



MALAYSIA

**Ministry of Natural Resources and
Environmental Sustainability**

Department of Environment

**MALAYSIA KIGALI IMPLEMENTATION PLAN (KIP)
FOR
HFC PHASEDOWN (STAGE I) PROJECT (P177789)**

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

DECEMBER 2024



ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. Malaysia (hereinafter the Recipient) will implement the Malaysia Kigali Implementation Plan for HFC Phasedown - Stage I Project (P177789) (the Project). The Department of Environment (DOE) under the Ministry of Natural Resources and Environmental Sustainability (NRES) is the implementing agency for the Project. The International Bank for Reconstruction and Development (the World Bank), acting as an implementing agency of the Multilateral Fund (MLF) and Trustee of the Ozone Trust Fund, has agreed to provide financing to the Project, as set out in the Grant Agreement.
2. The Recipient will ensure that the Project is carried out in accordance with the World Bank's Environmental and Social Standards¹ (ESSs). This Environmental and Social Commitment Plan (ESCP) sets out a summary of the material measures and actions. This ESCP is a part of the Grant Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the Grant 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 World Bank. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the World Bank.
4. As agreed by the World Bank 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 DOE will agree to the changes with the World Bank and will update the ESCP to reflect such changes. Agreement on changes to the ESCP will be documented through an exchange of letters signed between the World Bank and the Recipient. The Recipient shall promptly disclose the updated ESCP.

¹ The World Bank Environmental and Social Standards set out the requirements for Recipient relating to the identification and assessment of environmental and social risks and impacts associated with projects supported by the Bank.

**ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP): MALAYSIA KIGALI IMPLEMENTATION PLAN FOR HFC PHASEDOWN - STAGE I PROJECT
DECEMBER 2024**

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
MONITORING AND REPORTING			
MR1	<p>REGULAR REPORTING</p> <p>Prepare and submit to the World Bank regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the Environmental and Social Commitment Plan (ESCP), status of preparation and implementation of environmental and social (E&S) instruments required under the ESCP, stakeholder engagement activities, and grievance log.</p> <p>More detailed information on monitoring and reporting will be provided in the Project E&S documents, i.e. Environmental and Social Management Plans (ESMPs) and Stakeholder Engagement Plan (SEP).</p>	Submit biannual reports to the World Bank throughout Project implementation.	Project Management Unit (PMU)/DOE
MR2	<p>INCIDENTS AND ACCIDENTS</p> <p>The Recipient, through Department of Environment (DOE), shall:</p> <ol style="list-style-type: none"> 1) Promptly notify the World Bank 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 injuries. 2) Provide sufficient detail regarding the scope, severity, and possible causes of the incident or accident, indicating immediate measures taken to address it and further remediation actions where required, and include any information provided by any contractor and/or supervising entity, as appropriate. 3) Develop a report and submit it to the World Bank on the incident or accident as an additional measure to the notification as well as propose measures to address it and prevent its recurrence. 	<p>Notify the World Bank no later than 48 hours after learning of the incident or accident.</p> <p>Provide subsequent report to the World Bank within a timeframe acceptable to the World Bank</p>	PMU/DOE with inputs from all subproject enterprises
MR3	SUBPROJECT ENTERPRISE REPORTS		

**ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP): MALAYSIA KIGALI IMPLEMENTATION PLAN FOR HFC PHASEDOWN - STAGE I PROJECT
DECEMBER 2024**

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Subproject ² enterprises shall prepare and submit regular monitoring reports to the PMU/DOE including detailed results of each subproject's ESHS performance and the implementation of mitigation measures with metrics specified including: (i) the number of employees including new hires and those who have quit their jobs, (ii) reported cases of Gender Based Violence (GBV), (iii) incidents related to Occupational Health and Safety (OHS), (iv) reports received through Grievance Redress Mechanism (GRM), (v) issues related to Environmental and Social (E&S), and, (vi) training for workers.	Submit biannual subproject Implementation Progress Report, which includes periodic Environmental Monitoring Reports, to the PMU throughout Project implementation.	All subproject enterprises
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	ORGANIZATIONAL STRUCTURE 1) The Recipient, through DOE, shall establish and maintain a Project Management Unit (PMU) with qualified staff and resources to support management of ESHS risks and impacts of the Project, including hiring a full time Environmental and Social Specialist who will be responsible for the overall E&S management of the Project to ensure compliance with the Environmental and Social Framework (ESF) and related instruments. 2) DOE through its subgrant agreements, will cause subproject enterprises to each assign one qualified E&S focal point to ensure adherence to their respective environmental and social obligations as reflected under the ESMP.	1) Establish PMU within one (1) month of the Project effective date and maintain throughout the Project implementation period. 2) Assign E&S focal point prior to use/disbursement of Project funds and maintain throughout the subproject implementation	1) PMU/DOE 2) All subproject enterprises

² "Subproject" means a set of specific conversion activities carried out or to be carried out by a Beneficiary under the Project and financed or proposed to be financed through a "subgrant," an agreement entered into, or to be entered into, between the Recipient and a Beneficiary for the purpose of financing a subproject under the Project.

**ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP): MALAYSIA KIGALI IMPLEMENTATION PLAN FOR HFC PHASEDOWN - STAGE I PROJECT
DECEMBER 2024**

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <ol style="list-style-type: none"> 1) Adopt and implement the Stakeholder Engagement Plan (SEP), and Labor Management Procedures (LMP) prepared for the Project. 2) Adopt and implement the subprojects' Environmental and Social Management Plans. 3) Prepare, consult, disclose, adopt, and implement a gender mainstreaming agenda. 	<ol style="list-style-type: none"> 1) Adopt the Project LMP and SEP no later than one (1) month after the Project effective date and thereafter implement the LMP and SEP throughout Project implementation. 2) Incorporate the site-specific ESMPs into the subgrant agreement with subproject enterprises requiring the enterprises to adopt and implement the site-specific ESMPs throughout Project implementation. 3) Not later than two (2) months after Project effective date and implemented throughout Project implementation. 	PMU/DOE and all subproject enterprises
1.3	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate Project-relevant aspects of the ESCP, including, inter alia, the relevant E&S instruments, the Labor Management Procedures, and code of conduct, into the ESHS specifications of the procurement documents and contracts with contractors and supervising entity. Ensure that contractors are legal, trustworthy organizations and can comply with the relevant E&S requirements of the Project.</p>	As part of the preparation of procurement documents and respective contracts during contractor selection.	PMU/DOE

**ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP): MALAYSIA KIGALI IMPLEMENTATION PLAN FOR HFC PHASEDOWN - STAGE I PROJECT
DECEMBER 2024**

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Thereafter, ensure that the contractors and supervising entity comply and cause subcontractors to comply with the ESHS specifications of their respective contracts.	Supervise contractors throughout Project implementation.	PMU/DOE
	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that the consultancies, studies including feasibility studies, capacity building, training, and any other technical assistance activities under the Project are carried out in accordance with terms of references (TORs) acceptable to the World Bank, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.</p> <p>The TORs for Project technical assistance and support under the Project will be reviewed by the World Bank prior to procurement/ start of activities for no objection, to ensure that Environmental and Social Framework (ESF) requirements are effectively integrated. Potential risks and impacts associated with any downstream activities will be considered through these TORs.</p>	Prior to procurement of the activities, ensuring ESF requirements are integrated and fulfilled throughout Project implementation.	PMU/DOE
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Labor Management Procedures have been prepared for the Project and will be updated, finalized, redisclosed, adopted and implemented, and include inter alia, the relevant aspects of ESS2 for civil servants, terms and working conditions for all other types of Project workers, management of workers relationships, occupational health and safety (including personal protective equipment, and emergency preparedness and response), code of conduct (including relating to Sexual Exploitation and Abuse/ Sexual Harassment (SEA/SH)), forced labour, child labour, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising entities.</p>	Adopt the project LMP no later than one (1) month after the Project effective date and prior to engaging Project workers, and thereafter implement the LMP throughout Project implementation.	PMU/DOE and all subproject enterprises

**ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP): MALAYSIA KIGALI IMPLEMENTATION PLAN FOR HFC PHASEDOWN - STAGE I PROJECT
DECEMBER 2024**

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>As part of the LMP, adopt, maintain and operate a grievance mechanism for Project workers in accordance with ESS2.</p>	Adopt grievance mechanism as part of the LMP within one (1) month of Project effective date and prior to engaging Project workers, thereafter, maintain throughout Project implementation.	PMU/DOE and all subproject enterprises
2.3	<p>OCCUPATIONAL SAFETY AND HEALTH</p> <p>Implement occupational health and safety (OHS) measures, in line with the requirements of Occupational Safety and Health Act 1994 and ESS2, as specified in the ESMP and LMP of the Project.</p> <p>Ensure that contractors develop, implement, and maintain an occupational health and safety plan(s).</p>	Maintained throughout Project implementation.	PMU/DOE and all subproject enterprises
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>WASTE MANAGEMENT MEASURES</p> <p>Adopt the site-specific ESMP prior to signing of each sub-grant agreement.</p> <p>Cause subproject enterprises to implement waste management measures as part of the ESMP to manage hazardous and non-hazardous wastes, consistent with ESS3.</p>	<p>To be adopted as part of the site-specific ESMP prior to signing of a subgrant agreement</p> <p>To be implemented throughout Project implementation.</p>	<p>PMU/DOE</p> <p>All subproject enterprises</p>
3.2	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Cause subproject enterprises to update and implement measures and procedures for resource efficiency and pollution prevention and management as part of the ESMP, in accordance with ESS3.</p>	The measures are adopted as part of the site-specific ESMP prior to signing of a subgrant agreement	PMU/DOE

**ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP): MALAYSIA KIGALI IMPLEMENTATION PLAN FOR HFC PHASEDOWN - STAGE I PROJECT
DECEMBER 2024**

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
		and to be implemented throughout the Project implementation.	and all subproject enterprises
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>TRAFFIC AND ROAD SAFETY</p> <p>Subproject enterprises to incorporate measures to manage traffic and road safety risks as required in the ESMP to be prepared under action 1.2 above.</p>	To be adopted as part of the site-specific ESMP by DOE and to be implemented by subproject enterprises throughout Project implementation.	PMU/DOE and all subproject enterprises
4.2	<p>COMMUNITY HEALTH AND SAFETY</p> <p>Implement measures and actions to assess and manage specific risks and impacts to the community arising from Project activities outlined in the ESMP as mentioned in action 1.2, including, inter alia, behaviour of Project workers, and response to emergency situations.</p>	To be implemented throughout Project implementation.	PMU/DOE and all subproject enterprises
4.3	<p>SEXUAL EXPLOITATION AND ABUSE (SEA) AND SEXUAL HARASSMENT (SH) RISKS</p> <p>Adopt and implement measures and actions to assess and manage the risks related to Sexual Exploitation and Abuse/ Sexual Harassment (SEA/SH) as part of the Project ESMP. Prevent and respond to SEA/SH.</p>	To be adopted as part of the site-specific ESMP prior to commencement of contract/work by Project workers, and thereafter to be implemented throughout Project implementation.	PMU/DOE and all subproject enterprises
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN (SEP) PREPARATION AND IMPLEMENTATION		

**ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP): MALAYSIA KIGALI IMPLEMENTATION PLAN FOR HFC PHASEDOWN - STAGE I PROJECT
DECEMBER 2024**

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Adopt and implement the 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 the project SEP no later than one (1) month after the Project effective date and thereafter implement the SEP throughout Project implementation.	PMU/DOE
10.2	<p>PROJECT GRIEVANCE MECHANISM</p> <ol style="list-style-type: none"> 1. Establish publicize, maintain, and operate an accessible Project grievance mechanism, as described in the SEP, to receive and facilitate the 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. 2. 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. 3. All subproject enterprises shall establish, maintain, and operate a Grievance Mechanism consistent with ESS10, including measures to address SEA/SH complaints as specified in the LMP under ESS2. 	Establish the grievance mechanism as part of Project LMP and SEP before the Project effective date and maintain and operate throughout Project implementation.	PMU/DOE and all subproject enterprises
CAPACITY SUPPORT			
CS1	<p>Plan and provide for capacity building activities, relevant to the Project's requirements. Capacity building activities shall aim to ensure adequate level of expertise to carry out and manage different components of the Project. Capacity building activities shall include, but not limited to the following topics:</p> <ol style="list-style-type: none"> (i) World Bank's broad Environmental and Social Framework (ESF), 	Training to start before commencing Project activities and maintain throughout Project implementation as necessary.	PMU/DOE and E&S focal point of subproject enterprises

**ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP): MALAYSIA KIGALI IMPLEMENTATION PLAN FOR HFC PHASEDOWN - STAGE I PROJECT
DECEMBER 2024**

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<ul style="list-style-type: none"> (ii) Stakeholder mapping and engagement, (iii) Implementation, monitoring and reporting of ESMP, SEP, LMP, (iv) Grievance Mechanism, and (v) Gender-Based Violence (GBV)/ Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH) 		
CS2	<p>Plan and provide training on Occupational Safety and Health and working conditions for Project workers which shall include, but not limited to the following topics:</p> <ul style="list-style-type: none"> (i) Occupational Safety and Health in line with the requirement stipulated under the Occupational Safety and Health Act 1994 and Environmental Quality Act 1974: <ul style="list-style-type: none"> ○ Personal protective equipment ○ Risk management in workplace ○ Prevention of workplace accidents ○ Safety and health rules ○ Waste management ○ Hazardous waste management ○ Emergency preparedness and response ○ HIV/AIDS awareness campaign ○ Safe storage and use of flammable and mildly flammable refrigerants (ii) Labor Working Conditions in line with the requirement stipulated under the Employment Act 1994 for private sector workers in subproject enterprises: <ul style="list-style-type: none"> ○ Terms and conditions of employment ○ Code of conduct of contractors and subcontractors ○ Workers Union ○ Child labour and minimum age ○ Gender-Based Violence (GBV)/ Sexual Exploitation and Abuse (SEA)/ Sexual Harassment (SH) awareness 	<p>Training to be implemented immediately after mobilizing contractors and before commencing of Project activities, thereafter implementation, reporting, and review of training program will be implemented throughout Project implementation.</p>	<p>All subproject enterprises</p>