

African Union Commission

**Building Institutions and Systems to Harness
and Realize Agenda (BIASHARA) 2063 (P180117)**

Negotiated

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

May 2, 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The African Union Commission (the Recipient) will implement the Building Institutions and Systems to Harness and Realize Agenda (BIASHARA) 2063 (the Project), with the involvement of the African Union Commission (AUC) and the African Continental Free Trade Area (AfCFTA) Secretariat, as set out in the Financing Agreement. The International Development Association (the Association), has agreed to provide 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. 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 Program changes and unforeseen circumstances or in response to Project performance. In such circumstances, the Recipient, through the African Union Commission, and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Recipient. The Recipient shall promptly disclose the updated ESCP.

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 Program, 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 mechanisms.</p>	<p>Submit quarterly reports to the Association throughout Program implementation, commencing after the Effective Date. Submit each report to the Association no later than 21 days after the end of each reporting period.</p>	AUC Project Team
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. 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/or supervising firm, as appropriate.</p> <p>Subsequently, at the Association's request, prepare a report on the incident or accident including a root cause analysis, proposals for measures to prevent recurrence, and keep the Association informed of the ongoing implementation of the said measures or plans. The report shall provide sufficient details regarding the incident or accident, indicating immediate measures taken or planned to address it, and any information provided by any contractor and supervising entity, as appropriate.</p>	<p>Notify the Association no later than 48 hours (24 hours' notice for SEA/SH incidents) after learning of the incident or accident.</p> <p>Provide subsequent report to the Association within a timeframe acceptable to the Association indicating possible root causes and proposing possible corrective actions to prevent reoccurrence of future incidents.</p> <p>The same approach to incidents and accidents reporting shall be applied throughout Project implementation</p>	AUC Project Team
C	<p>NOTIFICATIONS RELATING TO DAAB COMPLIANCE REVIEW OF CONTRACTOR COMPLIANCE WITH SEA/SH PREVENTION AND RESPONSE OBLIGATIONS</p> <p>Notify the Association of any referral submitted to the Dispute Avoidance and Adjudication Board (DAAB) to initiate a process of compliance review in relation to a contractor's obligations to prevent and respond to sexual exploitation and abuse (SEA), and/or sexual harassment (SH) specified in the respective works contract with such</p>		AUC Project Team

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	contractor; and, in the event of any such referral, notify the Association of: (i) the DAAB's decision on such referral; (ii) the contractor's Notice of Dissatisfaction, if any, with such DAAB decision; (iii) any notification received on the commencement of an emergency arbitration proceeding or full arbitration proceeding in relation to the DAAB's decision; and (iv) the resulting emergency arbitration order and/or full arbitration order, if any.	No later than 7 days after the issuance or receipt, as applicable, of the relevant document (i.e., referral to the DAAB, issuance of DAAB decision, Notice of Dissatisfaction, notice of commencement of emergency/full arbitration, emergency/full arbitration order, as applicable).	
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	ORGANIZATIONAL STRUCTURE Leverage and maintain the existing AUC Support for Capacity Development of the African Union Commission and other African Union Organs Project (P126848) Project Implementation Unit (PIU) and set up a mini-PIU in the AfCFTA Secretariat. An E&S focal persons will be assigned to oversee the E&S risk management activities.	Maintain them throughout Project implementation.	AUC Project Team
1.2	ENVIRONMENTAL AND SOCIAL INSTRUMENTS The instruments to be prepared include a Stakeholder Engagement Planning Framework (SEF), a Stakeholder Engagement Plan (SEP), TOR for a Strategic Environmental and Social Assessment (SESA), and a SESA.	SEF to be prepared and disclosed prior to appraisal, SEP to be prepared and disclosed no later than 90 days after Effectiveness Date and thereafter implemented and monitored throughout Project implementation. TOR for the SESA to be prepared prior to appraisal and SESA to be prepared during the first year of Project implementation.	AUC Project Team
1.3	MANAGEMENT OF CONTRACTORS Incorporate the relevant aspects of the ESCP, including inter alia, the relevant E&S instruments, that might later be determined to be relevant to the Project, and code of conduct, into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms. Thereafter ensure that the contractors and supervising firms comply and cause subcontractors to comply with the ESHS specifications of their respective contracts.	As part of the preparation of procurement documents and respective contracts. Supervise contractors throughout Program implementation.	AUC Project Teamt

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.4	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that the capacity building activities and technical assistance (TA) under the Program are carried out in accordance with terms of reference acceptable to the Association, that are consistent with the ESSs. Thereafter ensure that the terms of reference for all TAs, Feasibility Studies and the SESA ensure that relevant environmental and social issues are taken into account in conducting the studies in a manner that is consistent with the ESF.</p>	Throughout Program implementation.	AUC Project Team
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>The Recipient will ensure that all Project workers, consisting of direct and contracted workers, will be employed/engaged in line with relevant AUC policies on Staff Rules and Regulations and the requirements of ESS2, in a manner acceptable to the Association, including inter alia, implementing adequate occupational health and safety measures, codes of conduct (including relating to Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH)), and setting out grievance arrangements for Project workers.</p> <p>The African Union Commission's (AUC) policy on Staff Rules and Regulations aims to promote effective and efficient management of human resources in the organization including the AfCFTA. These rules and regulations are designed to:</p> <ul style="list-style-type: none"> • ensure that AUC staff members are treated fairly and equitably, and that their rights are protected. • set out guidelines for job classification, recruitment and selection, condition of service, performance management, training and staff development, employee benefits, health and safety, disciplinary measures, and grievance handling. • emphasizes the importance of promoting gender equality, diversity, and inclusion in the workplace. 	No later than 90 days aafter Effective Date and thereafter implement and monitor throughout Project implementation.	AUC Project Team

