

**Nepal**  
**Ministry Communications and Information**  
**Technology (MoCIT)**  
**Digital Nepal Acceleration (DNA) Project**  
**P176543**

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

**April 11, 2022**

## ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Government of Nepal (the Government) will implement the Digital Nepal Acceleration (DNA) Project (the Project), with the involvement of the Ministry of Communications and Information Technology (MoCIT), Department of IT (DoIT), National IT Center (NITC), and the Nepal Telecommunications Authority (NTA) as set out in the Financing Agreement. The International Development Association (the Association) has agreed to provide financing for the Digital Nepal Acceleration Project (P176543), as set out in the referred agreements.
2. The Government 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 agreements.
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the Government 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 Government, 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 Government through MoCIT and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Secretary of MoCIT. The Government shall promptly disclose the updated ESCP.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
<b>MONITORING AND REPORTING</b>			
A	<p><b>REGULAR REPORTING</b></p> <p>Prepare and submit to the Association regular monitoring 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&amp;S instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism.</p>	Submit six-monthly reports to the Association throughout Project implementation, commencing after the Effective Date. Submit each report to the Association no later than 21 days after the end of each reporting period.	Project Management Unit (PMU), established at the MoCIT
B	<p><b>INCIDENTS AND ACCIDENTS</b></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 [specify other examples of incidents and accidents, as appropriate for the type of operation]. 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 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 30 days to the Association</p>	PMU, in coordination with the relevant implementing agencies
C	<p><b>CONTRACTORS' MONTHLY REPORTS</b></p> <p>Require contractors and supervising firms to provide monthly monitoring reports on ESHS performance in accordance with the metrics specified in the respective bidding documents and contracts and submit such reports to the Association.</p>	Submit the monthly reports to the Association upon request as annexes to the reports to be submitted under action A above.	PMU, in coordination with the relevant implementing agencies
<b>ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS</b>			
1.1	<p><b>ORGANIZATIONAL STRUCTURE</b></p> <p>Establish and maintain a Project Management Unit (PMU) in MoCIT with one designated Environment Specialist and one Social Development Specialist and adequate resources to support management of ESHS risks and impacts of the Project.</p>	Establish and maintain a PMU as set out in the Financing Agreement no later than 30 days after the date of Project effectiveness, and thereafter maintain throughout Project implementation.	MoCIT (PMU)

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Designate one Environment and Social Specialist (PIT ESS) in all Project Implementation Teams (PITs) in all implementing agencies and allocate adequate resources to support management of ESHS risks and impacts of the Project.	Establish the PITs no later than 30 days after the date of Project effectiveness, and thereafter maintain throughout Project implementation.	PMU in coordination with the relevant implementing agencies
1.2	<p><b>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</b></p> <p>Prepare, consult, adopt, disclose, and thereafter implement an Environmental and Social Management Framework (ESMF), consistent with the relevant ESSs, the Environmental, Health and Safety Guidelines (EHSGs), and other relevant Good International Industry Practice (GIIP), including relevant WHO guidelines on COVID-19 in a manner acceptable to the Association. The ESMF will include an environmental and social screening template, an exclusion list, a generic ESMP for the Project covering a Chance Find Procedure (CFP), Infection Prevention and Control Plan (IPCP), measures related to occupational health and safety and community health and safety, solid, e-waste and hazardous waste management, a Sexual Exploitation and Abuse (SEA)/ Sexual Harassment (SH) Action Plan, and a Resettlement Policy Framework (RPF).</p> <p>Conduct environmental and social (E&amp;S) screening of each sub-project and implement the sub-project-specific ESMPs, as necessary, based on the generic ESMP set out in the ESMF. Any sub-project/activities described in the exclusion list set out in the ESMF shall be ineligible to receive financing under the Project.</p>	<p>Prepare and disclose the ESMF by appraisal, and thereafter implement the ESMF throughout Project implementation.</p> <p>Conduct the E&amp;S screening and adopt the site-specific ESMPs before launching the bidding process for the respective subproject that requires the adoption of such ESMPs. Once adopted, implement the respective ESMP throughout sub-Project implementation.</p>	<p>PMU</p> <p>PMU, in coordination with PITs of the relevant implementing agencies</p>
1.3	<p><b>MANAGEMENT OF CONTRACTORS</b></p> <p>Incorporate the relevant aspects of the ESCP, including, inter alia, the relevant E&amp;S instruments, the Labor Management Procedures, 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.</p>	<p>As part of the preparation of procurement documents and respective contracts.</p> <p>Supervise contractors throughout Project implementation.</p>	PMU, in coordination with the relevant implementing agencies
1.4	<b>TECHNICAL ASSISTANCE</b>	Throughout Project implementation.	MoCIT (PMU)

