

## **Annex IV.A. Environmental and social commitment plan**

### **ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN**

Ukraine (the Borrower) will implement the Improving Higher Education for Results Project (the Project), with the involvement of the Ministry of Education and Science (MoES), as set out in the Loan Agreement. The International Bank for Reconstruction and Development (hereinafter the Bank) has agreed to provide financing for the Project, as set out in the referred agreement.

The Borrower 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 Bank. The ESCP is a part of the Loan Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreement.

Without limitation to the foregoing, this ESCP sets out material measures and actions that the Borrower 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.

As agreed by the Bank and the Borrower, 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 Borrower 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 Borrower shall promptly disclose the updated ESCP.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<b>MONITORING AND REPORTING</b>			
A	<b>REGULAR REPORTING</b> Prepare and submit to the Bank regular monitoring reports on 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.	Annually throughout Project implementation. Coordinate with the World Bank's Implementation Status and Results (ISR) Report.	MoES
B	<b>INCIDENTS AND ACCIDENTS</b> 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, beneficiaries, or workers including COVID-19 infection cases among project-affected parties. 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 Bank's request, prepare a report on the incident or accident and propose any measures to prevent its recurrence.	Notify the Bank within 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
C	<b>CONTRACTORS' MONTHLY REPORTS</b> Require contractors and supervising firms for works contracts, 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 Client.	Submit the monthly reports to the Client to then be incorporated as annexes to the reports to be submitted under action A above.	MoES

<b>ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS</b>			
1.1	<b>ORGANIZATIONAL STRUCTURE</b> Establish and thereafter 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.	Maintain a PIU as set out in the Loan Agreement.  Hire an environmental specialist and a social specialist not later than 60 days after the effectiveness of the Second Amendment Letter, both with terms of reference and qualifications acceptable to the Bank, and thereafter maintain these positions throughout Project implementation.	MoES
1.2	<b>ENVIRONMENTAL AND SOCIAL ASSESSMENT</b> Undertake environmental and social screening of all proposed Project activities. Based on the screening outcomes and additional fact-finding, as required, prepare ESMPs with mitigation measures and monitoring plans.	Throughout Project implementation.	MoES

1.3	<p><b>MANAGEMENT TOOLS AND INSTRUMENTS</b></p> <p>The Project's Environmental and Social Management Framework (ESMF) was prepared, disclosed, consulted, finalized, and adopted in January 2021. Revise the Project ESMF to cover all Project activities as defined by the amended Loan Agreement. Disclose the ESMF, undertake meaningful public consultations on it, finalize the revised ESMF by incorporating relevant feedback, and re-disclose thereafter and adopt it.</p> <p>Prepare, disclose, consult with stakeholders, finalize and adopt thereafter ESMPs for each activity under the Project, before launching the bidding process for the respective project activity. Include ESMPs into contracts for the provision of civil works and supervise their implementation by contractors.</p>	<p>Finalize the revised ESMF no later than 30 days from the effectiveness of the Second Amendment Letter and thereafter implement the ESMF throughout Project implementation.</p> <p>ESMPs shall be prepared, disclosed consulted upon and WB approved prior to the respective sub-project bidding.</p>	MoES
1.4	<p><b>MANAGEMENT OF CONTRACTORS</b></p> <p>Incorporate the relevant aspects of the ESCP, including requirement to comply with ESMPs and Labor Management Procedures, into the ESHS specifications of the procurement documents. Thereafter ensure that the contractors comply with the ESHS specifications of their respective contracts.</p>	<p>Prior to the preparation of procurement documents.</p> <p>Supervise contractors throughout the Project implementation.</p>	MoES
1.5	<p><b>TECHNICAL ASSISTANCE</b></p> <p>Ensure that the consultancies, studies (including feasibility studies, if applicable), capacity building, training, and any other technical assistance activities under the Project are carried out in accordance with terms of reference acceptable to the Bank, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.</p>	<p>Throughout Project implementation.</p>	MoES
1.6	<p><b>CONTINGENT EMERGENCY RESPONSE FINANCING</b></p> <p>a) 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.</p> <p>b) Adopt any environmental and social (E&amp;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&amp;S instruments, within the timeframes specified in said E&amp;S instruments.</p>	<p>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.</p> <p>b) Adopt any required E&amp;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&amp;S instrument is required. Implement the E&amp;S instruments in accordance with their terms, throughout Project implementation.</p>	MoES

1.7	<b>ASSOCIATED FACILITIES</b> Ensure that the associated activities are carried out in accordance with the applicable requirements of this ESCP and the ESSs, including, inter alia, the ESIA, ESMP, LMP, management of contractors, RAP, SEP.	Throughout Project implementation.	MoES
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## **ESS 2: LABOR AND WORKING CONDITIONS**