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<ul style="list-style-type: none"> recognizes the importance of effective communication and consultation with employees and encourages the use of modern technology and innovation in human resource management practices. <p>Besides, relevant aspects of the ESS2 and AUC's policy requirements will be included in any terms of reference (ToR) of the TA activities particularly of the reforms on human resource management to ensure that the activities or reforms will not lead to any retrenchment i.e. potential layoffs and rightsizing/downsizing.</p>		
2.2	GRIEVANCE MECHANISM FOR PROJECT WORKERS Operate the AUC Human Resource Management employment relationship grievance mechanism for Program workers consistent with AUC policies and ESS2.	Establish grievance redress mechanisms prior to engaging Project workers and thereafter maintain and operate it throughout Program implementation.	AUC Project Team
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	WASTE MANAGEMENT PLAN Prepare an e-waste management plan	Before project appraisal	AUC Project Team
	Incorporate relevant aspects of ESS3 into the TA activities under the Project in accordance with terms of reference acceptable to the Association that are consistent with ESS3. Thereafter, ensure that the outputs of such activities comply with the terms of reference.	Incorporate relevant aspects of ESS3 into technical assistance activities throughout Project implementation	AUC Project Team
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	COMMUNITY HEALTH AND SAFETY Ensure that relevant aspects of ESS4 are included in any Terms of Reference and outputs for TA activities and will be prepared in accordance with action 1.4 above, including in the context of providing any security personnel for enabling the undertaking of TA activities. Thereafter ensure that the outputs of such activities comply with the Terms of Reference for all TA activities, feasibility studies and the SESA. Proportionate to the potential moderate risks of SEA/SH, the project implementer will be expected to ensure preventive measures are in place to address related risks during implementation. Specifically,	Throughout Program Implementation.	AUC Project Team

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<ul style="list-style-type: none"> requirements of labor-management and behavioral standards or code of conduct will be provided in all the contract documents; tailored grievance mechanism for the project workers with a confidential venue of accountability to address issues related to SEA/SH need to be availed and operationalized during project implementation. 		
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	LAND ACQUISITION Ensure that relevant aspects of this standard are included in any Terms of Reference of technical assistance activities, as relevant, in accordance with action 1.4 above. Thereafter ensure that the outputs of such activities comply with the terms of reference for all TA activities, particularly the development of a comprehensive airspace and air navigation aviation infrastructure investment plan, the feasibility studies for Sub-Component 2.4: Support to Department of Trade, Feasibility Study for the establishment of the Africa Manufacturing Institute and the Tourism related studies.	Throughout Program Implementation.	AUC Project Team
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	BIODIVERSITY RISKS AND IMPACTS Ensure that relevant aspects of this standard are included in any Terms of Reference and outputs for TA activities will be prepared and reviewed in accordance with ESS6. Thereafter ensure that the outputs of such activities comply with the Terms of Reference for all TA activities, feasibility studies and the SESA.	Throughout Program Implementation.	AUC Project Team
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	UNDERSERVED TRADITIONAL LOCAL COMMUNITIES Ensure that relevant aspects of this standard are included in any Terms of Reference of technical assistance activities, as relevant, in accordance with action 1.4 above. Thereafter ensure that the outputs of such activities comply with the Terms of Reference	Throughout Program Implementation.	AUC Project Team
ESS 8: CULTURAL HERITAGE			
8.1	CHANCE FINDS	Throughout Program Implementation.	AUC Project Team

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Ensure that relevant aspects of this standard are included in any Terms of Reference and outputs for all TA activities, feasibility studies and the SESA will be prepared and reviewed in accordance with this ESS.		
ESS 9: FINANCIAL INTERMEDIARIES This standard is not relevant for this Program			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Prepare and adopt a Stakeholder Engagement Planning Framework (SEF) for the Program, consistent with ESS10, setting out the principles for the later stage preparation of contextualized stakeholder engagement plan (SEP). Both 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 SEF prior to appraisal and adopt SEP at no later than 90 days after Effective Date and implement the SEP throughout Program implementation.	AUC Project Team
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 Program, 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, as part of the SEP. 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 the grievance mechanism no later than 45 days after Effective Date, including TA activities, and thereafter maintain and operate the mechanism throughout Program implementation.	AUC Project Team
CAPACITY SUPPORT			
CS1	The Recipient shall ensure that the AUC staff is adequately trained on an ongoing basis with regard to the application of the ESSs and on EHS, e-waste management, OHS, and ESF awareness training. More specifically, the AUC shall provide a refresher training on existing AUC policy and WB ESF, including on: <ul style="list-style-type: none"> • stakeholder mapping and engagement • labor management procedures • specific aspects of environmental and social assessment 	Throughout Program implementation	PIU AUC Project AUC Project Team

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<ul style="list-style-type: none"> • emergency preparedness and response. • Occupational health and safety. • community health and safety. • Grievance mechanism. • ESF and WBG EHS Guidelines • Specific requirements for SESA development and how to integrate the SESA findings to inform the TA activities and Feasibility Studies. 		