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Ensure that the consultancies, studies related to IT Park development (including the feasibility studies) are carried out in accordance with terms of reference acceptable to the Association, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.		
1.5	<b>ASSOCIATED FACILITIES</b>  Cause NITC to ensure that the construction of the four data centers is carried out in accordance with the applicable requirements of this ESCP and the ESSs, including, inter alia, the ESMF, site-specific ESMFs, LMP, management of contractors, RAP, SEP, etc. as the data centers are assessed as “associated facilities” for this Project [directly related to Project activities under Subcomponent 3.2]	Throughout Project implementation as necessary between the contracting and handover of data center construction activities undertaken by the NITC	NITC with support of the PMU
<b>ESS 2: LABOR AND WORKING CONDITIONS</b>			
2.1	<b>LABOR MANAGEMENT PROCEDURES</b>  As part of the ESMF under action 1.2 above, prepare, adopt and implement the Labor Management Procedures (LMP) for the Project, including, inter alia, provisions on working conditions, management of workers relationships, occupational health and safety (including personal protective equipment, and emergency preparedness and response), code of conduct (including relating to SEA and SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms.	Prepared and disclosed by appraisal, and thereafter implement the LMP throughout Project implementation.	PMU, in coordination with the relevant implementing agencies
2.2	<b>GRIEVANCE MECHANISM FOR PROJECT WORKERS</b>  All workers will access the Project GRM as described in the LMP and SEP and consistent with ESS2. and ESS10. The Project GRM will include experts familiar with labor related grievances and relevant policies. The GRM will be designed to uptake and address labor-related SEA/SH and provision for referral mechanisms.	Establish the Project GRM prior to engaging Project workers and thereafter maintain and operate it throughout Project implementation.	PMU, in coordination with the relevant implementing agencies
<b>ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</b>			
3.1	<b>WASTE MANAGEMENT PLAN</b>  As part of the ESMF under action 1.2 above, adopt and implement a Waste Management Plan (WMP), to manage e-waste, hazardous and non-hazardous wastes, consistent with ESS3.	Prepared and disclosed by appraisal, and thereafter implement the Waste Management Plan throughout Project implementation.	PMU, in coordination with the relevant implementing agencies

