**UKRAINE**

**MINISTRY OF EDUCATION AND SCIENCE**

**LIFTING EDUCATION ACCESS AND RESILIENCE IN TIMES OF NEED IN UKRAINE**

**(P504171)**

**Negotiated**

**ENVIRONMENTAL and SOCIAL**

**COMMITMENT PLAN (ESCP)**

**July 29, 2024**

**ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN**

1. Ukraine (the Recipient) will implement the Investment Project Financing Part of the Lifting Education Access for Resilience Program (the Project), through the Ministry of Education and Science (MoES), as set out in the Grant Agreement. The International Bank for Reconstruction and Development and the International Development Association acting as the administrator of the Ukraine Relief, Recovery, Reconstruction and Reform Multi-Donor Trust Fund (hereinafter the Bank) have 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 [Bank. The 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 referred agreement(s).
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 Bank. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Bank.
4. As agreed by the 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 MoES and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the MoES, represented by the Minister of MoES. The Recipient shall promptly disclose the updated ESCP.

| **MATERIAL MEASURES AND ACTIONS** | | **TIMEFRAME** | **RESPONSIBLE ENTITY** |
| --- | --- | --- | --- |
| **MONITORING AND REPORTING** | | | |
| A | **REGULAR REPORTING**  Prepare and submit to the 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 ESCP, status of preparation and implementation of E&S instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism(s). | Annually throughout Project implementation. Coordinate with the Bank’s Implementation Status and Results (ISR) Report. | *MoES* |
| B | **INCIDENTS AND ACCIDENTS**  Promptly notify the 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 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.    Subsequently, at the World Bank’s request, prepare a report on the incident or accident and propose any measures to address it and prevent its recurrence. | Notify the Bank no later than 48 hours after learning of the incident or accident.  A detailed incident report shall be submitted to the Bank not later than 7 working days from the PIU learning of the incident | MoES |
| **ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS** | | | |
| 1.1 | **ORGANIZATIONAL STRUCTURE**  maintain throughout Project implementation a Project Implementation Unit (PIU) with qualified staff and resources to support management of ESHS risks and impacts of the Project including social and environment specialists responsible for ensuring full compliance with the ESF and relevant instruments.  Hire one environmental specialist and one social specialist within the PIU. | Maintain a PIU as set out in the Grant Agreement.  not later than 60 days after the Effective Date and thereafter maintain these positions throughout Project implementation. | MoES |
| 1.2 | **ENVIRONMENTAL AND SOCIAL INSTRUMENTS**  Adopt and apply the environmental and social screening procedures for all activities under the project. These procedures will be further detailed in the Operational Manual. Report on application of the procedures | As part of the preparation of the Project Operations Manual within 90 days of the Effective Date | MoES |
| 1.4 | **TECHNICAL ASSISTANCE**  Ensure that the consultancies, studies (including model school designs under sub activity 2.4), capacity building, training, and any other technical assistance activities under the Project are designed to promote sustainable approach to 'build back better', principles of circular economy and climate-informed designs, and universal access, carried out in accordance with terms of reference acceptable to the World Bank that are consistent with the ESSs and EHS Guidelines. Thereafter ensure that the outputs of such activities comply with the terms of reference. | Throughout Project implementation. | MoES |
| 1.5 | **CONTINGENT EMERGENCY RESPONSE FINANCING**  a) If and when CERC is activated, ensure that the CERC Manual includes a description of the ESHS assessment and management arrangements, including, if applicable, CERC-ESMF that will be included or referred to in the CERC Manual for the implementation of the CERC, in accordance with the ESSs.  b) If and when CERC is activated, adopt any environmental and social (E&S) instruments which may be required for activities under the CERC of the Project, in accordance with the CERC Manual and, if applicable, CERC-ESMF and the ESSs, and thereafter implement the measures and actions required under said E&S instruments, within the timeframes specified in said E&S instruments. | a) The adoption of the CERC Manual in form and substance acceptable to the Bank is a withdrawal condition under Section I.E of Schedule 2 of the Loan Agreement for the Project.  b) Adopt any required E&S instrument and include it as part of the respective bidding process, if applicable, and in any case, before the carrying out of the relevant Project activities for which the E&S instrument is required. Implement the E&S instruments in accordance with their terms, throughout Project implementation. | MoES |
