</b> The Recipient shall prepare and implement a Gender-Based Violence Action Plan (GBV Action Plans), to assess and manage the risks of gender-based violence (GBV) and sexual exploitation and abuse (SEA) for both components.</p> <p>For Component 1 the GBV Action Plan shall specifically address potential risks deriving from the use of the NYS in spraying.</p> <p>For Component 2 the GBV Action Plan shall specifically address potential risks deriving from SEA associated with livelihood protection and recovery activities and the provision of project benefits to individual households.</p>	Preparation of plans prior to disbursement for Components 1 and 2 respectively and implementation of the plans throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
4.7	<p><b>CONFLICT:</b> The Recipient will implement activities in communal areas under Component 2 in a culturally sensitive manner, avoiding any aggravation of local communal conflicts, different communities / individuals using the same land.</p>	Throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
4.8	<p><b>SECURITY:</b> The Recipient will ensure that National Youth Service engaged in the desert locust control activities under the project will follow established rules of engagement, code of conduct, and avoid any escalation. The Recipient will review these requirements and strengthen them, where necessary as advised by the Association, to ensure that the use of the NYS in project activities will not result in adverse consequences to community health and safety, including in matters relating to GBV and SEA/SH.</p>	Throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
<b>ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement</b>			
5.1	Not relevant for this Project		
<b>ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources</b>			

6.1	<b>BIODIVERSITY RISKS AND IMPACTS:</b> Relevant aspects of this standard shall be considered, as needed, under action 1.2 above. To ensure identification of all areas that are ecologically and agronomically important, or particularly sensitive areas that have limited resistance to impacts of pesticides (including National parks; nature reserves; internationally protected areas; important (inland) fisheries areas; forests; important fruit-growing areas; beekeeping areas; areas with export crop or livestock production and areas with organic farming) to identify appropriate desert locust control techniques.	Throughout Project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
<b>ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities</b>			
7.1	The project shall be implemented in Counties where Traditional Local Communities are present (who meet the requirements of ESS7). The Recipient shall ensure that these communities are appropriately informed and can share in the project benefits in an inclusive and culturally appropriate manner with provisions included in the SEP.	Throughout Project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
7.2	<p><b>Component 1:</b> a social assessment shall determine any specific risks resulting from the interaction between local social structures (culture, traditional institutions, habits) and livelihood systems with locust control measures and outline in a social development plan appropriate ways of engaging with local communities and establish further measures as necessary.</p> <p><b>Component 2:</b> a social assessment shall assess specific risks resulting from the interaction between local social structures (culture, traditional institutions, habits) and livelihood systems with livelihood interventions and outline in a social development plan appropriate ways of engaging with Traditional Local Communities, ensure equal access to project benefits including for vulnerable households, avoid elite capture, and avoid any increase of social tensions in or between communities (with a focus on communal pastures). Based on this assessment a Traditional Local Communities Plan (TLCP) will be prepared</p>	<p>The social assessment/social development plan for Component 1 shall be prepared as part of the ESMF under [1.2.i] above and implemented throughout the project</p> <p>Social Assessment and TLCP will be prepared prior to undertaking activities in areas where Traditional Local Communities are present and implemented throughout the project.</p>	Ministry of Agriculture, Livestock, Fisheries and Cooperative
7.3	The Recipient shall ensure that such communities are appropriately informed about project activities in an inclusive and culturally appropriate manner with provisions included in the SEP as well as the social development plans noted above.	Throughout Project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative

7.4	The Recipient shall ensure that such communities can share in the benefits of the project in an inclusive and culturally appropriate manner with provisions included in the social development plans noted above.	Throughout Project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
7.5	If the Recipient intends to develop and use community owned and developed biopesticides for the locust infestation response, a due process of consultation should be held including obtaining consent and define benefit sharing prior to its development.	Consent obtained prior to development and use of biopesticides, and continuous engagement throughout Project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
7.6	The project will exclude any activities which would require Free Prior and Informed Consent.	Throughout Project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
<b>ESS8 Cultural Heritage</b>			
8.1	Relevant aspects of this standard shall be considered, as needed, in the ESMF as outlined under action 1.2 above.	Prior to disbursement for Components 1 and 2 respectively	Ministry of Agriculture, Livestock, Fisheries and Cooperative
<b>ESS9 Financial Intermediaries</b>			
	Not relevant		
<b>ESS10 Stakeholder Engagement and Information Disclosure</b>			
10.1	<b>STAKEHOLDER ENGAGEMENT PLAN:</b> The Project shall implement a Stakeholder Engagement Plan (SEP) consistent with ESS10, in a manner acceptable to the Association.	Throughout project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
10.2	<b>UPDATE SEP:</b> The Recipient has updated and implemented the SEP prior to project appraisal defining further details on the operational steps consistent with ESS10, in a manner acceptable to the Association.  For Component 1, the SEP will be updated to include appropriate community consultation mechanisms to avoid any unintended consequences by desert locust control measures. It will thereby be important that all community members, including Traditional Local Communities are appropriately informed and that behavior change messages also allow for the protection of children.	The SEP for Component 1 shall be updated prior to disbursements for Component 1	Ministry of Agriculture, Livestock, Fisheries and Cooperative

	For Component 2, the SEP will be updated to include additionally appropriate community consultation mechanisms to support an adequate targeting mechanism and to establish appropriate livelihood interventions on communal assets (see also ESS7).	The SEP for Component 2 shall be updated prior to disbursements for Component 2	
10.3	<b>STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE:</b> Implement the SEP(s) consistent with ESS10, including the use of different, culturally appropriate communication approaches to ensure communication also with the most vulnerable, including illiterate and people with disabilities.	Throughout Project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
10.4	<b>GRIEVANCE MECHANISM:</b> Accessible grievance arrangements shall be made publicly available to receive and facilitate resolution of concerns and grievances in relation to the Project, consistent with ESS10, in a manner acceptable to the Association.	Throughout Project implementation	Ministry of Agriculture, Livestock, Fisheries and Cooperative
10.5	The Recipient shall ensure that Grievance Redress Mechanism (GRM) shall be used to address GBV-related issues and mechanisms to ensure confidentiality and anonymity in reporting with safe and ethical documenting of GBV issues. Further, the GRM shall immediately notify both the MAAIF and the Association of any GBV complaints, with the consent of the survivor.	Throughout Project implementation.	Ministry of Agriculture, Livestock, Fisheries and Cooperative
10.6	The Recipient shall ensure that project-level GRM accept grievances related to security and the use of paramilitary personnel as is required for any other complaint, and community concerns related to paramilitary personnel shall be addressed promptly.	Throughout Project implementation.	Ministry of Agriculture, Livestock, Fisheries and Cooperative