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
3.2	<b>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</b> Incorporate resource efficiency and pollution prevention and management measures in the site-specific ESMPs to be prepared under action 1.2 above.	Same timeframe as for the adoption and implementation of the site-specific ESMPs.	PMU, in coordination with the relevant implementing agencies
<b>ESS 4: COMMUNITY HEALTH AND SAFETY</b>			
4.1	<b>TRAFFIC AND ROAD SAFETY</b> Incorporate measures to manage traffic and road safety risks as required in the sub project-specific ESMPs to be prepared under action 1.2 above.	Same timeframe as for the adoption and implementation of the sub project-specific ESMPs.	PMU, in coordination with the relevant implementing agencies
4.2	<b>COMMUNITY HEALTH AND SAFETY</b> Adopt, and implement measures and actions to assess and manage specific risks and impacts to community health and safety and include mitigation measures in the site-specific ESMPs in accordance with the ESMF described under action 1.2 above.	Same timeframe as for the adoption and implementation of the sub project-specific ESMPs.	PMU, in coordination with the relevant implementing agencies
4.3	<b>SEA AND SH RISKS</b> As part of the ESMF under action 1.2 above, prepare, adopt, and implement a SEA/SH Action Plan to assess and manage the risks of SEA and SH.	Adopt and disclose the SEA/SH Action Plan as part of the ESMF prior to appraisal, and thereafter implement the ESMF throughout Project implementation.	PMU, in coordination with the relevant implementing agencies
<b>ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT</b>			
5.1	<b>RESETTLEMENT POLICY FRAMEWORK</b> As part of the ESMF under action 1.2 above, prepare, adopt and implement a Resettlement Policy Framework (RPF) for the Project, consistent with ESS5.	Prepared and disclosed by appraisal, and thereafter implement the RPF throughout Project implementation.	PMU, in coordination with the relevant implementing agencies
5.2	<b>RESETTLEMENT PLANS</b> Prepare and implement a Resettlement Action Plan (RAP) for each sub-project under the Project for which the RPF requires such RAP, consistent with ESS5.	Prepare and implement the respective RAP, 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.	PMU, in coordination with the relevant implementing agencies
5.3	<b>GRIEVANCE MECHANISM</b> The Project GM as described in the RAP and SEP and consistent with ESS5 and ESS10 shall address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion.	GM will be operationalized prior to commencement of project activities and thereafter maintained throughout Project implementation.	PMU, in coordination with the relevant implementing agencies
<b>ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES</b>			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
6.1	<b>BIODIVERSITY RISKS AND IMPACTS</b> Incorporate measures to manage risks and impacts on biodiversity in the sub project-specific ESMPs to be prepared under action 1.2 above.	Same timeframe as for the adoption and implementation of the site-specific ESMPs.	PMU, in coordination with the relevant implementing agencies
<b>ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES</b>			
7.1	<b>INDIGENOUS PEOPLES PLANNING FRAMEWORK</b> As part of the ESMF under action 1.2 above and SEP under action 10.1, include guidelines, checklists and measures to include Indigenous Peoples in all consultations in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation. Any sub-project affecting land solely belonging to indigenous people or severely affecting them will be included in the exclusion list in the ESMF.	Prepared and disclosed by appraisal, and thereafter implemented throughout Project implementation.	PMU, in coordination with the relevant implementing agencies
<b>ESS 8: CULTURAL HERITAGE</b>			
8.1	<b>CHANCE FINDS</b> As part of the ESMF under action 1.2 above, adopt and implement the chance finds procedures (CFP) as part of the ESMF of the Project consistent with ESS8	Prepared and disclosed by appraisal, and thereafter implemented throughout Project implementation.	PMU, in coordination with the relevant implementing agencies
<b>ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE</b>			
10.1	<b>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</b> Prepare 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.	Prepare and disclose the SEP by appraisal, and thereafter implement the SEP throughout Project implementation.	PMU, in coordination with the relevant implementing agencies
10.2	<b>PROJECT GRIEVANCE MECHANISM</b> Establish, publicize, maintain, and operate an accessible 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, 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.	Establish the Project grievance mechanism prior to commencement of Project activities and thereafter maintain and operate the mechanism throughout Project implementation.	PMU, in coordination with the relevant implementing agencies

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
CAPACITY SUPPORT			
CS1	<p>All capacity building activities and trainings will be further detailed in a Capacity Building and Training Plan in the ESMF. MoCIT shall facilitate trainings as per ESMF to build the capacity of staff of the implementing agencies and contractors. Content of capacity building will include:</p> <ul style="list-style-type: none"> <li>• ESF training (on relevant E&amp;S Standards)</li> <li>• COVID-19 Infection Prevention and Control Recommendations</li> <li>• Stakeholder mapping and engagement</li> <li>• GRM and citizen engagement</li> <li>• GBV training (SEA/SH action plan)</li> <li>• OHS</li> <li>• LMP</li> </ul>	Throughout Project implementation	PMU, in coordination with the relevant implementing agencies