2.1	<b>LABOR MANAGEMENT PROCEDURES</b> Project Labor Management Procedures (LMP) were prepared, disclosed and adopted in January 2021. Revise the LMP to cover all Project activities as defined by the amended Loan Agreement. Finalize the revised LMP by incorporating relevant feedback from consultations and re-disclose thereafter and adopt. The revised LMP shall include procedures for mitigating risks of sexual exploitation and abuse and sexual harassment (SEA/SH).	Finalize the revised LMP no later than 90 days from the effectiveness of the Second Amendment Letter and thereafter implement the LMP throughout Project implementation.	MoES
2.2	<b>GRIEVANCE MECHANISM FOR PROJECT WORKERS</b> Establish, maintain, and operate grievance redress mechanisms (GRM) for direct workers and obligate contractors to provide GRM for their personnel, as described in the LMP and consistent with ESS2.  Monitor implementation and processing of the received complaints, including the ones related to SEA/SH; maintain GRM log.	Grievance mechanism operational prior to engaging project workers (direct and contracted) and maintained throughout Project implementation.  Throughout Project implementation.	MoES
2.3	<b>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</b> Where assessed as necessary, implement measures of protection at work and safety for jobs with increased risk of injury and damage to health, as well as organization of training for workers in such jobs, including COVID-related risks. Ensure that all Contractors adopt and implement OHS measures as detailed in ESMF/ESMPs.	Throughout Project implementation.  OHS measures are to be specified in each of the site-specific ESMPs, where determined to be necessary by the environmental and social Screening.	MoES

## **ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT**

3.1	<b>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</b> Include measures to prevent pollution during construction and operation into ESMPs for respective Project activity, following guiding principles of the ESS 3, ESMF and the WBG Guidelines for Environment, Health and Safety (EHS), and duly applied.	Same timeframe as for the adoption and implementation of the respective ESMPs.	MoES
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## **ESS 4: COMMUNITY HEALTH AND SAFETY**

4.1	<b>COMMUNITY HEALTH AND SAFETY</b> Include measures to protect community health and safety during construction and operation (including traffic management) into ESMPs for respective Project activity following guiding principles of the ESF and ESMF and duly applied.	Same timeframe as for the adoption and implementation of the respective ESMPs.	MoES
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<b>ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT</b>			
5.1	<b>RESETTLEMENT POLICY FRAMEWORK</b> Adopt and implement the Resettlement Policy Framework (RPF) that was prepared, disclosed, and consulted in January 2021.	Adopt the RPF no later than 30 days from the effectiveness of the Second Amendment Letter and thereafter implement the RPF throughout Project implementation.	MoES
5.2	<b>RESETTLEMENT PLANS</b> Prepare, disclose, consult, adopt and implement a resettlement action plan (RAP) for each project activity for which the RPF requires such RAP and consistent with ESS5.	RAPs to be prepared immediately after completion of designs for respective Project activity for which RPF requires such RAP. Adopt 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.	MoES

<b>ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES</b>			
	<i>Not relevant to the project</i>		

<b>ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES</b>			
	<i>Not relevant to the project</i>		

<b>ESS 8: CULTURAL HERITAGE</b>			
8.1	<b>CULTURAL HERITAGE RISKS AND IMPACTS</b> Screen each Project activity to exclude impacts on cultural heritage based on the location of the higher education institution. Include Chance Finds Procedure into all civil works contracts and obligate contractors to adhere.	Throughout Project implementation.	MoES

ESS 9: FINANCIAL INTERMEDIARIES		
	Not relevant to the project	

ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<b>STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE</b> <p>The Project Stakeholder Engagement Plan (SEP) was prepared, disclosed, consulted, finalized and adopted in January 2021. Revise the SEP to cover all Project activities as defined in the amended Loan Agreement, including the report on implementation of all activities under the SEP to date. Disclose, consult, finalize and adopt the revised SEP, Implement SEP; conduct the Communication and Public Outreach Campaign.</p> <p>Report on the implementation of all activities in the SEP thereafter</p>	<p>Finalize and adopt the revised SEP no later than 30 days from the effectiveness of the Second Amendment Letter and thereafter implement the SEP throughout Project implementation.</p> <p>Throughout Project implementation. Semi-annually as part of progress report.</p>	MoES
10.2	<b>PROJECT GRIEVANCE MECHANISM</b> <p>Maintain and operate a grievance mechanism to address all complaints and grievances including any grievances related to SEA/SH, as described in the SEP.</p>	Throughout Project implementation.	MoES

CAPACITY SUPPORT (TRAINING)			
CS1	<p>Training and/or consultation will be required for selected MoES staff with responsibility over environmental and social aspects of the Project on:</p> <ul style="list-style-type: none"> <li>• stakeholder mapping and engagement</li> <li>• specific aspects of environmental and social assessment, including SEA/SH related risks;</li> <li>• emergency preparedness and response (including in the context of COVID-19 impacts)</li> <li>• community health and safety (including in the context of COVID-19 impacts)</li> </ul>	<p>Within three months after Project effectiveness followed by a minimum one annual refresher training and consultation</p>	MoES