| **ESS 2: LABOR AND WORKING CONDITIONS** | | | |
| 2.1 | **LABOR MANAGEMENT PROCEDURES**  Adopt and implement the following Labor Management Procedures (LMP) for the Project consistent with ESS2.  • Ensure that Project Workers, as defined under ESS2, i.e. directly engaged by the Borrower or through third-parties to work specifically in relation to the project a (direct and contracted workers) will be hired, promoted and their employment, where needed, terminated based on principles of non-discrimination and equal opportunity, no-harassment, and freedom of association;  • Ensure that all Project Workers are provided with information and documentation that is clear and understandable regardingtheir terms and conditions of employment, their rights under national labor and employment laws (including payment of wages and deductions, periods of rest and leaving;    • Ensure the adoption of appropriate occupational health and safety measures, in line with ESS2, at the workplace (no matter their locations and including without limitation on in-person training activities), which shall consider inter alia an assessment of the potential OHS risks associated with the tasks to be carried out and include mitigation measures and a program to train workers, in the Emergency Preparedness and Response Plan.  • Ensure the adoption of a code of conduct that sets out measures against practices related with sexual exploitation and abuse/sexual harassment (SEA/SH) in the workplace, including the dissemination of the referral services available in the country to respond to such behaviors; and  • Prohibit and ban child labor as well as forced labor, per ESS2 requirements and applicable national laws.  These procedures shall be further detailed, including a code of conduct, in the Project Operations Manual (POM). Report on compliance with these labor management procedures. | within 30 days of the Effective Date, and thereafter implement throughout Project implementation.  Submit annual reports of compliance with these labor management procedures throughout project implementation. | MoES |
| 2.2 | **GRIEVANCE MECHANISM FOR PROJECT WORKERS**  Establish and operate a responsive Grievance Mechanism (GM) to allow Project Workers under ESS2 to quickly inform management of labor issues and raise workplace concerns and labor-related matters without retaliation. This mechanism will use the same uptake channels of the project's overall GM but follow separate avenues for the resolution of labor-related complaints. The GM for Project Workers will be further detailed in the Project Operations Manual.  Report on the operation of the project workers GM. | within 30 days of the Effective Date and thereafter maintain and operate it throughout Project implementation. | MoES |
| **ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT** | | | |
| 3.1 | **WASTE MANAGEMENT PLAN**  Adopt and implement an E-Waste Management Plan for procurement of IT equipment, consistent with ESS3. | not later than 3 months after the Effective Date, and before procuring any IT equipment, and thereafter implement the plan throughout project implementation | MoES |
| **ESS 4: COMMUNITY HEALTH AND SAFETY** | | | |
| 4.2 | **COMMUNITY HEALTH AND SAFETY**  A War-Hazard Emergency Preparedness and Response Plan will be prepared outlining measures in response to community health and safety risks associated with the operating context, including measures to promote community awareness. | Prior to start of activities involving in-person involvement of general public. | MoES |
| **ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT** | | | |
|  | Not relevant to the Project |  |  |
| **ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES** | | | |
|  | Not relevant to the Project |  |  |
| **ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES** | | | |
|  | Not relevant to the Project |  |  |
| **ESS 8: CULTURAL HERITAGE** | | | |
|  | Not relevant to the Project |  |  |
| **ESS 9: FINANCIAL INTERMEDIARIES** | | | |
|  | Not relevant to the Project |  |  |
| **ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE** | | | |
| 10.1 | **STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION**  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. | throughout Project implementation. | MoES |
| 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 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 GM described in the SEP will be further detailed in the Project Operations Manual.  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. | throughout Project implementation. | MoES |
| **CAPACITY SUPPORT** | | | |
| CS1 | Provide training, as needed, for relevant MoES directorates, PIU staff, stakeholders, communities, Project workers on:   * Worker grievance mechanism * Community grievance mechanism * emergency preparedness and response * SEA/SH awareness and grievance response * Stakeholder mapping and engagement | During project implementation as required. | MoES |
| CS2 | Specify training for Project workers on occupational health and safety including on Emergency Preparedness and Response Plan. | Before undertaking each project activity involving in person attendance. | MoES |